

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JULY 24, 2012**

Fresno Irrigation District's Board of Directors met in regular session in the District office located at 2907 South Maple Avenue – Fresno, California, on July 24, 2012. 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
Chief Engineer Bill Stretch
Watermaster Jim Irwin
Human Resources Director September Singh
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Landowner Greg Beberian

PUBLIC PRESENTATIONS

Mr. Beberian stated his dissatisfaction with the Board's decision to end water deliveries on the Herndon system on July 31 while the other systems within FID continue receiving water until August 15. President Neely explained that FID does not have enough water to run another 30 days for the entire District. Mr. Beberian also wanted to know how the agendas for board meetings were posted. Staff informed Mr. Beberian of the timeline and locations of the agenda and minute postings.

REVIEW AGENDA

Mr. Serrato announced that Dave Orth, General Manager of KRCD, is scheduled to speak on water quality issues under item 11 a. Mr. Serrato requested that this item follow the Consent Calendar. The Board agreed with the change.

REVIEW OF FUTURE MEETINGS

Staff proposed cancelling the Board Meeting scheduled for December 25, 2012, due to the holiday.

M/S/C/(Porter/Balls) That the Board of Directors approved cancelling the December 25, 2012, Board Meeting by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

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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

CONSENT CALENDAR

a. Approval of Regular Board Meeting Minutes – July 10, 2012

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

ADMINISTRATIVE MATTERS

a. Water Quality Update (presented by Dave Orth of the Kings River Conservation District)

Mr. Orth, General Manager of Kings River Conservation District, presented an update on the Long Term Irrigated Lands Regulatory Program. Because of legislation being passed in 2001, irrigated lands fell under the scope of the State's water quality control laws. Prior to these laws, agricultural lands were waived from these requirements. About five years ago, it was decided that agricultural land was no longer automatically waived but had to petition for exemption. This was known as Ag Waiver Discharge. The information Mr. Orth presented covered: timeline of important dates; scope of irrigators of this program; grower alternatives; coalition responsibilities, such as, prepare templates, monitoring, education/outreach programs, and submission of a summary data report; member (landowner) responsibilities, such as, providing nutrient budget, prepare sediment/erosion control plan, and confirm membership in coalition; and costs.

CONTROLLER'S REPORT

Controller DeAnn Hailey reported that she has been in contact with the District's insurance carrier regarding the FID fire damaged house at the Limbaugh property. Ms. Hailey outlined the maximum amount the insurance company would be willing to payout for replacement.

- a. May 2012 Fund Statements**
- b. May 2012 Notes to the Fund Statements**
- c. May 2012 Treasurer's Report**
- d. May 2012 Deposits and Investments**

Ms. Hailey reviewed the financial reports for the Directors. The May statements are within budget at 42% for the year. Maintenance expenses are low but are expected to catch up as the District heads into the maintenance season.

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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)

WATER REPORT

a. Current Water Conditions

Jim Irwin reported on the current and projected water supply information. As of July 23, Pine Flat release was 4,284 cfs with storage at 374,143 acre-feet. Consolidated Irrigation District completed their run on July 20. The weather will continue to fluctuate between the upper 90's to lower 100's through the remainder of July. The District has scheduled the shutdown of the Herndon System on July 31. FID will make up the shorter water delivery on the Herndon system when hydrological conditions prevent deliveries to the entire system and water becomes available.

b. Fall 2012 Reclaim Water Deliveries

Staff recommended the continuation of water deliveries to the Lower Dry Creek and Houghton Systems of water that are received from the Regional Waste Water Treatment Plant Reclamation Wells. Deliveries are to begin following the shut down of surface water deliveries on August 15. Staff also recommends charging the same price as in the spring. Director Porter stated he was concerned with the City of Fresno participating in the PG&E energy flex program and how FID would handle deliveries when the water treatment plant is off-line. Staff stated they would work with the growers to adjust their delivery schedules and/or payments.

M/S/C/(Porter/Jacobsen) That the Board of Directors approved Staff's recommendation to start reclaim water deliveries on the east side on August 16 at the same price as charged in the spring 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 Update for 2012-2013

Developer Projects – there are no Developer projects going on at this time.

Agency Projects – there are no Agency projects going on at this time.

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

The City is expected to perform a water test by mid August with full operation expected in September. FID and the City have the major issues of the operations and maintenance agreement worked out and is now working on the final details.

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b. High Speed Rail Update (HSR)

FID has sent the first invoice for reimbursement to the California HSR which covers the costs for staff, consultant, and attorney time. Staff also sent a letter to the HSRA which outlines FID's issues with the master and reimbursement agreement between the District and the HSRA.

c. FID On-going Projects Update

Basins

Herndon West Basin – Staff has finalized the construction plans and continues to wait for comments from Fresno County. After addressing any County comments, Staff will prepare a bid packet. Construction is still scheduled for this fall if funds are available.

Oleander Basin – Escrow has now closed on this property.

Nordstrom Basin – The environmental document was submitted to the State Clearinghouse on June 22 and was reviewed during a 30-day period. At the August 14 Board meeting, Staff will bring the Mitigated Negative Declaration to the Board for approval. Staff anticipates awarding the construction bid on September 25 and will start construction in October.

Miscellaneous

Briggs Pipeline – Mr. Serrato has been in contact with the general manager of Consolidated Irrigation District (CID) regarding the invoice on the repairs to the Briggs Pipeline near Cornell Pond. CID is asking to renegotiate the O&M agreement.

Mr. Serrato reported that the Proposition 218 election held by Consolidated Irrigation District failed by a small margin. A public hearing was held on July 19 to announce the election results. CID has taken the ballots to the Fresno County Elections office for a re-count.

d. Present List of Construction Projects and Capital Improvements Fund Budget for 2012-13. Action Request No. 2012-14

Mr. Stretch reviewed the projects that Staff is proposing during the 2012-13 Maintenance Season. The estimated cost for the 23 scheduled projects is \$1,111,000 with monies to come from the Capital Improvement Funds. Projects will include constructing two basins, several long crested weirs, improving existing flow measuring devices and structures, concrete lining repairs, SCADA improvements, and several other improvements to FID facilities. The majority of the projects will be constructed by FID's crews. Several of the projects however, will be constructed by outside contractors. FID is planning on constructing three to four (3 – 4) turnout structures for landowners who will reimburse FID for all associated costs. Director Jacobsen asked

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about the fencing around a basin that was further down on the priority list. Staff stated there is currently a fence around the basin that will work for the time being.

M/S/C/(Balls/Porter) That the Board of Directors approved Staff's recommendation of projects during the 2012-13 Maintenance Season at a projected cost of \$1,111,000 with monies to come from the Capital Improvements Funds by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

The meeting went into a short break at 6:40 pm and resumed at 6:57 pm.

ASSISTANT MANAGER'S REPORT

General Manager Gary Serrato reported on the following for the Assistant General Manager:

a. Nielsen Site Rubble Pile Update

There is nothing new to report on this item.

b. District Office Plan

The stucco and concrete work has begun on the outside of the building. The concrete will be poured after the stucco has dried. Further discussion on the new building will take place during Closed Session.

c. General Maintenance and Equipment Update

Crews are working on canal banks and gate repairs. Trash crews are working throughout the District. The maintenance update can be reviewed in the Assistant General Manager's Report in the board packet.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

At the July 17 Executive Committee meeting, it was announced that inflows were 519 cfs; last year at this same time they were 5,455 cfs. Storage is at 443,149 acre-feet and at the same time last year it was 982,000 acre-feet. KRWA Watermaster Steve Haugen announced that Pine Flat should reach a low point between 120,000 and 130,000 acre-feet.

Lemoore Irrigation District and Peoples Ditch Company are planning to run until the end of September, with everyone else shutting down in August.

Legislative Committee Meeting

Mr. Serrato discussed the idea of proposing legislation that would delay the implementation of the measurement portion of SBx 7-7. The committee appears to be in

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favor of having Assembly Member Henry Perea introduce a bill on the delay. KRWA/KRCD State Lobbyist Jack Gualco will be following up with the Assembly Member on this.

Dr. Burt (professor from Cal Poly) pulled together a meeting in Los Banos that included a number of irrigation districts from Modesto, Stanislaus, Fresno, Merced, Oakdale, and Firebaugh. A proposal was developed which will be taken before the Department of Water Resources (DWR). In late August, the Bureau of Reclamation and the DWR will be visiting a number of irrigation districts throughout the Central Valley. This will give the districts an opportunity to show them what type of measurements are currently being taken and discuss the financial hardship the implementation of the measurement portion of SBx 7-7 will have.

Mr. Serrato, along with representatives from Friant Water Authority and the Farm Water Coalition, will be traveling to Sacramento on August 3 to meet with staff members from the Department of Water Resources to discuss a delay of the implementation of the measurement portion of SBx 7-7.

State Water Resources Control Board

KRWA continues to work through the development of identifying the volume of pre-1914 water. Steve Haugen reported KRWA may have found a way to use State retiree Chuck Rich to perform the study. Mr. Rich is a retiree from the State Water Resources Control Board and is very knowledgeable about pre-1914 water and issues. Governor Brown signed the budget which contained language that keeps State retirees from working on public projects.

Apex Groundwater Banking

Mr. Sawyers reported that some large-acreage landowners surrounding the project have indicated they were being impacted by the deeper wells associated with the project. Mr. Sawyer has spoken to one landowner who stated his well has not been impacted. Monitoring on the effects of the water bank of the surrounding area will continue.

Executive Committee Meeting

It was announced that the August 21 Executive Committee meeting will be canceled so members can attend the Regional Water Quality Control Board Public Hearing. It is anticipated there will be a large turnout.

Steve Haugen reported that there has been a tremendous amount of channel losses this year (all the way to Peoples Weir). Mr. Haugen asked the committee to form a group to research the cause.

FRIANT

Mr. Serrato attended a meeting with the Bureau of Reclamation to receive an update on the water account. This year's anticipated re-captured and re-circulated available water should be 100,000 acre-feet.

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There were a number of items discussed that were associated with San Joaquin River Restoration:

- a) Interim flows
- b) Friant/Kern Canal capacity
- c) Part Three monies to develop and construct banking and recharge basins.
- d) Recapture and Recirculation programs.

OTHER

County Service Area 51

The election for passage of a water development project by the County of Fresno for Community Service Area 51 was soundly defeated. If the measure had passed, FID would have provided the water for the area.

Miscellaneous

Mr. Serrato is scheduled to meet with two Fresno City council members regarding the conveyance agreement between Fresno Irrigation District and the City of Fresno.

DIRECTORS' REPORT

Director Neely – reported on traveling to Washington D.C. where he and other members represented KRWA. While there, Director Neely visited Senator Boxer's office and the offices of Representatives Denham, Costa, McClintock, and Nunes. The discussions mainly centered on salmon traveling up the Kings River during flood releases; fishing pressure on the Kings River when it becomes illegal to fish on the San Joaquin; and vegetation on the levies. The group also stated their concern that up to 15 different species of fish could make their way up the Kings River. Everyone the group met with was very courteous, receptive, and knowledgeable.

CLOSED SESSION

The Board went into Closed Session at 7:40 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.

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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CLOSED SESSION ADJOURNMENT

President Neely adjourned Closed Session at 8:02 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Neely stated there was nothing to report from Closed Session.

ADJOURNMENT

Open Session adjourned at 8:03 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board