

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JUNE 18, 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 June 18, 2013. Meeting was called to order at 5:05 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
Assistant General Manager of Operations Bill Stretch
Watermaster Jim Irwin
Controller DeAnn Hailey
Human Resources Director September Singh
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Fresno State Representative Mike Mosinski
Area Grower Gary Kezirian

REVIEW AGENDA

No changes.

REVIEW OF FUTURE MEETINGS

No changes.

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 – May 21, 2013
- b. May 2013 Check Register

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- c. **May 2013 Payroll Registers**
- d. **May 2013 Unpaid Assessment Report**
- e. **May 2013 Investment Account**
- f. **Developer Pipeline Project – Bonadelle Tract 5950 Will Pipeline the Jefferson Canal No. 112 Located Near Barstow and Leonard Avenues in Accordance With Board Policy. Action Request 2013-07**

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

Controller DeAnn Hailey reviewed the following financial reports:

- a. **April 2013 Fund Statement**
- b. **April 2013 Notes to the Fund Statement**
- c. **April 2013 Treasurer’s Report**
- d. **April 2013 Deposits and Investments**

The Controller reported that the District is within the 2013 Budget for April. Revenues are at 99% and expenditures are within budgeted range for the year. Directors Porter and Neely discussed the ability of purchasing a mower attachment for the purpose of mowing weeds on some of the banks to help reduce the cost of herbicides within the General Fund.

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)

e. Compensation for Directors

As directed by the FID Board in 2008, Controller DeAnn Hailey reviewed the current compensation of the FID Board and California Water Code section 20201 “Increase in Compensation of Governing Board Members.” Ms. Hailey informed the Board that it was eligible to increase its compensation. Director Porter stated, in his opinion, that the Board should not implement a Board compensation increase until the District is in better financial position and after the employees negotiations have been completed. The other Board Members concurred with Director Porter’s position and tabled this item.

WATER REPORT

a. Current Water Conditions Report

Watermaster Jim Irwin reported on the current and projected water supply information. As of June 17, Pine Flat release was 2,986 cfs with storage at 422,280 acre-feet. Storage at Pine Flat is projected to reach only 50% of its capacity and reach a low level

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of 100,000 acre feet which is what is required for the Temperature Control Pool. The KRWA Watermaster has stated that no member unit shall be allowed to draw into its TCP.

Mr. Serrato stated that the Consolidated Irrigation District (CID) has informed FID that it would back stop 5,000 acre-feet of FID's TCP during the month of September or October. FID would still require an additional 8,000 acre-feet to meet the required water to continue deliveries until the end of July for the entire District.

b. Discussion of Water Deliveries – Action Item

Staff presented the Board with the current information regarding the water routings and options for the remainder of the 2013 Water Season. After much discussion among the Board and Staff, it is Staff's recommendation to discontinue water deliveries to two of the District's three systems on July 15.

M/S/C/(Porter/Balls) That the Board of Directors agreed to discontinue the water deliveries on the Fancher and Dry Creek systems on July 15, 2013, by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

M/S/C/(Porter/Balls) That the Board of Directors agreed to run reclaim water starting on August 1, at \$100 per day for a four-foot head and \$50 per day for a two-foot head by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

ASSISTANT GENERAL MANAGER - OPERATIONS REPORT / ENGINEERING AND MAINTENANCE (formerly known as the Chief Engineer's Report)

Assistant Manager of Operations Bill Stretch reported on the following items:

a. Developer and Agency Project Schedule Update for 2013-2014

Developer Projects – There is one project in progress and one completed project. The on-going project is the replacement of 620 feet of 21-inch PVC with 24-inch RGRCP on the Helm Colonial W. Branch at Nees and Peach avenues which is expected to be completed in late July.

Agency Projects – There are no Agency projects currently taking place. There is however, a large fiber optic project by CVIN that will cross 13 FID facilities located within the County of Fresno, the City of Fresno, and the City of Clovis. A \$50,000 deposit check from CVIN has been received. The project will likely take a little longer than the expected June 30 completion.

High Speed Rail Update

The co-op agreement has been signed and the first reimbursement check for \$34,000 has been received. Staff expects to receive the second reimbursement check next month. Staff met with the California Department of Fish and Wildlife and was able to come to an agreement on the permit issue. The CHSR awarded the "design-build"

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contract in June and expects to break ground in August of 2013. The impact to FID's facilities will not be until 2014 or 2015.

b. Landowner Initiated Projects Update for 2013-14

There are no projects in progress.

c. FID Projects Update for 2013-14

Waldron Recovery Well #104 – the contractor completed the well drilling portion of the contract; and

Waldron Recovery Well #104 – the well equipping portion of the project has begun.

d. General Maintenance Update for 2013-14

- Maintenance crews are dealing with seepage, gopher holes, and trash issues;
- Crews are improving, as time permits, the canal banks (maintenance road) along the Silvia Canal;
- Spray truck operators are spraying the Fresno and Big Sandridge systems;
- Spray tractor operators are in the Sanger area;
- Aquatic weed treatments are occurring on the Lower Dry Creek, Thompson Ext., and Houghton; and
- Repair crews are working on pipeline repairs and root intrusion.

Staff is prioritizing the projects, preparing estimates, gathering survey information, and preparing the construction schedule. Staff anticipates presenting a list of projects and the associated budgets during the July or August Board meeting.

e. Approval of Overnight Stay for Assistant General Manager of Operations Bill Stretch to Participate in a Special Advisory Session Discussion Regarding the ITRC in San Luis Obispo, CA

Mr. Stretch attended an Advisory Discussion Panel for Cal Poly's ITRC program. Staff requests authorization from the Board on Mr. Stretch's attendance.

M/S/C/(Porter/Neely) That the Board of Directors approved the overnight stay for Mr. Stretch by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

ASSISTANT GENERAL MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile

Staff continues to wait to hear from the County of Fresno who is waiting to hear from the Regional Water Quality Control Board on spreading the remaining rubble over the Nielsen parcel.

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b. District Office Plan

SIM Architects submitted the Site Plan Review application and draft plans to the County of Fresno for Plan Review. The County has approved the Site Plan Review application, but is still reviewing the plans. Staff also reviewed the plans and provided comments to SIM Architects. Staff is working with legal counsel and SIM to prepare the contract and specifications for the project.

The removal of the transformers in the old office by PG&E had been scheduled for June 13 and June 14; however, they showed up on June 12. Staff had already performed the preparatory work necessary for the removal of the transformers and had met with PG&E field personnel to coordinate the activities. There is still some discrepancy as to whose responsibility it is for the wire between the transformers and the pole.

Staff has been working on gathering information to determine the requirements for demolishing the old office building by using in-house personnel. FID Staff met with a demolition contractor to discuss the requirements and to obtain a rough cost estimate. Staff has also been working on determining equipment costs and labor requirements. Mr. Kimura provided a memorandum outlining the permits that are required, the cost for demolishing the building, the type of equipment needed, cost of in-house personnel used, and the effects of pulling construction/maintenance personnel off their regular duties in order to perform the demolition. Staff will request public bids after the County has approved the plans.

c. Aquatic Pesticide Application Plan

Mr. Kimura presented to the Board that Staff has engaged the services of Blankinship & Associates in developing an Aquatic Pesticide Application Plan for the use of aquatic pesticides in the canals systems.

Break

Directors and Staff took a break from 6:50-7:05 pm where no District business was discussed.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Mr. Serrato reported that storage at Pine Flat should be at 130,000 acre-feet at the end of July. Channel losses downstream of the Lemoore weir are projected to be 55%. KRWA Watermaster Steve Haugen has stated at the KRWA Executive Committee Meeting that no district member will be allowed to draw from their Temperature Control Pool unless it was being back stopped by another District.

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Pre-1914 Water Rights

The staff of the State Water Resources Control Board Division of Water Rights has finished reviewing their portion of the study and it is now in the possession of management and legal counsel. There was an increase in cost to complete the review which is now expected to be \$38,000. The completion of the review is still expected to be completed by the end of August.

FERC Application for Kings River / Gould Weir

Archon Energy has filed a preliminary permit application with FERC for a hydroelectric project at the Gould Weir. The Gould Weir is located on the Kings River and is owned and operated by the Fresno Irrigation District. KRCD General Manager Dave Orth, KRWA Watermaster Steve Haugen, attorney Gary Sawyers, and General Manager Gary Serrato reviewed the options available to FID. The options to consider are: 1) take no action; 2) file comments; 3) file a motion to intervene; or 4) file a separate application.

Because public agencies have a priority over private entities in developing projects, FID would be entitled to have priority over the Archon application. After much discussion, it was agreed to file a separate application with FERC which would prevent Archon from moving forward with any plans.

Power Generation Plant

Mr. Serrato reported that portions of the Kings River water will by-pass the power plant due to the capacity of the plant and the requirement of dissolved oxygen in the river. This will have a slight impact on the power revenue fund.

Irrigated Lands Project

Mr. Serrato provided the Board with a proposed planning schedule for the Kings River Water Quality Coalition regarding the implementation of the Irrigated Lands Program membership sign ups.

FRIANT WATER AUTHORITY

Bureau of Reclamation

The Bureau of Reclamation has officially announced that Friant's allocation has been raised from 50% to 55% Class I Water.

Negotiations are continuing with the Bureau of Reclamation regarding 1) recapture / recirculation; 2) groundwater banking; and 3) rescheduling guidelines.

Westside Districts

It was announced by the U.S. Bureau of Reclamation that the districts on the west side may not receive any water (0% allocation) in 2014 if conditions continue to stay dry. This is subject to change depending on the amount of snow / rain that is received during the coming winter.

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OTHER

Fresno Irrigation District / James Irrigation District

Directors Jacobsen and Porter, along with General Manager Gary Serrato, met with two board members from the James Irrigation District. Both districts agreed to continue the discussion on the feasibility of a partnership in a future project.

Briggs Pipeline Project

Consolidated Irrigation District (CID) has informed FID of its willingness to pay \$100,000 to fulfill their outstanding invoice for the maintenance work completed on the Briggs Pipeline project. CID has also requested to renegotiate the contract / agreement based on the volume / usage of the pipeline as opposed to being based on acreage. Staff will place this item on the Board Agenda for action for the next Board meeting.

Miscellaneous

Staff will be setting up a Finance Committee meeting with Directors and Staff to review the 2013 budget.

Mr. Serrato stated three surprise inspections were performed by the County of Fresno while FID crews were applying Magnacide for aquatic weed control. Inspections included the inspection of the truck, tanks, and equipment. FID's safety procedures manuals, permits, and licenses that are kept in the vehicle were all reviewed as well – FID is proud to inform the Board that the truck passed with an excellent review.

ADMINISTRATIVE MATTERS

None

DIRECTORS' REPORT

Director Beberian – none

Director Balls – none

Director Jacobsen – none

Director Porter – none

Director Neely – none

ADJOURNMENT

Open Session adjourned at 7:47 p.m.

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CLOSED SESSION

The Board went into Closed Session at 7:48 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 – Pending Litigation (G.C. §54956.9(a)); Applegate Johnston, Inc. vs. Fresno Irrigation District.

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato-FID, Bill Stretch-FID, and the City of Clovis

Properties: APN 560-031-11 & 557-031-05, 39

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

Conference with Legal Counsel-Anticipated Litigation (Government Code Section 54956.9(b)). Conference with Legal Counsel – Potential Litigation (G.C. §54956.9(a)): Jeremy Hobensack vs. Fresno Irrigation District

CLOSED SESSION ADJOURNMENT

President Jacobsen adjourned Closed Session at 8:03 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION

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

ADJOURNMENT

Open Session adjourned at 8:04 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board