

**FRESNO IRRIGATION DISTRICT  
MINUTES OF THE REGULAR MEETING  
HELD JULY 15, 2014**

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 15, 2014. Meeting was called to order at 5:00 p.m. by Board President Ryan Jacobsen.

**DIRECTORS PRESENT**

President Ryan Jacobsen  
Vice President Steven Balls  
George Porter  
Gregory Beberian  
Jerry Prieto, Jr.

**DIRECTORS ABSENT**

None

**STAFF PRESENT**

General Manager Gary Serrato  
Assistant General Manager Bill Stretch (arrived at 5:25 p.m.)  
Watermaster Jim Irwin  
Controller DeAnn Hailey  
Director of Human Resources September Singh  
Staff Engineer Adam Claes  
Recording Secretary Lynn B. Rowe

**OTHERS PRESENT**

FID Legal Counsel Gary Sawyers (arrived at 5:03 p.m.)

**REVIEW AGENDA**

President Jacobsen informed the Board of a Closed Session item that became known to Staff after the agenda was posted on July 11, 2014. Staff asked the Board to approve adding the Closed Session - potential litigation item to the agenda which will take place following the Consent Calendar. Mr. Serrato stated that FID's legal counsel, Mr. Gary Sawyers, will arrive at approximately 5:00 p.m. to update the Board Members on the potential litigation.

**M/S/C/(Balls/Prieto)** That the Board of Directors approved adding the Closed Session - potential litigation item to the agenda by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

**REVIEW OF FUTURE MEETINGS**

There are no changes at this time for future meetings.

**PUBLIC PRESENTATIONS**

None

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**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 Meetings Minutes – June 9, 16, & 17, 2014**
- b. **Approval of Regular Board Meeting Minutes – June 17, 2014**
- c. **June 2014 Check Register**
- d. **June 2014 Payroll Registers**
- e. **June 2014 Unpaid Assessment Report**
- f. **June 2014 Investment Account**

**M/S/C/(Balls/Porter)** That the Board of Directors approved the Consent Calendar by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

The Board and Staff decide to hear the Controller's Report while anticipating Mr. Sawyers' arrival.

**CONTROLLER'S REPORT**

Controller DeAnn Hailey reported on the following:

Ms. Hailey stated that she will present the June and July financial reports during the August Board meeting.

Open Session was temporarily adjourned at 5:03 p.m. in order for the Board to go into Closed Session.

**CLOSED SESSION**

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

**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.

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**Government Code Section 54956.7.** Conference with Labor Negotiators Regarding Terms and Conditions of Employment with Represented Bargaining Groups.

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

**CLOSED SESSION ADJOURNMENT**

President Jacobsen adjourned Closed Session at 6:03 p.m.

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

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

**WATER REPORT**

**a. Current Water Conditions Report**

Mr. Irwin reported on the current / projected water supply and the routing information. As of July 14, Pine Flat release was 3,767 cfs with storage at 246,627 acre-feet. FID's storage in Pine Flat is currently 72,808 acre-feet. Pre-Project for the Kings River is 381 cfs; Fresno Irrigation District's entitlement is 94 cfs.

Mr. Irwin stated that early forecasts for the El Nino weather pattern expected this fall / winter will be a weak to moderate pattern during the 2014-2015 rain season.

Current projections indicate that FID will not have to go into its Temperature Control Pool until October or November.

Mr. Serrato stated that the KRWA Watermaster announced at the recent KRWA meeting the low point at Pine Flat is predicted to be 90,000 acre-feet.

Staff requested the Board to make a motion to conclude FID's 2014 Irrigation Season on July 31, 2014, except for the reclamation wells at the Regional Waste Water Treatment Plant.

**M/S/C/(Balls/Prieto)** That the Board of Directors approved terminating the 2014 Irrigation Season on July 31, 2014, with the exception of the reclamation wells, by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

**b. Possible Hardship Water Deliveries**

Mr. Serrato stated that he was able to secure a water source to be used for delivery of Hardship Water on the east side of the District (water system areas 101 and 102). He has been able to negotiate an agreement with Crescent – Stinson Water District to backstop FID's use of water in the Temperature Control Pool for 1,200 to 2,000 acre-feet. Depending on the amount of water Mr. Serrato is able to secure, will decide

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whether FID can deliver for two weeks or for the entire month of August. Mr. Serrato requested the Board authorize Staff the ability to negotiate the agreement and the water be used for the Hardship Water run on the east side during the month of August.

**M/S/C/(Porter/Balls)** That the Board of Directors approved allowing Staff to negotiate an agreement with Crescent – Stinson Water District for water to be used for the Hardship Water run on the east side of the District for either the partial or the entire month of August and available for purchase by landowners at a cost of up to \$60 per-acre foot plus \$25 Administrative Fee per delivery by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

**Break**

A break was taken from 6:40 to 7:00 p.m. - during which time no District business was discussed or acted upon.

**CHIEF ENGINEERS and SPECIAL PROJECTS REPORTS**

Chief Engineer – Special Projects report given by Assistant General Manager Bill Stretch:

**a. Developer Projects 2014-15**

The Engineering Department continues to review plans of several projects that will be constructed during the 2014-15 Maintenance Season. Staff has provided comments on approximately 15 developer review notices. There are no projects occurring at this time and none are expected to start until after the 2014 Irrigation Season.

**b. Agency Projects 2014-15**

The Engineering Department continues to review plans of several projects that will be constructed during the 2014-15 Maintenance Season. The one on-going project in progress is the Fresno Metropolitan Flood Control District's construction of the Dry Creek Extension Basin. The final portion of the project will be completed after the irrigation season when it will be connected from the basin to Dry Creek Canal.

**Agency / Utility Crossings**

There are numerous utility (cable, fiber optics, storm drains, sewer, etc.) crossings that bore under various FID facilities. Typically these sorts of crossings occur during the maintenance season.

**i. California High Speed Rail Update (CHSR)**

Staff and legal counsel continue to work with the California Department of Fish and Wildlife (CDFW) and CHSR Authority on the Herndon Canal. FID strongly objects to CDFW claiming jurisdiction on the Herndon Canal. CHSR, CDFW, and FID Staff continue to work on issues on the Herndon Canal crossings. The demolition contractor demolished its first of several buildings this week, starting in the Downtown Fresno area for the first section of the CHSR project. CHSR is reviewing comments provided by

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FID's Staff on the Reimbursement Agreement. Currently, it appears that the Dry Creek Canal will be the first canal impacted – possibly in the fall of 2014.

**c. Landowner Initiated Projects Update for 2014-15**

Staff continues to work on project plans that are initiated by landowners. Projects include conversion from flood irrigation to low flow irrigation (drip, micros, etc.) and growers wanting to convert from smaller canal systems to larger canal system which is a win / win outcome for both parties. More low-flow systems are being used as more permanent crops are being planted. There is no project construction going on at this time.

**d. Other Activities**

- Monthly surface water samples for water quality testing are being taken from seven to eight locations;
- Groundwater levels are being measured and samples are being taken for the banking facility monitoring plan. Approximately 90 measurements per month are taken;
- Seepage concerns are being investigated along a couple of canal systems;
- Cost estimates on projects are being developed for the upcoming maintenance season;
- Crews are verifying the flowrate on a new flowmeasuring device (Rubicon Slip Meter) which was installed at the head of the Thompson #4 (N/W Ashlan and Jameson); and
- Technicians are measuring ground-to-water depth at different banking facilities.

**e. Little Sandridge No. 66, Old District Well and Property – Don Mendrin, Disposal of Old FID Well and Property. Engineering Action Request 2014-06**

Mr. Serrato reported that during the 1940's, 1950's, and early 1960's, the groundwater levels in the area were fairly high. The District drilled approximately 16 wells throughout the District on land it already owned; the groundwater would then be pumped into the adjacent canals as part of the regular irrigation deliveries. This practice stopped in the early 1960's. These wells still belong to the District's inventory. Mr. Mendrin recently approached the District as to the possibility of purchasing one of the wells (S/W Shields and Trinity avenues) located on his property; this well has not been used for at least 40 years. After consulting with the District's legal counsel, it was determined that the District could sell Mr. Mendrin the well but it would retain the existing exclusive 15-foot wide easement (for any future installation of pipelines). The sale will be for the well, 1,500 square-feet of land surround the well, and is considered an "As-Is" sale. Mr. Mendrin will purchase the well for approximately \$500.

**M/S/C/(Porter/Balls)** That the Board of Directors approved the sale of Well No. 16; 1,500 square-feet of land surrounding the well; and with FID retaining its existing 15-foot wide easement to Mr. Don Mindrin for a fee not to exceed

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\$500.00 by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

**ASSISTANT GENERAL MANAGER’S REPORT**

Assistant General Manager Bill Stretch reported on the following:

**a. Operations and Maintenance**

- Due to the shorten irrigation season, crews have been repairing leaks, breaks, and seepage issues as minimally as possible in an effort not to disrupt water deliveries. Crews will make more permanent repairs during the maintenance season;
- Gate crews are taking care of valve and other structure repairs as needed; and
- Aquatic herbicide has been recently applied to the Lower Dry Creek system, Houghton system, and the Gould system. Next applications are expected on the Enterprise and the Gould as the District continues deliveries to the surface water treatment plant and Leaky Acres.

**b. Southwest Groundwater Banking Project Update**

Staff is in negotiations with a landowner to purchase property for a 60 acre recharge basin and is confident that the parties will be able to enter escrow within one to two weeks. Staff is in the final negotiation stage on the sub-grantee agreement with the Kings Basin Water Authority. The United States Bureau of Reclamation contacted Staff on July 17 and requested additional information. Staff anticipates having an agreement by late August.

**c. Sunnyside/Shepherd Terminus Park Update**

Mr. Stretch reported that FID and the City of Clovis have narrowed down the parcel to be used as the exchange property for the Sunnyside and Shepherd land that the City of Clovis acquired for building their Terminus Park. Details are still being worked out for the exchange of property. The rock / wrought iron fence that is being constructed between the trail walkway and the Enterprise Canal is progressing, as are the other aspects of the project. The project is running slightly behind schedule.

**MANAGER’S REPORT**

General Manager Gary Serrato reported on the following:

**KINGS RIVER WATER ASSOCIATION**

The KRWA Watermaster reported that the Kings River is experiencing more channel losses now than ever before. Investigation shows the reason for the extreme loss is the significant drop in the groundwater table adjacent to the River. KRWA staff reported that they were not able to identify any illegal pumping on the river. Channel losses were estimated between 30 – 35% at the beginning of the run but have since stabilized.

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**Legislative Issues**

Groundwater Bills – Staff expects to see a groundwater legislation bill by the end of August. There are two bills that are now being worked on: 1) SB 1168 (Pavley) which requires adoption of a sustainable water management plan by January 1, 2020, for all basins within the state considered medium to high priority which is determined by the Department of Water Resources. The Tulare Lake Basin which incorporates FID is considered a high priority. A plan will need to be developed which describes sustainability; otherwise, it could lead to adjudication. 2) AB 1739 (Dickinson) is a bill that is not quite as unfriendly as Pavley's bill; however, a sustainability plan will still need to be developed for the Tulare Lake Basin.

Alta, Consolidated and Fresno Irrigation Districts are meeting monthly with General Manager Dave Orth of the Kings River Conservation District, to outline our regional needs. Mr. Orth currently participates in the Association of California Water Agencies' (ACWA's) groundwater committee and is participating on the Governor's task force to help develop the groundwater legislation. The Fresno Irrigation District and Consolidated Irrigation District are in agreement with Mr. Orth's position on sustainability. Alta Irrigation District appears to be taking the position of safe-yield. Sustainability is being defined as having an average amount of groundwater over a set period of time versus safe-yield which keeps the groundwater at a pre-determined annual level. The Governor's office and most water districts appear to be supporting sustainability.

**FRIANT WATER AUTHORITY**

The law group of Minasian, Meith, Soares, Sexton & Cooper provided a letter to the managers of the Friant-Kern District Contractors in response to their questions concerning the Exchange Contract and Purchase Contract. Mr. Serrato stated he thought they did an excellent job of answering the managers' questions. A small group of individual districts belonging to Friant is looking to pursue negotiations with the Bureau of Reclamation. Mr. Serrato recommends that FID not participate in this effort. Following a brief discussion, the Board concurred with Mr. Serrato's recommendation.

**OTHER**

**California Water Bond**

Board President Ryan Jacobsen and General Manager Gary Serrato attended a water bond meeting initiated by the Latino Water Coalition on behalf of Assembly Members Perea, Bigelow, Salas, and Cannella. Several elected officials were in attendance accompanied by a broad spectrum of agriculture leaders, water managers and directors, city managers, law enforcement, and the building industry. Assembly Member Perea asked the attendees what is needed for a restructured, scaled-down water bond (\$8 - \$9 billion dollars). It was decided to form a small group and come to a consensus of what should be included in the bond and the related cost. If a new water bond is not able to be ready in time for the November 2014 election, the water bond of 2009 would be placed back on the ballot in November – although it appears that it does not have much of a chance in passing according to the pollsters.

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**City of Fresno**

Mr. Serrato met with Fresno City Manager Bruce Rudd and the new Public Utilities Director Thomas Esqueda. It was reported that the meeting went very well. Mr. Esqueda and Mr. Serrato have agreed to meet again in approximately two weeks to discuss and review the Conveyance Agreement.

**H.R. 3964 (Valadao) S. 2198 (Feinstein) Bills**

Progress on these bills has been slow. A drought relief bill that would have helped California's current critical drought situation is not expected to receive presidential signature before the end of the year.

**Fresno Metropolitan Flood Control District**

FMFCD has announced Alan Hoffman as their new general manager effective July 14. Mr. Serrato stated he congratulated Mr. Hoffman on his new position and conveyed that he would like to meet in the near future to discuss how FID / FMFCD can improve its relationship and improve the coordination of our systems.

**Grant Funding**

Staff continues to explore any available grant funds that the District is eligible for. The District plans to apply for Federal funds of up to \$20 million dollars.

**Groundwater Banks**

Mr. Serrato recommended shutting down all the groundwater pumps at each of the banking facilities at the conclusion of the 2014 Irrigation Season (July 31). The Board directed the general manager to turn off all the groundwater pumps at each of the banking facilities.

**ADMINISTRATIVE MATTERS**

**a. Healthcare Update (walk in)**

Mr. Serrato stated that health care rates will go up for next year. Staff will furnish the updated information at the August Board Meeting.

**DIRECTORS' REPORT**

**Director Beberian** – none.

**Director Balls** – none.

**Director Jacobsen** – received a nice letter from one of his constituents who expressed his appreciation for the July water deliveries; otherwise, he would not have had a crop this year.

**Director Porter** – none.



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**Director Prieto** – spoke to a grower in his area about his well going dry. Also spoke to another grower about locating the irrigation connection on his property. Director Prieto offered to assist the grower in finding the connection so he will be able to receive water in the future. Mr. Serrato asked Director Prieto to forward the grower’s contact information so Staff can look into the matter.

Open Session concluded at 8:07 p.m.

**ADJOURNMENT**

President Jacobsen adjourned the meeting at 8:07 p.m.

Submitted By,

Gary R. Serrato  
Secretary of the Board