

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD NOVEMBER 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 November 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 Gary Serrato
Assistant General Manager Laurence Kimura
Chief Engineer Bill Stretch
Watermaster Jim Irwin
HR Director Regina Davis
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Legal Counsel Alex Peltzer
Mr. Felix Garcia
Merin (fence contractor for Mr. Garcia)
Mr. and Mrs. Jose DeLeon

REVIEW AGENDA

Staff requested to move Item 6 c. to earlier in the calendar when all parties have arrived. Item 9 j. regarding the proposed lease on the Nielsen property will be discussed during Closed Session due to negotiations.

REVIEW OF FUTURE MEETINGS

Staff requests a Personnel Committee meeting to discuss current negotiations with supervisors.

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 Board Meeting Minutes – October 24, 2007**
- b. **October 2007 Check Register**
- c. **October 2007 Special Check Register**
- d. **October 2007 Payroll Register**
- e. **October 2007 Attorney Fees**
- f. **October 2007 Consultant Fees**
- g. **October 2007 Assessment Collection Report**
- h. **Authorization to Enter into an Agreement with FMFCD and Village Garden Homeowners Association, and Village Garden Homeowners to Install Backyard Drainage System on Enterprise-Holland Canal #122 located S/E Barstow and Palm Avenues. Action Request 2007-31**

M/S/C/(Balls/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 November 6, Pine Flat release was 111 cfs and storage was 192,131. Reclaim water deliveries continue.

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

- a. **Developer and Agency Project Schedule for 2007/08 Update**

Developer Projects – Staff has processed 25 Developer pipeline projects for the 2007-08 Maintenance Season. Currently there are two projects in progress located at 1) Clovis W. Branch Canal located southwest of Herndon and Sunnyside Avenues and 2) the Enterprise Canal located northwest of Shepherd and Maple Avenues. Seven projects have been completed since April 1, 2007.

Agency Projects – FID is currently processing approximately ten Agency projects for the 2007-08 Maintenance Season. There are four projects in progress which impact the following: 1) Mortenson Pipeline as part of the Caltrans 180 West project where several sections of the pipeline are being replaced near Valentine and Brawley Avenues; 2) the Church Avenue Bridge on the Washington Colony Canal located west of Clovis Avenue; 3) the Madera Avenue (Highway 145) culvert replacement (partial) on the Houghton West Canal located north of Nielsen Avenue; and 4) the City of Clovis is installing a 48-inch pipeline underneath the Mill Canal and constructing an outfall structure into Fancher Canal located just downstream of the Fancher Creek Detention Basin (S/W McKinley and McCall Avenues) as part of their Sewer Water Reuse Treatment Facility project. Two new projects should start during the next week or

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two including: 1) Clovis Avenue Bridge extension on the Mill Canal south of McKinley Avenue and 2) the Temperance Avenue Bridge replacement on the Gould Canal south of Ashlan Avenue.

b. Three-Year Maintenance Facility Upgrade Project for 2007/08

Mr. Stretch provided the Board an update on the Maintenance and Facility Upgrade Plan (MFUP). A presentation by Mr. Stretch showed slides of before/after shots of current projects. Mr. Stretch interrupted his presentation to present item 6 c. then continued when the Cossette Investment Company project was finished being discussed.

c. Developer Project – Cossette Investment Company requests to pipeline the Viau Canal #25 located S/W Malaga and Maple Avenue in Accordance with Board Policy. Action Request 2007-30

Cossette Investment Company, Inc. is constructing an industrial development on the southwest corner of Malaga and Maple Avenues. As a condition of the project, approximately 880 feet of existing open ditch along the Viau No. 25 Canal will be replaced with 36' rubber gasket, reinforced concrete pipe. In addition, Mr. DeLeon owns a parcel north of the Cossette development and Mr. Garcia owns a parcel south of the Cossette development where the canal also traverses. District Policy No. 102 states that the District may participate 30% of the project cost towards the pipeline substitution, while the remaining 70% is borne by the landowner. Staff recommends that the Board approve a 50% contribution to entice Mr. Garcia and Mr. DeLeon into participating with the pipeline substitution. These two parcels are the last two remaining open portions along Maple Avenue south of Malaga Avenue. The District is willing to work with the Mr. Garcia and Mr. and Mrs. DeLeon on financing over a five to ten year span, if needed. Staff has contacted the County of Fresno to explore the potential widening of Maple Avenue. The County has stated that it is not planning to widen Maple Avenue any time in the near future. After answering a few questions from the public (DeLeon and Garcia) the Board was prepared to vote.

M/S/C/(Niederfrank/Balls) That Board of Directors approve the project as presented by Staff with a 50/50 contribution of the Garcia/DeLeon parcels and to work with them on the District assisting with financing, if needed, with a turnout if requested within board policy and a 100% contribution by Cossette Investment Company, Inc. with the District obtaining a fully deeded easement on all three parcels by the following vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

There has not been much change during the last month. Mr. Erickson has not processed any material for some time. There is approximately six months left on the permit.

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b. Waldron Banking Project Update

The contract with Steve Dovali Construction for the well equipping work continues. Based on the testing session, the electrical engineer has put a punch list together. Dovali Construction and their electrical subcontractors are working through the items. Arthur & Orum drilled the second of three wells. Zim Irrigation is preparing the equipment for developing and testing. The third well will be drilled after the well pump at the Waldron-Lambrecht site has been accepted and can be used as a water source. The State of California is still in the process of setting up the accounts for the new fiscal year so the next pay request is being held back until the State is ready to accept submittals.

c. District Office Plan

Director Boswell suggests taking the plans to the public in a “special newsletter” to be mailed out after the first of the year. The cost estimates, comparisons, and general information should be included in the publication. A portion of the newsletter should also include what new industrial development is occurring in the area. Staff has been keeping the Building and Grounds Committee up-to-date.

d. General Maintenance and Equipment Update

Heavy equipment operators are currently removing silt from the Central Canal near Lincoln Avenue. Equipment operators are also busy removing silt from the Washington Canal near Jensen Avenue and assisting maintenance crews with their construction projects. Construction crews are making modifications on structures along the Herndon Canal to fit ITRC flap gates and/or Langemann gates and are working on the Bien check along the Herndon Canal. Pipeline repairs were completed on the Briggs at Cornell Pond and crews are currently working on the Gray Colony and American Colony systems. The trash truck is working on removing trash from Dry Creek in town.

MANAGER’S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Fishery Management Program

Kings River Conservation District has begun electro shock. Electro shocking is being conducted above and below the Fresno Weir and includes all species (total bio mass). The data will provide KRCD an indication on the health of the river.

Water Resources Development Act (WRDA)

The Water Resources Development Act (WRDA) (HR 1495) has passed both houses and been placed on the President’s desk for action. WRDA would authorize funding for hundreds of Army Corps of Engineers project spread across the United States.

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Upper Kings River Water Forum

The Upper Kings River Water Forum application for the second round of Proposition 50 funding was selected for a second round of review. Only four out of 54 applications were selected from Northern California that qualified for funding.

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

Friant issues will be discussed during Closed Session.

OTHER ISSUES

City of Fresno – Special District

The City of Fresno continues to work towards forming the Municipal Water District that would be responsible for water, wastewater, and solid waste. There are still issues to be worked out.

Bakman Water Company

Staff met with Bakman Water Company (Tim Bakman). Mr. Bakman came in with an agreement with the Fresno Metropolitan Flood Control District to utilize established basins within Bakman's boundaries to begin a long-term groundwater recharge program.

Consolidated Irrigation District

Mr. Serrato addressed the Consolidated Irrigation Board earlier today. Mr. Serrato thought the meeting went very well. Subject matters covered: conveyance agreement, strategic plan, financial plans, and participation in the Upper Kings River Water Forum.

Waldron Banking Facility

Mr. Serrato informed the Board that there is approximately 3,000 a.f. of water in the banking facility carried over from 2006 which was declined by the City of Clovis. Mr. Serrato reviewed alternatives for use of the water including the sale of the water.

ADMINISTRATIVE MATTERS

a. End of Year Appreciation Cards

Staff requested authorization to purchase year-end appreciation cards for the 84 full time employees for a total amount of \$2,100.

M/S/C/(Neely/Balls) That Board of Directors approve the purchase of 84 year-end appreciation card with the money to come from the General Fund by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

b. Approval of Policies 520, 523, and 526

Staff recommends approving the policies as written by staff

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M/S/C/(Balls/Niederfrank) That Board of Directors approve adopting revised Policies 520, 523, and 526 by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

- c. **Approval of Overnight Stay to Attend Software Conference – Los Angeles, CA, January 13-16, 2008 for Executive Assistant and Receptionist/Records Retention Clerk**

Staff is recommending sending two employees to attend the up-coming conference so they may receive more in-depth training.

M/S/C/(Neely/Balls) That Board of Directors approve the overnight stay of the executive assistant and receptionist/records retention clerk to attend the Laserfiche Conference to be held in Los Angeles, CA by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

- d. **Approval of Overnight Stay for Four Employees to Attend ITRC Training – Cal Poly, January 29-31, 2008**

Staff recommends sending four employees to attend the yearly ITRC Training to be held in San Luis Obispo, CA which would allow them to be eligible for a grade level increase. This is the fourth year that the District has sent employees to this training.

M/S/C/(Neely/Steffen) That Board of Directors approve the overnight stay of four District employees to attend ITRC Training to be held at Cal Poly – San Luis Obispo, CA by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

- e. **October 2007 Investment Account – walk in**
- f. **October 2007 COP Investment Account – walk in**
- g. **October 2007 Fund Statements – walk in**
- h. **October 2007 Treasurer’s Report – walk in**
- i. **October 2007 Deposits and Investments – walk in**

Controller DeAnn Hailey reviewed the above mentioned financial reports detailing for the Board adjustments from previous reports.

M/S/C/(Balls/Neely) That Board of Directors approve the adjustment/correction as presented by Staff by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

- j. **Nielson Property Lease Agreement**

This item was moved into Closed Session.

- k. **ACWA – NWRA California Caucus Ballot**

The Board chose the following individuals as their candidate for the NWRA California Caucus: Will Boschman, John Fraser, Katy Foulkes, and Adrienne (Ann) Mathews.

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DIRECTORS' REPORT

Director Neely – while traveling to Raymond, Director Neely saw that the Fresno River was flowing.

Director Steffen – stated one of his constituents observed motorcycle riders in the Waldron Water Bank.

Director Niederfrank – reflected on last year's District election.

CLOSED SESSION

The Board went into Closed Session at 8:15 pm.

Conference with Legal Counsel–Anticipated Litigation (Government Code Section 54956.9(b)). Conference with Legal Counsel – Anticipated Litigation (G.C. §54956.9. Significant Exposure to Litigation pursuant to subdivision (b))

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

Conference with Legal Counsel–Anticipated Litigation (Government Code Section 54956.9(b)). Conference with Legal Counsel on potential litigation. Significant Exposure to Litigation pursuant to subdivision (b)): Snowden Family.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Closed Session adjourned at 9:00 p.m. with President Boswell stating the Board of Directors had nothing to report.

ADJOURNMENT

President Boswell adjourned the meeting at 9:01 p.m.

Respectfully Submitted,

Gary R. Serrato
Board Secretary