

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD FEBRUARY 7, 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 February 7, 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
Human Resource Director Regina Davis
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Legal Counsel Dan Dooley
Independent Reporter Don Wright

REVIEW AGENDA

Staff requested that an emergency agenda item that may result in potential litigation be added to Closed Session.

M/S/C/(Neely/Balls) That Board of Directors approve adding an emergency agenda item to the Closed Session portion of the meeting by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

REVIEW OF FUTURE MEETINGS

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 – January 24, 2007**
- b. **January 2007 Check Register**
- c. **January 2007 Payroll Register**
- d. **January 2007 Attorney Fees**
- e. **January 2007 Consultants Fees**
- f. **January 2007 Assessments Collection Report**
- g. **Standard Developer Project – Centex Homes will pipeline the Silvia Canal #47 located S/E Shaw and Bryan Avenues in accordance with Board Policy. Action Request 2007-03**

M/S/C/(Neely/Niederfrank) 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 February 6th, Pine Flat release was 318 cfs. Pine Flat precipitation to date is 3.63 inches which is 34% of average. The Fig Run is occurring with deliveries being made on the Silva and Epstein Ditches. Several storms are expected to cross over California during the next seven days. The recent DWR Bulletin 120 indicates a 60% Kings River runoff.

- b. **Reclaim Water Deliveries – Dry Creek / Houghton**

Watermaster Jim Irwin requests the authorization to begin reclaim water deliveries. Deliveries will begin as demands for water permits at a rate of \$75 per day for a four cfs head.

M/S/C/(Steffen/Niederfrank) That Board of Directors approve the start of reclaim water deliveries to Dry Creek/Houghton as a demand permits at \$75 per day, for a four cfs head by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

Staff will direct Randy McFarland to draft a press release stating that the water season will not start before April 1.

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 30 Developer pipeline projects for the 2006-07 maintenance season. There are two projects in progress with 13 being completed since April

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1, 2006. The two on-going projects impact the following canals: Victoria Colony Canal located southeast of Shields and Valentine Avenues and the Victoria Colony E. Br. located near Dakota and Valentine Avenues.

Agency Projects – FID is currently processing ten Agency bridge/pipeline projects for the 2006-07 maintenance season. Currently there are no Agency projects in progress but there may be a bridge project commencing the week of February 5th. The City of Fresno and Beazer Homes will be constructing a bridge where the Central Canal crosses Minnewawa Avenue north of Church Avenue. Because the project is getting started late and is so close to the irrigation season, FID has required that the developer construct a bypass channel able to pass the max flow rate (350 cfs) of the canal. FID has also required a \$100,000 deposit. Due to the irrigation season not starting until April 1, FID is requiring that the developer complete the project prior to March 28.

b. Running Horse Development & Kearney Basin Project Update

There is currently no activity on the project. The construction window is almost gone to complete the necessary work and be ready for the 2007 water season tentatively scheduled for April 1.

Miscellaneous

Laurence Kimura and several of the engineering staff attended a two-day forum that was held in Tulare, CA on Urban Encroachment and Related Water Issues.

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. They continue to sort and crush the materials found in the pile. Progress at the site has been slow, but steady. FID received notification that the electrical wires for the groundwater pump had been stolen. Repairs were completed last Monday.

b. Waldron Banking Project Update

Dawson-Mauldin (DM) continues to be busy with the construction work under the structures contract. The majority of the work at the Waldron site has been completed. The flow sensors were installed at the Waldron site last week and the contractor is scheduled to place the riprap this week. DM has completed construction of the structures at the Empire site and has installed the flow sensors. DM is to place shotcrete and riprap this week. The structures have also been constructed at the Lambrecht site and shotcrete and riprap will be placed this week. The electrical conduit and wires are currently being installed at Lambrecht and the flow sensors will be installed in a week or two.

There has been no significant change in the financial status of the project since the last report.

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A meeting will be scheduled with all the individuals on the Waldron Banking Facility Committee to cover the progress of the facility.

c. District Office

A Building and Grounds Committee meeting was held on Friday, February 2nd. Staff was given direction to put together a plan which will be presented at the next board meeting.

d. General Maintenance and Equipment Update

Maintenance personnel continue to be busy with winter maintenance projects. Heavy equipment operators are working on Dry Creek and at the Waldron-Lambrecht site. Equipment operators are preparing the invert of Dry Creek for concrete lining to reduce seepage damage; and the deposited sediments in the existing basins are being removed at Lambrecht. Pipelines and gates continue to be repaired throughout the District. The trash crew is working on the Herndon Canal.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Kings River Fishery Management Program (Implementation Agreement)

To date, Consolidated Irrigation District is the only District that has not yet delivered their signed agreement over to KRWA. According to CID staff, they will be forwarding their signed copy to KRWA very shortly.

The Fishery Management Program Framework Agreement is scheduled to be reviewed in 2009. District Staff has already started to review that document.

Kings River Water Association Planning Committee

The main topic of discussion centered on the Fisheries Management Program/Habitat Restoration. A full report will be given at the next KRWA meeting.

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

Gary Serrato and Laurence Kimura met with Ron Jacobsma to discuss how the water will be allocated for the river restoration project.

Mr. Serrato responded to Mr. Snow on how the DWR handled the latest disbursement of grant funding.

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OTHER ISSUES

Upcoming Legislation

Senator Kuehl announced that she plans to reintroduce SB 1640. She has removed the portion of the bill relating to groundwater metering which will be introduced as SB 178. Staff will keep the Board informed as they make their way through the legislative process.

DWR Proposition 2025 Grant Presentation

The Department of Water Resources will be presenting the District with a \$300,000 check on February 21, 2007, at 9 am. The grant will be used to replace an old flume structure on the Enterprise Canal. US Bureau of Reclamation Commissioner Robert Johnson, along with other representatives from the Bureau will be presenting the check.

Miscellaneous

Staff is currently working with Randy McFarland on preparing the next newsletter.

Staff announced that the auditor from Sampson and Sampson will be here on February 14th and 15th to start the yearly auditing process.

ADMINISTRATIVE MATTERS

a. Approval of Resolution 2007-03 (Update to 401 (k) Plan)

Staff notified the Board that a new state law has taken effect as of January 1, 2007, which allows for hardship withdrawal from an employees' 401 (k) plan.

M/S/C/(Neely/Niederfrank) That Board of Directors approve Resolution 2007-03 which allows an employee to withdraw money from his/her 401 (k) plan for hardship purposes by roll call vote. (Ayes Neely, Balls, Boswell, Steffen, Niederfrank, Nays 0, Absent 0, Abstain 0)

b. Authorization for two-night stay to attend Cal Poly ITRC Training (7-8 District Employees)

The Irrigation District School of Irrigation is sponsored by the US Bureau of Reclamation, Mid Pacific Region. As in years past, FID is encouraging seven to eight WSOs and engineers to attend the three-day training seminar.

M/S/C/(Niederfrank/Balls) That Board of Directors approve the overnight stay of seven or eight District employees to attend Cal Poly School of Irrigation by an unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

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c. Approval of Resolution 2007-06 (Support of “Agreement-in-Principle”)

Staff requested the Board to adopt Resolution 2007-06 supporting the “Agreement-in-Principle” for the Upper Kings Integrated Regional Water Management Plan as developed by the Upper Kings Water Forum.

M/S/C/(Balls/Niederfrank) That Board of Directors approve the adoption of Resolution 2007-06 by a roll call vote. (Ayes Neely, Balls, Boswell, Steffen, Niederfrank, Nays 0, Absent 0, Abstain 0)

DIRECTORS’ REPORT

None

CLOSED SESSION

The Board went into Closed Session at 6:30 pm.

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.

Government Code Section 54957. Personnel Matters.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Closed Session adjourned at 7:05 p.m. with President Boswell stating the Board of Directors had nothing to report.

ADJOURNMENT

President Boswell adjourned the meeting at 7:06 p.m.

Respectfully Submitted,

Gary R. Serrato
Board Secretary