

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD FEBRUARY 22, 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 February 22, 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
Assistant Human Resource Director September Singh
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Landowners Mr. and Mrs. Alex Madrid

REVIEW AGENDA

Staff asked that item 8 b. (Mr. and Mrs. Madrid) be heard following the Consent Calendar.

REVIEW OF FUTURE MEETINGS

No changes

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]

None stated

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CONSENT CALENDAR

a. Approval of Regular Board Meeting Minutes – February 8, 2011

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

CHIEF ENGINEER'S REPORT

b. Discussion with Landowners Mr. and Mrs. Alex Madrid Regarding Water Service Off the Silvia Canal No. 47 – S/W Shaw and Bryan Avenues

Chief Engineer Bill Stretch reviewed the history and location of Mr. and Mrs. Madrid's request for water service. The Madrids had prior arrangements with a neighbor who allowed them to receive tail water by digging a trench from the neighbor's property which would allow water to be taken from the private line.

The Madrid's are interested in receiving water service from the Silvia Canal No. 47 which they plan to use for the existing almond trees and a plant nursery they hope to start. Engineering Staff has met with the Madrids on several occasions and sent them a letter on September 2, 2010 explaining the situation after Centex Homes realigned the Silvia Canal (in a pipeline). The Directors gave the following suggestions: 1) approach the neighbor and develop an agreement that would allow them to receive water from the private line; 2) pay the expense of putting in a turn-out gate; or 3) use their existing well. The Madrids thanked the Board for their time and suggestions.

The Directors and Staff took a 15 minute recess and toured the construction work taking place at the new building – Open Session resumed at 5:45 pm.

380: WATER REPORT

a. Current Water Conditions

Watermaster Jim Irwin reported on the current and projected water supply information. As of February 21, Pine Flat release was 127 cfs with storage at 657,450 acre-feet. Pine Flat precipitation is currently at 174.8%. Snow levels are expected to drop as a result of upcoming storms over the next week.

The District has been notified by the Bureau of Reclamation that there will be uncontrolled release during the next two months. Predictions still hold for 100% Class I and 20% of Class II water for this season. Mr. Irwin also reported that the Water System Operators have been transferred to the Water Department and have begun setting up the system to begin water deliveries on March 1.

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b. Annex Areas Class II Water Supplies

Staff recommends furnishing Friant water to the three Annex Areas (Round Mountain, Trimmer Springs, and Dog Creek) at a rate of \$75 per acre-foot.

M/S/C/(Balls/Porter) That the Board of Directors approved the delivery of water to the Annex Areas starting March 1 at \$75 per acre-foot by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

CONTROLLER'S REPORT

Mr. Serrato reported that Controller DeAnn Hailey has completed preparing the binders and has met with the auditor. The auditor will be at the District office during the week of February 28 to work on the 2010 audit with the accounting staff.

Staff has not received any new or revised proposals for the re-roofing of the Nielsen property. This item will be brought back for additional review once the proposals have been received.

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

a. Discussion with Landowner Mr. Nick Jerkovich Regarding Modifications to a Box Structure on the Briscoe Canal No. 344 – S/W Gettysburg and Siskiyou Avenues

After the agenda was published, Mr. Jerkovich notified the office that he will not be attending the February 22 meeting. Mr. Stretch updated the Board on the history of Mr. Jerkovich's concerns and complaints with the modifications done to the box structure on the Briscoe Canal located southwest of Gettysburg and Siskiyou avenues.

c. Developer and Agency Project Schedule Update for 2010-2011

Developer Projects – FID is currently processing approximately six Developer projects. There are two projects taking place at this time. The two projects are expected to be completed by February 25.

Agency Projects – FID is currently processing approximately eight Agency projects for the 2010-2011 Maintenance Season. There are four projects in progress and four projects have been completed since April 1, 2010.

d. Three Year MFUP Update for 2010-2011 Projects

e. Miscellaneous Projects Update for 2010-2011

Mr. Stretch reported on the progress of projects being done as part of the Three-Year Plan and the Miscellaneous Projects. Construction projects are being wrapped up in preparation of water season starting on March 1.

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f. Award Contract – Vineyard Removal Contract 579-1683-A as Part of the Oleander Basin

Staff received two bids to remove vines at the Oleander Basin. Of the two bids, HD Mathews Demolition came in lowest at \$24,270.20. This bid was slightly higher than the engineer's estimate but half as much as the other submitted bid.

M/S/C/(Porter/Balls) That the Board of Directors approved the vine removal bid on the Oleander Basin submitted by HD Mathews Demolition in the amount of \$24,247.20 by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

g. Consideration of Adoption of Negative Declaration for the Oleander Basin No. 579 Located N/E Lincoln and Chestnut Avenues. Action Request 2011-02 and Resolution 2011-01

Staff recommends that the Board adopt Resolution 2011-01 for the Mitigated Negative Declaration of the Oleander Basin Project. The comment period ended on February 7.

M/S/C/(Boswell/Balls) That the Board of Directors approved Resolution 2011-01 for the Adoption Of A Mitigated Negative Declaration For The Oleander Basin Project by the following roll call vote. (Ayes Boswell, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

Material remains on site as Staff has not heard back from the Regional Water Quality Control Board.

b. District Office Plan

Work continues at a slow pace. Sub-contractors are working both inside and outside the building. They are working on interior painting and on tile work in the bathrooms. Cabinets are being distributed and installed throughout the building. Lighting and HVAC ducting are being installed. Concrete work is being performed on the outside of the building.

c. General Maintenance and Equipment Update

- Last week was the end of winter maintenance season;
- Crew are still working on the wash-in repairs;
- Work orders items are still being addressed;
- The sloper crew finished the season with work on the Gordon Ditch and then cleaned the siphons along the Enterprise Canal;
- The brush removal crew was at the American Colony near Cherry;

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- The spray truck was out on the Briggs last week and this week they are at the Fresno Sewer Farm and the Herndon West;
- Gate repairs last week were at the South Perrin, North Central, and Briscoe systems but have now been shut down as crews have moved over to the Water Department;
- Trash crews continue to remove shopping carts and other trash from the canals before the start of water season (Herndon System and Fancher System).

The Maintenance Report covering January 16, 2011 through February 15, 2011 was handed out.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

2011-2012 Exhibit "D" Flows

KRWA is anticipating the higher levels of Exhibit "D" Flows for the 2011-2012 water year. KRWA will be required to establish an Exhibit "D" Pool which will require 34,000 acre-feet. FID will contribute approximately 8,000 acre-feet to the pool by May 1.

KRWA Legislative Committee

The Legislative Committee met to review several newly introduced bills that affect groundwater, SBX 7-7 and SBX 7-6. Of interest is a bill sponsored by Senator Michael Rubio (SB 317) regarding the Kings River Fisheries Management Program. The bill authorizes the Department of Fish and Game to enter into contracts for the fish and wildlife habitat preservation, restoration, and enhancement with General Fund monies.

FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY

The Bureau of Reclamation has declared 100% Class I and 20% Class II for the beginning of the season. An uncontrolled season is currently declared for the Friant system and the District is able to take as much water as wanted; however, with Pine Flat also facing flood releases, the District will not be taking any Friant water at this time.

Congressman Devin Nunes has introduced HR 1 which proposes to not fund the San Joaquin River Restoration. Monies paid by the Districts for 9(d) contracts are mandated by law to be utilized for River Restoration. Friant and several other organizations are opposed to this bill.

OTHER

City of Clovis / FID Jameson Groundwater Banking Project

Mr. Serrato reported to the Board that the terms of the Jameson Agreement with the City of Clovis has been agreed to by both parties at the Staff level. Currently the

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attorneys for both parties are working on the language for the agreement and hope to have it completed by April 2011.

Groundwater Monitoring SBX 7-7

Work continues by the Water Districts, Environmentalists Groups and the Department of Water Resources to develop the requirements and language intended by legislature in passing SBX 7-7 and how it applies to water measurement and volumetric pricing. DWR is expected to have their interpretation out by sometime in June.

ADMINISTRATIVE MATTERS

a. Request for Overnight Stay for Two Employees to Attend the SDRMA Safety/Claims Education Day in Sacramento, CA on March 31, 2011

Staff requested two overnight stays for employees to attend the SDRMA Safety and Claims Education Seminar in Sacramento. Having two staff members attend this free one-day seminar, will earn points for the District that are used to discount the workers compensation insurance costs each year.

M/S/C/(Porter/Balls) That the Board of Directors approved Staff's overnight stay to attend the SDRMA Safety/Claims Education Day in Sacramento by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

DIRECTORS' REPORT

Director Balls – attended the January AMWA (Association of Metropolitan Water Agencies) meeting. The vote to disband the group was not able to take place. Several of the members had not yet received approval from their boards to disband. Members of the association include both directors and staff. The staff members are in favor of continuing AMWA meetings for networking.

Director Balls also attended the Governance Seminar portion of a four-part series. He found this section to be the best one yet. One speaker strongly suggested that Special Districts reserves be allocated by resolutions for specific purpose.

Director Jacobsen – the Division 3 growers meeting held in Easton on February 11 was a great success. There were approximately 25-30 people in attendance.

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.

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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.

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)): Applegate Johnston, Inc.

The Board President adjourned Closed Session at 7:54 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Staff presented a Side Letter to Agreement established through the negotiations between the District Staff and representatives of Operating Engineers Union, Local 3. The agreement states:

- The provisions for benefits provided by the District to its employees would remain the same as to the level of the benefit and share of cost between the District and the employees.
- There will be no increase or decrease in employee wages.
- The Absence Management Policy and Attendance Program will be effective January 1, 2011.

OPEN SESSION

M/S/C/(Boswell/Balls) That the Board of Directors approved the Side Letter to Agreement as stated above by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

ADJOURNMENT

President Neely adjourned the meeting at 7:55 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board