

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD DECEMBER 14, 2010**

Fresno Irrigation District's Board of Directors met in regular session in the District office located at 2907 South Maple Avenue – Fresno, California, on December 14, 2010. Meeting was called to order at 5:05 p.m. by Board President Jeff Boswell.

DIRECTORS PRESENT

President Jeff Boswell
Vice President Jeff Neely
Steven Balls
Ryan Jacobsen
George Porter

DIRECTORS ABSENT

STAFF PRESENT

General Manager Gary Serrato
Assistant General Manager Laurence Kimura
Chief Engineer Bill Stretch
Watermaster Jim Irwin
Human Resources Director Regina Davis
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

None

OATH OF OFFICE

Directors Neely, Jacobsen, and Porter assumed the oath of office given by Board Secretary Gary Serrato.

REVIEW AGENDA

No changes

REVIEW OF FUTURE MEETINGS

Mr. Serrato reminded the Board of the cancellation of the last meeting in December. Mr. Serrato informed the Directors that re-organization of the Board will take place during the January 11 meeting.

PUBLIC PRESENTATION

None scheduled

POTENTIAL CONFLICTS OF INTEREST

(Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.) [FPPC §87105]

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Director Jacobsen informed the Board he has two conflicts of interest with item 7 a. the District's 2011 Budget category of *Contribution to Other Agencies*. Director Porter also stated that he has a conflict under the same category. Staff will remove the contribution category before requesting a vote.

CONSENT CALENDAR

- a. **Approval of Regular Board Meeting Minutes – November 23, 2010**
- b. **November 2010 Check Register**
- c. **November 2010 Payroll Registers**
- d. **November 2010 Unpaid Assessment Report**
- e. **November 2010 Unpaid ISIP Assessment Report**
- f. **November 2010 Investment Account**

M/S/C/(Balls/Porter) That the Board of Directors approved the Consent Calendar by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

380: WATER REPORT

- a. **Current Water Conditions**

Watermaster Jim Irwin reported on the current and projected water supply information. As of December 13, Pine Flat release was 164 cfs, and storage was 438,387 acre-feet. Pine Flat Precipitation is 167.7% of normal.

CONTROLLER'S REPORT

The Controller reported on the following:

- d. **Auditors Selection**

Staff received five proposals from the fifteen request-for-proposals that were sent out to accounting firms. The Finance Committee along with Staff reviewed and discussed the firms of Brown Armstrong Accountancy and Charles Z. Fedak & Company. After reviewing and interviewing both firms, the committee decided on Brown Armstrong as their recommendation.

M/S/C/(Balls/Jacobsen) That the Board of Directors approved the Finance Committee's recommendation of Brown Armstrong Accountancy Corporation as the new auditor by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

Payment of the 9 (d) contract in the amount of just over 3.2 million dollars was wired to the U.S. Bureau of Reclamation on December 6, 2010.

Staff received a notice from the State Controller office requiring the District to provide 2009 wage and benefit information for each position within the District by January 14, 2011. This information will be posted on the State Controller's website.

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a. 2011 Budget

Controller DeAnn Hailey reviewed the proposed 2011 budget. The budget is based on a six month water season. The Finance Committee reviewed the budget with Staff and recommended approval.

M/S/C/(Balls/Jacobsen) That the Board of Directors approved the 2011 Budget with the exception of the page covering contributions to other agencies by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

M/S/C/(Neely/Balls) That the Board of Directors approved the contributions to other agencies by the following vote. (Ayes Neely, Balls, Boswell; Nays 0; Absent 0; Abstain Porter, Jacobsen)

c. Policy 130-404 Other Post Employment Benefits (OPEB) Investment Policy

Controller DeAnn Hailey reviewed the new OPEB Investment Policy with the Board.

M/S/C/(Balls/Jacobsen) That the Board of Directors approved Policy 130-404 by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

b. County of Fresno Sale of Tax-Defaulted Properties

Staff recommends not objecting to the sale by the County of Fresno of the tax-defaulted properties. By not objecting to the County sale, the delinquent FID assessment would be included in the sale.

M/S/C/(Porter/Balls) That the Board of Directors approved not objecting to the sale by the County of Fresno on tax-defaulted properties by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

a. Developer and Agency Project Schedule for 2010-11 Update

Developer Projects – There was one developer project on the Lisenby Canal that was completed on December 14.

Agency Projects – 1) CalTrans is currently working on a bridge over the Herndon Canal as part of their Highway 99 project between Ashlan Avenue and into Madera County; 2) the city is constructing a pedestrian bridge across the Herndon Canal near Del Mar School located northwest of Shields and Blackstone avenues; 3) the City is replacing an existing pedestrian bridge across the Gould Extension Canal on 9th Avenue located southwest of Dakota and Cedar avenues; and 4) CalTrans has just started

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pipng portions of the Hansen Canal as part of the State Route 180 East project between Temperance and Academy avenues.

City of Fresno's Temporary SWTF - Improvements to the Jefferson and Gunn Canals The contractor is re-constructing the headgate structure, building up the banks, and reshaping the canal.

b. Three-Year Maintenance and Facility Upgrade Project for 2010-11

Regulating Structures and Devices – crews are constructing long-crested weirs on the G-9, Oleander N. Br. and Gordon canals and retrofitting the Central Canal at Dane check with a Langemann Gate.

Measuring Structures and Devices – crews have completed resurfacing the measuring stations at the headgates of the Gould and Fresno Canals.

Basins – crews will modify the basin intertie into the Washington N. Br. Canal at Pursell Pond.

Big Sandridge Canal Weir – to help minimize additional damage to the Big Sandridge Canal, during groundwater recharge operations at Lambrecht Pond, crews are constructing a check structure in the canal downstream of the basin.

Meters – AB303 meters have been ordered and expected within the next couple of weeks. Staff is proposing to install meters at ten basins.

Basins –

Jameson Basin: is slightly behind schedule but is still moving forward.

Oleander Basin: a southern portion of acreage is looking to be leased as one possible option since there were no qualifying bids for the purchase of that portion of the property. The Bureau of Reclamation is now requiring that a full-time archeologist be on-site while the construction of the basin takes place. Staff continues to communicate with the Bureau of Reclamation staff.

Big Sandridge Basin: plans are very close to being completed. The goal is to have the in-channel work done by the start of the 2011 water season and construct the basin during the irrigation season.

Mr. Stretch updated the Directors with a slide show covering Jameson Pond, long-crested weirs, Fresno Canal Headgate, construction of Big Sandridge weir, Jefferson/Gunn improvements, Lisenby project and lining projects.

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- c. Informational Item:**
i. High Speed Rail – Item 2010-23

Mr. Stretch indicated that there will be 22 FID facilities that will be impacted by the high speed rail line. Agreements for reimbursement, maintenance, and flow rates still need to be worked out. The rail line is expected to start near Madera and continue south to Corcoran with construction estimating to start in 2012.

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

- a. Nielsen Site Rubble Pile Update**

The County of Fresno has temporarily stopped removing materials from the site to address an issue raised by the Regional Water Quality Control Board. Staff continues to meet with Fresno County departments.

- b. District Office Plan**

Work continues at a slow pace. Wire pulling has been completed and the roof is done. Most of the sheetrock has been put into place. Staff continues to meet with the general and sub-contractors on a regular basis.

- c. General Maintenance and Equipment Update**

- Heavy equipment operators finished the dredging work on the Houghton Canal to prepare the bottom for the application of Sonar;
- Crews applied aquatic pre-emergence before the rains;
- Heavy equipment operators placed riprap along the Herndon Canal near Blackstone and dredge the head of the Thompson Ditch;
- Crews are handling work order items;
- Sloping crews are working in the southern part of the District;
- Pipeline repairs are taking place on the Oleander and Fairview;
- No rodent control this week;
- Trash crews finished up on Big Dry Creek and have moved over to Herndon Canal at the head.

Equipment for the cast-in-place was sold to a salvage yard where it brought in over \$35,000. Parts for the backhoe also gained the District over \$5,000.

Director Jacobsen previously requested a report on the water levels at the Waldron Banking facility. Monitoring showed that water levels increased by two to four feet compared to one year ago.

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MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY

9 (d) Contracts

As previously reported, the payment for the 9(d) contract has been wired.

Interim flow releases at Friant Dam are currently at 120 cfs and will continue at this level until February 1 where they will increase to 350 cfs.

OTHER

City of Clovis / FID Jameson Groundwater Banking Project

Staff continues to work on the agreement. The meeting scheduled with the City of Clovis for December 17 has been cancelled. There are still many issues that need to be worked out.

LAFCo

Mr. Serrato attended a preliminary meeting regarding the formation of two special district seats on the Fresno County LAFCo board. Several Fresno County water, fire, and cemetery districts spoke in favor of the additional two seats. LAFCo Executive Officer Jeff Witte, informed the group that should the special districts vote for the additional two seats, the special districts in Fresno County would be responsible for one-third of the LAFCo general fund (approximately \$65,000). Currently, Staff sees no benefit for the District in joining LAFCo's board. A follow-up meeting is scheduled for January. There are 91 special districts in the County of Fresno.

State Water Rights Fees

The District has received its water rights fees invoices in the amount of \$60,000. A letter of protest will be sent along with the payments.

Upper Kings River Water Forum

The Department of Water Resources announced that the UKRWF was awarded \$245,000 to update the Integrated Regional Water Management Plan. The engineering firm of Provost and Pritchard was selected to assist in writing the grant and to update the IWRMP.

Public Records Request Act

The District received a request for re-districting information from the law firm of Remcho, Johansen & Purcell, LLP. Ms. Marguerite Leoni is looking into the request and will advise on the information which will be provided.

SBX 7-7

Department of Water Resources has determined that the legislation requires measurement at the turnout gate, volumetric pricing, and a development of a water management plan. Staff continues to track the legislation which calls for the plan and

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implementation to be done by July 2012. Currently, discussion continues on the accuracy of the measuring methods, community pipelines, and possibly deferring the implementation of the legislation to 2015.

Mid-Pacific Water Users Conference

The conference will be held in late January in Reno, NV. Any Director wishing to attend should alert Staff for reservations.

ADMINISTRATIVE MATTERS

a. Approval of Kings Basin Groundwater Basin SBX 7-6 Memorandum of Understanding

Kings River Conservation District has agreed to take on the responsibility of reporting groundwater elevation to the Department of Water Resources as required by SBX 7-6. KRCD will compile the information from Alta, Consolidated, Kings River Water, Orange Cove, and Fresno Irrigation Districts and submit it to the state. Staff's recommendation is to enter into the MOU which was developed by Attorney Gary Sawyers

M/S/C/(Neely/Porter) That the Board of Directors approved entering into the Kings Basin Groundwater Basin MOU by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

b. Human Resource Assistant Position

Staff presented a succession plan for the HR department. HR Assistant Vickie Foye will be leaving the District at the end of 2010 and Regina Davis is scheduled to retire at the end of 2011. After extensive interviewing, Ms. September Singh, was selected by Staff to become the new HR Assistant. Staff is requesting a temporary adjustment in the HR Assistant's wage scale until Ms. Singh assumes the position of HR Director at the end of the year.

M/S/C/(Balls/Neely) That the Board of Directors approved the salary adjustment for the HR Assistant position by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

c. Resolution 2010-22 Honoring Luther Woods' Retirement

After 26 years of service as a Canal Maintenance Worker, Mr. Luther Woods retired on December 10, 2010. Staff recommends honoring Mr. Woods with Resolution 2010-22.

M/S/C/(Neely/Porter) That the Board of Directors approved Resolution 2010-22 by the following roll call vote. (Ayes Balls, Neely, Boswell, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

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d. Resolution 2010-23 Honoring Steve Shelton's Retirement

Mr. Steve Shelton will be retiring at the end of 2010 after 26 years of service as a Water System Operator. Staff recommends honoring Mr. Shelton with Resolution 2010-23.

M/S/C/(Neely/Porter) That the Board of Directors approved Resolution 2010-23 by the following roll call vote. (Ayes Balls, Neely, Boswell, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

e. Request for Overnight Stay for Four Employees to Attend ITRC Training at Cal Poly, San Luis Obispo, CA from January 10-13, 2011

Staff recommends sending four Staff members, including several water systems operators, to Cal Poly to attend an ITRC training course. Attending the course is a prerequisite to becoming a Water System Operator IV.

M/S/C/(Neely/Balls) That the Board of Directors approved sending four Staff members, including several water systems operators, to the ITRC Training at Cal Poly by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

DIRECTORS' REPORT

Director Neely – is appreciative of the work of the Staff and the Board.

Director Jacobsen – would like to start planning for the 2011 grower meetings.

CLOSED SESSION

The Board went into Closed Session at 7:32 p.m.

Natural Resource Defense Council vs. Rodgers (Government Code Section 54956.9). To confer with counsel on pending litigation.

Conference with Legal Counsel–Anticipated Litigation (Government Code Section 54956.9(b)). Conference with Legal Counsel – Anticipated Litigation (G.C. §54956.9. Significant Exposure to Litigation pursuant to subdivision (b)): Nielsen Avenue Property.

Conference with Legal Counsel–Anticipated Litigation (Government Code Section 54956.9(b)). Conference with Legal Counsel – Anticipated Litigation (G.C. §54956.9. Significant Exposure to Litigation pursuant to subdivision (b)): County Service Area 51.

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato, FID and River Cross, Inc.

Properties: APN 015-330-15S

Terms and Conditions: Agreement for Purchase and Sale of Real Property and Escrow Instructions.

Conference with Legal Counsel-Anticipated Litigation (Government Code Section 54956.9(b)). Conference with Legal Counsel – Anticipated Litigation (G.C. §54956.9. Significant Exposure to Litigation pursuant to subdivision (b)): KRWA.

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REPORT OF ACTION TAKEN IN CLOSED SESSION

Closed Session concluded at 7:44 p.m. with President Boswell stating there was no reportable action.

ADJOURNMENT

President Boswell adjourned the meeting at 7:45 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board