

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD AUGUST 26, 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 26, 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

DIRECTORS ABSENT

Ryan Jacobsen

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

OTHERS PRESENT

None

REVIEW AGENDA

Staff requested that Item 9 a. (CSA 51) be removed. This item will be brought back at the September 9 meeting.

REVIEW OF FUTURE MEETINGS

Staff would like to schedule a Special Board Meeting for Wednesday, September 16, at 5 pm to discuss strategic planning matters.

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 – August 12, 2009

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

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PUBLIC PRESENTATION

None

380: WATER REPORT

a. Current Water Conditions

Watermaster Jim Irwin reviewed the current and projected water supply information. As of August 25, Pine Flat release was 2,871 cfs and storage was 225,958 acre-feet. Alta Irrigation District will shut off this Friday. Lemoore, Peoples and Last Chance will be shutting off next week. Summer thunderstorms that occurred in the Sierra's have increased the amount of runoff on the Kings River watershed which has increased the FID entitlement.

The Board of Directors directed Mr. Serrato to market an additional 5,000 acre feet. The matter will be placed on the agenda for the September 9 meeting. Designation of the money from the sales will be discussed during the Special Meeting for the strategic planning.

CHIEF ENGINEER'S REPORT

Assistant General Manager Laurence Kimura reported for Chief Engineer Bill Stretch on the following items:

a. Developer and Agency Project Schedule for 2009/10 Update

Developer Projects – Staff is processing approximately seven projects scheduled for the 2009-10 Maintenance Season. There are no projects currently in progress.

Agency Projects – No projects are occurring at this time – there are approximately five projects scheduled for the 2009-10 Maintenance Season. One project has been completed since April 1.

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

Staff has finalized construction plans for several projects which will start up after Maintenance Season begins.

The all-weather road is currently under construction. The District is providing a significant amount of the manpower.

c. Fresno Betsuin Buddhist Temple and the Maupin West Branch Canal No. 374 located N/W Alluvial and Willow Avenues - Update

Mr. Serrato and Mr. Stretch spoke with Jerry Lakeman about the Maupin West Branch Canal. The District received a letter from the Buddhist Temple indicating they are willing to make repairs to the canal. Once the repairs are made, the District will deed

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over to the canal to FMFCD. The agreement will state that FMFCD will be solely responsible for any damage occurring from this canal; even if it begins with the District.

d. Informational Items:

i. USBR Water for America System Optimization Review Grant Update – FID’s Floodrights. Item 2009-21

In December 2008, the District applied for a grant administered by the US Bureau of Reclamation (USBR). The District was not successful in obtaining this grant. This project consisted of an investigation by the District as part of a continuing, collaborative effort to better manage and put available water supplies within the region to beneficial use.

ii. USBR Water for America Water Marketing and Efficiency Grant Update – Briggs Water Banking Facility. Item 2009-22

FID was successful in obtaining the grant in the amount of \$300,000. The grant will be applied to a new banking facility on the Briggs Canal.

iii. USBR Recovery Act of 2009 Grant Update – Briggs Water Banking Facility. Item 2009-24

FID was not successful in obtaining this grant. This was grant planned to help fund a larger banking facility on the Briggs Canal.

ASSISTANT MANAGER’S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

Mr. Kimura and Mr. Serrato met with Mr. Erickson about the City’s one-year extension. The City is looking to have rubble moved from the property. At today’s rate for the material, it is currently not economical for Mr. Erickson to sell it. The District is urging for Mr. Erickson to show some progress. The possibility of a conditional use permit may be investigated.

Staff will be returning to the Regional Board to continue discussions.

b. Waldron Banking Project Update

Mr. Kimura reported on the groundwater levels of the different Waldron sites since the pumping season has been completed.

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c. District Office Plan

The construction has commenced on the new building. North bound Maple Avenue will be closed starting next week for placement of the storm drain system. Crews have started marking off the underground/foundation work.

d. General Maintenance and Equipment Update

- rodent holes and bank repairs
- heavy equipment operators completed bank work on the Gould near Highland Avenue last week (all weather road)
- removal of homeless camp near West and Ashlan – staff is following the City's seven-day protocol as required
- pipeline repairs took place on McNeil near Cornelia
- gate work on the north branch of Deadwood
- the trash truck is working on work orders

The Maintenance Construction Report covering July 16 – August 15, 2009, was handed out.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Pine Flat's 2008-09 total runoff is estimated to be 1,006,000 acre-feet or 83% of normal. Low point in Pine Flat is estimated to be between 136,000 and 180,000 acre-feet. PG&E will be retaining a larger quantity of water in the Upper Stream Reservoirs, Wishon and Cartwright.

External Issues affecting the Kings River will be discussed at the next board meeting in Closed Session. Mr. Serrato will review the items that were discussed in the Committee. Mr. Serrato will be looking for direction from the FID board on how the KRWA should proceed.

Mr. Serrato met with Jack Paxton, Steve Haugen, Phil Desatoff, and Gary Sawyers to tour the China Slough and the new diversion point proposed by King River Water District. The proposal is to have KRWD consolidate four or five diversion points into one diversion off the Kings Rivers below the Fresno Weir. After reviewing the benefits and impact to the FID, it was determined that the proposal will negatively impact the FID water supply.

Upper Kings River Agreement

FID received a proposal from the Alta ID regarding the renegotiations of the Upper Kings River Agreement. Mr. Serrato will be responding to their suggestions.

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KRWA Pine Flat O & M Assessment

KRWA Watermaster Steve Haugen informed the association that the Pine Flat O & M assessment will be \$5,000 this year. The lower amount reflects the credit for over-charged assessments of prior years.

State Water Bills

KRWA continues to track the following bills: AB1 (AB 39/Hoffman) the Delta Plan; AB2 (AB 49/Furer) Water Conservation; and SB 2 (SB 229 Pavley) Water Rights and Water Use Reporting.

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

Tim Quinn, Executive Director of ACWA will be at the next Friant meeting to discuss State Legislation (water issues), water bonds, and Delta sustainability.

Staff presented a letter from the State Water Resources Control Board concerning the request of the Westlands Water District's "Area of Origin" Application on the San Joaquin River, Application 31153, the extension was granted for three years.

OTHER ISSUES

Proposition 50

Staff continues to search for an alternative project within FID to utilize the Proposition 50 grant funding of \$3.6 million dollars. Staff has also discussed utilizing a portion of the funding toward the City of Fresno water metering project.

ADMINISTRATIVE MATTERS

a. Adoption of Water Development Agreement – Fresno County / CSA 51

Removed from agenda

b. Image Homes/Benart Homes Water Purchase Agreement

The County of Fresno has required as a condition of its approval of each of the Developer's tentative maps, a water usage balance through recharge of the underground aquifer that serves the residential developments proposed by the developers. This agreement will allow the properties to purchase 55 acre-feet of water per year from the District.

Staff recommends that the Board of Directors authorize execution of the proposed agreement as reviewed by Staff and legal counsel.

M/S/C/(Neely/Balls) That Board of Directors approved the proposed agreement as reviewed by Staff and legal counsel by the following vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

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c. Damage Claim – Tom and Sandra Britter

Early in the morning of April 26, a ditch break occurred on the American Colony #2 on the east end of the Britter property. Additionally, there were ditch breaks on or about July 3 and July 23. The claim is in the amount of \$1,520 for septic tank repairs – no structures were damaged. Part of the reason for the breaks occurring was because the landowner's almond trees are planted right at the edge of the District's easement and hinder the District's ability to adequately maintain the ditch bank in that area. Director Boswell would like a letter from District's legal counsel stating that part of the reason for the breaks occurring was because of the landowner's trees not allowing the District to maintain the canal in proper fashion and that in the future the owner will be responsible for cutting or reimbursing the District for cutting the trees back so that the District can perform the necessary maintenance work. Staff recommends approving the claim submitted by the Britters.

M/S/C/(Porter/Balls) That Board of Directors approved paying the claim in the amount of \$1,520 sent with a letter regarding their almond trees by the following vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

d. Approval of Overnight Stay for HR Director and HR Assistant to Attend a Laserfiche Workshop in Long Beach, CA on September 22, 23, and 24, 2009

HR Staff would like to attend the Laserfiche Conference in Long Beach, CA in September.

M/S/C/(Balls/Neely) That Board of Directors approved the overnight stay for the HR Director and HR Assistant to attend the Laserfiche conference in Long Beach, CA by the following vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

- e. July 2009 Fund Statements**
- f. July 2009 Notes to Fund Statements**
- g. July 2009 Treasurer's Report**
- h. July 2009 Deposit and investment**

Ms. Hailey reported on the above listed financial reports. She explained the reporting process of the District's investment procedures/decisions. A short question/answer period took place followed by Staff recommending the approval of the presented reports.

M/S/C/(Balls/Porter) That Board of Directors approved the financial reports, items 9 e.-h. as presented by Staff by unanimous vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

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DIRECTORS' REPORT

Director Neely – reported an odor coming from the City of Clovis Surface Water Treatment Plant. Director Neely would like to look into attending the Family Farm Alliance conference in 2010.

CLOSED SESSION

Closed Session was called at 7:50 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)). 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)

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 7:58 p.m.

Submitted By,

Gary R. Serrato
Board Secretary