

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 8, 2009**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California on April 8, 2009. Meeting was called to order at 5:00 pm by Board President Jeff Boswell.

DIRECTORS PRESENT

President Jeff Boswell
Vice President Jeff Neely
Steven Balls
George Porter
Ryan Jacobsen

DIRECTORS ABSENT

None

STAFF PRESENT

General Manager Gary R. Serrato
Chief Engineer Bill Stretch
Human Resources Director Regina Davis
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

City of Fresno – Public Works Department Representative, Steven Son
San Luis Water District – General Manager, Martin McIntyre
San Luis Water District – Director, Bill Diedrich

REVIEW AGENDA

Staff requested that Item 6 c. be moved to the beginning of the meeting to accommodate Mr. Son's schedule. Mr. Serrato announced that Mr. McIntyre, General Manager of the San Louis Water District, will be arriving at 5:30 pm to discuss the sale of water from the Waldron Banking Facility.

REVIEW OF FUTURE MEETINGS

Staff outlined the purpose and procedure of the Board of Equalization

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]

Directors Jacobsen and Porter have recused themselves from item 4 b. due to a conflict of interest with one of the District's payees.

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CONSENT CALENDAR

- a. **Approval of Regular Board Meeting Minutes – March 25, 2009**
- b. **March 2009 Check Register**
- c. **March 2009 Payroll Registers**
- d. **March 2009 Unpaid Assessment Report**
- e. **March 2009 Unpaid ISIP Assessment Report**
- f. **March 2009 Investment Account**
- g. **March 2009 COP Investment Account**

M/S/C/(Balls/Porter) That Board of Directors approve the Consent Calendar with the exception of pulled item 4 b. by the following vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

M/S/C/(Balls/Neely) That Board of Directors approve Consent Calendar item 4 b. by the following vote. (Ayes Neely, Balls, Boswell; Nays 0; Absent 0; Abstain Porter, Jacobsen)

CHIEF ENGINEER’S REPORT

- c. **Agency Project – City of Fresno will Pipeline the Bullard Canal #124 Located S/W Herndon and Marks Avenues in Accordance with Board Policy. Action Request 2009-07**

Mr. Steven Son, representing the City of Fresno, was present to answer the Board’s questions on the Bullard Canal pipeline project located on Herndon Avenue between Marks and Valentine. The City needs and additional six to ten feet of right-of-way on the south side of Herndon Avenue. As part of the project they will substitute 1,700 feet of open canal with 60-inch rubber gasketed reinforced pipe. The City also requested that the District consider waiving their internal fees. At this time, Staff’s recommendation is to not waive the fees.

M/S/C/(Jacobsen/Neely) That Board of Directors approve Action Request 2009-07 as presented by Staff and in addition give Staff the authorization to negotiate the City’s Plan Review (but City would have to reimburse all outside costs such as Attorney fees) fees invoiced by the District by the following vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

380: WATER REPORT

- a. **Current Water Conditions**

General Manager Gary Serrato reviewed the current and projected water supply and snow pack information. As of April 7, Pine Flat release was 1,271 cfs and storage was 375,861 acre-feet. Pine Flat precipitation is 68.4% of normal. Mr. Serrato reviewed the current routing and stated that with the recent storms the Bureau of Reclamation increased the Class I allocation to 85%. Mr. Serrato also stated that the Kings River Water Shed also received additional snow that could increase Fresno Irrigation District’s entitlement.

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b. Water Sales; Groundwater Bank

Mr. McIntyre, General Manager of San Luis Water District (SLWD), addressed the working term sheet that was submitted to District Management for the purchase of 10,000 acre feet of water developed in the Waldron Banking Facility. Mr. McIntyre discussed the devastating affects of a zero allocation of water to the Westside. Director Jacobsen voiced that he would like to sell SLWD 5,000 acre-feet with the possibility of selling an additional 5,000 acre-feet at a later date, which would give the District an opportunity to monitor any negative impacts that the reclamation wells would have on the surrounding areas.

Mr. McIntyre stated that the drought water bank developed north of the Delta, is selling water at \$275 per acre-foot. He also stated that a Walk for Water will take place on April 14 – 17 from the City of Mendota to the San Luis Reservoir.

M/S/C/(Jacobsen/Balls) That Board of Directors approve the sale of water to SLWD – at \$425 per acre-foot plus \$25 acre-feet for extraction/lift costs for 5,000 acre-feet with the possibility of selling an additional 5,000 acre-feet at a later date, allowing the District an opportunity to monitor any negative impacts that the reclamation wells would have on the surrounding areas; and all monies to be deposited into the Water Purchase Fund by the following 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 2009/10 Update

Developer Projects – No projects are taking place at this time

Agency Projects – No projects are taking place at this time

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

Mr. Stretch reviewed the progress of the three-year projects. The Sylvia Ditch pipeline project has been completed.

ASSISTANT MANAGER’S REPORT

General Manager Gary Serrato reported on the following:

a. Nielsen Site Rubble Pile Update

Mr. Serrato and Mr. Kimura met with Council President Cynthia Sterling to discuss an extension on the clean-up of the Nielsen project. Council member Sterling stated she will arrange a meeting with FID and City Code Enforcement to discuss an extension. Mrs. Sterling was very supportive of an extension.

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b. Waldron Banking Project Update

All pumps operating at the project. Staff is continuing to talk with the Department of Water Resources to obtain the District's reimbursement. A temporary sound barrier has been placed at the site to help control the noise for an adjacent landowner.

c. District Office Plan

The contracted crew has completed the abatement process on the Annex Building. Once the San Joaquin Valley Air Pollution Control Board has signed off on the work to date, the building will then be demolished in preparation of the new building.

d. General Maintenance and Equipment Update

- Portions of the maintenance crews continue to move to the water department
- Brushing has been completed
- Working with Proteus (stimulus package work program) on assigning five individuals that will work on the maintenance crews at no cost to the District

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

KRWA has completed the accounting of water required by the Upper Kings River Units to meet the obligation of the fishery management program. After reviewing the numbers, FID will call for a meeting of the Upper Kings River Units, (Alta and Consolidated Irrigation Districts) to begin the renegotiations of the Upper Kings River Agreement.

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

S.22 – Omnibus Public Land Management Act has been passed by both houses and the President has signed it.

Discussions continue towards settlement of the Recovery Water Account. Delano-Earlimart still has concerns about the accounting of the re-captured/re-circulated water.

District's legal council, Gary Sawyers, continues to work on the 9 (D) contract wording.

OTHER ISSUES

Proposition 50 and 13

The State of California recently sold bonds to meet a wide variety of obligations. A portion of the bonds monies were designated to provide grant funds under Proposition 50. Staff is working

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with State Officials to provide the funding for the completion of projects granted under proposition 13 before moving on to Proposition 50.

Kings County Water District

Discussions on the proposed water bank are continuing. Mr. Serrato has requested a letter from the Kings County Water District Board stating their approval and support for the water banking project and the partnership with FID.

Liberty Christen Church

Pastor Thornton met with Staff to request a reduction in the interest rate on the District's financed property at McKinley and Millbrook Avenues. Their current interest rate is 8% over the life of their 25 year loan.

Growers Meeting

The growers meeting in Director Porter's area was a success. Approximately 30 growers were in attendance. Staff presented the latest water routing and the improvements being made to the system because of the 218 election. Staff heard a lot of positive feedback from the growers. Director Jacobsen's division meeting will take place on April 14.

ACWA Spring Conference

Mr. Serrato has been asked to participate on a panel discussion concerning "Groundwater and Conjunctive Use" at the Spring ACWA Conference in Sacramento.

Fresno County Farm Bureau

The Fresno County Farm Bureau will host a 2009 Spring Event on April 16. Music, barbeque, and presentation of service awards will take place.

ADMINISTRATIVE MATTERS

a. Revision of Policy 130-528 (requires Board approval)

Staff reviewed the updates the board requested from the last meeting.

M/S/C/(Balls/Jacobsen) That Board of Directors approve the revisions to Policy 130-528 by the following vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

b. Special District and Local Government – Administration Seminar (June 18-19, 2009)

Staff reviewed the program that Special District and Local Government Institute will be providing in June at Monterey, CA.

M/S/C/(Balls/Neely) That Board of Directors approve the participation of Directors choosing to attend the Governance Seminar in June at Monterey, CA by the following vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

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- c. January 2009 Fund Statements
- d. January 2009 Notes to the Fund Statement
- e. January 2009 Treasurer's Report
- f. January 2009 Deposits and Investments

Staff reported on the normal monthly reports. After some minor discussions, Staff recommended approving the above mentioned finance reports as presented by Staff.

M/S/C/(Balls/Porter) That Board of Directors approve the financial reports as presented by Staff by the following vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

DIRECTORS' REPORT

Director Neely – commented on the condition of the natural habit portion of Fancher Creek.

Director Porter – commented on the success of the growers meeting held in Division 4.

Director Jacobsen – reminded those present that the Division 3 growers meeting will be held on Tuesday, April 14 at 8 a.m. in Easton.

CLOSED SESSION

Staff went into Closed Session at 8:39 p.m.

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)). Conference with Legal Counsel – Anticipated Litigation (G.C. §54956.9. Significant Exposure to Litigation pursuant to subdivision (b)): KRWA.

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)): Nielsen Avenue Property

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Laurence Kimura and Ardismae Brooks

Properties: Portion of APN 334-320-05

Terms and Conditions: Update

REPORT OF ACTION TAKEN IN CLOSED SESSION

Closed Session concluded at 9:05 p.m.

President Boswell stated that there was no action to report from Closed Session.

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ADJOURNMENT

President Boswell adjourned the meeting at 9:06 p.m.

Submitted By,

Gary R. Serrato
Board Secretary