

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD FEBRUARY 12, 2013**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California, on February 12, 2013. 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
Gregory 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

None

BOARD OF DIRECTORS' REORGANIZATION (including appointment of Board Secretary) President, Vice President, and Secretary to the Board

Secretary of the Board Gary Serrato assumed the gavel and asked for nominations for the President of the Board. Director Porter nominated Director Jacobsen for President with Director Balls seconding the nomination; with no other nominations, Director Porter motioned to close the nominations with Director Neely seconding the motion. Nominations were closed by unanimous vote.

M/S/C/(Porter/Balls) That the Board of Directors voted Director Ryan Jacobsen as the new Board President by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

Mr. Serrato returned the gavel to newly elected President Ryan Jacobsen.

President Jacobsen opened up nominations for Vice President. Director Neely nominated Director Balls as Vice President with Director Porter seconding the nomination; with no other nominations, Director Porter motioned to close the nominations with Director Neely seconding the motion. Nominations were closed by unanimous vote.

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M/S/C/(Neely/Porter) That the Board of Directors voted Director Steven Balls as the new Board Vice President by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

Director Neely nominated General Manager Gary Serrato as Secretary to the Board with Vice-President Balls seconding the nomination; with no other nominations, Director Porter motioned to close the nominations with Director Balls seconding the motion. Nominations were closed by unanimous vote.

M/S/C/(Neely/Balls) That the Board of Directors voted General Manager Gary Serrato as the Board Secretary by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

President Jacobsen thanked Director Neely for the job he had done over the past two years as Board President.

REVIEW AGENDA

No changes to the agenda

REVIEW OF FUTURE MEETINGS

Mr. Serrato requested keeping the February 26 meeting and agendaize only a Water Report and the District's proposed "Strategic Plan". The Board accepted Mr. Serrato's request.

PUBLIC PRESENTATIONS

None

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 – January 8, 2013**
- b. **January 2013 Check Register**
- c. **January 2013 Payroll Registers**
- d. **January 2013 Unpaid Assessment Report**
- e. **January 2013 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)

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CONTROLLER'S REPORT

The Accounting Department is preparing for the auditors to arrive the week of February 25. The auditors are anticipating delivering their report to the Board during the April board meeting.

a. Request for Correction of Charges, Number 1

The correction will be from the City of Fresno to the County of Fresno.

M/S/C/(Porter/Balls) That the Board of Directors approved the Correction of Charges No. 1 by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

b. Policy 130-507 – Investment Guidelines

Staff met with the Finance Committee to discuss revising the policy so it would more closely mirror the California Governmental Code. President Jacobsen recapped the policy and the committee recommendation.

M/S/C/(Balls/Neely) That the Board of Directors approved revising Policy 139-507 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 February 11, Pine Flat release was 178 cfs with storage at 307,950 acre-feet. Pine Flat precipitation is at 79.6% of seasonal average. The Watermaster reported on several options for routings of the upcoming water season. FID is predicting a four-month water run and no Class II water this season. A news release will be sent out to inform the public that FID will not start water on March 1. The long-range projections show below normal precipitation for March and April.

Mr. Serrato requested that the Board approve the delay of water season (tentatively April 1) and that Staff send out a News Media Release on the delay. Staff will continue to update new information as it becomes available.

M/S/C/(Porter/Neely) That the Board of Directors approved to delay the start of water season until at least April 1 by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

b. Possible Sale of Water from Banking Facilities

Mr. Serrato requested direction from the Board to make inquiries on water sales from water contained in the banking facilities. The intent is so Staff can get an idea of the

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interest and price. Mr. Serrato received direction from the Board to proceed with the inquiries.

c. Start of Reclaim Water

The District has received multiple inquiries regarding the deliveries of Reclaim Water. The City of Fresno informed staff that the wells are scheduled to start the week of February 18. Staff suggested the cost remain the same as the previous year: 2 CFS @ \$50 per day / 4 CFS @ \$100 per day.

M/S/C/(Porter/Neely) That the Board of Directors approved supplying Reclaim Water starting the week of February 18 at the same cost as 2012 by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

d. Start of Fig Water Run

There are two active fig growers that have requested water deliveries for the month of February. Deliveries to the two growers are expected to run for two weeks.

M/S/C/(Porter/Neely) That the Board of Directors approved starting the fig run 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 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. The project is approximately 80% complete. Two projects have been completed since April 1, 2012, and there are three remaining projects yet to be started.

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. Staff has seen an increase in utility crossings this year.

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

There is nothing new to report on this project.

b. California High Speed Rail Update (HSR)

Mr. Stretch reviewed last week's meeting that he and Mr. Serrato attended at the Fresno Chamber of Commerce. HSR Board Director Richards and Fresno County

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Supervisor Perea attended the meeting where reimbursements (of staff and legal time) and the Department of Fish and Wildlife (Dry Creek and Herndon canals) were discussed. HSR staff is reviewing the five submitted construction bids for the route between Madera and Fresno. Construction of the Madera/Fresno section could start by the end of 2013.

c. Landowner Initiated Projects Update for 2012-13

Lower Dry Creek Canal Turnout for Schaad – this project is a 24-inch turnout located southeast of North and Howard avenues. FID crews are currently working on this project.

d. 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 contractor has completed excavating the basin and constructing the outfall structure and should complete the fencing in 2-3 weeks.

Waldron Recovery Well #104 – the contractor has completed drilling the 1,000 foot deep test hole and the consultant is currently finalizing the design of the well.

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

American Colony No. 2 – the project includes replacing an existing weir with a long crested weir. Remaining work includes finishing up the catwalk and weir board guides.

Miscellaneous

Limbaugh Property – Staff is working to finish the plans for a District water filling station and also abandoning the old well.

Thompson Canal – a letter from the landowners' attorney and the rebuttal letter sent by FID's attorney was made available to the Directors. Mr. Stretch re-stated FID's position on the privately owned bridges and what route the District is willing to take to help the landowners (i.e. lower operating water levels during water season, add rip rap, and build up the west side of the canal bank).

Mr. Stretch gave a photo presentation covering some of the following on-going projects: WalMart project at Ventura; damage from the installation of a PG&E gas line to the Smith pipeline; Thompson No. 54 Bridge (Ms. Malloy's bridge before/after pictures); Waldron Banking Facility; Nordstrom Basin expansion project; Kennedy Owens No.51; and the Adams Wasteway.

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A short break was taken from 6:37 p.m. to 6:54 p.m. where no District business was discussed.

Open Session resumed at 6:55 p.m.

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. District Office Plan

Staff is working with SIM Architects on the plans for Phase C of the office project (removal of old building and the increase of parking area).

b. General Maintenance and Equipment Update

Winter maintenance and construction work continue to take place. Last week the heavy equipment operators dredged the Houghton Canal and have now moved on to the Thompson Canal. The dozer operator ripped Chestnut, Jefferson, Cornell, and Savory ponds last week. The motorgrader operators were on the American Colony, North Central, and Central canals last week; this week they are on the Washington Colony Canals. The sloper crew has almost finished up the Red Bank and Hanson canals. The brushing crews worked on the Eisen Ditch and the Mill Ditch last week; this week they are on the Big Dry Creek, Enterprise, and Herndon canals. Repair crews are taking care of pipeline and gate repairs. The construction crew is working on a long crested weir, replacement of a siphon pipe, and construction of a turnout. Trash crews are working to clean up tumbleweeds in the southern area and trash from the Washington Colony and the Oleander canals.

Staff is proposing to take one vehicle (2001 Chevrolet C1500 Pickup) to auction for disposal. The Board had no objection.

c. Vehicle Equipment Purchase (with report from Equipment Committee meeting)

Mr. Kimura reviewed the Board's previous direction and the Equipment Committee's recommendations on the purchase of equipment and vehicles (the purchase of the computer replacement equipment has already been done and the computers have been installed). Staff received only one bid on a couple of the items in 2012 which lead to the delay of the purchase. Staff re-sent bid requests to different local dealers in early January 2013. Director Beberian suggested trying some of the larger metropolitan areas in the bidding process the next time. Staff explained that District's vehicles get rotated out at around 200,000 miles and that during the bidding process, a significant amount of quality/options/price research is done before any vehicle is purchased.

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M/S/C/(Neely/Balls) That the Board of Directors approved the purchase of the new vehicle/equipment as recommended by Staff with monies to come from the Power Revenue Fund by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

Staff requested authorization to purchase a new spray tractor. The District's previous spray tractor was damaged in a recent traffic accident. As suggested by the Equipment Committee, Staff received bids from Kubota, Ford, and John Deere. The John Deere dealership had the best price. JPIA will seek reimbursement of the District's deductible from the insurance company of the driver who caused the accident.

M/S/C/(Porter/Neely) That the Board of Directors approved the purchase of a new spray tractor with monies to come from the Power Revenue Fund by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Pre-1914 Water Rights

KRWA Watermaster Steve Haugen, consultants Kevin Johansen (Provost & Pritchard), and Jack Gualco (KRWA Sacramento Lobbyist) met with the staff of the State Water Resources Control Board Division of Water. Mr. Haugen reported that the meeting went very well and the staff members were very impressed with KRWA's report.

KRWA Incubator Tour

The KRWA Fish and Game Committee will be offering a tour of the new incubator building and offering a view of the rock slide from the top of Pine Flat Dam immediately following the Executive Committee meeting (February 19). Mr. Serrato reserved five spots for Board Members and Staff who would like to attend.

FRIANT WATER AUTHORITY

The Bureau of Reclamation has made an initial allocation of 65% Class I water.

Friant Kern Canal Maintenance

The Friant Water Authority began to refill the Friant Kern Canal on February 5 at low flows to allow for sampling and testing of residual levels of aquatic herbicide within the Canal. The Authority will ensure that the residual levels are within the levels to be safely used for both agriculture and municipal needs. If no additional dilution or flushing is required, the Friant Kern Canal should be completely filled and back in service between February 14-18, 2013.

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The Bureau has informed Friant that the release of the river restoration flows will increase from Friant Dam into the San Joaquin River, as required by the settlement. Release is 400 cfs from Friant Dam into the river. Increased demands at Mendota Pool will allow the Bureau of Reclamation to increase releases. Water released in the river and recaptured will be returned back to Friant Contractors.

OTHER

ACWA Region 6 & 7 Water Forum

ACWA Regions 6 & 7 are co-hosting a forum on March 15, 2013, in Visalia to discuss San Joaquin Valley policy issues. Subjects to be discussed will be 1) Delta Plan, 2) Irrigated Lands Regulatory Program, and 3) San Joaquin River Restoration.

Miscellaneous

Staff is currently working on a newsletter with Randy McFarland. Staff anticipates having the newsletter ready for printing and delivery by late February.

Mr. Serrato received notice that Dooley, Herr, Peltzer and Richardson have officially dissolved. Peltzer and Richardson have joined to establish their own practice.

SDRMA (FID's workers compensation provider) is looking for a new director for their board. Meetings normally take place once a month in Sacramento.

Feedback from the Directors and General Manager on the Special Board of Directors' meeting with Consolidated Irrigation District held on February 7 was discussed. Staff will write a letter to CID stating that FID expects them to adhere to the contract and anticipates their payments.

ADMINISTRATIVE MATTERS

a. Discussion of Board of Directors Future Meeting Dates

Mr. Serrato gave a brief history on the number of days each month directors would meet for a regular board meeting. Over the years it has fluctuated between one and two meetings per month. A discussion was held on the pros and cons of going to one board meeting per month with special or committee meetings being called as necessary. It was suggested holding the meetings on the third Tuesday of each month starting in April 2013. It was also suggested having an updated water report mailed out during a non-meeting week.

M/S/C/(Porter/Balls) That the Board of Directors approved moving the regular board meeting time to the third Tuesday of each month starting in April 2013 by the following vote. (Ayes – Balls, Jacobsen, Porter, Neely; Nays – Beberian; Absent – 0; Abstain – 0)

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b. Overnight Stay for HR Director and Safety Manager to Attend the SDRMA Claim/Safety Conference

Ms. Singh requested that the Safety Manager and HR Director attend a training conference in Sacramento on March 28 that will necessitate an overnight stay. By attending this conference, the District earns points towards discounts of its workers compensation insurance premium.

M/S/C/(Porter/Balls) That the Board of Directors approved the HR Director and Safety Manager to attend the SDRMA Claim/Safety Conference in Sacramento, CA by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

c. HR Director's Report on SDRMA Credit Incentive Program (walk in)

Ms. Singh informed the Directors that by having the Board Members participate in the seminars/webinars; the District can save over \$4,000 on the District's workers compensation premiums. Ms. Singh passed out a list of offered webinars and conferences available. Several Directors indicated they would be willing to take part.

DIRECTORS' REPORT

Director Beberian – had a concern about using his personal email account for District business. Staff will ask FID's attorney for guidance about the Directors' emails.

Director Jacobsen – thought it would be a good time to hold another grower meeting.

CLOSED SESSION

The Board went into Closed Session at 8:25 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.

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.

Conference with Legal Counsel–Significant Exposure to Litigation (Government Code Section 54956.9(d)(2)). Response to letter from attorney Nutting regarding landowner claims regarding canal widening.

Government Code Section 54956.8. Real Property Transactions.

Negotiators: Gary R. Serrato-FID and Mr. and Mrs. Austin

Properties: APN 327-100-17

Terms and Conditions: Negotiations of Purchase and Sale of Real Property.

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CLOSED SESSION ADJOURNMENT

President Jacobsen adjourned Closed Session at 9:00 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION

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

ADJOURNMENT

Open Session adjourned at 9:01 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board