

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 25, 2007**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California on April 25, 2007. Meeting was called to order at 5:00 pm by Board President Jeff Boswell.

DIRECTORS PRESENT

President Jeff Boswell
Vice President Jeff Neely
Eddie Niederfrank
Steven Balls
Tom Steffen

DIRECTORS ABSENT

None

STAFF PRESENT

General Manager/Secretary of the Board Gary R. Serrato
Assistant General Manager Laurence Kimura
Watermaster Jim Irwin
Chief Engineer Bill Stretch
HR Director Regina Davis
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Legal Counsel Alex Peltzer
Reporter Don Wright

REVIEW AGENDA

No changes

REVIEW OF FUTURE MEETINGS

Staff reminded the Board that the May 9, 2007, meeting is scheduled at the same time as the ACWA Spring Conference. Staff recommends canceling the May 9 meeting and the Board of Directors agreed

PUBLIC PRESENTATION

None

POTENTIAL CONFLICTS OF INTEREST

(Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.) [FPPC §87105]

None stated

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CONSENT CALENDAR

- a. **Approval of Regular Meeting Minutes – April 11, 2007**
- b. **January, February, and March 2007 Investment Account**

M/S/C/(Niederfrank/Balls) That Board of Directors approve the Consent Calendar by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

380: WATER REPORT

- a. **Current water conditions**

Watermaster Jim Irwin reviewed the current and projected water supply. As of April 24, Pine Flat release was 556 cfs. Pine Flat precipitation to date is 10.45 inches (average is 18.06 inches) which is 57.9% of average. Mr. Serrato reviewed the Subsidiary Agreement of the Upper River Agreement with Consolidated Irrigation District. Under this provision, Fresno Irrigation District would have first right of refusal of the fishery management water if Consolidated Irrigation District does not make a water run. Cloud seeding on the Kings River Water Shed during the summer months is still being discussed.

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

- a. **Developer and Agency Project Schedule for 2006/07 – Brief update of on-going projects**

Developer Projects – FID is currently processing approximately 15 Developer pipeline projects for the 2007-08 Maintenance Season. Currently there are five projects in progress and one has been completed since April 1, 2007. The on-going projects impact the following canals: H-Ditch located southwest of Bullard and Fig Garden Avenues, and the Dawson Canal located southwest of Shaw and Fowler Avenues.

Agency Projects – FID is currently processing approximately ten Agency projects for the 2007-08 Maintenance Season. Currently, there is one project in progress which impacts the Helm Colonial S. Br. located southwest of Herndon and Peach Avenues.

Running Horse – Equipment is being moved off of the project.

- b. **Award Contract – Well Drilling Contract 184-1284-H as part of the Waldron Banking Facility Project. Action Request 2007-08**

In March 2007, the District publicly advertised for bids for a project that consists of furnishing all labor, materials and equipment necessary for the construction of three new recovery wells as part of the Waldron Banking Facility. Only two companies submitted bids. Staff recommends that the Board award the contract to the low bidder, Arthur and Orum Well Drilling, Inc., in the

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amount of \$697,871. The Staff also recommends authorizing the President and Secretary be authorized to sign the contract and the expenditures be taken from the Water Purchase Fund.

M/S/C/(Balls/Steffen) That Board of Directors approve accepting the bid from Arthur and Orum Well Drilling, Inc. in the amount of \$697,871 and authorize the President and Secretary to sign the Contract and that the funds come from the Water Purchase Fund by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

ASSISTANT MANAGER'S REPORT

Assistant Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

There has been no significant change in Mr. Erickson's operation. A significant amount of sorted materials still remains on site. Rubble containing aggregate continues to be brought onto the site. Mr. Erickson informed Staff that he has purchase a new crusher and is assembling it on site. Fresno County has requested a progress report for the project. A letter was sent to Fresno County providing the estimates received from Mr. Erickson.

b. Waldron Banking Project Update

Final issues are being worked out with Dawson-Mauldin to finalize the completion of the structures contract for the Waldron Banking Project. The contract with Steve Dovali Construction for the well equipping work is underway and power poles are to be installed this week at the Lambrecht and Empire sites. There has been no significant change with the financial status.

c. District Office

A Building and Grounds Committee meeting was held last week. S.I.M. Architects submitted a proposal for architectural services on the construction of the District's new office building. The design, permits, and building will take approximately two years to complete. Mr. Kimura gave a presentation on different buildings/structures that S.I.M. Architects have designed. Director Niederfrank suggested preparing a cost comparison on the new building compared to maintaining and upgrading the existing building. The Board gave Staff direction to pursue architectural services with S.I.M. Architects for the construction of a new District office building.

d. General Maintenance and Equipment Update

Maintenance personnel continue to be busy with winter maintenance projects but are winding down the projects with the initiation of the water operations activities starting next week. Heavy equipment operators have completed the slope rebuilding and rip-rapping project on the Hansen Canal. The construction crew is still working on liner repairs at multiple locations along Dry Creek through old Fresno and slope protection on the Houghton Canal. Weed spraying continues as weather permits. Trash is being picked up from the Herndon, Fancher, Gould, and Enterprise Canals. The Maintenance Report for March 16 through April 15 was handed out.

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MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

KRWA Legislative Committee Meeting

Staff will be mailing out a letter to the Upper Kings River group requesting renegotiations on the Upper Kings River Agreement. With only a three-month run, this is a good time to review the agreement. The Coordinated Run (Lower River Group) will start in mid-June and run through sometime in August. According to KRWA Watermaster Steve Haugen, PG&E will not call on the second 20,000 acre feet.

Fish and Game Meeting

Mr. Serrato continues to meeting with the Fish and Game Committee on the enhancement of the Kings River Fishery Management Program.

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

Class I water supply continues to be at 50%.

SB 59 was heard in committee yesterday and was defeated. SB 59 would authorize the Reliable Water Supply Bond Act of 2008. Governor Schwarzenegger is still very much interested in getting this passes. It may come back for reconsideration. SB 24 sub-committee hearing (federal side) was postponed. This bill deals with the San Joaquin River restoration.

OTHER ISSUES

Bond funds are expected to be received within the next two weeks. The sale was well within the parameters set by the Board at the April 11 meeting. Staff meetings have already been set up to follow the progress of the building construction. Mr. Kimura is heading up the "task force", with input being sought from the other department heads.

Mr. Serrato reviewed the new Water System Operators schedule that was developed by Watermaster Jim Irwin. This new schedule has already been reviewed by OE3 and was approved.

Mr. Serrato met with Fresno County Supervisors Susan Andersen. They spoke about county-wide water issues and the County's role in water development.

Director Neely and Mr. Serrato attended a San Joaquin River restoration forum. A cross-section panel gave a presentation and answered questions from the public.

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The City of Clovis will be taking to its board an amendment on the shortfall and buy the excess from the Waldron Banking Facility. The amendment will go to the City Council on May 7.

Directors Compensation

Staff discussed an adjustment of the Directors compensation. In accordance with Water Code Sections 20202-20203, a notice of public hearing will need to be posted in the Fresno Bee. The public hearing will be held just prior to the next regularly scheduled board meeting on May 23. The last adjustment to the Directors' compensation was made in December 2000, where it decreased from \$140 to \$125 per meeting. The Board of Directors gave Staff direction to follow the Water Code process and post the public hearing.

ADMINISTRATIVE MATTERS

- a. Update to Policy 701 – Rules for Fixing & Collecting Charges For Services Furnished**

Staff drafted an update to Policy 701; however, there are some additional code sections that need further research. The Board gave Staff direction to update the policy and bring back a “red-line” copy for their review. Changes to the policy include Fresno County assuming the District's billing, Board of Equalization dates being changed, and Section 10 dealing with the adoption of the budget.

- b. January, February, and March 2007 Deposits and Investments Reports**
- c. January, February, and March 2007 Treasurer's Reports (walk in)**
- d. January, February, and March 2007 Fund Activity Reports (walk in)**

The Controller detailed the above mentioned reports for the Board. Additional maintenance supplies have been purchased, that were not originally budgeted, due to the extended maintenance season. Staff is to research paying the County recording/release fees, legal counsel suggest that the District may be exempt from recording fees. These reports will brought back to the Board for adoption at the next meeting.

DIRECTORS' REPORT

Director Neely – the almond crop looks good this year. The grass in the foothills has started looking better during the last few weeks.

Director Niederfrank – growers are concerned about the current water situation. People are noticing the amount of trash that is being put in the District's canal. Director Niederfrank suggested some sort of programs such as tire amnesty day or shopping cart drop-off to help reduce the trash dumped into the District's canals.

CLOSED SESSION

The Board went into Closed Session at 7:38 pm.

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Conference with Legal Counsel–Anticipated Litigation (Government Code Section 54956.9(b)). The Board met in closed session to confer with counsel on potential litigation arising out of the District’s handling of 39 Certificates of Sale resulting from delinquent charges and assessments. On advice of counsel, the Board has concluded that, based on existing facts and circumstances, there is significant exposure to litigation against the District.

Natural Resource Defense Council vs. Rodgers (Government Code Section 54956.9). The Board conferred with counsel on pending litigation.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Closed Session adjourned at 7:50 p.m. with President Boswell stating the Board of Directors reported the completion of Mortensen, et al. Information may be obtained by contacting Dooley Herr & Peltzer, Visalia, CA.

ADJOURNMENT

President Boswell adjourned the meeting at 7:51 p.m.

Respectfully Submitted,

Gary R. Serrato
Board Secretary