

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 11, 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 October 11, 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
Steven Balls
George Porter
Jerry Rebensdorf

DIRECTORS ABSENT

None

STAFF PRESENT

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

OTHERS PRESENT

Re-Districting Legal Firm Merksamer Parrinello Mueller & Naylor – Chris Skinnell (Board to initiate conference call at 5:30 pm)

REVIEW AGENDA

Staff anticipates getting through items 1 through 7 prior to contacting Chris Skinnell (item 11 a.). Mr. Serrato will give his Manager's Report via conference call after hearing from Mr. Skinnell.

REVIEW OF FUTURE MEETINGS

Depending on the need, the October 25 board meeting may be cancelled.

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 – September 27, 2011**
- b. **September 2011 Check Register**
- c. **September 2011 Payroll Registers**
- d. **September 2011 Unpaid Assessment Report**
- e. **September 2011 Unpaid ISIP Assessment Report**
- f. **September 2011 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)

CONTROLLER'S REPORT

The following financial reports were presented:

- a. **August 2011 Fund Statements**
- b. **August 2011 Notes to the Fund Statements**
- c. **August 2011 Treasurer's Report**
- d. **August 2011 Deposits and Investments**

The insurance company's report on the Limbaugh house fire is expected to be furnished soon and will be presented at the next board meeting. The August financial reports are in-line with the revised budget. This reflects an eight-month water season.

M/S/C/(Balls/Porter) That the Board of Directors approved the Financial Reports as presented by Staff 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 October 10, Pine Flat release was 1,220 cfs with storage at 600,094 acre-feet. FID storage is 150,770 acre-feet. Demands have started to increase again this week.

Mr. Serrato requested a motion from the Board that would allow water deliveries through the first ten days in November if demands call for it.

M/S/C/(Porter/Rebensdorf) That the Board of Directors approved the running of water up to November 10, should there be a demand by unanimous vote. (Ayes, 5; Nays 0; Absent 0; Abstain 0)

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

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KINGS RIVER WATER ASSOCIATION

Mr. Serrato has come to an agreement with Consolidated Irrigation District to bank up to 15,000 acre-feet of water.

FRIANT WATER AUTHORITY

A special meeting was called on October 10, to discuss the San Joaquin River Restoration Settlement and H.R. 2354, the Fiscal 2012 Energy and Water Appropriations bill. The bill would provide \$9 million to finance initial studies on the San Joaquin River. Staff was not able to attend the meeting.

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

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

There is starting to be some progress with PG&E. A conservative estimate is that it will take four – six months to energize the site.

b. FID Projects Update for 2011-12

Flowmeters

Washington-Oleander Divide – This project has been completed.

Fresno Colony and American Colony – PG&E has recently energized both sites. Trenching for the electrical conduit may start as soon as the weekend on the American Colony. Staff is hoping to have the project completed prior to the end of water season.

Vernon Drain – This project has been completed.

AB 303 – Six meters remain to be installed.

Basins

Herndon West Basin – This project has been put on hold until next year; however, the environmental documents are proceeding. Director Porter inquired about putting a winter oat crop on the parcel since the basin project has been put on hold until

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sometime next year. The crop planting would help control weeds and maintain the parcel.

Boswell Groundwater Banking Facility – The contractor on the Well Equipping contract has started construction. The project is expected to be completed by the end of December or early January.

Oleander Basin – Staff will have a pre-construction meeting with the contractors and work should begin in approximately two weeks.

Nordstrom Pond – A consultant is in the process of surveying the property for the easements.

FID Miscellaneous Projects

Briggs Improvements – This will be discussed as an Action Request item later in the meeting.

Landowner Pipeline Projects

Empire Pipeline - The project is moving along as scheduled.

Revised Landowner Pipeline Policy – Staff will be updating this policy and bringing it before the Board during the next meeting.

ADMINISTRATIVE MATTERS

- a. **Re-Districting Update (Special Elections Counsel Nielsen, Merksamer, Parrinello, Mueller & Naylor, LLP)**

Mr. Skinnell presented a power point presentation which reviewed the State and Federal Laws of the re-districting process with the Board. Public Hearings outlining the new boundaries are tentatively scheduled for February 14 and March 13, 2012, with a vote on the new map by the Board in March before being sent over to the Fresno County Elections Office for final approval. The goal is to have less than 10% deviation in population between the smallest and biggest divisions. Considerations of divisions can include topography, geography, cohesiveness, contiguity, compactness and integrity of territory, and communities of interest. Mr. Skinnell will look for input from the Board during the November meeting.

CHIEF ENGINEER'S REPORT continued

- c. **Property Sale – Portion of Oleander Basin No. 579 Located S/E Lincoln and Chestnut Avenues. Action Request 2011-18**

Staff has received some interest from area landowners (farmers) in purchasing the 17.3 acres. Staff will try to sell the property prior to listing with a real estate agent. President Neely would like see a minimum price put on the property; Vice-President Jacobsen

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would like to have it priced and placed on the MLS (multiple listings service), if possible. Staff has a reasonable idea of the fair market value.

M/S/C/(Jacobsen/Balls) That the Board of Directors approved Staff's recommendation to sell the 17.3 acres on the south side of Lincoln Avenue by advertising it in the Fresno Bee and placing "for sale" signs along Chestnut and Lincoln avenues for no less than the District's minimum cost by unanimous vote. (Ayes, 5; Nays 0; Absent 0; Abstain 0)

d. Consideration of Adoption of Negative Declaration for the Herndon West Basin No. 581 Located N/W Ashlan and Plumas Avenues. Action Request 2011-15 and Resolution 2011-11

Staff recommends that the Board adopt Resolution 2011-11 for the Mitigated Negative Declaration of the Herndon West Basin project. There were no notable comments from the two responding agencies and the Mitigated Negative Declaration declared that an Environmental Impact Report does not need to be prepared.

President Neely opened the public hearing portion of the meeting. With no public present, President Neely closed the public hearing.

M/S/C/(Jacobsen/Balls) That the Board of Directors approved Resolution 2011-11 by roll call vote. (Ayes, Rebensdorf, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

e. Consideration of Adoption of Negative Declaration for the Briggs Canal No. 7 Improvements Project Located S/W American and Fowler Avenues. Action Request 2011-16 and Resolution 2011-12

Staff recommends that the Board adopt Resolution 2011-12 for the Mitigated Negative Declaration of the Briggs project. All the requirements of the California Environmental Quality Act (CEQA) have been met.

President Neely opened the public hearing portion of the meeting. With no public present, President Neely closed the public hearing.

M/S/C/(Balls/Jacobsen) That the Board of Directors approved Resolution 2011-12 by roll call vote. (Ayes, Rebensdorf, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

f. Sell Easements to County and City of Fresno on the Fresno Colony Canal No. 24 on North and Maple Avenues. Action Request 2011-17

The County of Fresno is planning to construct a left turn lane on North Avenue onto Maple Avenue. The County is proposing to extend the Fresno Colony Canal culvert along the west side of Maple Avenue by 35 feet. Staff has proposed selling the

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easements to the City of Fresno and the County at a cost of \$1,022.72 (\$3 per square foot, plus a \$500 administrative fee) each. The County has agreed to these terms.

M/S/C/(Jacobsen/Balls) That the Board of Directors approved Staff's recommendation to sell the District's easements to the City of Fresno and the County in the amount of \$1,022.72 each by unanimous vote. (Ayes, 5; Nays 0; Absent 0; Abstain 0)

g. Approval of Overnight Stay for Chief Engineer Bill Stretch to Attend the USCID Conference in San Diego, CA. Action Request 2011-14

Mr. Stretch made the request to attend the USCID Conference held in San Diego, CA.

M/S/C/(Balls/Rebensdorf) That the Board of Directors approved the Chief Engineer's two-night stay to attend the USCID Conference in San Diego, CA by unanimous vote. (Ayes, 5; 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

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

b. District Office Plan

The Surety Company's representative has been on-site. He is working as a non-binding independent expert. Applegate Johnston is working on addressing the items on the punch-list.

c. General Maintenance and Equipment Update

- Heavy equipment operators have been working on embankment repairs and maintenance;
- Heavy equipment operators have finished working on the North Central Canal and the Empire Ditch;
- Backhoe operator has been tackling work order items and assisting with trash removal;
- Spray truck operators sprayed the Gould Canal, Fresno Canal, and the larger canals on the south side of the District;
- Spray tractor operator sprayed the smaller canals on the east side of the District;
- Pipeline repairs have slowed down during harvest time;
- Other work included structure repairs, vent repairs, and brush removal;
- Trash crews continue to be busy on the Houghton West and Dry Creek – crews were sent out to check on drains after last week's rain event.

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DIRECTORS' REPORT

Director Rebensdorf – crop estimate for raisins is 300,000 lbs. this year.

Open Session concluded at 6:35 p.m.

CLOSED SESSION

There was no Closed Session portion to the meeting.

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.

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.

Government Code Section 54957. Personnel Matters.

REPORT OF ACTION TAKEN IN CLOSED SESSION

There was no Closed Session.

ADJOURNMENT

President Neely adjourned the meeting at 6:36 pm.

Submitted By,

Gary R. Serrato
Secretary of the Board