

**FRESNO IRRIGATION DISTRICT  
MINUTES OF THE REGULAR MEETING  
HELD MARCH 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 March 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  
Controller DeAnn Hailey  
Recording Secretary Lynn B. Rowe

**OTHERS PRESENT**

KRWA Representative Clifton Lollar  
Independent Reporter Don Wright

**REVIEW AGENDA**

Staff requested that item 9 a. be move to the beginning of the meeting.

**ADMINISTRATIVE MATTERS**

**a. KRWA – Fish & Game Update**

Mr. Clifton Lollar from KRWA gave an update to the Board on the current results of the ongoing Fisheries Management Program. Mr. Lollar reviewed Habitat Enhancement, Thorburn Channel, Incubators, Channel Ripping, Boulder Placement (these boulders alter velocity), Gravel Placement and Gravel Progress. A study of pool habitat is planned for next winter and KRWA will continue to monitor the program with trout population, water quality element, insect population/varieties and a Rainbow Trout Telemetry Study. A total of \$200,000 per year is spent on habitat enhancement which is divided between KRWA, KRCD and CDFG (KRWA and KRCD each contribute \$50,000 with the CDFG picking up the final \$100,000 or as much as the state budget allows).

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**REVIEW OF FUTURE MEETINGS**

Calendar reviewed under Water Report

**PUBLIC PRESENTATION**

None scheduled

**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 Regular Meeting Minutes – February 21, 2007
- b. February 2007 Check Register
- c. February 2007 Payroll Register
- d. December 2006 Deposits and Investments
- e. December 2006 Treasurer's Report
- f. 2006 Fund Activity
- g. February 2007 Attorney Fees
- h. February 2007 Consultants
- i. February Assessments Collection Report
- j. Request for Correction of Charges – 2003-23, 24, 25 (James and Sharon Norris)

M/S/C/(Niederfrank/Neely) 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 March 6<sup>th</sup>, Pine Flat release was 654 cfs. Pine Flat precipitation to date is 7.80 inches which is 55.7% of average. Mr. Irwin stated the Kings River is 50.4% of April 1<sup>st</sup> average and 56.7% of the March 1<sup>st</sup> average. No storms are expected to appear until the 19<sup>th</sup> of the month with temperatures expected above normal.

The Staff and Board continue to discuss a date for the start of the water season. Staff would not recommend starting deliveries prior to April 1<sup>st</sup> and possibly as late as April 15<sup>th</sup>. Staff is proposing to have a special Board Meeting on Monday, March 26<sup>th</sup> in place of the 28<sup>th</sup> to discuss a start-up date.

**CHIEF ENGINEER'S REPORT**

Chief Engineer Bill Stretch reported on the following items:

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

**Developer Projects** – FID is currently processing 20 Developer pipeline projects for the 2006-07 maintenance season. There are four projects in progress with 14 being completed since April 1, 2006. The four on-going projects impact the following canals: Victoria Colony Canal located southeast of Shields and Valentine Avenues, Brown Canal located southeast of Ashlan and Locan Avenues and two projects on the Dawson Canal located southwest of Shaw and Fowler Avenues.

**Agency Projects** – FID is currently processing ten Agency bridge/pipeline projects for the 2006-07 maintenance season. Currently there is one Agency project in progress and eight have been completed since April 1, 2006. The one project in progress is the City of Fresno is constructing a bridge where the Central Canal crosses Minnewawa Avenue north of Church Avenue.

**b. Running Horse Development & Kearney Basin Project Update**

A meeting took place on Thursday, February 22<sup>nd</sup> with Tom O’Meara, two area landowners, FID staff and District legal counsel, Alex Peltzer. Mr. Peltzer once again walked the developer and landowners through the recommended process to deed the parcels directly to FID while carving out the 2.0 – 2.5 acres remainder parcels for both parties. Staff is waiting to receive the necessary documents from Mr. O’Meara to proceed. The proposed sale of the Running Horse golf and residential project has once again been delayed. The new close of escrow timeline is the end of March 2007.

**c. Present and Adopt FID’s Three-Year Maintenance and Facility Upgrade Plan for 2007-2009. Action Request 2007-06**

The Board of Directors and property owners approved a supplemental assessment through a Proposition 218 election in December 2005. Property assessments had remained fixed since 1994. The supplemental assessments will help fund the repayment obligations for the bonds required to complete the Three-Year Maintenance and Facility Upgrade Plan, portions of the District’s O&M budget, new water right and irrigation-related regulatory fees implemented by the State of California and the annual indexing of the supplemental assessment components, except bond or loan obligations will be at actual annual cost, to the Consumer Price Index to account for inflation.

Chief Engineer Bill Stretch reviewed and summarized for the Board and Staff the Three-Year Plan starting in 2007. Staff listed nine project categories and associated costs. Types of projects identified by the Operations and Engineering Departments include:

- Address major deficiencies and needs within the District, focusing on deferred maintenance projects with some capital improvements
- Improve the ability to better manage the surface water supply to the landowners, which will be accomplished by upgrading a portion of the existing turnout gates
- Implement the Mill-Herndon Canal “Superhighway”

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The requested bond amount for the MFUP is \$15 million with a total project cost of approximately \$24.5 million with \$9.5 million in contributions provided by other sources. The amount will be adequate to address the District's needs for approximately five years before additional revenues might need to be sought for future maintenance and upgrading of existing facilities. In order to minimize the immediate fiscal impacts to the landowners, the District intends to bond or borrow the initial capital funds and repay the funds over time. The completion of these projects would help protect the integrity of the District's conveyance system and help insure that water users will be able to continue receiving surface water supplies when available.

Staff recommends that the Board approves and adopts the Three-Year Maintenance and Facility Upgrade Plan for 2007-2009 as presented.

**M/S/C/(Neely/Balls)** That Board of Directors approve to adopt and accept the Three-Year Maintenance and Facility Upgrade Plan as presented by Staff with the ability to reprioritize and adjust as needed and not to exceed the \$15 million; and a progress report will be given to the Board once a month for the duration of the Plan 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. They continue to sort and crush the materials found in the pile. Rubble containing aggregate continues to be brought onto the site. The rainy weather has somewhat slowed down the operation.

**b. Waldron Banking Project Update**

Dawson-Mauldin is nearing the completion of work on the Waldron project. Dawson-Mauldin has some miscellaneous work and punch list items to complete.

The contract with Steve Dovali Construction for the well equipping work is being finalized. A pre-construction meeting was held on Thursday, March 1, 2007.

There has been no change in the financial status of the project since the last report. A check for Pay Estimate No. 6 for approximately \$165,000 was received last week from DWR.

**c. District Office**

Pursuant to direction from the Board of Directors, Staff is working on getting an architectural firm under contract. Staff is working with SIM Architects to develop a scope-of-work and schedule.

**d. General Maintenance and Equipment Update**

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Maintenance personnel continue to be busy with winter maintenance projects. Heavy equipment operators have moved from Waldron-Lambrecht to Waldron to rip the basins. They are also removing sediments from the Herndon Canal. Sloping on various Oleander ditches was completed. The sloper crew is currently working on the Viau Ditch and will be moving to the west side of the District. Crews will be starting to spray next week. The trash crew is working on Dry Creek Canal through Fresno and will be moving to the Houghton Canal next week.

**MANAGER'S REPORT**

General Manager Gary Serrato reported on the following:

**KINGS RIVER WATER ASSOCIATION**

**Kings River Fishery Management Program (Implementation Agreement)**

Jim Irwin and Gary Serrato attended a meeting at KRWA to discuss the new method of water accounting as it pertains to the newly adopted Implementation Agreement. The KRWA Watermaster reviewed the major seasonal adjustments that include the Primary Storage Operations Pool.

**Upper Kings River Water Forum Proposition 84**

The Department of Water Resources held a meeting at Semitropic Water Storage District which allowed an opportunity for regional IRWMP Forums to discuss the status of their efforts and to receive an update on the status of the IRWMP Grant funding under Proposition 84. A discussion was also held on the next steps regarding the application criteria. A small group from the Upper Kings River Water Forum participated in the discussion.

**FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY**

Dan Dooley and the Friant Water Users Authority General Manager, Ron Jacobsma, participated in a hearing in Washington DC addressing the San Joaquin River Settlement. The hearing will have an impact on federal funding that the San Joaquin River will attain for restoration and habitat enhancement.

**OTHER ISSUES**

**Trespassers**

The District has received a number of telephone complaints about several homeless camps along canal banks. Staff has met with the Fresno City Police Department and action is being taken to remove them.

**Rating Committee**

Gary Serrato, Laurence Kimura, DeAnn Hailey and the Finance Committee will be meeting with the Standard & Poor's rating committee on March 14<sup>th</sup> at the District office. The intent of the

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meeting is for Standard & Poor's to develop a working knowledge of the District's operations and financial stability and for the District to attain a bond rating.

**Ag Waiver Discharge**

Laurence Kimura and Gary Serrato met with the Fresno Metropolitan Flood Control District and the Kings River Conservation District to continue discussions on the water quality monitoring at the Biola Spillway. The District is currently under the umbrella of the South San Joaquin Water Coalition which includes coverage of the Biola Spillway. The group is discussing the level of monitoring that should occur at this site. Director Niederfrank stated that he had received a letter from the State Department of Fish & Game requesting access to take samples of water along the canal.

**Clovis Waste Water Treatment Plant**

Laurence Kimura and Gary Serrato are continuing discussions with the City of Clovis' Staff on a new plant that they are proposing to build. Details of placement of the treated water are still being discussed. One possible solution will be irrigating several golf courses in the area.

**ACWA**

A joint meeting of Region 6 and 7 will take place on April 6, 2007. The purpose of the town hall meeting is to advance the discussion of local water issues with local elected and community leaders. Staff is encouraging any or all Directors to attend.

**OE3**

A letter to all designated employees will be going out regarding mandatory labor dues deduction. HR Director Regina Davis has met with the District's labor attorney, Howard Sagaser, to ensure that OE3 and the District adhere to state law.

**ADMINISTRATIVE MATTERS**

**DIRECTORS' REPORT**

**Director Steffen** – was inquiring about complaints of motorcycles being ridden in the canals. Laurence Kimura stated he was aware of it and appropriate measures were being taken.

**CLOSED SESSION**

The Board did not go into Closed Session as there was nothing new to report.

**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

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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.

**ADJOURNMENT**

President Boswell adjourned the meeting at 7:45 pm.

Respectfully Submitted,

Gary R. Serrato  
Board Secretary