

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD DECEMBER 19, 2017**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California, on December 19, 2017. Board President Ryan Jacobsen called the meeting to order at 4:00 p.m.

DIRECTORS PRESENT

President Ryan Jacobsen
Vice President Jerry Prieto, Jr.
Director George Porter
Director Gregory Beberian
Director Chris Woolf

DIRECTORS ABSENT

None

STAFF PRESENT

General Manager Gary R. Serrato
Assistant General Manager Bill Stretch
Chief Engineer Laurence Kimura
Operations Manager Adam Claes
Watermaster Jim Irwin
Construction/Maintenance Superintendent Mike Prestridge
Human Resources Director September Singh
Legal Counsel Jeff Boswell
Staff Engineer Felix Vaquilar
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

CEO of Friant Water Authority Jason Phillips
COO of Friant Water Authority Doug DeFlicht
Maricopa Orchards Representative
Reporter Don Wright

PLEDGE OF ALLEGIANCE

President Jacobsen opened the meeting at 4:00 p.m. with the Pledge of Allegiance.

REVIEW AGENDA

President Jacobsen moved item 12 f. to Closed Session.

REVIEW OF FUTURE MEETINGS

None.

PUBLIC PRESENTATIONS

Mr. Phillips spoke before the Board stating that Friant Water Authority (FWA) is pleased that FID is considering returning as a full member. Mr. Phillips discussed the changes that have occurred in the last couple of years and its plans for the future. Priorities of

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FWA is to provide dependable, sustainable water supply to its Friant-Kern contractors and to protect its water rights.

Mr. Don Wright stated that he has a 14-page water commission report that he would share if anyone were interested.

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 Board Meeting Minutes – November 14, 2017**
- b. **Approval of Finance Committee Meeting Minutes – December 11, 2017**
- c. **November 2017 Check Reports**
- d. **November 2017 Payroll Registers**
- e. **November 2017 Unpaid Assessment Report**
- f. **November 2017 Investment Account**

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

CONTROLLER'S REPORT

- a. **2018 Proposed Budget**

In the absence of the controller, Assistant General Manager Bill Stretch presented the financials and the proposed 2018 FID Budget. Mr. Stretch reported that 2018 would be the first year of the new base assessment rate determined by the Proposition 218 voter approved election (held in June 2017). Mr. Stretch reviewed the major changes to the budget including Water Fund transfers to the General Fund, Project Contributions – City of Fresno; Repair and Maintenance – Canal Structures; KRWA Assessments; Wages and Salaries; Insurance (health costs); and Water Purchase. Staff provided a summary of the significant changes to the budget. President Jacobsen stated that the Finance Committee (Directors Jacobsen and Beberian) met with the general manager, assistant general manager and controller last week to discuss the proposed budget. Director Prieto inquired on the contribution to the Water Safety Council. It was suggested bringing Ms. Cristel Tufenkjian, coordinator of the Council (KRCD) to give an update, along with other representatives from agencies that FID has a standing contribution.

President Jacobsen opened the item up for discussion from the public – with no public comments, the Board made a motion to approve the budget.

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M/S/C (Prieto/Porter) That the Board of Directors approved the proposed 2018 Budget as presented by Staff by the following vote. (Ayes – Beberian, Woolf, 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 routing information. As of December 18, Pine Flat release was 517 cfs with storage at 484,524 acre-feet. FID’s storage was 66,684 acre-feet. Pre-Project for the Kings River was 338 cfs – FID entitlement is 94 cfs. Fresno precipitation is at 0.37 inches for Year-To-Date with the average being 2.53 inches (14.6%) – Pine Flat precipitation is at 1.07 inches for Year-To-Date with the average being 4.57 inches (23.4%). Peoples Ditch Company is managing the Fish Flows during the month of December.

CHIEF ENGINEER’S REPORT

Chief Engineer Laurence Kimura reported on the following:

a. Developer Projects Update 2017-18

- Staff reviewed projects for the 2017-18 Maintenance Season
- Two projects in progress
- Six projects under review
- Commented on 43 developer review notices and 14 utility search requests

b. Agency Projects Update 2017-18

- Staff worked on projects under construction and reviewed projects for the 2017-18 Maintenance Season
- Five projects in progress
- Five projects under review

i. High Speed Rail (HSR)

- Construction work at Dry Creek Canal and Fresno Colony Canal are expected to begin in December

c. Landowner Initiated Projects Update for 2017-18

- Two projects in progress – one almost complete and one waiting on a trencher
- No projects under review for the 2017-18 Maintenance Season

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d. Other Activities

- Groundwater levels were measured as part of the banking facility monitoring plan
- Plans are being made for future maintenance projects
- Staff is assisting or working on 14 FID maintenance/construction projects
- Several surveys were performed for project design and construction
- Staff has been very busy locating pipelines and rights-of-ways for crop conversions
- Over the last month 29 construction, structure or water permits were issued and monitored

Project(s)

- Clovis Canal (N/W Herndon and Temperance) – pipeline replacement of approximately 380 feet of 36-inch CIP with 30-inch RGRCP
- Dry Creek Canal (McKinley and First Street) – shotcrete liner project. Contractor cleaning bottom of canal and preparing for shotcrete application
- Gould Canal (S/E Ashlan and Locan) – Bypass for bridge construction
- Lower Dry Creek (N/E Church and Valentine) – pipeline crossing and proposed check and turnout structure project (connects one basin to another and crosses under canal) – Fresno Metropolitan Flood Control District Basin NN
- Houghton Canal (N/E Nielsen and Brawley) – concrete lining and proposed turnout structure project (City of Fresno Nielsen Basin)

Director Beberian inquired at looking into tying into FMFCD / City basins for recharge purposes.

Director Porter asked Staff to look into a leak situation at a stand on California and Valentine. Staff stated they are aware of the issue and that the connections do not belong to FID. Staff will look into the situation again.

e. Banking Facility Groundwater Levels Presentation

Mr. Kimura provided graphs of the last two years of groundwater levels taken at the Waldron (Lambrecht, Empire and Waldron) and Boswell Banking facilities. Well readings show that levels are starting to rise.

ASSISTANT GENERAL MANAGER'S REPORT

Operations Manager Adam Claes reviewed items a. - d. for the Board:

a. Maintenance and Construction Update

- McNeil Canal (Central and Cornelia) – HDPE slip liner project
- Kennedy #2 (S/E Olive and Jameson) – substitution of approximately 1,450 feet of open canal with 24-inch PVC pipe

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- Head of East Branch (N/E Olive and Riverbend) – FID crews cleaned measuring station
- Oleander North Branch (Adams and East) – FID crews sloped open canal
- Washington Center Branch (Fig and Clayton) – FID crews trimmed / removed trees and bushes along open canal for better access

b. Serrato Intertie Project Update

Mr. Claes stated trouble-shooting on the SCADA equipment took place.

c. Southwest Groundwater Banking Project Update

Mr. Claes reviewed the layout of the 100-acre basin (one 60-acre basin and two 20-acre basins) southeast of Lincoln and Madera avenues. Mr. Claes presented photos of the progress of the project. The floor and walls of the diversion structure are under construction. Canal improvements (sloping and bottom dredging) leading up to the basin are in progress. The contractor is expected to finish by mid-January.

d. Discussion / Possible Action on Wagner Recharge Basin – CEQA IS/MND Adoption. Engineers Action Request 2017-18 / Resolution 2017-18

Mr. Claes described the revised Engineers Action Request for the Wagner Recharge Basin project. The project is an approximately 60-acre recharge basin located southeast of Shaw and Westlawn avenues. The comment period on the Mitigated Negative Declaration began November 10 and concluded December 11, 2017. Three comments were received (Caltrans, DWR and Semitropic Water Storage District (DWR's comments were received after the comment deadline)). Responses to the comments were provided with the revised Action Request 2017-18. None of the comments received present substantial evidence that the project, as mitigated, may have a significant impact on the environment or require actions that require delay of the adoption of the Mitigated Negative Declaration. Staff recommended the Board adopt Resolution 2017-18. Following a brief remark by the Board, President Jacobsen opened the meeting to the public for comments. With only one comment from the public, President Jacobsen closed the public comment period.

M/S/C (Porter/Prieto) That the Board of Directors approved Resolution 2017-18 by the following roll call vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

e. Sustainable Groundwater Management Act (SGMA) Update

i. North Kings GSA Update

Mr. Stretch reported the North Kings Board last met on September 28. The subsequent meetings were cancelled due to holidays and lack of action items. Mr. Stretch stated that 2018 is expected to be very busy with GSA issues. The Ad Hoc Technical Subcommittee continues to meet and review a chapter per month. A new member from

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Maricopa Orchards joined the subcommittee in December. The Membership / Outreach Subcommittee have developed a draft outreach plan, which will be distributed later. Mr. Serrato announced that Vice President Jerry Prieto was re-elected as Chairman of the NKGSA Board of Directors during the September Board meeting.

ii. Kings Subbasin GSA Update

Provost & Pritchard Consulting presented the preliminary over-draft numbers to the seven GSAs. This information will be distributed within the next couple of months. The overdraft numbers revealed that the Kings Basin is significantly more over-drafted than previously reported. The group continues to meet on a monthly basis.

iii. Miscellaneous – County/DWR/SWB

Mr. Serrato reported he met with County representatives to discuss the area from FID's Enterprise Canal to the Friant Dam (Area 1 and Area 2).

Miscellaneous

Mr. Stretch reported the California Supreme Court ruling holds that groundwater pumping charges are not property related charges effected by Proposition 218. The attorneys for the GSAs are doing additional clarification and research.

f. Friant Issues

i. Friant North Authority Update

Friant North Authority (FNA) last met in October and now meets quarterly with the next meeting scheduled for January 2018.

The FNA Board spoke generally on the benefits / disadvantages of continuing with the Friant North Authority. It was proposed going from an authority to an alliance. FNA's future will be discussed during its next meeting in January. President Jacobsen believes it may be beneficial to have the FNA stay in place, even if it only meets once or twice a year.

ii. Friant Water Authority Update

Nothing new to report.

iii. Discussion / Possible Action to Rejoin the Friant Water Authority

In early 2016, Friant Water Authority made significant changes with their reorganization, new upper management staff and the structure of the board / managers meetings. FID accepted a free trial membership with FWA in March 2017. Since that time, FID and FWA have discussed the fiscal impact to FID, future liability, proposed membership agreement and SGMA issues. Staff recommends rejoining FWA and feels FID would benefit from being represented by a larger organization on local, state and federal issues (i.e. CalWater Fix, Temperance Flat, SGMA, San Joaquin River Restoration and

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numerous state and federal legislation). The 2018 membership cost for FWA would be approximately \$101,000 as compared to FNA of \$150,000.

M/S/C (Beberian/Woolf) That the Board of Directors approved rejoining the Friant Water Authority effective January 2018 by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

Mr. Serrato stated that President Jacobsen would need to appoint a Director and Alternate Director to the FWA Board.

Mr. Dan Vink, general manager for Lower Tule River and Pixley Irrigation District, retired and will now concentrate his time and effort on the South Valley Water Association. Mr. Eric Limas was named the new general manager.

MANAGER'S REPORT

KINGS RIVER WATER ASSOCIATION

a. Kings River Water Association Update

Mr. Serrato reported that Staff attended the Water Commission meeting on December 13 in Sacramento, CA. Agencies were allowed 15 minutes to present their projects followed by the Board asking questions before opening up to public comments and rebuttals. There were 14 public comments that adamantly opposed the Semitropic Water District's application. On January 19, Staff will attend another Water Commission meeting where they will start narrowing in on the benefit component of Semitropic Water District's application. An Op-Ed article co-authored by Fresno County Supervisor Buddy Mendes was provided in the Board packet.

Mr. Serrato is on KRWA's Ad Hoc Committee discussing the application of the Upper River and its transition to the KRWA.

b. Friant Operations Update

No further update.

c. Miscellaneous Updates

Mr. Serrato met with State Water Resources Control Board Member Dorene (DeDe) D'Adamo and briefly discussed SGMA and other proposed legislation. Mr. Serrato also had the opportunity to discuss the same issues with newly appointed State Water Resources Control Board Member Joaquin Esquivel.

Mr. Serrato stated that the draft agreement for the City of Clovis Conveyance Agreement is ready. The City of Clovis and FID will meet in January.

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Mr. Serrato announced at that at the end of the month Lisa Koehn will retire from the City of Clovis after 34 years. Ms. Koehn has been an integral part of the conveyance agreement process and the North Kings GSA.

International Water District is looking to convey their Class I contract to FID. A meeting is scheduled with the Bureau in January to discuss the process.

Mr. Serrato thanked the Board for allowing the employees to hold an End-of-the-Year lunch – it was well received and greatly appreciated.

ADMINISTRATIVE MATTERS

a. Discussion / Possible Action on Damage Claim Request – Sharon Kiseloff

Due to a leaking turnout box, the Kiseloff property experienced flooding on three rows of raisins. The Board inquired on the cause of the box's leakage. Staff responded that it periodically leaks possibly due to age and previous damaged by a tractor. The box is scheduled for repair this maintenance season; the Board then agreed to pay the claim submitted by Mr. Kiseloff on behalf of Sharon Kiseloff / R & H Agri-Enterprises. Prior to payment, Mr. Boswell advised Staff to confirm the correct name / ownership of the property and obtain a signed release form.

M/S/C (Porter/Prieto) That the Board of Directors approved payment of the Kiseloff / R & H Agri-Enterprises claim for \$2,034 by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

b. Discussion / Possible Action for Authorization of Overnight Stays for Directors and Staff to Attend the 2018 Mid-Pacific Region Water users' Conference January 17-19, 2018

This annual conference will be held in Reno, NV on January 17-19, 2018. Participants have found this to be a very good conference to attend.

M/S/C (Prieto/Porter) That the Board of Directors approved overnight stays for Directors and Staff to attend the Mid-Pacific conference in Reno, NV in January 2018 by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

c. Discussion / Possible Action to Reschedule January 16, 2018 FID Regular Board of Directors Meeting (due to attendance at the Mid-Pacific Conference)

Directors and Staff agreed to keep the January meeting on its regularly scheduled date.

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- d. Discussion / Possible Action for Authorization of Overnight Stay for the Operations Manager to Attend the California Irrigation Institute 2018 Conference in Sacramento, CA in January 2018**

This will be a one and a half day conference in Sacramento. The Operations Manager has requested authorization for the overnight stay.

M/S/C (Prieto/Woolf) That the Board of Directors approved the overnight stay for the Operations Manager to attend the CII Conference on January 29-30, 2018, by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

- e. Discussion / Possible Action for Authorization of Overnight Stays for the Assistant General Manager and Operations Manager to Attend the American Council of Engineering Companies Awards Banquet in Los Angeles, CA – February 8, 2018**

Provost & Pritchard Consulting is being presented with the 2018 Engineering Excellence Award in Los Angeles for FID's Serrato Intertie Project. The general manager, assistant general manager and operations manager have been invited to attend the awards ceremony on February 8. Mr. Serrato is unable to attend.

M/S/C (Porter/Prieto) That the Board of Directors approved the overnight stay for the assistant general manager and operations manager to attend the ACEC Awards Banquet by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

- f. Discussion / Possible Action on FID – OE3 Negotiated Contract**

This item was discussed during Closed Session then voted on in Open Session. Reporting of this item took place under "REPORT IN OPEN SESSION OF ACTION TAKEN IN CLOSED SESSION".

M/S/C (Porter/Prieto) That the Board of Directors approved the OE3 Memorandum of Agreement by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

- g. Discussion / Possible Action on Resolution 2017-17 – Workers' Compensation Coverage for Governing Body Members and Volunteers**

Ms. Singh stated that the Special District Risk Management Authority (SDRMA) requires the District to provide a resolution stating its workers' compensation coverage covers volunteers, board members, interns and other designated individuals. The premiums will remain the same.

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M/S/C (Prieto/Porter) That the Board of Directors approved Resolution 2017-17 by the following roll call vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

h. ACWA/JPIA – President’s Special Recognition Award

Ms. Singh stated the District received a President’s Special Recognition Award for having a loss ratio of 20% or less under its property liability coverage. This covers a three-year period (2014, 2015 and 2016).

DIRECTORS’ REPORT

Director Beberian – stated he attended the 2017 ACWA Fall Conference. Central Valley area members have established an ag committee. Speakers at the conference emphasized that a large number of ag / water laws will be introduced within the next two years.

Director Woolf – none.

Director Jacobsen – thanked Staff for the effort they put into the End-of-the-Year Event. President Jacobsen also stated that Staff did a great job during the long water season.

Director Porter – stated his constituents are asking if there will be reclaim water. Staff will place that on the agenda for January.

Director Prieto – none.

Open Session concluded at 6:15 p.m. p.m. with the Directors and some Staff going into Closed Session at 6:30 p.m. No District business was discussed during the break.

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9(d)(2). Meet in closed session to confer with counsel on potential litigation arising out of claims by third parties to water rights on the Kings River. On advice of counsel, the staff has concluded that, based on existing facts and circumstances, there is significant exposure to litigation by or against the KRWA.

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9(d)(2). Meet in closed session to confer with counsel on potential litigation arising out of claims by third parties regarding Dhatt Claim (Property Sale) 3061 W Nielsen Avenue – Fresno, CA

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Government Code Section 54956.8 Real Property Transactions.

Negotiators: William Stretch – FID, Gary Serrato – FID; and William H. Wagner and William H. Wagner as Trustee

Properties: APN 512-021-03 and 512-020-09

Terms and Conditions: Negotiations of Purchase of Real Property Resolution 2017-14

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Adam Claes – FID, William Stretch – FID, Gary Serrato – FID; and Moh Leng Kok Property Representative

Properties: APN 328-021-10

Terms and Conditions: Negotiations of Purchase of Real Property Resolution 2017-15

Government Code Section 54956.8 Real Property Transactions.

Negotiators: William Stretch – FID, Gary Serrato – FID; and Shahbazian Property Representative

Properties: APN 330-160-01

Terms and Conditions: Negotiations of Purchase of Real Property Resolution 2017-16

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9(d)(2).

Meet in closed session to confer with counsel on potential litigation arising out of a third party personal injury claim

The District May Convene in Closed Session Pursuant to Government Code Sections 11126(a)(1),(c)(3) and € (1) to discuss:

Review of General Legal Counsel Contract.

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

CLOSED SESSION ADJOURNMENT

President Jacobsen adjourned Closed Session at 7:05 p.m.

REPORT IN OPEN SESSION OF ACTION TAKEN IN CLOSED SESSION

President Jacobsen stated the Dhatt claim resulted in a \$39,000 settlement with no further action required.

The purchase of the Shahbazian property closed escrow on November 22 for \$1,201,350. The Board adopted Resolution 2017-16 on September 19, 2017 by a unanimous roll call vote.

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The FID Board approved the contract with General Counsel Jeff Boswell for the following years and amounts: 2018 - \$113,300 and 2019 - \$116,699 by unanimous vote.

By unanimous vote, the Board of Directors approved the OE3 MOA in Open Session and agreed to apply the negotiated items to non-represented employees.

ADJOURNMENT

With no further business, President Jacobsen adjourned the meeting at 7:10 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board