

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JUNE 16, 2015**

Fresno Irrigation District's Board of Directors met in regular session in the District office located at 2907 South Maple Avenue – Fresno, California, on June 16, 2015. The meeting was called to order at 4:10 p.m. by Board President Ryan Jacobsen.

DIRECTORS PRESENT

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

DIRECTORS ABSENT

None

STAFF PRESENT

General Manager Gary R. Serrato
Assistant General Manager Bill Stretch
Chief Engineer Laurence Kimura
Watermaster Jim Irwin
Controller DeAnn Hailey
Director of Human Resources September Singh
Staff Engineer Adam Claes
Safety Manager David Burrow
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Various FID Area Landowners

PLEDGE OF ALLEGIANCE

Board President Jacobsen started the meeting at 4:10 p.m. with the Pledge of Allegiance.

REVIEW AGENDA

President Jacobsen announced that items 8 a. and b. (Watermaster's Report) will follow the Consent Calendar.

REVIEW OF FUTURE MEETINGS

No changes at this time.

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 Special Meeting Minutes – May 12, 2015**
- b. **May 2015 Check Report**
- c. **May 2015 Payroll Registers**
- d. **May 2015 Unpaid Assessment Report**
- e. **May 2015 Investment Account**

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

WATERMASTER’S REPORT

- a. **Current Water Conditions Report**

Mr. Irwin reported on the current and projected water supply and the routing information. As of June 15, Pine Flat release was 979 cfs with storage at 281,841 acre-feet. Pre-Project for the Kings River is 1,259 cfs and FID’s entitlement is 854 cfs. Crews started charging and flushing the canals getting them ready for water deliveries. Temperatures are predicted to stay in the low 100s for the remainder of the week with no storms expected.

- b. **Extension of Water Deliveries**

Mr. Irwin reviewed FID’s revised entitlement and predicted that the Herndon system could run for an entire month and extend the eastside Hardship Run until the end of July. Mr. Serrato presented a chart which showed the increase in runoff due to the May and early June storms in the upper elevation.

Staff’s recommendation is to run the entire month of July on the Herndon system. President Jacobsen inquired if there was a way to extend the run for the Houghton – Dry Creek systems. Staff explained that it was not likely with the amount of water that the District has available; however, some leeway could be used at the WSOs discretion.

M/S/C/(Beberian/Prieto) That the Board of Directors approved Staff’s recommendation to extend the eastside deliveries for an additional 15 days through the end of July and to extend the Herndon System for a full run during the month of July by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

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CONTROLLER'S REPORT

a. May 2015 Fund Statements and Supporting Documents

Ms. Hailey stated the Fund Statements and supporting documents from April and May were presented. It was reported that the District is within budget. Overall expenditures are at 34% in the General Fund.

M/S/C/(Balls/Porter) That the Board of Directors approved the Fund Statements and supporting documents as presented by Staff by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

b. Correction of Charges 2015-02 to 2015-07 (Action Request)

Ms. Hailey reviewed the Correction of Charges. These parcels were purchased by the High Speed Rail and according to the California Code the parcels cannot be assessed. Staff recommends that the Board agree to the removal of said parcels from the tax roll for 2015 and future years.

M/S/C/(Prieto/Porter) That the Board of Directors approved Staff's recommendation on the Correction of Charges 2015-02 through 2015-07 by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

c. ACWA/JPIA RPA Stabilization Fund Report

The District received a refund in the amount of \$37,400 as a result of FID maintaining a good safety record over the last several years.

d. Request of Four Night Stay for Controller to Attend the CSDA Conference in Monterey, CA – September 20-23, 2015 (Action Request)

Ms. Hailey requested approval for a four-night stay to attend the upcoming conference in Monterey, CA. Ms. Hailey would also like to attend a pre-conference workshop on Sunday, September 20.

M/S/C/(Balls/Porter) That the Board of Directors approved the Controller's four-night stay request to attend the 2015 CSDA Annual Conference in Monterey, CA by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

e. Report on COP Bond Payable (no handout)

Ms. Hailey responded to Director Beberian's question regarding the payoff amount of the bond from May's Board meeting. Ms. Hailey stated the principal balance or payoff amount of the bond is \$14.3 million and the total amount if paid to maturity would be \$22 million in principal and interest. Ms. Hailey also stated that the cost of the bond

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when considering the future value of the bond payments and the amount of interest payments might be less than the present value of paying off the bond. The bond will mature in 2037.

f. Sale of Nielsen and Marks Properties - Update

Ms. Hailey has received one phone call in response to the Nielsen empty lot property for sale. The current tenants have yet to show any further interest in purchasing the “old shop facility”. As was pointed out by Director Beberian during May’s meeting, Ms. Hailey informed the tenants that they are not allowed to sub-lease the property according to the lease agreement and will need to clean-up the yard of debris. Mr. Serrato stated that if it is the Board’s desire to sell the properties then another “For Sale” sign should go up in front of the property; if it is not the intention of the Board to actively sell the property then no further expense or work should be committed. Staff’s recommendation would be to sell both parcels. After a brief discussion, it was decided to contact FID’s legal counsel and inquire on the correct advertising language for soliciting “broker participation”. Ms. Hailey will be looking into whether the tenants of the old shop facility will be continuing a month-to-month lease if they have decided to proceed with the purchase of the property or if they will resume a yearly lease. The connection of city water to the “firehouse” property is progressing.

Mr. Serrato introduced FID’s Safety Manager David Burrow to the Board. It was pointed out that Mr. Burrow has been doing a great job in keeping FID employees safe.

CHIEF ENGINEER’S REPORT

a. Developer Projects Update 2015-16

The Engineering Department continues to review plans of several projects that will be constructed during the 2015-16 Maintenance Season. There are seven projects in progress at this time and five more are currently planned. During the last month, Staff responded to 15 Developer Review Notices. Staff has also been checking on leaks now that the canals and pipelines are carrying water.

b. Agency Projects Update 2015-16

The Engineering Department continues to review plans of several projects that will be constructed in the near future. There is one project in progress at this time and two projects are planned during the fall/winter. Staff does not anticipate any new projects to commence until the 2015-16 Maintenance Season.

i. High Speed Rail

FID Staff continues to work with the staff from CHSR on the Reimbursement Agreement. Staff continues to wait for comments on the construction plans for the relocation of SR99, pipeline crossings under Dry Creek Canal, and the relocation plans for Lisenby Pipeline. Representatives from Dragados-Flatiron-Shimmick, design-build

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contractor for the next 65-mile segment, (American Avenue to Tulare-Kern County Line) have reached out to Staff to arrange a meeting. The notice-to-proceed is expected to be issued within the next few months.

c. Landowner Initiated Projects Update for 2015-16

There is one landowner project in progress. Staff does not anticipate any other projects to begin before the 2015-16 Maintenance Season. Currently there are two projects planned for the fall/winter.

d. Other Activities

- Monthly groundwater levels were measured as part of the banking facility monitoring plan;
- Cost estimates are being developed for maintenance projects;
- Engineering Staff is currently assisting or working on twelve maintenance projects;
- Several surveys were performed for project designs;
- Eight construction and structure permits were issued during the last month; and
- Work on utility (PG&E, sewer, storm drain, potable water, cable, phone, etc.) crossing construction and reviews.

Mr. Kimura provided slides and reviewed the following projects:

- Goodrich Canal (N/E Central and Peach) – installation of meter standpipe;
- Fresno Headgate Picnic Area (Flume and Trimmer Springs) – new concrete slab for picnic table canopies; and
- FID Yard (Maple and North avenues) – an outside contractor has erected two canopies for the parking and rest areas.

e. Engineering Action Request 2015—06: Adoption of Updated USBR Water Management Plan – Resolution 2015-03 (Action Request)

Staff Engineer Adam Claes summarized the steps taken in submitting the Water Management Plan to the USBR. Staff recommends that the Board approve and adopt the updated USBR Water Management Plan with the SBx 7-7 Supplement Report by way of Resolution 2015-03.

M/S/C/(Balls/Porter) That the Board of Directors approved Resolution 2015-03 as presented by Staff outlined in Action Request 2015-06 by the following roll call vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

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ASSISTANT GENERAL MANAGER'S REPORT

a. Maintenance and Construction Update

Mr. Stretch noted that there is a large amount of effort that goes into preparing the canals for water deliveries. Crews have been filling the systems to flush out and remove the trash and debris, as well as identifying the locations that cause the most amount of operational issues, (i.e. canal seepage due to rodents, severe pipeline leaks, damaged vents/structures, etc.). Mr. Stretch proceeded to review the following projects:

- Lampee West Branch Canal (South and Brawley) – completed the project of substituting open channel with 1,900 feet of 30-inch PVC pipe and 450 feet of 18-inch PVC pipe;
- Lampee West Branch Canal (South and Brawley) – completed placing rip-rap around outfall structures;
- Limbaugh Pond (S/W Olive and Thompson Alignment) – crews de-watered, scraped sediments, leveled bottom to improve drainage, removed sand berms and performed ripping. This is the first time that maintenance crews have been able to get into the pond in the last 46 years;
- Axt Pond (Barstow and Chateau Fresno) – crews de-watered, scraped sediments, leveled bottom to improve drainage, removed sand berms and performed ripping. This is the first time that maintenance crews have been able to get into the pond in the last 46 years. Crews found that the pond had a sandy floor which works very well for recharge;
- Central Canal (N/O Lincoln) – the weed problem has intensified over the last several years due to the shorter irrigation seasons. Additional weed problems occur when farmers utilize their wells and pump against FID's gate valves which are not designed to handle the backpressure. Crews travel along the canal banks with slopers, excavators, and graders to help keep the weeds under control. Mr. Stretch is currently looking at different options on how crews can get the weed issue under control (i.e. additional equipment, additional crews, and types of sprays used);
- Houghton West (E/O Vineland; E/O Madera Pond); Thompson Extension (S/O 180) – showed crews performing weed maintenance;
- Belmont and Temperance area – crews dredged the bottom of the canal;
- Herndon West Basin (N/W Corner of Ashlan and Shasta) – crews placed rip-rap around the inlet. Crews slowly filled the basin to check its integrity;
- Tracy Canal (N/W Olive and Cornelia) – a contractor performed an inspection, cleaning, and removal of roots in the pipeline. Additional work still needs to be performed;
- Homeless camp clean-up performed along the Victoria Canal (Weber and Valentine) and the Herndon Canal (S/W Ashlan and Fruit); and
- A tree trimming/removal safety training workshop was given – crews stated that they thought this was one of the best training they have received at the District.

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b. Southwest Groundwater Banking Project - Update

- Property Purchase – the District entered into escrow for the first 40 acres on April 27, 2015, with a required closing date of May 15, 2015. However, the seller continues to have issues clearing title with its lender and escrow has not yet closed. The seller states escrow should be able to close in the next couple of weeks.
- Staff continues to pursue area landowners to purchase additional land for the proposed basin. Staff has submitted a purchase agreement to a potential seller. The seller has forwarded the agreement to their attorney; Staff is anticipating a response within the next few weeks.

c. City of Clovis Property Exchange – Update

The City closed escrow on the property with the original owner on March 30, 2015, and is currently the owner of the property, preparing it for FID ownership. As of June 8, 2015, the property's entitlement, zoning change, and annexation process has been completed. The property is now in escrow for the transfer to FID. The City has been excellent to work with. Clean-up of the property and installation of a drip system for the established trees is taking place. Closing escrow and transferring the property to FID is expected by the end of this month.

d. Sustainable Groundwater Management Act (SGMA) – Update

Staff continues to meet with various agencies, typically in three workgroups including the: 1) Upper Kings Basin Group (FID, CID, AID, County, Cities of Fresno and Clovis) organized by KRCD; 2) Fresno Regional Area Groundwater Management Group (FID, FMFCD, County, Clovis, Fresno City, Kerman, Malaga CWD, Bakman, Garfield WD, and Pinedale WD); and 3) County of Fresno Workgroup (24 agencies including large irrigation districts, large cities, smaller cities, irrigation districts outside the sub-basin, and several other districts/companies).

During the last Upper Kings Basin meeting held on May 22, the group tentatively agreed to divide the Kings Sub-basin into four - five Groundwater Sustainable Agencies (GSAs), which would include: 1) Fresno Area GSA; 2) CID GSA; 3) East Kings/AID GSA; 4) Lower Kings GSA (organized by KRCD, County of Fresno, Raisin City WD, etc.), and 5) possibly James ID, although they are within the Lower Kings GSA region. The Upper Kings Group, as well as the other agencies, agreed that the Kings Sub-Basin would produce one Groundwater Sustainable Plan (GSP). The group agreed that the four GSA groups would need to meet amongst themselves and agree to the plan. The group also discussed how the larger group would be organized through a JPA or a Coordination Agreement.

FID organized a meeting with the Fresno Regional Area Groundwater Management Group. In addition to the original ten member group (nine agencies and one private), FID also invited Easton CSD (Sue Ruiz), Biola CSD, Fresno State, and International WD. FID led the discussion and discussed two main ideas: 1) splitting the Kings Sub-

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basin into four - five GSAs and creating one GSP; and 2) creating a Fresno Area GSA comprised of members at this meeting. The group tentatively agreed to both ideas.

DWR organized a meeting at KRCD on May 27 with the Tulare Lake Hydrological Groundwater managers that included KRCD, several local irrigation districts including FID, several large and small cities, and the Kern Groundwater Authority. The purpose of this meeting was to discuss the upcoming requirements for the GSPs. DWR outlined some of the proposed requirements; however, DWR was more interested in soliciting feedback from the group. DWR will continue to meet every couple of months with this group and others around the state to help form the proposed GSP requirements.

Miscellaneous

Mr. Stretch attended a drought and groundwater discussion that was organized by the California Water Institute, Fresno State, and the Public Policy Institute (PPI) of California. The discussion was led by Mark Grossi of the Fresno Bee and included a panel of KRCD's Dave Orth, Self-Help's Sue Ruiz, Public Policy Institute's (PPI) Ellen Hanak, and City of Clovis' Luke Serpa. With approximately 100 people in attendance the discussion was well attended and received.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

The Lower River Coordinated Run is scheduled to begin on July 3 and conclude on August 10. KRWA, KRCD, and the Department of Fish and Wildlife (TAC Committee) will meet to discuss the lowering of the Temperature Control Pool (TCP) below the 100,000 acre-foot level. In order to do this, the vote needs to be unanimous. A former KRCD employee, Mr. Dean Marstens, is now representing the Department of Fish and Wildlife. Part of Mr. Marstens' responsibilities while at KRCD was the fishery management program and developing the TCP.

Pre-1914 Water Rights

The KRWA Pre-1914 Committee met to continue the discussions on the reporting criteria of Pre-1914 water utilization to the KRWA Watermaster. Although the group has agreed on the "reporting form", the group has not been able to agree on whether the Pre-1914 document should be a policy or an agreement. Both Steve Haugen and Gary Sawyers recommend the document be an agreement; however, Consolidated Irrigation District is leaning towards having it a policy. It takes a unanimous vote of the membership to make the document an agreement; only 75% to make it a policy.

State Water Resources Control Board

Mr. Serrato provided the Board a copy of the June 12 *Notice of Unavailability of Water and Need for Immediate Curtailment for Those Diverting Water in the Sacramento-San Joaquin Watersheds and Delta with Pre-1914 Appropriative Claim Commencing During or After 1903*. This notice states the curtailment of diverting water along the

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Sacramento, San Joaquin, and Delta from those who have Pre-1914 water rights. The curtailment currently does not impact the Kings River.

SAN JOAQUIN RIVER ISSUES / FRIANT NORTH ALLIANCE

Bureau of Reclamation (Bureau)

The Bureau of Reclamation held a conference call on June 16 regarding the temperature at the Shasta Dam (for the salmon population). Although Mr. Serrato does not know the exact outcome of the call, he believes there was probably a delay in making a decision about water being released to the Exchange Contractors so that more studies can be done. It is Mr. Serrato's opinion that the City of Fresno will not receive any of the 3,000 acre-feet from the Exchange Contractors at this time.

Friant North Alliance Formation

The Friant North Alliance met on June 8 to begin the process of structuring the organization and electing the chair and vice-chair. Mr. Kole Upton (board member of Chowchilla Water District) was voted as the chair with Mr. Carl Janzen (board member of the Madera Irrigation District) being voted as vice-chair. Director George Porter will be serving as FID's representative on the board.

The general managers have been tasked to formulate a budget which will include a contract line item for the hiring of a consultation. The proposed budget will be brought before each member's board for approval before being approved by the Friant North Alliance.

OTHER

Mr. Serrato also updated the Board on the case of Siskiyou County Farm Bureau v. Department of Fish and Wildlife. This suit now requires that irrigation districts will be required to take out a 1600 Permit when diverting water from the river to the District's canals. The 1600 Permit requires a habitat assessment to be done and a fee to be paid before being issued. This case will be brought before the Court of Appeals.

The Waters of the US are now under the jurisdiction of the Army Corps of Engineers. Agencies that pull water from these designated waterways will be required to obtain a 404 Permit before any work can be performed.

City of Fresno Conveyance Agreement Negotiation

A meeting has been scheduled in July that will include the Mayor, city staff, FID staff and Directors Jacobsen and Prieto. This meeting will be used to update the Mayor and her staff.

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ADMINISTRATIVE MATTERS

- a. **Resolution 2015-04 – Placing in Nomination Director Greg Beberian as a Member of ACWA Region 6 Board (Action Request)**

Director Beberian stated that he thought it was important that a representative from the Kings River be on the Region 6 Board.

Mr. Serrato stated that nomination submissions must be made by June 30. The ACWA Nominating Committee will then make their selection from the applications they receive.

M/S/C/(Prieto/Porter) That the Board of Directors approved Resolution 2015-04 – Nomination of Director Beberian to the ACWA Region 6 Board by the following roll call vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

- b. **Policy 140-533 Absence Management and Attendance Program Revisions (Action Request)**

Ms. Singh brought the revised policy back to the Board after consultation with FID's labor attorney. The revisions center on the amount of hours of sick leave that can be taken without effecting an employee's performance evaluation rating.

M/S/C/(Prieto/Porter) That the Board of Directors approved the revisions to Policy 140-533 as presented by Staff by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

- c. **Approval of a Two-Night Stay for the Safety Manager to Attend a JPIA Two-Day Ergonomic Training Course in Roseville, CA in August 2015 (Action Request)**

JPIA is offering a two-day training course on ergonomic training for in the field and in the office. ACWA has offered to pay for half of the registration cost for our safety manager to attend.

M/S/C/(Porter/Prieto) That the Board of Directors approved the two-night stay to send the safety manager to the JPIA Ergonomic Training Seminar in Roseville, CA by the following vote. (Ayes – Beberian, Balls, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

- d. **Fresno Irrigation District and Madera Irrigation District Water Exchange Agreement (Action Request)**

An agreement between Fresno Irrigation District and Madera Irrigation District will assist each district in developing additional water supplies. Staff is looking to start with 10,000 acre-feet; however, prior to finalizing any agreement, Staff will bring it before the Board for approval.

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DIRECTORS' REPORT

Director Beberian – none.

Director Balls – reported on attending the CSDA Governance Seminar earlier in the day. Director Balls thought the seminar was very good and other interested directors may find it beneficial to attend.

Director Jacobsen – wished the WSOs the best of luck during the 2015 Irrigation Season. He knows that this will be a difficult season for them.

Director Porter – none.

Director Prieto – thought an article by Devin Nunes was interesting and encourage others to read it.

There was no Closed Session held.

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

Property: APN 560-031-11 and 557-031-05, 39

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

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato-FID, Bill Stretch-FID, and GF Land Company L.P.
Properties

Property: APN 035-060-14S

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

ADJOURNMENT

President Jacobsen adjourned the meeting at 6:47 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board