

**FRESNO IRRIGATION DISTRICT  
MINUTES OF THE REGULAR MEETING  
HELD JANUARY 10, 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 January 10, 2007. Meeting was called to order at 5:23 pm by Board President Jeff Boswell.

**DIRECTORS PRESENT**

President Jeff Boswell  
Vice President Jeff Neely  
Eddie Niederfrank  
Jacob C. Andresen  
Steven Balls

**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  
Recording Secretary Lynn B. Rowe

**OTHERS PRESENT**

Independent Reporter Don Wright

**APPOINTMENT OF BOARD SECRETARY**

Director Boswell requested nominations for appointment of the Board Secretary. General Manager Gary Serrato was nominated by the Board to fill the position as Secretary of the Board.

**M/S/C/(Neely/Balls)** That Board of Directors approve the appointment of Gary R. Serrato as Secretary of the Board by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

**REVIEW AGENDA**

**REVIEW OF FUTURE MEETINGS**

General Manager, Gary Serrato, reminded the Board there will be a Special Meeting on January 16<sup>th</sup> at 5 pm to interview the three remaining Division 4 applicants. Staff reminded the Finance Committee (Neely and Balls) that there will be a Bonding Meeting with Wells Fargo tomorrow, Thursday, January 11, 2007.

**PUBLIC PRESENTATION**

None

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**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 – December 13, 2006**
- b. **December 2006 Check Register**
- c. **December 2006 Payroll Register**
- d. **December 2006 Attorney Fees**
- e. **December 2006 Consultants Fees**
- f. **November 2006 Treasurer’s Report**
- g. **November 2006 Deposits and Investments**
- h. **2006 Fund Activity Report**
- i. **December 2006 Assessments Collection Report**
- j. **Request for Correction of Changes (2006 46-48 and 2007 1-20)**

Director Balls requested a clarification of his Directors Report from the December 13<sup>th</sup> meeting. The clarification was made and a copy was given to each Director.

M/S/C/(Neely/Balls) That Board of Directors approve the Consent Calendar with the clarification to Directors Balls’ report 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 January 9<sup>th</sup>, Pine Flat release was 288 c.f.s. Cold temperatures are predicted through next week, with lows being in the teens and low 20’s. Kings River Water Association will perform a snow survey later this month for a preliminary indication of the depth and water content.

- b. **Fig Water Delivery**

Staff requested that the Fig run start on or about January 15<sup>th</sup> at the discretion of the Watermaster.

M/S/C/(Niederfrank/Balls) That Board of Directors approve the start of the Fig run when the growers are ready, at the discretion of the Watermaster, by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

**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 30 Developer pipeline projects for the 2006-07 maintenance season. There is one project in progress with 12 being completed since April 1, 2006. The one on-going project impacts the following canal: Helm Colonial W. Br. at Herndon and Peach.

**Agency Projects** – FID is currently processing ten Agency bridge/pipeline projects for the 2006-07 maintenance season. There are three projects currently in progress with five being completed since April 1, 2006. The following canals are being impacted: Howard Avenue culvert replacement on the Lower Dry Creek Canal north of Central Avenue, Basin CM intertie off the Briggs Canal at Dakota and Temperance and Temperance Avenue culvert replacement on the Briggs Canal south of Kings Canyon Boulevard

**Bankside Trails**

Maureen Naylor of Channel 30 recently reported on the proposed trail along the Herndon Canal near Blackstone and Shields Avenues. FID and the City of Fresno have essentially agreed to the “Master Trails” agreement. Staff will be adding some additional information to the agreement (details and guidelines, i.e. fences, minimum/maximum walkway paths, maintenance, etc.). Staff is planning to meet with City staff in the near future to resolve these issues and then present the revised agreement to FID’s Board of Directors.

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

The proposed basin is approximately 58% complete (west cell or FID’s side is 90% complete and the east cell or FMFCD’s side is 25% complete). The escrow was expected to have closed on December 8<sup>th</sup> however; it is more likely not to close until the end of January.

**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. It also appears that some material with aggregate is being brought onto the site. Considerable progress is being made on processing the materials; however much of the material is still onsite.

**b. Waldron Banking Project Update**

Dawson-Mauldin 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 gates are being hung and the electrical materials are being installed. Work still to be completed includes riprap placement, installation of flow meters and construction of vents. The majority of earthwork at the Lambrecht site has been completed and the contractor is currently working on the structures and pipelines. Dawson-Mauldin is also working on the structures and pipelines at the Empire

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site. There has been no significant change in the financial status of the project since the last report. The funds for Pay Estimate #5 in the amount of \$216,872 was received in December.

**c. General Maintenance and Equipment Update**

Maintenance personnel have been busy with winter maintenance projects. Heavy equipment operators are finishing up with sediment removal at the head of the Herndon. The EOC trash crews were back at work this week after the holiday recess.

**MANAGER'S REPORT**

General Manager Gary Serrato reported on the following:

**KINGS RIVER WATER ASSOCIATION**

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

The final Implementation Agreement has been distributed to all KRWA members for adoption and signatures. Steve Haugen, Watermaster of KRWA, has indicated that most Districts have returned their signed Agreements. After the Implementation Agreement has been approved, the Upper River Agreement will need to be renegotiated. Staff is targeting the end of February to begin the renegotiation process.

Mr. Serrato continues to participate in the KRWA Planning Committee.

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

Senator Feinstein and Congressman Radanovich are working to get S27 and HR24 through to provide the funding needed for the San Joaquin River restoration.

**OTHER ISSUES**

**Ag Waiver Discharge**

Staff has met with both the Kings River Conservation District and the Fresno Metropolitan Flood Control District to discuss the discharges at the Biola Spillway. The Biola Spillway is utilized when the District is conveying flood waters that originate from both the Eastside Creeks and the Fresno Metropolitan area. These waters are discharged into the San Joaquin River which the Regional Board regards as waters of the United States. The Regional Board has targeted lands within the District and photographed actual discharges into FID canals and Eastside creeks which fall under the jurisdiction of the FMFCD. Staff made the decision to sign-up under the program at no cost to the District.

**Dry Creek Rural Water Association**

The Dry Creek/Appaloosa Acres area has experienced a shortage of groundwater which is highlighted in dry-year periods. Provost & Pritchard was hired as a consultant to study the feasibility of developing water in a banking partnership with the District and develop a

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conveyance system that would provide water to the area. The Study outlined the cost of developing water and recommended that the water be conveyed through either the City of Fresno or Clovis Surface Water Treatment Plant. The County of Fresno has now completed the LAFCo's process and is proceeding with the final steps to form County Special Association (CSA) 51 to service the residents in the Dry Creek/Appaloosa Acres area. The County has scheduled a meeting for January 17<sup>th</sup>, at 6:30 pm at Buchanan High School to discuss the establishment of the CSA and the assessment district for the financing of the water service.

**ADMINISTRATIVE MATTERS**

a. **Revised Policy 508 (discussion only)**

Staff is looking for direction from the Board in updating the Audit & Issuance of Checks policy. After a brief discussion it was decided to bring Policy 508 back to the Board at the January 24<sup>th</sup> Regular Board meeting for adoption.

b. **Resolution 2007-01 Object To County's Sale Of Tax-Defaulted Properties**

The District is required under Government Code §3695 to notify the County of its objections to its proposed sale by auction by adopting a resolution in opposition to the County's proposed auction of property.

**M/S/C/(Andresen/Niederfrank)** That Board of Directors approve Resolution 2007-01 to Object To County's Sale of Tax-Defaulted Properties by a roll call vote. (Ayes Neely, Balls, Boswell, Andresen, Niederfrank, Nays 0, Absent 0, Abstain 0)

c. **Enterprise Canal Flume at Fancher Creek**

The proposed project is to replace the Enterprise Canal flume over Fancher Creek. This facility is roughly 100 years old and needs to be replaced to ensure the reliability of water deliveries to users along the Enterprise Canal. In 2006, FID applied for and received a grant from the U.S. Bureau of Reclamation in the amount of \$300,000 minus grant expenses. The total project cost for the Enterprise Canal flume is estimated at approximately \$930,000. FID has until September 2008 to use the grant funds. The District has approached the following agencies to share in the cost of this project: FMFCD, Fresno Public Utilities, Fresno Public Works, Clovis and Fresno County. Everyone seems to be on board with the exception of the County and Public Works. FID's out of pocket expense is currently in the range of \$191,000 to \$236,000 or 28.6 to 35.3 percent of the total estimated cost. Staff wants to confirm that FID is still committed to accepting the USBR grant funds and cost sharing in the project. The Board gave Staff direction to continue with the proposed project.

d. **ACWA/JPIA President's Special Recognition Award**

Ms. Davis updated the Board on the District receiving the special recognition award.

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- e. **Long –Term CVP Class II Contract Revision (Contract No. 14-06-200-1122A-LTR1)**

Staff is looking for approval that the Secretary and the President of the Board are authorized to sign the Amendment to Long-Term Water Service Contract (No. 14-06-200-1122A-LTR1).

**M/S/C/(Niederfrank/Andresen)** That Board of Directors approve the President and the Secretary of the Board to sign the amendment contract for long-term water service between the District and the United States by a unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

**DIRECTORS' REPORT**

None

**CLOSED SESSION**

The Board went into Closed Session at 7:17 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.

**National 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 7:25 p.m. with President Boswell stating the Board of Directors had nothing to report.

**ADJOURNMENT**

President Boswell adjourned the meeting at 7:26 p.m.

Respectfully Submitted,

Gary R. Serrato  
Board Secretary