

**FRESNO IRRIGATION DISTRICT  
MINUTES OF THE REGULAR MEETING  
HELD DECEMBER 12, 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 December 12, 2007. Meeting was called to order at 4:00 pm by Board President Jeff Boswell.

First order of business was the interview process of prospective legal counsel. Mr. Gary Sawyers arrived at 4:00 pm. The law firm of Dooley, Herr and Peltzer arrived at 4:30 pm.

The Directors will confer during Closed Session on the status of the District's general counsel, then report their decision.

**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  
Watermaster Jim Irwin  
HR Director Regina Davis  
Controller DeAnn Hailey  
Recording Secretary Lynn B. Rowe

**OTHERS PRESENT**

Legal Counsel Alex Peltzer  
Cobb Ranch Representative - Darrin Belk  
Engineer Jeff Harper (Mark T. Chin Engineering)  
Attorney James McKelvey  
Derrel's Mini Storage Representative Paul Ridenour  
Landowner Chris Mathys

**REVIEW AGENDA**

Staff requested that item 6 c. be moved to the beginning of the general meeting. Director Neely stated he had a conflict of interest with this project and recused himself. Director Neely left the Boardroom during the discussion and vote on this project.

**CHIEF ENGINEER'S REPORT**

General Manager Gary Serrato reported on the following item:

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- c. **Developer Project – Derrel’s Mini Storage requests to pipeline the Briggs Canal #7 located S/W Kings Canyon and Temperance Avenues and Possible Contribution in Accordance with Board Policy. Action Request 2007-34**

Derrel’s Mini Storage is developing APN 313-040-55 into rental storage facility located southwest of Kings Canyon and Temperance Avenues. The Briggs Canal traverses along the east side of the parcel and the property line appears to be the centerline of the canal. The canal is masterplanned to be a 72-inch inside diameter pipeline in this 820 lineal foot section and conveys approximately 80 cfs. The approximate cost to pipeline with 72-inch Rubber Gasketed Reinforced Concrete Pipe is \$328,250. The Developer has requested the District to contribute \$58,000 to the project which is the difference between 54-inch and 72-inch RGRCP pipeline and the Developer would pay the remaining \$269,750. Should the District’s portion be more than \$58,000 the developer would need to come back to the Board and request any additional funding.

M/S/C/(Balls/Niederfrank) That Board of Directors approve the project as presented by Staff with a contribution by the District of up to \$58,000 for the upgrade to 72-inch pipe by the following vote. (Ayes 4, Nays 0, Absent 0, Abstain Neely)

Director Neely returned to the boardroom.

**REVIEW OF FUTURE MEETINGS**

The December 26 meeting has been cancelled due to some Directors and Staff being on vacation.

**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]**

Director Neely indicated a conflict with item 6c.

**CONSENT CALENDAR**

- a. **Approval of Regular Board Meeting Minutes – November 7, 2007**
- b. **Approval of Special Meeting Minutes – December 3, 2007**
- c. **November 2007 Check Register**
- d. **November 2007 Special Check Register**
- e. **November 2007 Payroll Register**
- f. **November 2007 Attorney Fees**
- g. **November 2007 Consultant Fees**
- h. **November 2007 Assessment Collection Report**
- i. **Request for Correction of Charges (2006-44, 2006-45, 2007-46, 2008-47, 2006-48, 2006-49, 2007-50, 2008-51)**
- j. **California Special District Association Annual Dues**

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

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**380: WATER REPORT**

**a. Current Water Conditions**

Watermaster Jim Irwin reviewed the current and projected water supply. As of December 11, Pine Flat release was 116 cfs and storage was 204,380. Reclaim water deliveries continue.

**CHIEF ENGINEER'S REPORT**

Assistant General Manager 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 no projects in progress. Several projects are expected to start within the next few weeks.

**Agency Projects** – FID is currently processing approximately ten Agency projects for the 2007-08 Maintenance Season with one project being completed since April 2007. There are three 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; and 3) 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. Three new projects should start during the next week or two including: 1) Clovis Avenue Bridge extension on the Mill Canal south of McKinley Avenue; 2) the Temperance Avenue Bridge replacement on the Gould Canal south of Ashlan Avenue; and 3) the Grantland Avenue Bridge replacement on the Herndon Canal south of Barstow Avenue.

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

Mr. Kimura provided the Board an update on the Maintenance and Facility Upgrade Plan (MFUP). A slide presentation showed the before/after shots of current projects.

**ASSISTANT MANAGER'S REPORT**

Assistant General Manager Laurence Kimura reported on the following:

**a. Nielsen Site Rubble Pile Update**

Work at the site was reinitiated by Van Erickson shortly after the Thanksgiving holiday. On-site materials are being processed. It also appears that aggregate is also being brought to the site. A significant amount of work still needs to be performed.

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**b. Waldron Banking Project Update**

The contract with Steve Dovali Construction for the well equipping work continues. Dovali Construction and their electrical subcontractor noted that some items on the punch list were back-ordered so completion of the project will not occur until the parts are received and installed.

Arthur & Orum drilled the last of three wells during the week of November 26. The well must still be developed and tested. A schedule to complete the work has been requested from Arthur & Orum.

At the end of November, the State of California authorized payments for the new fiscal year. Staff and Provost & Pritchard are working on preparing the next pay request for submittal to the State.

**c. District Office Plan**

Staff is currently working with SIM Architects on the site plan and storage buildings. Geotechnical work will also be performed. Staff has informally approached Anderson-Clayton Corporation about the potential purchase of a strip of land to the south of the proposed office location to better accommodate the proposed office building.

**d. General Maintenance and Equipment Update**

Heavy equipment operators are back removing silt from the Central Canal near American Avenue. Equipment operators are also busy assisting construction crews with projects on the Herndon Canal at the Sylvia and Epstein checks. The trash truck is working with the EOC crew on removing trash from the Herndon Canal. Maintenance Report covering October 16 – November 15, 2007 was distributed to Directors and Staff.

**MANAGER'S REPORT**

General Manager Gary Serrato reported on the following:

**KINGS RIVER WATER ASSOCIATION**

**Fishery Management Program**

Kings River Water Association in conjunction with the Kings River Conservation District has begun the work of creating new habitat projects within the Kings River channel. Tree placement will occur primarily up stream of the Gould Weir. Boulder placement will occur in the part of the river down to the Fresno Weir. Electro-shocking has taken place in nine locations of the river.

**Upper Kings River Water Forum**

The Upper Kings River Water Forum has been meeting to decide which project will be submitted for the second round of Proposition 50 funding. To date, there are two projects that would score high enough to qualify for possible grant funding: 1) Alta Irrigation District's conjunctive use project; and 2) Fresno Irrigation District's groundwater banking facility. The UKRWF will meet Thursday to determine the selection.

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

Congressman Jim Costa was in attendance at the last Friant meeting to help with the discussions. The Congressman has introduced HR 4074 that provides the monies for funding. San Joaquin River Settlement issues will be discussed during Closed Session.

**OTHER ISSUES**

**Fresno County Farm Bureau**

Mr. Serrato was asked to speak at a “Water 101” seminar. The discussion centered on the relationship of the cities and the irrigation districts.

**LAFCo**

The District received word that LAFCo has accepted FID’s report that was submitted earlier in the year with direction to continue with water conservation and groundwater recharge methods.

After a short break, the meeting continued with:

**ADMINISTRATIVE MATTERS**

**a. Personnel Committee Matters – Reclassification of Construction/Maintenance Position**

Staff is requesting authorization to take a Construction/Maintenance I position in the Maintenance Department and re-classify it as a Maintenance Technician position. There is currently a vacant Construction/Maintenance I position.

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

**b. Greater Fresno Area Chamber of Commerce Yearly Membership Dues**

Staff recommends approving the renewal of the yearly membership in the amount of \$625.

**M/S/C/(Balls/Steffen)** That Board of Directors approve the yearly membership in the amount of \$625 by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

**c. California Farm Water Coalition Yearly Membership Dues**

Staff recommends approving the yearly membership dues in the amount of \$1,000.

**M/S/C/(Balls/Steffen)** That Board of Directors approve the \$1,000 yearly membership fee by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

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**d. Water Safety Council 2007 Contribution**

Staff recommends approving the 2007 Contribution of \$3,000 for the Water Safety Council.

M/S/C/(Steffen/Neely) That Board of Directors approve the 2007 Contribution in the amount of \$3,000 by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

**e. Approval of Overnight Stay for Engineering Assistant to Attend Laserfiche Conference in Los Angeles, CA – January 14-16, 2008**

Staff recommends allowing the Engineering Assistant the over-night stay to attend the Laserfiche Conference.

M/S/C/(Niederfrank/Neely) That Board of Directors approve the over-night stay for the Engineering Assistant to attend the upcoming Laserfiche Conference by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

**f. Mid Pacific Region Water Users Conference; January 23-25, 2008, Reno, NV**

Staff requested authorization of an over-night stay for the General Manager, Assistant General Manager, and any Board Member who would like to attend the conference in Reno, NV.

M/S/C/(Steffen/Niederfrank) That Board of Directors approve the overnight stay of the General Manager and Assistant General Manager by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

- g. November 2007 Investment Account – walk in**
- h. November 2007 COP Investment Account – walk in**
- i. November 2007 Fund Statements – walk in**
- j. November 2007 Treasurer’s Report – walk in**
- k. November 2007 Deposits and Investments – walk in**

Controller DeAnn Hailey reviewed the above listed financial reports detailing the adjustments from the previous reports.

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

**l. 2008 Budget**

Staff presented the 2008 Fiscal Budget for Board approval. Controller DeAnn Hailey explained the new layout of the budget and the minor adjustments that have taken place.

M/S/C/(Balls/Steffen) That Board of Directors approve the 2008 Budget as presented by Staff by unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

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**DIRECTORS' REPORT**

**Director Niederfrank** – reviewed his participation at the 2007 Fall ACWA Conference. A structure on Elm Avenue located north of American Avenue experienced some damage – possibly from a vehicle running into it.

**CLOSED SESSION**

The Board went into Closed Session at 8:13 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.

**Public Employee Appointment – (Government Code 54947).** The Board will meet in Closed Session to Consider and Possibly Act on the Appointment of District General Counsel.

**Government Code Section 54956.7.** Conference with Labor Negotiators Regarding Terms and Conditions of Employment with Represented Bargaining Groups.

**Government Code Section 54956.8 Real Property Transactions.**  
Negotiators: Laurence Kimura and Queensland Cotton/Anderson Clayton Corp.  
Properties: Portion of APN 487-042-19S (.2 acres)  
Terms and Conditions: Update

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

Closed Session adjourned at 9:50 p.m. with President Boswell stating the Board of Directors has retained Sawyers & Holland as the District's new general counsel; approved the Fresno Irrigation District Supervisors Employee Association Memorandum of Agreement; and renewed the general manager's three-year contract.

**ADJOURNMENT**

President Boswell adjourned the meeting at 9:51 p.m.

Respectfully Submitted,

Gary R. Serrato  
Board Secretary