

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD May 24, 2011**

Fresno Irrigation District's Board of Directors met in regular session in the District office located at 2907 South Maple Avenue – Fresno, California, on May 24, 2011. Meeting was called to order at 5:00 p.m. by Board President Jeff Neely.

DIRECTORS PRESENT

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

DIRECTORS ABSENT

None

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

Mr. Alan Weaver, Fresno County Public Works and Planning Representative
Mr. Dave Holland, District's Counsel
Mr. Mark Creede, District's Special Counsel

REVIEW AGENDA

Staff requested to have item 11 a. (Re-Amended Agreement) moved to follow the Controller's Report. Mr. Weaver from Fresno County is here to answer questions regarding the Agreement. Also, Mr. Holland and Mr. Creede will be arriving at 6:30 pm to discuss a matter for Closed Session. Staff would like to get through all the reports on the agenda prior to going into Closed Session. If necessary, the General Manager's and Assistant General Manager's Reports can be given after Closed Session.

REVIEW OF FUTURE MEETINGS

None

PUBLIC PRESENTATIONS

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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None stated

CONSENT CALENDAR

- b. April 2011 Check Register**
- c. April 2011 Payroll Registers**
- d. April 2011 Unpaid Assessment Report**
- e. April 2011 Unpaid ISIP Assessment Report**
- f. April 2011 Investment Account**

Director Neely requested that item (a.) on the consent calendar be removed for discussion and requested the revision to Page 53 of the April 26, 2011, Minutes regarding the sale/auction of the ten-foot off-set disc.

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

a. Approval of Regular Board Meeting Minutes – April 26, 2011

New language submitted for approval: “Staff mentioned that a ten-foot offset disc will be going to an auction facility located in Firebaugh. Staff is hoping that this auction facility will bring in better prices than one currently being used. After weighing the disc, Staff determined it would bring in between \$400-500 if taken to a scrap iron recycler. Director Neely suggested using Craigs List, E-Bay, Madera Auction (Young Farmers), Ag Source, or the possibility of donating it to a high school. Director Neely feels the disc is worth more than the \$400-500 the disc weights for scrap iron. Staff will need to confirm that the District stays within the disposal policy.”

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

CONTROLLER’S REPORT

- a. February 2011 Fund Statements**
- b. February 2011 Notes to Fund Statement**
- c. February 2011 Treasurer’s Report**
- d. February 2011 Deposits and Investments**
- e. March 2011 Fund Statements**
- f. March 2011 Notes to the Fund Statements**
- g. March 2011 Treasurer’s Report**
- h. March 2011 Deposits and Investments**

Staff requests that the Board approve the February and March 2011 Financial Reports as presented.

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M/S/C/(Balls/Porter) That the Board of Directors approved the February and March 2011 Financial Reports as presented by the Controller by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

ADMINISTRATIVE MATTERS

a. (CSA 51) Re-Amended Agreement

Mr. Serrato reviewed the changes made to the Re-Amended and Re-Stated Agreement. The changes include a new date for the County to take action on the Agreement, a smaller volume of water that the County would contract for, and inserted language to address the 9 (d) Contracts.

Mr. Boswell informed the Board that he would abstain from the vote.

M/S/C/(Balls/Porter) That the Board of Directors approved the CSA 51 Re-Amended Agreement by the following vote. (Ayes Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain Boswell)

380: WATER REPORT

a. Current Water Conditions

Watermaster Jim Irwin reported on the current and projected water supply information. As of May 23, Pine Flat release was 5,769 cfs with storage at 684,078 acre-feet. Pine Flat precipitation is at 164.5% to date. Average is 18.67" with the current amount at 30.72". Flood releases are expected to continue through mid June; however, cooler temperatures are decreasing the rate of run-off.

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

a. Developer and Agency Project Schedule Update for 2011-2012

Developer Projects – there are no current Developer Projects taking place at this time.

Agency Projects – the two pedestrian bridges (Del Mar Avenue and 9th Street) being constructed by the City of Fresno have been completed.

Mr. Stretch provided slides of the completed pedestrian bridge projects.

City of Fresno's Temporary SWTF – Improvements to the Jefferson and Gunn Canals

FID still needs to resolve a few issues before it can finalize its contract with PG&E.

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b. FID Projects Update for 2011-12

Staff continues to work on the SCADA issues.

Pacheco Basin – the SCADA work should be completed within the next several weeks.

Herndon West Basin – It was reported at a previous Board Meeting that the District had purchased five acres at the tail-end of the Herndon West Canal system located northwest of Ashlan and Plumas avenues. The consultant has just initiated the environmental compliance process. Staff is looking to have this project completed prior to the next irrigation season.

Jameson Basin – the contractor is completing the drilling of the second well and should be finished by the end of the week. Drilling of the third well is expected to start in two weeks. Testing of the wells is being planned for September.

A contractor has been hired to plant the oleander bushes around Bishop and North avenues.

Oleander Basin – the contractor completed removing the vineyard and Staff has received the 90% plans from Provost & Pritchard Consulting. The project is proceeding on schedule and should be ready for next year's irrigation season.

c. Issues with Landowners Removing Cover Over Pipelines - Update

Staff met with a landowner, who uses the Perrin South Branch, to discuss the cover requirements over FID pipelines. Staff is pulling together some estimates on replacing the pipeline to a higher grade of pipe. This pipeline is approximately 50 years old.

d. Miscellaneous Items

i. Briggs Improvements Update – Item 2011-06

FID was awarded a WaterSmart grant in the amount of \$300,000. The grant will be used to up-grade the service on the Briggs Canal. There are six components to the upgrade at an estimated cost of \$632,000. Mr. Stretch reviewed a little of the history of the canal and the upgrades that are going to be done.

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

There has been no change in the status of this project.

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b. District Office Plan

Applegate and their sub-contractors are working on both the inside and outside of the building. Work on the interior includes repair and painting to damaged sheetrock, pass through windows, floor mounted electrical plugs, and installation of light sensors. Exterior work includes fascia, gutters, and landscape irrigation. The wrought iron fence along Maple Avenue will be worked on during the next two weeks. Discussions continue about the front canopy.

c. General Maintenance and Equipment Update

- Heavy equipment operators continue to repair canal banks and place riprap where needed. Last week they were performing embankment work on the Thompson Extension south of California Avenue and will be working next on the Briggs Canal south of Church Avenue. This week HEO are working on American Colony west of Cedar;
- Fill material continues to be used to fill ditch breaks, gopher holes, and squirrel holes;
- Preparations are being made for the planting of oleander shrubs at the Jameson Basin;
- Backhoe operators are dealing with ditch breaks and work order items;
- Spray trucks operators are out as the weather permits; and
- Trash crews continue to be busy at the usual hotspots and trashrakes.

Mr. Kimura noted that the Maintenance Report of April 16 through May 15, 2011, was handed out.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Kings County Water Bank (Apex Ranch)

Mediator Art Baggett, a former State Water Resources Control Board Director, held a meeting with the landowners and the Kings County Water District officials which was reported to have gone very well. The next step will be to hire an outside engineering firm to develop a groundwater monitoring plan associated with the Banking Facility.

Groundwater Recharge

The KRWA Executive Board directed staff to proceed with a meeting with Tom Howard, executive director of the State Water Resources Control Board, to begin the process of developing a "Memorandum" that groundwater recharge was always intended to be a beneficial use of Kings River water. The State Board will place the Memorandum on the Consent Calendar for approval.

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Legislative Committee

The Legislative Committee reviewed a number of proposed bills. Bills of special interest are:

SB 34 (Simitian) Water Infrastructure Projects (fees): this bill would enact the California Water Resources Investment Act of 2001 to establish a sustainable revenue source to fund water related projects and programs for the public's benefit. The Committee sent an opposition letter.

SB 317 (Rubio) Kings River Fisheries Management Program: this bill would allow the Department of Fish and Game to consider the continuation of funding of the Fisheries Management Program.

SBX 7-6

Staff continues to work with KRCD staff to implement the reporting requirements. KRCD staff members are working with DWR on the testing of the data management software for reporting.

SBX 7-7

DWR has provided their proposed regulations to a committee of the State Water Commission. The committee did not like what they saw with some of the proposed regulations. The full Commission is scheduled to make a decision on the proposed regulations on May 18, 2011. DWR has accepted the language that was provided by Friant that recognizes that CVP Contactors, who have developed a Water Management Plan, would meet the requirement of the provision.

FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY

Bureau of Reclamation has declared 100% Class I and 20% schedulable Class II. Flood releases have also been reduced and are currently projected to continue until mid June.

215 Contracts

Friant is reviewing the new provisions in the new 215 Contracts that the Bureau is now requiring. The contracts include: 1) the right to the contract; 2) a limit of 10,000 acre feet; 3) transfers for groundwater banking; and 4) pre-payment of the water and reimbursement.

OTHER

City of Clovis / FID Jameson Groundwater Banking Project

The agreement is almost complete – only minor language issues are left to work out.

ACWA Region 6 Nominations

Nominations are now being accepted to sit on the Region 6 Board. Any Director interested should contact Mr. Serrato for more information.

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AB303 Grant

The County of Fresno obtained a portion of the grant funding but is unable to put it to use. FID is now spear-heading the committee comprised of FMFCD, the County, and the City of Clovis to put together a water management plan for the northeast side of the County.

Proposition 84

The Upper Kings River was selected to be granted \$8,496,000 under Proposition 84. The funds will be used for Consolidated Irrigation District's groundwater banking facility, expansion of the City of Clovis's surface water treatment plant, two engineer reports for disadvantage communities in Tulare County, and water metering for the City of Fresno.

Joint FMFCD/FID Tour

The joint tour with the Fresno Metropolitan Flood Control District (FMFCD) will be held on Tuesday, June 7th. The tour will start at 7:45 am at the FMFCD office.

ADMINISTRATIVE MATTERS

b. Property Damage Claim – Luis Quiroz

Water from the canal (Blythe/Clayton avenues) overflowed causing the septic tanks on Mr. Quiroz's property to fill up. Staff recommends approving reimbursement of the \$265 cost to have his septic tank pumped.

M/S/C/(Jacobsen/Porter) That the Board of Directors approved the payment of the Quiroz damage claim in the amount of \$265.00 by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

c. Update to Policy 140-525 Drug-Free Work Safety Program

Ms. Davis explained that the California Highway Patrol requires that Class A drivers have a Drug-Free Work Safety Policy in place that covers only Class A licenses.

M/S/C/(Balls/Porter) That the Board of Directors approved the update to Policy 140-525 by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

d. Update to Policy 140-525.2 Drug & Alcohol Testing

No discussion.

M/S/C/(Balls/Porter) That the Board of Directors approved the updated to Policy 140-525.2 by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

e. New Policy 140-533 Attendance Program

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This policy covers the number of absences that an employee can accumulate in a year's time without adversely affecting their performance review. This policy has already been reviewed by OE3 and the District's labor legal counsel.

M/S/C/(Porter/Balls) That the Board of Directors approved Attendance Policy 140-533 by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

f. Resolution 2011-04 Honoring Ronald McGrath for Years of Service

Mr. McGrath has served the District for over 16 years and has been an employee that has been heavily relied on for both his knowledge and his experience. The District will miss his expertise.

M/S/C/(Jacobsen/Porter) That the Board of Directors approved Resolution 2011-04 by the following roll call vote. (Ayes Boswell, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

g. Resolution 2011-05 Employees' Retirement Plan 401 (k)

This resolution is required by our third-party administrators for our 401(k) plan.

M/S/C/(Balls/Porter) That the Board of Directors approved Resolution 2011-05 by the following roll call vote. (Ayes Boswell, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

DIRECTORS' REPORT

No reports given.

CLOSED SESSION

Closed Session was called at 6:40 pm.

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 54956.7. Conference with Labor Negotiators Regarding Terms and Conditions of Employment with Represented Bargaining Groups.

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)): Applegate Johnston, Inc.

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REPORT OF ACTION TAKEN IN CLOSED SESSION

President Neely stated there was nothing to report from Closed Session. Closed Session was adjourned at 7:59 pm.

ADJOURNMENT

President Neely adjourned Open Session at 8:01 pm.

Submitted By,

Gary R. Serrato
Secretary of the Board