

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JULY 22, 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 July 22, 2009. Meeting was called to order at 5:02 pm by Board President Jeff Boswell.

DIRECTORS PRESENT

President Jeff Boswell
Steven Balls
George Porter
Ryan Jacobsen

DIRECTORS ABSENT

Vice President Jeff Neely

STAFF PRESENT

General Manager Gary Serrato
Assistant General Manager Laurence Kimura
Human Resources Director Regina Davis
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

FID Engineer Jennifer Williams

REVIEW AGENDA

REVIEW OF FUTURE MEETINGS

Staff would like to schedule a Strategic Planning Committee meeting to take place in the next couple of weeks

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 8, 2009

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

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PUBLIC PRESENTATION

None

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380: WATER REPORT

a. Current Water Conditions

Assistant General Manager Laurence Kimura reviewed the current and projected water supply information. As of July 21, Pine Flat release was 6,354 cfs and storage was 431,387 acre-feet. Consolidated Irrigation District will shut off at the end of July but plans a post-water irrigation on September 1.

Mr. Serrato noted that the KRWA Watermaster reported the Kings River water shed projected runoff will be 1,006,000 acre-feet for the year. The 2009 low point for Pine Flat will be between 140,000-200,000 acre-feet. The variance will depend largely on any additional diversions the District may have in late fall and if Consolidation Irrigation District will deliver a post harvest irrigation.

Kern County Water Agency has agreed to facilitate the transfer of the 10,000 acre-feet of water sold to the San Luis Water District. Mr. Serrato has been looking into the possibilities of additional sale. Mr. Serrato has been talking with the JG Boswell Company as a possible buyer of 10,000 acre-feet. Staff was given direction from the Board to continue to market excess water supplies.

CHIEF ENGINEER'S REPORT

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

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

Developer Projects – no projects are occurring at this time.

Agency Projects – no projects are occurring at this time – there are approximately five projects for the 2009-10 maintenance season.

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

Maintenance crews are still working on the last of the punch-list items – mainly telemetry equipment.

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c. Consideration of Adoption of Mitigated Negative Declaration for the Enterprise Canal Improvements at Big Dry Creek Project Located S/W Shepherd and Sunnyside Avenues. Board Resolution 2009-13

Engineer Jennifer Williams reported on the comment made by Fresno Metropolitan Flood Control District (FMFCD) on the mitigated negative declaration. FMFCD was concerned about the capacity of flume over Dry Creek.

Director Boswell opened the meeting to the Public and with no public present and no comment, Resolution 2009-13 was put before the Board for a vote.

M/S/C/(Balls/Jacobsen) That Board of Directors approved the adoption of Resolution 2009-13 by the following roll-call vote. (Ayes Balls, Boswell, Porter, and Jacobsen; Nays 0; Absent Neely; Abstain 0)

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

Mr. Serrato and Mr. Kimura met with Mr. Jerry Bishop, Assistant Director of the Planning and Development Department for the City of Fresno, Mr. Erickson, and FID legal representative Alex Peltzer. The meeting did not bring much progress.

b. Waldron Banking Project Update

The District received the reimbursement check from DWR for the retention withholdings in the amount of approximately \$460,000. Pump test were performed by KRCD on July 16 and 17.

c. District Office Plan

The office project is moving ahead with contracts and agreements being signed. Demolition of the Annex building will start in the next two weeks.

d. General Maintenance and Equipment Update

- Preparing the Enterprise bank for an all-weather road
- Pipeline repairs
- Brush removal on the Enterprise Canal
- Spray rigs operating on the Empire, Riverside-Powell, Slaven, and G Canals
- The trash truck working throughout the District

Mr. Kimura reviewed the monthly groundwater readings for the Waldron facilities. The maintenance report from June 16, through July 15, 2009 was handed out.

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MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Mr. Serrato and Director Jacobsen attended the Upper Kings River committee meeting which included Watermaster Steve Haugen, Alta Irrigation District representatives, and Consolidated Irrigation District representatives. Mr. Haugen ran through the matrix that his staff developed representing the last ten years of channel losses, and water loss to the Upper Districts in association to Exhibit "C" flows. Channel losses have increased over the last few years – Mr. Haugen believes this is caused by the below normal precipitation and additional groundwater pumping.

Tim Quinn, CEO of Association of California Water Agencies, will be attending the August Executive Meeting of the KRWA. ACWA is looking to reach out to the agricultural community and emphasize the importance of the participation of the Ag agencies. In May 2010 the Board of Directors' of ACWA will be holding their meeting in Fresno.

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

San Joaquin River Interim flows are still scheduled to begin in October of this year. Approximately 30,000-40,000 acre-feet will be utilized to acquire information ranging from seepage losses to habitat characteristics down to the Merced River.

OTHER ISSUES

Kings County Water District

Mr. Serrato informed Mr. Don Mills, General Manager of KCWD, that the District will not be pursuing a banking facility agreement with his agency because of the political/legal issues surrounding the project. Mr. Leonardo of the City of Clovis was informed of the District's decision to pull out of the project. Mr. Serrato is still investigating appropriate projects for the Proposition 50 award.

Proposition 1A

Staff is reviewing the language of Proposition 1A to see if the District may currently be exempt from the State's "borrowing" of funds from local agencies.

Fresno County Banking Agreement

The District continues to work with Fresno County on the last version of the Banking Agreement to develop water for CSA 51.

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ADMINISTRATIVE MATTERS

- a. June 2009 Investment Account
- b. June 2009 COP Investment Account
- c. June 2009 Funds Statements
- d. June 2009 Notes to the Fund Statements
- e. June 2009 Treasurer's Report
- f. June 2009 Deposits and Investments

Ms. Hailey explained the guidelines she uses when investing the District's monies. Ms. Hailey also reported on the above listed financial reports. 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 June 2009 financial reports as presented by Staff by the following vote. (Ayes Balls, Boswell, Porter, Jacobsen; Nays 0; Absent Neely; Abstain 0)

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g. Proposal to Change Board Meeting Dates

The Board directed staff to proceed with the requirements to change the monthly board meetings from the second and fourth Wednesdays to the second and fourth Tuesdays starting January 2010. Staff will post the proper notices as required by the Water Code.

DIRECTORS' REPORT

There were no Directors' reports

CLOSED SESSION

Closed Session was called at 7:02 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

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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

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ADJOURNMENT

President Boswell adjourned the meeting at 7:35 p.m.

Submitted By,

Gary R. Serrato
Board Secretary