

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD AUGUST 21, 2018**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California, on Tuesday, August 21, 2018. Board President Ryan Jacobsen called the meeting to order at 4:00 p.m.

DIRECTORS PRESENT

President Ryan Jacobsen – Division 3
Vice President Jerry Prieto, Jr. – Division 1
Director Chris Woolf – Division 2
Director George Porter – Division 4
Director Gregory Beberian – Division 5

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
Controller DeAnn Hailey
Human Resource Director September Singh
Legal Counsel Jeff Boswell
Staff Engineer Felix Vaquilar
Staff Engineer Sen Saetern
Staff Engineer Nick Zaninovich
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Independent Reporter Don Wright
Asian Business Institute & Resource Center Representatives Dao Lor and Mengda Vue

PLEDGE OF ALLEGIANCE

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

REVIEW AGENDA

President Jacobsen stated Closed Session will take place between items 12 g. and h.

REVIEW OF FUTURE MEETINGS

President Jacobsen stated there were no changes to the future meetings calendar.

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PUBLIC PRESENTATIONS

Don Wright stated he is hosting a music/barbeque event at his home on the last Saturday in September. FID Directors and Staff are invited along with their families.

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 Equipment Committee Meeting Minutes – July 17, 2018**
- b. **Approval of Regular Board Meeting Minutes – July 17, 2018**
- c. **July 2018 Check Reports**
- d. **July 2018 Payroll Registers**
- e. **July 2018 Unpaid Assessment Report**
- f. **July 2018 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. **Discussion / Possible Action on July 2018 Fund Statements and Supporting Documents**

Ms. Hailey presented the July 2018 Fund Statements and supporting documents. Ms. Hailey reported that the General Fund is within budget since the expenses were at 57% and the target is 58%. Ms. Hailey also noted that the budget will need to be adjusted on some line items. Ms. Hailey stated that this is the last time that the DWR Contract account will appear on the Cash on Deposit report since the account was closed when the note was paid in full.

M/S/C (Prieto/Porter) That the Board of Directors approved the July 2018 Fund Statements and Supporting Documents as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

- b. **Discussion / Possible Action on Policy 130-407 – Debt Management Policy**

Ms. Hailey stated all public agencies must adopt a debt management policy in order to obtain warrants or bonds. This requirement was enacted on January 1, 2017. In-house Legal Counsel has reviewed the policy.

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M/S/C (Prieto/Woolf) That the Board of Directors approved Policy 130-407 as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

c. Warrant Documents

Ms. Hailey explained there are three parts to the warrant documents. These items must be either all approved or all denied.

i. Good Faith Estimates Update

ii. Discussion / Possible Action on Bond Counsel’s Engagement Letter

iii. Discussion / Possible Action on Warrant Agreement

Ms. Hailey provided a memorandum outlining the good faith estimates which is a required disclosure under Section 5852.1 of the California Government Code, The memo states the good faith estimates such as the true interest cost, finance charge and fees, principle amount, and total payment amount. The final costs will depend on market conditions. Funds will be utilized to bridge the cost of construction for both the Central and Wagner basins. President Jacobsen stated the Board would like to see the warrant paid off as soon as possible.

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

d. Discussion / Possible Action on Resolution 2018-11 – Ordering Issuance of Warrant Payable

Ms. Hailey presented Resolution 2018-11 “Ordering Issuance of Warrant Payable” for issuance of the warrants payable at a future time.

M/S/C (Prieto/Porter) That the Board of Directors approved Resolution 2018-11 by the following roll call vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

e. Discussion / Possible Action on Emergency Repairs at Nielson and Marks District Owned Property

Ms. Hailey informed the Board that the Nielson and Marks property has experienced issues with the sewer line backing up. A plumber was called to clear the line without success. Another plumbing company came out to hydro-flush the sewer line and was temporarily successful. A short time later, the line backed-up and was again hydro-flushed but this time the plumber was unsuccessful in clearing the line. Insertion of a camera showed the line was cut and blocked (or crushed). Damage to the line was the

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result of the neighboring property being under construction and possibly cutting the line. Staff is looking into a direct connection to the City of Fresno's sewer line. Staff forwarded the claim to JPIA for review. The Board directed Staff to obtain a minimum of two quotes. The renters on the property were instructed to cancel all events and stop using the sewer pipes. Staff's recommendation is to connect to the City of Fresno's main sewer line as soon as possible.

M/S/C (Porter/Prieto) That the Board of Directors approved moving forward with the least expensive quote to repair / hook up to the City's main sewer line on the Nielson and Marks property and obtain a minimum of two bids 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 water supply and routing information. As of August 20, Pine Flat release was 3,821 cfs with storage at 321,412 acre-feet. FID storage was 78,962 acre-feet. Pre-Project for the Kings River was 345 cfs – FID entitlement was 234 cfs. Temperatures are cooling down for the next several weeks. Mr. Irwin stated that FID owes Stinson-Crescent Canal Company 1,600 acre-feet of water, which will be repaid from water in storage.

b. Discussion / Possible Action on Shut Down Date of District System

During the July Board meeting, the Board elected to end the water season at the end of August. With the amount of water the District has available, Staff recommends extending the water season an additional two weeks (September 15) District-wide, and the east side to extend to the end of September. Since the east side runs through the entire month of September, there would be no Hardship water deliveries. Staff also recommends shutting down the reclaim pumps on September 15. Staff will issue a news release announcing the extension of water season.

M/S/C (Porter/Beberian) That the Board of Directors approved extending the 2018 Irrigation Season District-wide until September 15; turn off the reclaim pumps on September 15; run the east side irrigation water until September 30; and not deliver Hardship Water as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

c. Discussion / Possible Action on Providing Hardship Water

Hardship water deliveries will not occur this year since the District is running water on the east side through September 30.

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d. Discussion / Possible Action on Sale / Transfer / Exchange of Water

Staff was approached to create a recapture / recirculation program for water on the west side. There is a possibility of capturing up to 20,000 acre-feet of water stored at the San Luis Reservoir. Staff requested direction from the Board to continue working on this proposal. The Board directed Staff to continue working on the recapture / recirculation proposal and bring back to the Board when more information is available.

Table Mountain Rancheria is in the process of building a new facility (hotel and casino) near Friant, CA. Table Mountain approached Staff about developing 250 to 500 acre-feet of water every year from Millerton Lake. Staff discussed a possible proposal with their representatives, which would include an upfront capital component cost plus the cost for the water. Staff is seeking direction from the Board to work on this project. The Board mentioned its concern about a long-term commitment during dry years. Staff will bring this before the Board prior to any commitment with Table Mountain Rancheria.

ADMINISTRATIVE MATTERS

a. Homeless Encampment Presentation by FID Safety Manager

Mr. Burrow presented to the Board a summary of the homeless situation FID has been experiencing over the last several years along the canal banks. Mr. Burrow presented this information during the JPIA conference in May 2018. Staff continues to work with local law enforcement agencies in the area to help relocate the homeless while crews clean up the trash. Cost to FID is roughly \$6,000 per clean-up day, not including a third-party service to remove hazardous waste if needed. Staff provides training during tailgate meetings on the best / safest way to clean up the encampments and interact with the homeless.

CHIEF ENGINEER'S REPORT

a. Developer Projects Update 2018-19

- Staff reviewed projects for the 2018-19 Maintenance Season
- Three projects in progress
- Nine projects under review
- Commented on 37 developer review notices and three utility search requests

b. Agency Projects Update 2018-19

- Staff worked on projects under construction and reviewed projects for the 2018-19 Maintenance Season
- One project in progress
- Five projects under review

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i. High Speed Rail (HSR)

Mr. Kimura stated FID's Engineer and In-House Counsel have been working on agreements and rights-of-way with the CHSR; however, progress is slow. Part of the issue is that CHSR is suffering from corporate memory loss due to the high employee turnover. Union Pacific and BNSF railroads are also adding to the challenges.

c. Landowner Initiated Projects Update for 2018-19

- No projects in progress
- No projects under review for 2018-19 Maintenance Season

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 11 FID maintenance / construction projects (none currently in progress)
- Several surveys were performed for project design and construction
- Staff has been busy locating pipelines and rights-of-way for crop conversions
- Six construction, structure, or water permits were issued and monitored over the last month

ASSISTANT GENERAL MANAGER'S REPORT

Operations Manager Adam Claes reported on items a., b. and c. for the Board:

a. Maintenance and Construction Update

- Fairview Canal (McKinley and Michelle) – pipeline repair
- Kutner Colony Canal (McKinley and DeWolf) – hub gate repair
- West Branch of East Branch (Belmont and Greenwood) – hub gate inspection
- Fancher Creek Canal (Belmont and Fowler) – homeless camp cleanup
- Fancher Creek Canal (Tulare and Argyle) – tree fire. The fire department was called out; fire was started at a homeless camp. A tree trimming company cleaned out the burnt trees and removed additional trees that posed a possible fire hazard
- Fresno Canal (Belmont and Viau) – removed tree from canal
- Washington/Central Divide (Church and Clovis) – removed trash from canal collection point
- Gould Canal (Del Rey and Shields) – crews took flail mower along the side of the canal to perform weed control
- Washington Center Br. Canal (Lincoln and Fig) – sprays crews out along the canal banks

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- Herndon Canal (Barstow and Dickenson and Lower Dry Creek Canal (North and Jameson) – crews applied Copper Sulfate
- Training (new chipper) – designated staff participated in training on the newly purchased chipper with the advanced safety features

Mr. Claes stated that FID’s shop foreman was invited to an “all-expense-paid trip” to the Caterpillar tractor factory in Peoria, Illinois in September for training and tour.

b. Wagner Family Presentation Update

Mr. Claes stated the Wagner Family was invited to attend the Board meeting to receive the resolution/plaque naming the basin after William H. Wagner (previous owner of the property); however, they politely declined. The plaques will each be hand delivered to the late Mr. Wagner’s son and daughter.

c. Sustainable Groundwater Management Act (SGMA) Update

i. North Kings GSA Update

Mr. Claes updated the Board on current NKGSA activities. The Technical Subcommittee continues to work on the Groundwater Sustainability Plan with an internal deadline to have the draft plan ready by January 2019. The NKGSA group is ahead of the other members of the Kings Subbasin. The Technical Subcommittee is currently discussing sustainable management criteria and dividing-up the NKGSA into sub-areas for monitoring and potentially management. FID would divided into three sections: eastern part, northwestern part, and southwestern part.

Mr. Serrato has been busy with outreach appearances and presentations as required by SGMA. He has visited cities, water districts, and community organizations.

At the direction of the NKGSA Board, Mr. Serrato has been working on the recruitment process for the new executive officer for when Mr. Serrato retires in January 2019.

ii. Kings Subbasin GSA Update

The seven GSAs continue to meet every two weeks. Provost & Pritchard continue to be the facilitator of the group and is preparing the groundwater storage change calculations for the subbasin. Staff anticipates sharing the findings with the NKGSA Board during September’s meeting if available. Sam Boland-Brien, representative from the State Water Resources Control Board spoke to the Kings Subbasin group on August 17. The group had the opportunity to ask questions and receive clarifications on different issues.

iii. Miscellaneous – County/DWR/SWB

There was nothing new to report.

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Assistant General Manager Bill Stretch reported on the following:

d. Friant Water Authority Update

Mr. Stretch stated that he and Director Porter attended the last FWA Board meeting. Mr. Stretch reported that there were few action items with most of the discussion focusing on Temperance Flat MOA development, funding prospects for flying / modeling over the Sierra watershed areas, unimpaired flows, and subsidence issues. A special meeting was held this week to review the technical aspects for solving the subsidence problem. Mr. Serrato reiterated that if Proposition 3 does not pass or Friant does not receive funding, that FID does not support contributing monies to fix this problem and that the cost should be borne by the entities that caused it.

e. FID Water Resource Strategic Plan Element Update

An Ad Hoc Committee was established consisting of Directors Jacobsen and Beberian. The committee met last week with Staff and Gary Sawyers and Dick Moss of the New Current Water and Land Company who developed the Plan. Edits were made and the Plan should be ready to bring before the Board in one to two months.

f. Trails Along FID Canals – Master Trails Agreement with the City of Fresno Update

FID Staff completed the edits to the agreement and returned to the City for their edits/comments. Another meeting is planned for a couple of weeks to review the changes.

Miscellaneous – Staff has been in discussions with Tommy Esquada from the California State University, Fresno (CSUF) regarding SBx7-7. Mr. Esquada is interested in CSUF working with FID on water measurement and SBx7-7. FID continues to make upgrades towards measurement requirements every year. As projected in FID's agricultural water management plan submitted to the state in 2015, it will take ten years to complete. FID and CSUF are in the preliminary stages of discussing how CSUF could develop a work plan to move the process along. Within the next one to two months, Staff will bring before the Board an update and possible proposal.

MANAGER'S REPORT

KINGS RIVER WATER ASSOCIATION

a. Kings River Water Association Update

No further update.

b. Friant Operations Update

No further update.

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c. Miscellaneous Updates

No further update.

ADMINISTRATIVE MATTERS

b. Discussion / Possible Action on Resolution 2018-12 on Honoring Rick Karkula on His Retirement

Mr. Claes stated Mr. Karkula has decided to retire after 25 years with the District. Mr. Karkula is currently the supervisor of heavy equipment crews and is actively involved with most of the maintenance and construction projects.

M/S/C (Prieto/Porter) That the Board of Directors approved Resolution 2018-12 honoring Rick Karkula for his years of service as presented by Staff by the following roll call vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

c. Discussion / Possible Action on Vehicle Windshield Claim - Rix

Ms. Singh reported a rock fell off one of the District's trucks and hit the windshield of Mr. Rix's vehicle. Staff recommends paying the \$226.52 claim.

M/S/C (Prieto/Porter) That the Board of Directors approved the payment of \$226.52 for windshield replacement as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

d. Discussion / Possible Action on Multiple Overnight Stays for Board Members and Management Staff to Attend the Fall ACWA Conference – San Diego, November 2018

Mr. Stretch requested authorization for overnight stays for any Board Member or management Staff who wanted to attend the ACWA conference this fall. The conference will be held in San Diego, CA in late November.

M/S/C (Porter/Woolf) That the Board of Directors approved Board Members and Staff multi-night stays to attend the 2018 Fall ACWA Conference in San Diego, CA as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

e. CalPERS Open Enrollment Announcement

Ms. Singh announced that open enrollment starts on September 10 and runs through October 5 with an effective date of January 1, 2019.

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f. ACWA Region 6 & 7 San Joaquin Valley Water Forum Update

The annual Region 6 & 7 forum is scheduled for October 12 in Visalia, CA. Anyone interested in attending should contact Staff.

g. JPIA On-Site Inspection Report Update

A representative from JPIA performed the yearly inspection of the shop, maintenance yard, and canals with Safety Manager David Burrow. JPIA's representative reported in a letter that the inspection/tour went very well, had no complaints, and there were no suggestions.

DIRECTORS' REPORT

Director Beberian – none.

Director Woolf – stated he had a homeless individual camping on his property. Thanked Staff for handling the situation.

Director Jacobsen – congratulated Directors Porter and Prieto on securing another four year term (Jacobsen, Prieto, and Porter ran unopposed). Also congratulated Director Beberian on his appointment to another four-year term on the KRCD District Board.

Director Porter – none.

Director Prieto – none.

President Jacobsen suspended Open Session at 6:20 p.m. with the Directors and some management Staff going into Closed Session at 6:30 p.m.

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 claim against third party: Hardeep Kalket and Amandeep Kalket - Engineering Action Request 2018-03 (CS-1)

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9. Meet in closed session to confer with counsel on potential litigation arising out of claims by third parties for benefits claims. On advice of counsel, the staff has concluded that, based on existing facts and circumstances, there is significant exposure to litigation by or against Fresno Irrigation District.

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Government Code Section 54957 – Public Employment: General Manager Position

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9(d)(2). Meet in closed session to confer with counsel on existing litigation arising out of claims by third parties – McKenzie.

CLOSED SESSION ADJOURNMENT

President Jacobsen adjourned Closed Session at 7:52 p.m.

REPORT IN OPEN SESSION OF ACTION TAKEN IN CLOSED SESSION

President Jacobsen stated there was no reportable action from Closed Session.

Open Session resumed at 7:53 p.m.

h. General Manager Position Recruitment and Selection Process Update

President Jacobsen discussed the process to recruit and ultimately select FID's new general manager, Mr. Stretch, who currently serves as FID's assistant general manager. As directed by the Board upon completion of the interview process, the Personnel Committee met with Mr. Stretch and negotiated the terms of a contract. Those recommendations were forwarded to the Board.

i. Discussion / Possible Action on New General Manager's Employment Contract

The Board approved the negotiated employment contract between FID and Mr. Stretch from January 7, 2019, through January 6, 2021, for a beginning salary of \$215,000.

M/S/C (Prieto/Porter) That the Board of Directors approved employment contract with Bill Stretch from January 7, 2019, through January 6, 2021, by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

j. Discussion / Possible Action on Retirement Event

Mr. Stretch discussed the Staff Memo that was included in the board packet. Staff recommended two retirement parties in January 2019 for Mr. Serrato with an overall budget of \$15,000. One party would be a more formal event held in the evening at Torninos and the other party would be a more casual BBQ event held at the C.D.P.E.S. There was a discussion regarding how the events could be funded, including asking for donations from vendors, consultants, and others. Director Beberian recommended that each director donate \$250 for the retirement events, which the other Directors agreed to, however they wanted Legal Counsel to look further into the funding of both parties and if there would be any issue utilizing public and/or District funds.

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M/S/C (Prieto/Porter) That the Board of Directors approved the proposal by Staff for two retirement parties for Mr. Serrato in January 2019 with an overall budget of \$15,000. Direction also included having Legal Counsel look into any potential issues in utilizing public and/or district funds to host the two events by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

ADJOURNMENT

With no further business, President Jacobsen adjourned the meeting at 8:17 p.m.

Submitted By,



Gary R. Serrato
Secretary of the Board