

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD DECEMBER 11, 2012**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California, on December 11, 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
Greg Beberian

DIRECTORS ABSENT

None

STAFF PRESENT

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

OTHERS PRESENT

Granville Homes Representative Jeff Roberts
Granville Homes Representative Goldie Lewis
Landowner along the Thompson Canal Mr. Dennis Haupt
Landowner along the Thompson Canal Mr. Gary Christian

OATH OF OFFICE

Directors Balls and Beberian assumed the oath of office given by Board Secretary Gary Serrato.

PUBLIC PRESENTATIONS

None scheduled.

REVIEW AGENDA

Mr. Serrato informed the Board that Mr. Jeff Roberts from Granville Homes (item 8 d.) is here to update the Directors on one of Granville's latest projects that is located within the District. Mr. Serrato requested that item 8 (d) be moved to the beginning of the meeting to accommodate Mr. Roberts' schedule. Mr. Serrato also requested that item 8 (g) be moved and discussed after item 8 (d) as landowners Christian and Haupt were also present to discuss their issues with the bridges and Thompson Canal.

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REVIEW OF FUTURE MEETINGS

There are no changes to the future meetings.

CHIEF ENGINEER'S REPORT

- d. Public Presentation: Jeff Roberts of Granville Homes to Provide Update on Proposed Westlake Development – N/W Shields and Grantland Avenues. Informational Item 2012-21**

Mr. Roberts came in to update the Board on the status of the Granville Homes' new multi-functional development located between Grantland and Garfield avenues north of Shields. Granville is hoping to have the first homes ready for sale to the public by 2014. A 55-acre man-made lake that will function as a recreational and aesthetic feature is designed as the focal attraction for the project. The lake will not be used for re-charge purposes. FID's surface water will be the primary source and groundwater would be utilized to supplement the lake when surface water is not available.

- g. Discussion Regarding Landowner Complaints with Private Bridges Across Thompson Canal No. 54 – Dakota and W/O Jameson Avenue**

Mr. Stretch updated the members of the Board regarding the aging bridges of Ms. Mar Malloy, Mr. Dennis Haupt, and Mr. Gary Christian on the Thompson Canal located southwest of Dakota and Jameson avenues. Director Porter, Mr. Serrato, and Engineering Staff have met on-site with the landowners to discuss the condition of the landowners aging bridges (in excess of 60 years) that cross over the Thompson Canal. It is FID's position that these are private bridges and that the District is not responsible for their maintenance or repair. Staff has been unable to locate any records or permits on any of the subject bridges. In an effort to assist the landowners, Staff has agreed to build up certain portions of the canal on the right (west) bank, add additional rip rap in the canal, and install a new long crested weir. Director Porter pointed out that the flow has not increased over the years. It is the landowners' contention that the bridges are unsafe because the canal has gotten wider over the past 60 to 80 years and the increased use of the canal attributed to the decay of their bridges.

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 – November 13, 2012**
- b. November 2012 Check Register**
- c. November 2012 Payroll Registers**
- d. November 2012 Unpaid Assessment Report**
- e. November 2012 Investment Account**

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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

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

Ms. Hailey reviewed the financial reports for the Directors. She reported that we are still within this year’s budget. Revenues are nearing 100% for the year. The category of Other Maintenance Expense is currently under budget and is expected to stay under budget for the remainder of the year. The Wages and Salary category is currently on track and the Benefit expenses are slightly below budget. The first Pacific Gas and Electric bill under the “time of use” rate has been received and did show a \$1,000 increase during a one-month period.

M/S/C/(Balls/Porter) That the Board of Directors approved the October 2012 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 December 10, Pine Flat release was 105 cfs with storage at 233,734 acre-feet. Pine Flat precipitation is at 102.6% of seasonal average. The five of the eight snow sensors that are reporting show above average water content for this time of year. A small storm is expected on Wednesday and Sunday of this week. Other additional storms are expected later in the month.

A break was taken from 6:35 p.m. to 6:47 p.m. where no District business was discussed.

Open Session resumed at 6:48 p.m.

CHIEF ENGINEER’S REPORT

Chief Engineer Bill Stretch’s reported on the following items:

- a. **Developer and Agency Project Schedule Update for 2012-2013**

Developer Projects – there is one project under construction at N/W Kings Canyon and Peach Avenue. Wal-Mart Department Store is replacing 1,300 feet of HDPE (storm drain pipe) with 24” RGRCP. A few additional projects are anticipated to be completed before the end of Maintenance Season.

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Agency Projects – Staff is processing approximately six Agency projects for the 2012-2013 Maintenance Season. Currently there are no projects in progress and five projects have been completed since April 1, 2012. The five projects that have been recently completed include: 1) City of Fresno extended the eastern portion of the Fowler Avenue Bridge across the Fancher Creek Canal located near Tulare Avenue; 2) FMFCD intertie to Basin BO off the Fancher Creek Canal located southwest Tulare and Fowlers avenues; 3) Fresno County extended the eastern portion of an existing 60-inch pipeline under Maple Avenue on the Fresno Colony Canal, north of North Avenue; 4) Fresno County replaced a 24-inch culvert under Shaw Avenue on the Briscoe Canal west of Madera Avenue; and 5) Caltrans replaced the eastern section of a 24-inch RGRCP pipeline under Madera Avenue (Highway 145) on the G-6 Canal, south of Shields Avenue.

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

There is nothing new to report on this project.

b. FID Projects Update for 2012-13

Staff and FID’s consultants have completed most of the planning and engineering for the majority of the following projects:

Basins

Nordstrom Basin – The earthwork and fencing portions of the project have been awarded to Clark Brothers. Construction is expected to start in the next couple of weeks.

Waldron Recovery Well #104 – this is a new reclamation well being drilled at the main Waldron site.

Open Channel Projects, Regulating Structures, Measuring Stations, etc.

Dry Creek Trashrack at Headgates – FID crews have completed this project.

Gould Canal at Fancher Creek – FID crews continue to work on major repairs, earthwork, filling voids with slurry, and constructing the downstream cutoff wall to the large concrete structure where the Gould Canal siphons on Fancher Creek at Clinton and Academy. Crews started making the repairs after noticing a considerable amount of leaking during the last water season.

Adams Waste – the project includes upsizing the pipeline and constructing a Long Crested Weir.

American Colony No. 2 – the project includes replacing an existing weir with a Long Crested Weir.

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Armstrong and South Branch Of the East Branch – FID is testing an elastomeric polymer material known as Aqualastic. This material is used to repair cracks or seal joints on concrete lined banks. Aqualastic has been used throughout the United States for over twelve years with very good results.

Miscellaneous

Lambrecht Banking Facility – FID's crews have completed the project located on the south side of Cell 4 and southwest of Shaw and Goldenrod. The project included a small French Drain and lift pump system which should eliminate the seepage that occurs when the pond is near full capacity.

Limbaugh House – The house has been abated and demolished. Staff is working to finish the plans for a District filling station and abandoning an old well.

Mr. Stretch gave a PowerPoint presentation covering some of the on-going projects.

c. Landowner Initiated Projects Update for 2012-13

Fanning Canal Turnout for Zhu – This is a 12-inch turnout located northeast of Church and Hughes avenues. This project has been completed.

West Branch of the East Branch Canal Turnout for Belmont Country Club – This is a small turnout that FID crews have constructed – it is located southwest of Belmont and DeWolf avenues and has been completed.

Little Sandridge Pipeline – It appears that this project is going to be delayed until next year – the contractor has other projects that need to be completed prior to starting this project.

Lower Dry Creek Canal Turnout for Schaad – This project is a 24-inch turnout located southeast of North and Howard avenues. FID crews will begin the project in about a week.

Thompson Canal Bridge for Bien –The repairs are scheduled to be completed by the end of the week.

Hansen Canal Bridge for Vukson – Mr. Vukson attempted to make repairs to his private bridge that crosses the Hansen Canal located N/E Butler and McCall avenues. After removing the wood deck, it was determined the bridge needed to be replaced – construction of the new bridge will begin next year.

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- e. Award Contract – Well Drilling Contract 184-1731-B as part of the Waldron Banking Facility No. 184 – N/E Nielsen and Bishop Avenues. Action Request 2012-22**

Staff went out for bid to drill a new recovery well between Cells 5 and 6 at the Waldron Banking Facility. Four bids were submitted and after review, Staff recommends the project be awarded to Arthur & Orum who came in with the lowest bid.

M/S/C/(Jacobsen/Balls) That the Board of Directors approved awarding the recovery well contract to Arthur & Orum as presented in Action Request 2012-22 by unanimous vote. (Ayes - 5; Nays - 0; Absent - 0; Abstain - 0)

- f. High Speed Rail Update (HSR)**

The Reimbursement Agreement is going through HSR before it continues on to the California Department of General Services for final review. Mr. Stretch reviewed the dates of the upcoming milestones.

- h. Report of USCID' Conference in Reno – Informational Item 2012-23**

Mr. Stretch thanked the Board for allowing him to attend the conference. He felt it was a great conference and very worthwhile. This conference is geared towards engineers and operations/maintenance personnel.

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

- a. Nielsen Site Rubble Pile Update**

There are no changes on the rubble pile; however, a fence has now been constructed on the west side of the Nielsen Avenue property.

- b. District Office Plan**

The stucco-concrete work has been completed on the outside of the building and the District has been given verbal approval for permanent occupancy from the County of Fresno. Additional discussion of the District's office building will take place during Closed Session.

- c. General Maintenance and Equipment Update**

Winter maintenance and construction work continue to take place. Heavy equipment operators have completed dredging the Enterprise Canal and have now moved on to the Houghton Canal. The dozer operator ripped Cell 4 at the Lambrecht Basin last week and is now at the Boswell and Chestnut Basins. The motorgrader operators were on the Big Sandridge Canal and have moved over to the Houghton systems. Last week the sloper crew was working on the Washington Colony North Branch, Storey, Viau, and

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Oleander; this week they are on the Benefield and Wilder. The brushing crews are working multiple locations along the Enterprise. Repair crews are taking care of pipeline repairs, gate repairs, gate inspections, and a concrete lining repair on the Tielman. Trash crews were at the Washington Colony and Oleander systems before moving to the Central and Houghton canals.

Staff took two older vehicles to auction (#766 – 1997 Ford F-350 4x4 Pickup and #707 – 1997 Ford Crown Victoria Sedan) where they were sold for a total of \$4,000.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Water Right Fees

The KRWA Executive Committee approved the payment of the Water Right Fees in the amount of \$256,652.62 for 2013. FID's share is 18% of the total or \$46,197.

Rock Slide – Pine Flat Dam

A rock slide occurred in the front of the dam on the south end. The Army Corp of Engineers is working on the stabilization and repair of the dam. The slide blocked one of the exit doors. The cost for the repairs is estimated at \$3 million with KRWA assessed 33% of the cost. FID's cost share will be approximately \$112,000 with payments to be over a five-year period starting in 2014. The cost is based on the volume of storage space that was purchased by the District.

Pre-1914 Water Rights

KRWA continues to work with the State Water Resources Control Board staff in an effort to identify the Pre-1914 water rights on the Kings River. The process will now require KRWA, through its consultant Jim Provost (Provost & Prichard Consulting), to develop and present KRWA's report which will include historical diversions prior to 1914. Most of the work has been completed and meetings with the State Board will begin in January 2013. The report needs to identify 1) total volume; 2) season of use; 3) place of use; and 4) any water outside of the License.

Fish Count on the Kings River

The preliminary report is the trout count is up from the previous year and more wild trout were identified. The final report will not be completed for two more months.

The Pine Flat incubator is now operational and currently being utilized. The incubator facility was converted from an old Fresno County building and remodeled to provide a safe environment for the incubation of trout eggs – private funds were used for the remodeling.

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Kings River Watershed Coalition Authority

The Coalition Authority Board met to discuss the Regional Water Quality Control Boards “Irrigated Lands Regulatory Program” and the new directive that farmers will need to comply with. The Regional Board has now made a direct correlation to groundwater - “If you are an irrigator, you are a discharger”.

Topics of discussion were:

- a) Does the Kings River Watershed Coalition Authority want to continue to work with the other valley water sheds (Kaweah, Tule and Kern rivers);
- b) Does the Kings River Coalition separate and becomes a standalone authority that works directly with the RWQCB; and
- c) What is the cost and coverage associated with being a member of the coalition.

It is Staff’s opinion that the Kings River Watershed Coalition Authority should break away from the other valley watershed coalitions. It is also the recommendation of KRCD General Manager Dave Orth that the coalition become a member of CV-SALTS. The membership is \$25,000 but would allow the coalitions to become involved with the Regional Board to curtail groundwater regulations. The Executive Committee has agreed to pursue becoming a member of CV-SALTS.

FRIANT WATER AUTHORITY

Friant Kern Canal Maintenance

Friant continues to work on issues in preparation of the February re-opening of the Friant/Kern Canal. Currently, Friant is replacing concrete panels and applying herbicides to address the aquatic weed Milfoil that is throughout the canal. The cost for the application of the herbicides will exceed \$400,000.

Salmon Relocation

The Bureau of Reclamation is working with the California Department of Fish and Game to tag and relocate the salmon that were caught beyond the Merced River barrier. The fish were released east of Highway 99.

The Bureau continues to release 350 cfs from Friant Dam into the San Joaquin River as required by the settlement for river restoration flows.

The 215 Contracts are still being developed.

OTHER

SBx 7-7

Mr. Serrato provided a PowerPoint presentation to update the Board on the next steps in addressing volumetric measurement pricing within the District.

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The bill requires the following:

- Measure the volume of water delivered to customers,
 - Higher Measurement Accuracy Required;
- Adopt volumetric pricing structure at least in part;
- Implement 14 efficient management practices;
- Completion of the Ag Water Management Plan by December 31, 2012;
- If not implemented by July 1, 2013, agencies are not eligible for grant funding.

Staff has met with the Department of Water Resources to voice its concerns about the financial hardship it will create for the District. Staff is looking at pursuing other alternatives, including the possibility of foregoing future grant funding. Cost could reach as high as \$50 million dollars (\$8,000 - \$12,000 per turnout @ 4,000 turnouts) for the District.

City of Clovis / Fresno Irrigation District

The City of Clovis is planning to put in a rest area along their walking/biking trail on the FID owned property at Sunnyside and Shepherd. It has been FID's desire not to sell the property; therefore, the City would be willing to enter into a long-term lease with the District. Staff has discussed different options with FID's legal counsel who is now working on an agreement that would allow the City the use it is looking for as well as indemnifying the District. The Board directed Staff to inquire about the adjacent small parcel as a staging ground.

Fresno Irrigation District/Consolidated Irrigation District Joint Board Meeting

Mr. Serrato mentioned there will be a joint Board of Directors' meeting between Consolidated Irrigation District and Fresno Irrigation District. It is being proposed for January 10, 2013, at the Fresno Irrigation District office. Staff will pass on more information to the Directors as it becomes available.

ADMINISTRATIVE MATTERS

a. Mid Pacific Region Water Users Conference

Mr. Serrato reminded the Directors and Staff that the Mid Pacific Region Conference is coming up in January in Reno, NV. He suggested that any Board member interested in attending should contact Staff so conference/hotel reservations can be made.

M/S/C/(Balls/Porter) That the Board of Directors approved sending any Director or senior Staff to the Mid Pacific Conference in January by unanimous vote. (Ayes - 5; Nays - 0; Absent - 0; Abstain - 0)

b. Approval for Director(s) to Attend CSDA Seminar on "How To Be An Effective Board Member" with Possible Overnight Stay

Mr. Serrato explained that this seminar is an excellent one to attend, especially for any new member(s) to the Board. This seminar may require an overnight stay.

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M/S/C/(Porter/Balls) That the Board of Directors approved attending the CSDA Effective Board Member seminar by any Director or senior Staff wishing to attend by unanimous vote. (Ayes - 5; Nays - 0; Absent - 0; Abstain - 0)

c. Request of Overnight Stay for Two to Four Employees to Attend the ITRC Training (Cal Poly) in San Luis Obispo, CA in January 2013

The District traditionally sends two to four Water Systems Operators (WSO) to the ITRC training each year given by Cal Poly in San Luis Obispo, CA. This training is required for any WSO to advance to the next grade level.

M/S/C/(Balls/Porter) That the Board of Directors approved Staff's recommendation to send two to four WSO employees to the Cal Poly training by unanimous vote. (Ayes - 5; Nays - 0; Absent - 0; Abstain - 0)

d. Resolution 2012-10 Manuel Portillo's Retirement From the District

Ms. Singh informed the Board that Manuel Portillo is retiring after 26 years with the District. Staff wanted to show their appreciation for all of his hard work and enthusiasm by presenting him with a plaque. Mr. Portillo will be retiring at the beginning of January 2013.

Mr. Serrato informed the Board that the resolution will be presented to Mr. Portillo at the Year-End-Event held on December 21 and encouraged all the Directors to attend if they are available.

M/S/C/(Balls/Porter) That the Board of Directors approved Resolution 2012-10 honoring Manuel Portillo's retirement by the following roll call vote. (Ayes – Beberian, Balls, Neely, Porter, Jacobsen; Nays - 0; Absent - 0; Abstain - 0)

DIRECTORS' REPORT

Director Beberian – had a concern about the easement issue on the Thompson Canal and suggested having the District Staff get a legal opinion on this matter.

Director Jacobsen – inquired about the next issue of the District's Waterways Newsletter.

CLOSED SESSION

The Board went into Closed Session at 8:42 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)): Applegate Johnston, Inc.

CLOSED SESSION ADJOURNMENT

President Neely adjourned Closed Session at 9:12 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Neely stated the Board of Directors had nothing to report from Closed Session.

ADJOURNMENT

Open Session adjourned at 9:13 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board