

**FRESNO IRRIGATION DISTRICT  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 12, 2009**

Fresno Irrigation District's Board of Directors met in regular session in the District office located at 2907 South Maple Avenue – Fresno, California, on August 12, 2009. Meeting was called to order at 5:02 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 Serrato  
Assistant General Manager Laurence Kimura  
Chief Engineer Bill Stretch  
Watermaster Jim Irwin  
Human Resources Director Regina Davis  
Controller DeAnn Hailey  
Recording Secretary Lynn B. Rowe

**OTHERS PRESENT**

None

**REVIEW AGENDA**

No changes

**REVIEW OF FUTURE MEETINGS**

Mr. Serrato reminded the Strategic Planning Committee the meeting has been scheduled for Friday, August 14, at 11:30 am

**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, July 22, 2009
- b. July 2009 Check Register
- c. July 2009 Payroll Register
- d. July 2009 Unpaid Assessment Report

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- e. **July 2009 Unpaid ISIP Assessment Report**
- f. **July 2009 Investment Account**
- g. **July 2009 COP Investment Account**

**M/S/C/(Balls/Jacobsen)** That Board of Directors approved the Consent Calendar by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**PUBLIC PRESENTATION**

None

**380: WATER REPORT**

**a. Current Water Conditions**

Watermaster Jim Irwin reviewed the current and projected water supply information. As of August 11, Pine Flat release was 2,999 cfs and storage was 292,169 acre-feet. Alta Irrigation District is expected to shut off near the end of August. The Bureau allocated 100% Class I and 5% Class II.

Staff recommends the continuation of water deliveries to the entire district through September 15. With the exception of the Herndon system which staff recommended to stop deliveries at the end of August, due to a major maintenance project. Deliveries would continue to the east side through the end of September.

Staff also recommended to continue with the delivery of Reclaim water September 16 to October 31 at the same price as last year.

**M/S/C/(Jacobsen/Porter)** That Board of Directors approved the water deliveries until September 15 with the exception as stated by Staff and the start of Reclaim water from September 16 to October 31, 2009, at the same price as last year by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**b. Water Sale – Corcoran Irrigation District**

Staff recommends selling the JG Boswell Company 10,000 acre-feet of Kings River Water at \$100 per acre-foot. Placement of the revenues will be decided after the special Strategic Planning meeting.

**M/S/C/(Balls/Neely)** That Board of Directors approved the sale of up to 10,000 acre-feet of water to JG Boswell at \$100 per acre-foot with the decision of the placement of the funds to be decided at the Strategic Planning meeting by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**c. Water Sale – San Luis Water District**

The Board confirmed the 5,000 acre-feet already sold and authorizes the sale of an additional 5,000 acre-feet of banked water. The Board also authorized the sale of

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additional 5,000 acre-feet (inclusive of the Class II supply of 3,750 acre-feet) for a total of 15,000 acre-feet.

**M/S/C/(Balls/Neely)** That Board of Directors approved the sale of the original 5,000 acre-feet and the additional 10,000 acre-feet as presented by Staff by 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 2009/10 Update**

**Developer Projects** – one project on the H-ditch was completed last week – the pipe is being pressurized to check for leaks. There are approximately five more projects scheduled for the 2009-10 Maintenance Season.

**Agency Projects** – no projects are occurring at this time – there are approximately five projects scheduled for the 2009-10 Maintenance Season.

**b. Three-Year Maintenance and Facility Upgrade Project for 2009/10**

Staff is finalizing maintenance plans, ordering materials, and meeting with engineering consultants in preparation for the start of maintenance season.

**c. Award Contract – All weather Road Contract 109-1281-A as Part of the Enterprise Canal Improvement Project. Action requested 2009-20**

This project was originally brought before the Board approximately four years ago. The quotes that came in at that time were well over the Engineering Department's estimate and the project was put on hold. Since that time, the Engineering Department has scaled down the project and placed it back out for bid. The winning bid came back below District's estimate and was awarded to Clay Miranda in the amount of \$438,398.50. Representatives from the Cities of Fresno and Clovis took part in the awarding of the project. The city of Fresno's share is 53%, Clovis' share is 27% and the District's is 20% of the total cost. This improvement will allow year-round access to the Cities of Fresno and Clovis Surface Water Treatment Plants. Completion is expected in the next two to three months.

Staff is requesting the Board approve the bid with the additives to Clay Miranda in the amount of \$438,398.50. Director Porter abstained from voting due to a personal conflict of interest.

**M/S/C/(Neely/Balls)** That Board of Directors approved the base bid plus the additive items received by Clay Miranda in the amount of \$438,398.50 with additives for the All-Weather Road-Enterprise Canal Improvement by the

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following call vote. (Ayes Balls, Boswell, Neely, and Jacobsen; Nays 0; Absent 0; Abstain Porter)

**d. Fresno Betsuin Buddhist Temple – Potential Pipeline Relocation of the Maupin West Branch Canal No. 374 Located N/W Alluvial and Willow Avenues - Update**

This item was discussed during Closed Session.

**ASSISTANT MANAGER’S REPORT**

Assistant General Manager Laurence Kimura reported on the following:

**a. Nielsen Site Rubble Pile Update**

Alex Peltzer, one of Fresno Irrigation District’s legal council, has worked out an extension agreement with Fresno’s Deputy City Attorney. The City is open to a one-year extension with the District requesting a two-year extension. The City is requesting an update on the amount of materials being removed and brought in.

**b. Waldron Banking Project Update**

KRCD provides pump testing, as part of their regular service. The test information was forwarded to Provost & Pritchard and Staff is waiting for their analysis.

**c. District Office Plan**

The annex building has been demolished and the preparation work has started on the new building.

**d. General Maintenance and Equipment Update**

- minor bank repairs
- heavy equipment operators were performing bank work on the Dry Creek Canal near Thorne last week and Oleander Main Canal near Clayton this week
- graders have finished preparing the Enterprise Canal for the all-weather road project
- brush removal on the Gould Canal last week
- staff is working to remove a homeless shelter on the Herndon Canal near Ashlan and West - staff is following the City’s seven-day protocol as required
- spot spraying
- the trash truck is working throughout the District

Staff has been notified by the manufacturer that Magnacide will no longer be available after the end of the year. Staff has been researching other aquatic weed sprays for replacement and has had some limited success.

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**MANAGER'S REPORT**

General Manager Gary Serrato reported on the following:

**KINGS RIVER WATER ASSOCIATION**

Mr. Serrato has been actively meeting with the Upper Kings River Managers in renegotiating the Upper River Agreement. Alta Irrigation District forwarded their proposal in dealing with post water delivery needs. Mr. Serrato informed KRWA Watermaster that until the agreement is finalized the division of the "D" flows going over the Fresno Weir will be divided equally between Fresno, Consolidated, and Alta Irrigation Districts. The Upper River Group will continue to meet to resolve this matter.

Mr. Serrato met with Jack Paxton, President of the Board of the Kings River Water District (KRWD), regarding a permanent weir to consolidate all of KRWD's diversion points below the Fresno Weir. Mr. Paxton was interested in meeting with the Upper River District to discuss a possible joint project involving Exhibit "C" flows. Mr. Serrato will be looking into the feasibility of this project.

At the KRWA meeting scheduled for next week, discussions concerning illegal riparian pumpers and external issues will take place in closed session.

**KRWA Assessment**

The District received the second installment of the 2009-2010 assessment.

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

Public meetings are being held by the Bureau of Reclamation to discuss how the interim flows will be delivered down the river around and below the Mendota Pool. Several issues still need to be worked through before the water can be released, which is scheduled for October.

**OTHER ISSUES**

**Proposition 50**

Staff and KRCD are exploring other project options for the utilization of the Proposition 50 funds. Staff is concerned that the timeframe to complete a project may be too short. Staff is scheduled to meet with the City of Fresno for a possible project to help fund water meters.

**Region 6 Board**

There were no additional candidates for the ACWA – Region 6 Board. Unless otherwise directed by the Board, Staff will complete the ballot with the names currently listed.

There will be a future ACWA Board meeting held in Fresno sometime in the spring of 2010.

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**Fresno County Banking Agreement**

Fresno County has accepted the changes made by the District to the Banking Agreement to develop water for CSA 51. The agreement is being reviewed by the County's legal council.

A group of citizens from the CSA 51 presented a packet of information to Jeff Boswell and Jeff Neely informing the Directors of an issue some of the citizens have with treated waste water from the City of Clovis being conveyed to their area.

**ADMINISTRATIVE MATTERS**

**a. Request for Overnight Stay for Controller to Attend 2009 CSDA Conference at Indian Wells, CA in September**

The Controller has requested authorization for overnight stay to attend the CSDA Conference in September. She believes it will be very beneficial when dealing with the actuary that will be performed for the District in the future. The District also receives points for sending a staff member which is used to lower disability premiums.

**M/S/C/(Ball/Porter)** That Board of Directors approved the overnight stay for the Controller to attend the CSDA Conference in Indian Wells, CA by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**b. Damage Claim – Joshua Crampton**

Staff reviewed the damage claim submitted by Mr. Joshua Crampton for minor flooding that occurred at the start of the water season with the Board. The claim submitted was for the rental of equipment to repair the break.

After some discussion, the Directors suggested renegotiating the claim with a cap at \$230.

**M/S/C/(Neely/Jacobsen)** That Board of Directors approved having Staff renegotiate the claim up to \$230 by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**DIRECTORS' REPORT**

Director Neely – expressed that it was a really good run this year with very few problems.

Director Boswell – stated he will call the two gentlemen who left information for himself and Director Neely. At a Rotary Club meeting that Director Boswell attended, Congressman Jim Costa stated there is no political interest in Washington, D.C., at this time, to change or revisit the Endangered Species Act at this time.

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Director Boswell requested a condensed explanation of the two proposed gates for the Delta. Staff was able to answer Director Boswell question.

Director Porter – Mr. Greg Striker requested setting up a meeting to discuss the possibility of piping an open ditch and requested that the District contribute to the project. Staff will follow through with Mr. Striker.

Director Jacobsen – asked if there will be a staff member who plans on attending the Regional Board’s groundwater workshop that is coming up. Mr. Serrato plans on attending.

**CLOSED SESSION**

Closed Session was called at 7:35 pm.

**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)).** Anticipated Litigation (G.C. §54956.9. Significant Exposure to Litigation pursuant to subdivision (b)): Fresno Betsuin Temple.

**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

**Government Code Section 54956.8 Real Property Transactions.**

Negotiators: Gary R. Serrato, FID and Tony Joaquin, City of Fresno  
Properties: Portion of APN 487-020-15  
Terms and Conditions: Update (Bill Stretch)

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**REPORT OF ACTION TAKEN IN CLOSED SESSION**

President Boswell stated there was nothing to report from Closed Session

**ADJOURNMENT**

President Boswell adjourned the meeting at 7:50 p.m.

Submitted By,

Gary R. Serrato  
Board Secretary