

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD FEBRUARY 26, 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 26, 2013. Meeting was called to order at 5:00 p.m. by Board President Ryan Jacobsen.

DIRECTORS PRESENT

President Ryan Jacobsen
Vice President Steven Balls
Jeff Neely
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
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

FID's Legal Counsel Gary Sawyers

REVIEW AGENDA

No changes to the agenda.

REVIEW OF FUTURE MEETINGS

There were no changes to future meetings. Board President Jacobsen reminded the Directors that beginning in April, the regular meetings would be once a month and will be held on the third Tuesday of each month.

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

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WATER REPORT

a. Current Water Conditions

Watermaster Jim Irwin reported on the current and projected water supply information with the Board. Mr. Irwin also reviewed a routing with the most current information based on a 65% runoff and informed the Board that December and January precipitation were the driest months on record for the two combine months. Should the area receive normal rain fall for March and April, the District could deliver water for four months beginning on April 1. Staff will continue to monitor the Kings Basin snowpack and update the board at the next meeting.

Mr. Irwin informed the board that the Fig Run concluded yesterday on the Silvia and Minor Thornton systems; and the Wastewater Reclamation Wells have been turned on and delivery of Reclaimed Water has started on the Houghton and Dry Creek systems.

ADMINISTRATIVE MATTERS

a. Review of Strategic Plan

Mr. Serrato outlined the issues that were to be discussed and the need to plan for the next Proposition 218 Election, partnerships, and groundwater banking sales.

Mr. Stretch recapped the improvements the District made within the delivery system with the monies obtained from the bond sale as approved in the 2005 Proposition 218 Election.

The 3-Year Maintenance and Facility Upgrade Plan (MFUP) objectives were:

- Address major deficiencies and needs (focused on deferred maintenance projects),
- Improve landowners' ability to better manage surface water supply, and
- Implement the Mill-Herndon Canal "superhighway".

3-Year MFUP Costs:

Approximately \$15.0 million in System Improvements:

- \$10.3 million coming from bonds approved in a Proposition 218 election;
- \$2.8 million coming from outside contributions from Local Agencies, Federal, and State Grants (United State Bureau of Reclamation, City of Clovis, City and County of Fresno, FMFCD, and the Department Water Resources), and
- \$1.8 million coming from FID labor and Equipment.

Mr. Stretch also reviewed the estimated cost to the District to replace the aging pipelines that are between 30 to 60 years old.

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b. Proposition 218 Election

Mr. Serrato discussed the need for a Proposition 218 Election and asked Ms. Hailey to review the District's financial standing and the assessments that were received in each year from 2006 through 2010.

Ms. Hailey reviewed the following with the Board:

- The 2005 Proposition 218 election covered 2006-2010 assessment years,
- District's increasing cost in the General Fund, and
- Projected five year budget.

Mr. Kimura reviewed the regulations that are required for a Proposition 218 Election:

- Constitutional Initiative approved by California voters in November 1996,
- Applies to cities, counties, special districts, schools, college districts, and regional organizations,
- Non-property related taxes were not affected,
- This Proposition shifted power of taxation from elected governing boards to property owners,
- Limits how the District raises revenues,
- Requires mailing notices and holding public meetings,
- Election of property owners by mail-in ballot – must be supported by 50% or more of weighted ballots,
- Tabulations must be in public view,
- Report must be prepared by a registered professional engineer certified by the State of California, and
- Assessments cannot exceed reasonable cost of special benefit (Section 4).

The Board of Directors directed staff to delay the election and to prepare for a possible election in 2014.

c. Partnerships

Mr. Serrato updated and discussed the following items:

- Update to the Pre-1914 water right process,
- Imported Water Agreement,
- Water sales from the groundwater banking facilities,
 - Long term and Yearly sales;
- Beneficial Partnerships with other water agencies; and
- Partner with private and/or other public entities.

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DIRECTORS' REPORT

Director Beberian – had a concern about using his personal email account for District business. Mr. Sawyer clarified the use of email accounts and what the public is and is not entitled to have access to.

Director Jacobsen – thought it is time to hold another grower meeting(s).

CLOSED SESSION

There was no Closed Session held.

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.

ADJOURNMENT

Open Session adjourned at 9:04 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board