

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JULY 25, 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 July 25, 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
Tom Steffen
Steven Balls

DIRECTORS ABSENT

STAFF PRESENT

General Manager Gary Serrato
Assistant General Manager Laurence Kimura
Watermaster Jim Irwin
Chief Engineer Bill Stretch
HR Director Regina Davis
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Legal Counsel Alex Peltzer
Reporter Don Wright
Landowner Gary Christian

PUBLIC HEARING

IRWMP – Integrated Regional Water Management Plan (to hear public comments and adopt plan by District's Board of Directors)

President Boswell opened the public meeting at 5:01 pm and, with no members of the public present, closed the meeting at 5:02 pm. Staff recommendation is to adopt Resolution 2007-10.

M/S/C/(Niederfrank/Balls) That Board of Directors approve the adoption of Resolution 2007-10 by the following roll call vote. (Ayes Neely, Balls, Boswell, Steffen, Niederfrank, Nays 0, Absent 0, Abstain 0)

REVIEW AGENDA

Staff requests the removal of item 6 c. from the agenda. This item will be discussed at a future meeting. Staff also requests that item 9 a. be moved to the beginning of the meeting. Mr. Christian is in attendance to answer questions regarding his claim.

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REVIEW OF FUTURE MEETINGS

None

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 Boswell recused himself from any discussion or vote on item 6 d. due to a conflict of interest.

CONSENT CALENDAR

- a. **Approval of Regular Board Meeting Minutes – July 11, 2007**
- b. **Request for Correction of Charges (2004-29, 2005-30, 2006-31, 2007-32, 2006-33, and 2007-34)**

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

ADMINISTRATIVE MATTERS

- a. **Property Damage Claim – Gary Christian**

Mr. Christian, whose property is located at Jameson Avenue (Thompson Canal), provided the Board with background information on his claim. His claim is associated with the vibrating compactor used in the construction of the Empire Groundwater Banking Facility. Mr. Christian is in the process of obtaining an estimate and will forward it to the District when it available. Mr. Christian explained he was involved in a motorcycle accident around the time of the alleged damage which is why his claim was not submitted in a more timely fashion. The Directors will discuss this issue during Closed Session and will inform Mr. Christian of their decision.

380: WATER REPORT

- a. **Current water conditions**

Watermaster Jim Irwin reviewed the current and projected water supply. As of July 24, Pine Flat release was 4,316 cfs. Current storage at Pine Flat is 317,866 acre-feet. With the recent thunderstorms, some cloud seeding has taken place. Temperatures are expected to stay in the low 100's over the next few days with a slight chance of more thunderstorms early next week.

- b. **Reclaim Water Deliveries**

Staff recommendation is to schedule reclaim water for delivery. Cost will be \$37.50 per day for a 2 cfs head of water or \$75.00 per day for a 4 cfs head of water.

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M/S/C/(Niederfrank/Steffen) That Board of Directors approve the schedule of reclaim water as presented by Staff by an unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

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 – FID is currently processing approximately 15 Developer pipeline projects for the 2007-08 Maintenance Season. Currently there is one project in progress and five have been completed since April 1, 2007. The one on-going project impacts the Dawson Canal located southwest of Shaw and Fowler Avenues.

Agency Projects – FID is currently processing approximately ten Agency projects for the 2007-08 Maintenance Season. Currently, there are no projects in progress and one has been completed since April 1, 2007.

Other Issues

Staff has been approached by the City of Clovis regarding the property located at Shepherd and Sunnyside. The property covers approximately 3.5 acres. The City is interested in developing a trailway at this location. The Board is not interested in selling this location but is willing to lease the property to the City of Clovis.

Mr. Stretch gave an update and resolutions to the Albert Melina concerns that Director Steffen brought up at the last meeting.

b. Running Horse Development and Kearney Basin Project Update

This issue will be discussed during Closed Session.

c. Proposed Capital Project in Coordination with Developers S.G. Wathen (Tract 5187) AND Mike Cuneo (Tract 5867) to pipeline the Clovis W. Br. # 115 located S/W Herndon Avenue and Highway 168. Action Request 2007-18

Removed from agenda

d. Proposed Rural Residential Development by The Raven Company located N/W of Ashlan and Greenwood Avenues on the Grey Colony Canal #111. Action Request 2007-19 – Discussion

President Boswell recused himself from the meeting and asked Vice President Neely to take over the discussion of this item.

The Raven Company is developing 120 acres into a 54 lot residential subdivision. The County of Fresno requires the use of surface water on the property and will not allow groundwater to be

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pumped into the on-site lake. The Raven Company has requested that FID provide water, when available, for this purpose. The Grey Colony Canal traverses the proposed development and will be required to be replaced with ASTM C-361 Rubber Gasketed Reinforced Concrete Pipe. Staff is not ready to issue a recommendation at this time. Provost & Pritchard is doing an analysis on this project. Staff needs additional time to finalize the hydraulic calculations for the proposed pipe size.

The Board directed Staff to have the Raven Company provide additional testing to prove the site will recharge an adequate amount of groundwater to the shallow aquifer. The Board recommends they construct a small pilot basin to prove percolation, soil borings at different stratus of at least 50 feet in depth, provide an annual recharge report, and enter into a maintenance agreement to ensure future recharge.

President Boswell returned to the meeting after the discussion was completed.

e. Proposed Capital Project with Landowner Felix Garcia on the Viau Canal No. 25 located S/W Malaga and Maple Avenues. Action Request 2007-20

The only option that Mr. Garcia is interested in is to pipe the canal along the District's easement. Mr. Garcia is looking for the District to fund 50% of the project. After much discussion and review of the Chief Engineer's recommendation of this project, the Board has decided not to continue with this project. Factors taken into consideration were the cost of the project, the lack of benefit to the District, and the probability that the area's land use will change within the next 5-10 years. The Director's will allow Mr. Garcia to: 1) pipe with RGRCP at 100% owner's cost; 2) allow temporary pipe (lesser quality than RGRCP) but pipe must be approved by Engineering and landowner will be responsible for all liability and maintenance; or 3) place fence at edge of easement approximately 17 feet from canal's inside top of bank. Engineering Staff will set up a meeting with Mr. Garcia to update him on the status of his request.

ASSISTANT MANAGER'S REPORT

Assistant Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

There has not been much change in the project status since the last update. The crusher is back in place and is operating. There is still a significant amount of work to be done. As instructed by the Directors at the last Board Meeting, information regarding performance goals and timelines has been provided to the District's legal counsel.

b. Waldron Banking Project Update

The contract with Steve Dovali Construction for the well equipping work is progressing. All of the pumps have been installed. The electrical engineer reviewed the electrical submittals and required changes to be made. Revised electrical submittals are forthcoming. Arthur & Orum indicated that they have ordered the materials for the three wells to be drilled. Drilling is still scheduled to commence sometime in July. Staff is still waiting for an updated construction

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schedule from the contractor. There has been no change in the financial status of the project since the last report.

c. District Office Plan

Staff has reviewed the initial layout for the new office. Staff met with S.I.M. Architects to discuss comments on the initial office floor plan. S.I.M. Architects will provide an updated layout for further review.

d. General Maintenance and Equipment Update

Maintenance crews continue to be busy working on miscellaneous repairs and general maintenance. Backhoe and dump truck operators continue to work on removing sand dredged from FID canals and spreading along the Enterprise Canal. Equipment operators have also been filling gopher holes and repairing leaks along canal banks. The trash truck remains busy in the "hot" spots. The spray truck applicators are busy finishing up the Magnacide applications. One pipeline crew continues to be busy with miscellaneous pipeline, vent, and gate repairs. The other crew is testing the vacuum trailer equipment for potential use on the three-year Maintenance and Facilities Upgrade Plan turnout projects.

The Maintenance Report covering June 16, 2007 through July 15, 2007 was handed out.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Fish and Game Committee Meeting

The direction of the Fish and Game Committee is to review the current Fishery Management Program and recommend any possible improvements. The Fishery Management Program was compared to other programs around the country.

Kings River Ranches Settlement (Britz Fund)

The Kings River Ranches Settlement Agreement was adopted in December of 2006. This agreement allowed for funds to be utilized when addressing illegal pumpers on the Kings River. The Fund currently has \$195,000 with approximately \$9,000 being utilized to date. The Upper River is not required nor is it responsible to provide any financial support in the litigation of illegal pumpers.

Ag Waiver Discharge

The South San Joaquin Water Quality Coalition invoices have been sent out for payment.

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Upper Kings River Committee

A meeting with the Alta and Fresno Irrigation Districts was held at the District last week where Consolidated reviewed their purposed developer fees.

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

Discussion to take place during Closed Session.

OTHER ISSUES

Staff met with the City of Clovis regarding their Waste Water/Reuse Treatment Plant.

The Board is still one member short on the Region 6 Board. Nominations are still being accepted. The vacancy must be filled by July 31 or according to the bylaws the Board will be reduced to a five member panel.

President Boswell and Mr. Serrato will be attending the California Partnership for the San Joaquin Valley tomorrow night. They are expecting an array of local elected officials to be in attendance.

The Delta Vision Workshop, hosted by the Water Education Foundation, will be held on Friday at the Fresno Convention Center. Mr. Serrato is planning on attending

DIRECTORS' REPORT

Director Niederfrank – reported that he talked to Channel 47 regarding the end of 2007 Water Season.

CLOSED SESSION

The Board went into Closed Session at 6:58 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)): one potential case.

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)): Van Volkinburg.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Closed Session adjourned at 7:30 p.m. with President Boswell stating the Board of Directors declined Mr. Christian claim and referring the matter to JPIA.

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M/S/C/(Balls/Neely) That Board of Directors declined Mr. Gary Christian's claim and referred the matter over to JPIA by an unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

ADJOURNMENT

President Boswell adjourned the meeting at 7:32 p.m.

Respectfully Submitted,

Gary R. Serrato
Board Secretary