

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JULY 16, 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 July 16, 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
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

None.

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 Board of Equalization Meeting Minutes – June 10, 17, and 18, 2013**
- b. **Approval of Regular Board Meeting Minutes – June 18, 2013**

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- c. **June 2013 Check Register**
- d. **June 2013 Payroll Registers**
- e. **June 2013 Unpaid Assessment Report**
- f. **June 2013 Investment Account**
- g. **Developer Pipeline Project – Wilson Homes Tract 5985 and 6020 will Pipeline the Reyburn Canal No. 380 Located Southeast of Bullard and Locan Avenues in Accordance with Board Policy. Action Request 2013-08**

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

The Controller reported that the District is within the 2013 Budget for May. Utilities are expected to increase as the summer months continue. Temporary Personnel expenses are high but will be offset by the lower salary expenses for the Engineering Department. During the month of May, FID received a \$25,000 grant from the Department of Water Resources.

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 Report**

Watermaster Jim Irwin reported on the current and projected water supply information. As of July 15, Pine Flat release was 3,863 cfs with storage at 264,391 acre-feet. The Pre-Project for the Kings River is at 14,668 acre-feet with FID’s entitlements at 4,665 acre-feet. Forecasts show temperatures to be within the normal range for the remainder of the month. Mr. Irwin reported that Bureau increased the City of Fresno’s water allocation to 62% of normal for Class I water. It was reported that a portion of FID’s systems completed their deliveries on July 15 and the remaining systems will finish on July 31. Mr. Irwin reported on the volume of water that would be extracted from the groundwater banking facilities through the end of July.

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b. Temperature Control Pool Agreement (Empire Weir #2)

Historically the “Hardship Run” is water that is delivered to the eastside of the District because of depleted groundwater tables and a shallow aquifers. Mr. Serrato was successful in obtaining 3,500 acre-feet of water from Empire Weir #2 to backstop FID’s TCP. FID will pay Empire #2 1,000 acre-feet for the use of the 3,500 acre-feet of water. The payment of the water will be at a time when the Kings River runoff is between 70 to 120% of average. Staff is recommending that Hardship deliveries begin in August and require the District to recapture its cost for the water and service. After some discussion, Staff recommended deliveries of Hardship water begin on August 1 and could go up to September 15, 2013, at a cost of \$18.13 per acre plus a \$25 service charge (per delivery).

M/S/C/(Porter/Balls) That the Board of Directors agreed to enter into the Agreement with Empire Weir #2 to furnish 3,500 acre-feet of water for deliveries on the eastside from August 1 up to September 15, 2013, at \$18.13 per acre plus a \$25 service charge (per delivery) 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 July or August.

Agency Projects – There are no Agency projects currently taking place. There is however, a large fiber optic project by CVIN that crosses FID facilities located within the County of Fresno, the City of Fresno, and the City of Clovis. The project is expected to be completed by July 26.

California High Speed Rail Update (CHSR)

The co-op agreement has been signed and the first reimbursement check for \$34,000 (plan review fee) has been received. Staff expects to receive the second reimbursement check sometime in August. District Staff, District’s legal counsel, and CHSR staff, met with the California Department of Fish and Wildlife and had a very favorable meeting. FID Staff is still waiting to hear back from CDF&W on their final ruling. The CHSR awarded the “design-build” contract but has not entered into the agreement due to pending litigation with Kings County. Parties are hoping to have a signed agreement by September and break ground starting in October.

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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: Drilling – the contractor completed the well drilling portion of the contract.

Waldron Recovery Well #104: Equipping – the well equipping portion of the project has begun and is expected to finish up in mid-August. The well is expected to be operational immediately upon the completion of the project, provided that PG&E is able to supply power to the site.

Private Bridge Update on Thompson Canal – Staff will be meeting later this week with some of the landowners along the Thompson Canal to discuss the private bridges. Staff is also moving forward with plans to build-out the bank and install additional rip-rap this fall.

d. General Maintenance Update for 2013-14

- During the last month of normal water season, maintenance crews are dealing with seepage, gopher holes, homeless camps, and trash issues;
- As time permits, crews are reclaiming right-of-way along easements;
- Heavy equipment operators are placing rip-rap along the Waldron Banking Facility to stop erosion;
- Spray truck operators are spraying the Fresno, Lambrecht Basin, and Easton areas;
- Spray tractor operators are in the Sanger area;
- Aquatic weed treatments are occurring on the Gould, Enterprise, and Herndon canals;
- Repair crews are working on pipeline repairs on the Los Alamos; and
- Crews replaced a portion of chain-link fence stolen from the Kearney Basin. Once the fence was replaced, crews then applied a horizontal green stripe across the middle of the fence to help deter vandalism.

Staff continues to prioritize the projects, prepare estimates, gather survey information, and prepare the construction schedule. Staff anticipates providing a list of projects and the associated budgets during the August Board meeting.

Director Beberian inquired about keeping easements clear from trees and debris. He gave the example of the Kennedy Owens. Staff stated that the District would send out a letter to the landowners.

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- e. Developer Pipeline Project – Clovis Community Hospital is Proposing to Defer Piping the Clovis Canal No. 115 Located N/E Herndon and Temperance Avenues in Accordance with Board Policy. Action Request 2013-09**

Clovis Community Medical Center (Clovis Hospital) is expanding their facility located at the northeast corner of Herndon and Temperance Avenues. The hospital expansion began in October 2008 and will continue until approximately 2018. The Clovis Canal traverses the southern portions along the north side of Herndon Avenue. As a condition of the expansion, Clovis Hospital is required to replace 3,050 feet of 30-inch cast-in-place concrete pipe (CIPCP) that is approximately 50 years old with 30-inch ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP). FID Staff and Clovis Hospital have agreed to allow the pipeline replacement to be deferred until future expansion of the hospital which is estimated in another four to five years. However, Clovis Hospital is requesting a deferral of up to ten years in case the project is delayed due to lack of funding. After a short discussion regarding liability issues, Staff agreed to modify the agreement to cover the liability issues in more detail. The Board agreed to allow Clovis Community Medical Center to defer replacing the pipeline at Herndon and Temperance avenues for up to ten years.

M/S/C/(Neely/Balls) That the Board of Directors approved the deferment of Clovis Medical Center to replace the Clovis No. 115 pipeline for up to ten years by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

Break

A short break was taken at 6:31 pm until 6:49 pm at which time no District business was discussed.

ASSISTANT GENERAL MANAGER’S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile

Staff heard back late last week from the Regional Water Quality Control Board. The Board would like to meet with County of Fresno and FID Staff to discuss details of the work plan.

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 and has completed its review of the plans. SIM Architects is working on the revisions to address the County’s comments.

PG&E has removed the transformers from the old office building; however, clarification is still needed on removing the wires between the power pole and the transformer room.

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Staff has been in contact with PG&E to get a better understanding of the issues. PG&E believes the wires belong to FID.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Mr. Serrato reported that storage at Pine Flat is dropping at a rate of 7,000 acre-feet per day. The overall water year for 2013 was only 40%. Mr. Serrato also reported on the discussion at the KRWA meeting regarding the use of TCP water.

Riparian water below Lemoore Irrigation District was discussed. Mr. Serrato suggested that the Upper River members should not become involved in this issue should any legal action result from the illegal pumping. It is Mr. Serrato's belief that this is a Lower River issue.

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.

Snow Pillow Equipment Upgrade

KRWA/KRCD has received a grant from the Department of Water Resources to upgrade the snow pillow surveying equipment. These upgrades are greatly needed. The upgrades will include soil moisture readings, real time river increases and the placement of a snow sensor at a higher elevation.

Water Release

Water was released last month from the TCP to save about 60 to 80 mature natural oak trees along a channel bank within the 76 channel. The water had been diverted from its normal course due to Alta Irrigation District not yet running water. There were a number of KRWA members who did not agree with the release of the water. A committee meeting will be scheduled to further discuss this matter and how it affects the Framework Agreement.

FRIANT WATER AUTHORITY

Bureau of Reclamation

Mr. Serrato and Director Porter attended a special Friant meeting. Mr. David Murillo, Regional Director of the Mid Pacific Region of the United States Bureau of Reclamation, was there to discuss 2013 / 2014 Operations. It provided an opportunity for Friant water districts to discuss a number of concerns regarding the Delta and the San Joaquin River Restoration Program.

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OTHER

Conveyance Agreement

FID and the City of Fresno held the first meeting to renegotiate the Conveyance Agreement and discuss other issues relevant to FID and the City. Additional meetings will be scheduled and held starting in August. Items for discussion will include: City of Fresno's Cone of Depression; Surface Water Treatment Plants; and Water Conveyance.

Miscellaneous

A Delta Water Summit will be held at Fresno State on Saturday, August 3. Expected to attend are state and federal representatives, along with members from key water agencies.

The Consolidated Irrigation District will be replacing their headgates this fall. FID may assist in routing water to China Slough during the construction period.

ADMINISTRATIVE MATTERS

a. Briggs Canal – Fresno Irrigation District / Consolidated Irrigation District Agreement

Mr. Serrato shared the letter the District received from CID offering to settle for \$100,000 for their cost share portion for the repairs to the Briggs Canal. CID is also requesting to renegotiate the Briggs Maintenance Agreement.

M/S/C/(Porter/Balls) That the Board of Directors approved the offer for the negotiated invoice on the Briggs Canal repairs and to also agree to renegotiate the joint agreement by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

b. Report of JPIA Annual Inspection

Ms. Singh reported the District had another successful year. The JPIA inspector had a few minor suggestions which are being taken care of. The inspector was impressed with the painting of the chain link fence to deter theft and the accident reporting documentation that Staff has developed. JPIA requested approval to use the District's *Injury, Illness Prevention Plan (IIPP)* report as a model to other agencies.

c. Request for Overnight Stay for the Director of Human Resources and Safety Officer to Attend a JPIA Annual Training Conference in Orange County on July 24 and 25, 2013

The HR Director and Safety Manager requested approval to stay two nights to attend a JPIA Annual Training Conference. Breakout sessions include dealing with an aging workforce population and the proper handling of chemicals.

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M/S/C/(Porter/Balls) That the Board of Directors approved the overnight stay in Orange County for the HR Director and Safety Manager by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

d. Hiring of Overnight Security for Fresno Irrigation District Office Site (Maple and Edgar Streets)

The District has recently experienced a rash of theft and vandalism in the yard/parking lot of the main office building site. It is Staff's suggestion to bring in a security company to cover the night time hours. Staff recommended a cost-share agreement with Betts (across the street) and hire Code 3 Security. Code 3 is currently partnered with Matson Alarm who provides the District's alarm service.

Staff has plans to review security measures (video, lighting, and alarms) once the old building has been demolished.

Director Beberian requested Staff look into the cost of having security companies just do drive-by surveillance throughout the night.

M/S/C/(Porter/Balls) That the Board of Directors approved moving forward with hiring security during the overnight hours and to review the program every three to six months by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

DIRECTORS' REPORT

Director Beberian – none

Director Balls – none

Director Jacobsen – none

Director Porter – suggested the development of a district policy to have a better control of water deliveries during critically dry years. Mr. Serrato responded that Staff will look into this.

Director Neely – believes when water metering starts, the meters will help control the use of water.

ADJOURNMENT

Open Session adjourned at 8:16 p.m.

CLOSED SESSION

The Board went into Closed Session at 8:17 p.m.

Natural Resource Defense Council vs. Rodgers (Government Code Section 54956.9). To confer with counsel on pending litigation.

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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)): 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 8:44 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION

The Board of Directors discussed the sale of the property located at Shepherd and Sunnyside avenues and agreed to sell to the City of Clovis. Mr. Serrato will discuss with the District's legal counsel how the money is received before proceeding.

M/S/C/(Porter/Balls) That the Board of Directors approved the sale of property to the City of Clovis as presented by Staff by unanimous vote. (Ayes – 5; Nays – 0; Absent – 0; Abstain – 0)

ADJOURNMENT

Open Session adjourned at 8:45 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board