

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD MAY 28, 2008**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California on May 28, 2008. 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

STAFF PRESENT

General Manager Gary Serrato
Assistant General Manager Laurence Kimura
Watermaster Jim Irwin
Human Resources Director Regina Davis
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe
Engineering Tech II James Shields

OTHERS PRESENT

Executive Officer of the San Joaquin River Conservancy Melinda Marks
Mr. and Mrs. Michael Gen (item 6 e.)
OE3 Representative Fred Klingel

REVIEW AGENDA

Staff requested that item 6 e. be moved to the beginning of the meeting to accommodate Mr. and Mrs. Gen. Following the Public Presentation and item 6 e., Staff requests moving Closed Session (Personnel Matter) ahead – representative Fred Klingel is in attendance representing OE3

REVIEW OF FUTURE MEETINGS

President Boswell reminded the Board that the first Board of Equalization will be held on June 2, 2008. The second portion of the Board of Equalization will be held on June 9, followed by a vote by the Board at the District's regular board meeting on June 11, 2008

PUBLIC PRESENTATION

Melinda Marks, from the San Joaquin River Conservancy, gave a presentation and background of the San Joaquin River Conservancy and the area they encompass. Ms. Marks reviewed the Conservancy's role as it relates to the river; such as purchase of land along the river, developing picnic areas, equestrian trails staging, educational features, and information centers. The

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD MAY 28, 2008**

Conservancy currently has 2,541 acres which is 64% of their goal.

CHIEF ENGINEER'S REPORT

- e. **Landowner Encroachment Request – Michael and Amy Gen are proposing to encroach into the E-Main Canal No. 127 located N/E Sierra and Sequoia Avenues. Action Request 2008-20**

Mr. and Mrs. Gen are requesting to encroach eight feet onto the district easement for a carport overhang. Staff recommendation is to approve the request and work with District legal counsel to enter into a modified Encroachment Agreement.

M/S/C/(Neely/Balls) That Board of Directors approve the granting of an easement to Mr. and Mrs. Gen dependent on the wording of the agreement by a unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

CLOSED SESSION

Board President Boswell suspended the open portion of the meeting at 5:35 pm and went into Closed Session to discuss a Personnel Matter.

Government Code Section 54957. Personnel Matters.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Boswell stated there was nothing to report from this portion of Closed Session.

Open Session resumed at 6:00 pm.

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 Board Meeting Minutes – May 14, 2008**
- b. **Developer Project – Stonevalley Homes is Proposing to Pipeline the Reyburn Canal No. 380 Located S/W Bullard and DeWolf Avenues in Accordance with Board Policy. Action Request 2008-22**
- c. **Developer Project – King of Kings Housing Development Corporation is Proposing to Pipeline the Braly Canal No. 14 Located S/W California Avenue and Martin Luther King, Jr. Boulevard in Accordance with Board Policy. Action Request 2008-21**

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

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD MAY 28, 2008**

380: WATER REPORT

a. Current Water Conditions

Watermaster, Jim Irwin, reviewed the water condition report and the current and projected water supply. As of May 27, Pine Flat release was 3,526 cfs and storage was 534,721 acre feet.

Snow pillows are at 22.6% for May 27 or 16.7% of the April 1 average.

KRWA Watermaster Steve Haugen reported at the Fish and Game meeting on Tuesday that the Temperature Control Pool (TCP) is estimated to draw down to 95,000 acre feet if all 28 districts run. The TCP is not to drop below 100,000 acre feet and 110,000-120,000 acre feet is preferred. This recent storm did not provide much relief but did slow down demand.

CHIEF ENGINEER'S REPORT

General Manager and Assistant General Manager reported on the following items:

a. Developer and Agency Project Schedule for 2008/09 Update

Developer Projects – Staff is processing ten developer pipeline projects for the 2008-09 Maintenance Season. There are no current projects in progress.

Agency Projects – Staff is processing six agency projects for the 2008-09 Maintenance Season. There are no current projects in progress.

b. Three-Year Maintenance Facility Upgrade Project for 2008/09

Staff is currently preparing for the 2008-09 Maintenance Season. Staff is gathering data for next year's projects which includes surveying, gathering flow data from historical records and the Water Systems Operators, and gathering pertinent maintenance records. The Engineering Department is preparing a Construction Report of the 2007-08 projects completed as part of the Three-Year MFUP. The report should be completed within the next month or two.

c. Award Contract – Well Equipping Contract 184-1284-1 as Part of the Waldron Banking Facility Project. Action Request 2008-23

The District advertised for bids for a project that consists of three pumps and motors as part of the Waldron Groundwater Banking Facility project at each of the Waldron sites. The work consists of furnishing all labor, materials, equipment and incidentals necessary to equip and construct wellhead improvements at three wells within the District including pumps, motors, site electrical, and discharge piping. Low bid came from Vulcan Construction & Maintenance at \$667,600 – Engineer's Estimate was \$565,000 (base). Staff recommends that the Board award the contract to Vulcan Construction and Maintenance.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD MAY 28, 2008**

M/S/C/(Neely/Balls) That Board of Directors approve the accepting the bid by Vulcan Construction by a unanimous vote. (Ayes 5, Nays 0, Absent 0, Abstain 0)

- d. Developer Project – Fresno Courtyard Limited, LLC is proposing to Pipeline the Radin-Kamp Canal No. 130 Located N/W Herndon and Blythe Avenues in Accordance with Board Policy. Acton Request 2008-19**

Fresno Courtyard Limited, LLC is developing 7.5 acres for commercial use located northwest of Herndon and Blythe Avenues. The Developer has requested to replace the 1,152 feet of 45 year old cast-in-place pipeline with new cast-in-place concrete pipe instead of the District's standard rubber gasketed reinforced concrete pipe. The Radin-Kamp Canal no longer provides water service to agricultural or urban users. The sole purpose of the canal is to route excess flood waters from the Bullard Canal system during major flood events. Ultimately, the District plans to quitclaim the canal to Fresno Metropolitan Flood Control (FMFCD) but FMFCD is not willing to accept it with the remaining open canal section located south of Herndon Avenue. The developer is hoping that the District will relax its requirements and allow the cast-in-place pipe.

Director Boswell directed Staff to inform the Developer on the following options: 1) to pipe with RGRCP the portion of the open ditch that is south of Herndon to the Bullard 124 and indemnify the District from any future leaks; 2) to install RGRCP as per Board policy; 3) to put in new cast-in-place and indemnify the District from any future leaks but he would not be required to place RCRCP; or 4) can present this case to the Board of Directors.

CLOSED SESSION

Board President Boswell again suspended the open portion of the meeting at 6:45 pm and went into Closed Session.

Natural Resource Defense Council vs. Rodgers (Government Code Section 54956.9).

To confer with counsel on pending litigation.

Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9(b)).

The Board will meet in closed session to confer with Counsel on potential litigation arising out of claims by third parties to water rights on the Kings River.

Government Code Section 54957. Personnel Matters.

The Board concluded Closed Session at 7:30 pm and broke for a 20 minute recess.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Boswell stated the Board approved during Closed Session early retirement for a District employee.

Open Session resumed at 7:50 pm

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD MAY 28, 2008**

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

Work at the site continues to be slow. There has been no significant change in the project since the last meeting. The crusher has not been operational for several weeks; however, Mr. Erickson has continued to separate materials. The District received notification of a six-month extension granted by the City of Fresno.

b. Waldron Banking Project Update

Arthur & Orum well drilling work still has one well to complete. Arthur & Orum is still scheduled to complete the construction of the inner liner, perform pump testing, and video tape the well for final completion no later than May 30, 2008. The next Waldron Banking Facility Committee meeting will be held June 27 from 9-11 am.

c. District Office Plan

The pre-bid walk through for the storage buildings took place on May 20 with the bid opening on May 27. Staff is currently evaluating alternative bidding methods for the construction of the new office. Interviews are taking place for a building construction manager.

d. General Maintenance and Equipment Update

Crews are hauling rip-rap to Jameson Pond. Gopher holes and ditch bank leaks are being addressed as necessary. The basins at Waldron were being ripped but were postponed because of dust and wind conditions. Magnacide applications on Herndon were performed last week. The maintenance report for April 16 to May 15, 2008 was handed out. An Equipment Committee Meeting has been scheduled for Friday, May 30 at 8 am.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Executive Committee Meeting

Mr. Serrato attended a Fish and Game meeting and updated the attendees on the mussel situation. Water quality testing is being performed on the Kings River. Tests show that there is no contamination. There is a growing concern about the river being over fished. Suggestions about limiting the number of fish caught and implementing fishing seasons are being discussed.

Mr. Serrato will be in Sacramento to address the State Water Resources Control Board on June 3. He will be requesting the Board to support Staff's recommendation to fund the KRCD application. Humboldt County is trying to make a case to have their proposal funded instead of KRCD.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD MAY 28, 2008**

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

Discussed during Closed Session.

OTHER ISSUES

AB 303 Grant Funding

The District has been awarded \$250,000 from the AB 303 funding for water measurement within the District's basin.

District Newsletter

Staff is working with Randy McFarland on the next issue of the Waterways Newsletter.

City of Clovis Water Banking Agreement

Mr. Serrato informed the Board that negotiations with the City of Clovis for a new groundwater banking facility is not going well. District Staff will study the original agreement and decide on the District's options.

Enterprise Colony

Fig Garden Homeowner Association has come to the District with a proposal to beautify the canal that runs through the Fig Garden area. The issue is that there is no area on the canal banks for plants, trees, or shrubs. Staff will suggest other alternatives for beautification.

ADMINISTRATIVE MATTERS

a. Update of Status on Property Damage Claims

Regina Davis updated the Board on the status of the outstanding claims being handled by ACWA Joint Powers Insurance Authority.

b. New Property Damage Claim – Nonini

Mr. Nonini submitted a claim against the District because he was not able to pump water during the month of March. The Silvia Ditch experienced some leaks and was not repaired until April. Directors discussed the best way to make Mr. Nonini whole. Mr. Serrato will follow up with Mr. Nonini and report back to the Board.

c. Workers' Compensation Update (walk in)

Workers' compensation premiums will be increasing in July due to the increase in the District's employee injury experience history. This is known as the experience modification rate (mod rate or EMR). The District's EMR was previously at .82 but on July 1 it will increase to 1.60. The rate is based on the prior three years injury costs and should improve once the highest years drop off. Most of the injuries were to neck, shoulders and knees. None of the injuries were caused by employees acting in an unsafe manner or lack of safety training.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD MAY 28, 2008**

DIRECTORS' REPORT

Director Steffen – a vehicle landed in a ditch a few days ago near Director Steffen's house.

ADJOURNMENT

President Boswell adjourned the meeting at 8:45 p.m.

Respectfully Submitted,

Gary R. Serrato
Board Secretary