

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD AUGUST 24, 2010**

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 24, 2010. 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
Ryan Jacobsen

DIRECTORS ABSENT

George Porter

STAFF PRESENT

General Manager Gary R. 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

Mr. Serrato notified the Board of Directors there will be two items to discuss in Closed Session and that Mr. Howard Sagaser will be contacted via conference call to provide an update on the Personnel Matter discussed in Closed Session during the July 27 meeting. Mr. Gary Sawyers will be contacted via conference call to review Anticipated Litigation (Government Code Section 54956.9(b)) Mendrin Property Claim.

Mr. Serrato asked that item 11 a. be moved to the beginning of the meeting where the District will present a plaque to Mrs. Virginia Ochinerio.

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

REVIEW OF FUTURE MEETINGS

No changes

PUBLIC PRESENTATION

None

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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

ADMINISTRATIVE MATTERS

- a. Presentation of Resolution 2010-13 Plaque to Virginia Ochinero

Mr. Serrato and Ms. Davis presented Ms. Virginia Ochinero with Resolution 2010-13 honoring her late husband's years of service to the District.

CONSENT CALENDAR

- a. **Approval of Regular Board Meeting Minutes – August 10, 2010**

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

CLOSED SESSION

The Board went into Closed Session at 5:15 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)): Nielsen Avenue Property

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)): County Service Area 51.

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato, FID and River Cross, Inc.

Properties: APN 015-330-15S

Terms and Conditions: Agreement for Purchase and Sale of Real Property and Escrow Instructions

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)): Mendrin Property Claim

Government Code Section 54957. Personnel Matters.

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REPORT OF ACTION TAKEN IN CLOSED SESSION

President Boswell reported that the Directors voted to uphold Staff's recommendation to terminate the employment of Kevin Diaz. Closed Session concluded at 5:34 p.m. Open Session resumed at 5:35 pm.

380: WATER REPORT

a. Current Water Conditions

Watermaster Jim Irwin reported on the current and projected water supply information. As of August 23, Pine Flat release was 4,446 cfs, and storage was 514,470 acre-feet. Extremely hot temperatures are expected for the next several days which should increase demand. Cooler weather is expected by the weekend. Water supply outlook continues to support the delivery of water through the end of October.

CONTROLLER'S REPORT

The Controller reported on the following:

- a. July 2010 Fund Statements
- b. July 2010 Notes to Fund Statements
- c. July 2010 Treasurer's Report
- d. July 2010 Deposits and Investments

Controller DeAnn Hailey reviewed the District's July financial reports. Staff requested the reports be approved as presented.

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

e. Controller's Report

The Controller reported that the water use power revenue funds for the second quarter have been issued and are expected by the end of the week. The District's portion is expected to be just over \$200,000.

The Controller is asking for a Finance Committee meeting to be arranged. Staff will contact the appropriate committee members to set a date. Mr. Serrato also stated that the department heads are meeting to review the mid-year budget.

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

a. Developer and Agency Project Schedule for 2010/11 Update

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Developer Projects – There are no new developer projects taking place.

Agency Projects – The Fresno Metropolitan Flood Control District completed the extension of the spill line at the Fancher Detention Basin.

b. Three-Year Maintenance and Facility Upgrade Project for 2010/11

Mr. Stretch reviewed the status of the on-going regulating and measuring structures and basin projects. The water department started filling Pursell Basin on August 11. Staff will open bids for the Jameson Basin Project on September 8.

Mr. Stretch reviewed the Oleander Basin Project and the possible sale of the southern 17 acres. If a basin was constructed in the southern portion, there would be a seepage issue along Lincoln Avenue. Staff feels it is in the best interest of the District not to pursue the project using the southern 17 acres. Staff will put this item on the agenda for discussion at the next Board Meeting.

c. Developer Project – Dan Gamel RV Requests to Construct a Bridge Over the Central Canal #23 Located N/E Central and Maple Avenues. Action Request 2010-13

This project was brought to the Board in 2007. However, due to economic issues of the RV dealership, this project was delayed. Mr. Gamel is now suggesting putting in a two bay box culvert (50 feet long) which will allow him to drive vehicles over the Central Canal. Mr. Stretch explained that Mr. Gamel will be responsible for all repairs and liability.

M/S/C/(Neely/Balls) That the Board of Directors approved the project proposed by Dan Gamel RV with the stipulation that Dan Gamel RV assume all liability and costs of construction and repairs by the following vote. (Ayes Neely, Balls, Boswell, Jacobsen; Nays 0; Absent Porter; Abstain 0)

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

All equipment has been removed by Mr. Van Erickson. Staff heard from the Fresno County Public Works Department and they are interested in the remaining materials on the property. Staff will work out the details of the removal.

b. Waldron Banking Facility

There has been no word from the involved parties regarding the expenses for repair of the banks on the Waldron (Lambrecht) site. The reclamation wells continue to operate.

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c. District Office Plan

Work slowly continues to take place on both the outside and inside of the building. Electrical, HVAC, stucco, window framing and roof construction is taking place. Several sub-contractors are working on-site at a time.

d. General Maintenance and Equipment Update

- Heavy equipment operators repaired a small leak on the Enterprise Canal;
- Bank clean-up work was also performed on the Big Sandridge Canal near Modoc and Clinton avenues;
- Backhoes are addressing gopher holes and minor canal breaks;
- Crews are performing riprap work at the Waldron Banking Facility;
- Crews are busy on pipeline and gate repairs;
- Work is taking place on a liner repair on the south Branch of the East Branch;
- Crews are spraying as weather permits;
- Trash removal is taking place throughout the District – crews are also cleaning the trashrakes.

The Maintenance/Construction Report covering July 16 through August 15, 2010 was passed out.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Consolidated Irrigation District has shut off their water deliveries for the season and will be carrying over 50,000 acre-feet for the 2011 delivery season.

The coordinated run for the Lower River is scheduled to go off September 15 – the only exception would be the Lemoore Irrigation District which may run until the end of September.

FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY

Holding Contracts

Mr. Serrato pointed out an article in the Friant newsletter regarding Friant's position regarding holding contracts along the San Joaquin River. Friant's position will be not to object to their usage but would intervene on any State Board actions initiated by the users of the holding contracts.

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OTHER

Legislation

No less than seven bills are being developed in the State's Capital concerning the transparency of Public Agencies regarding the disclosure of salaries and benefits of the administration and board members. Legislation would also require the posting of the information on the agency's web site. The new legislation is in response to the issues surrounding the City of Bell in Southern California.

SBX7-6

Staff continues to work with the State Department of Water Resources on the legislation to annually report groundwater elevations. Because there is a number of private wells that are being utilized by the Irrigation Districts to measure groundwater there is a concern that landowners would not want to have any information regarding their wells disclosed. DWR is agreeable in listing private wells as "Private" with no additional information required.

SBX7-7

Staff continues to work with the State Department of Water Resources on the bill concerning the interpretation of the language in the bill and how it will be implemented. SBX7-7 requires the measurement of landowner turnouts and the incorporation of a volumetric pricing structure in the District's assessment.

LAFCO

LAFCO will now begin to invoice for their Municipal Service Reviews. Fees are \$500 for the application plus staff fees.

Jameson Banking Facility

Staff has drafted a letter that outlines the deal points with the City of Clovis that will be incorporated into the Agreement for the Jameson Groundwater Banking Facility. Mr. Serrato anticipates the final agreement to be ready by the end of October.

Miscellaneous

Mr. Serrato announced that the State of the County lunch will be held on Thursday, September 16. If any Directors are interested in attending they should contact Staff so reservations can be made.

Mr. Serrato and Mr. Kimura attended the Eggs and Issues Breakfast featuring House Representative George Radanovich and representative candidate Jeff Denim.

Mr. Serrato notified the Board that because of the budget shortfall within the City of Fresno, they have eliminated the construction of the bridge on the Herndon Canal that would access the Fresno Unified School District's Del Mar School.

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ADMINISTRATIVE MATTERS

- b. Request of Overnight Stay for Two Employees to Attend ECS Laserfiche Conference – Burlingame, CA

Staff requested overnight stays for two employees to attend a free Laserfiche seminar being held in Burlingame. One employee will stay one night while the other will stay for two.

M/S/C/(Balls/Neely) That the Board of Directors approved the overnight stays for two employees to attend a Laserfiche seminar by the following vote. (Ayes Neely, Balls, Boswell, Jacobsen; Nays 0; Absent Porter; Abstain 0)

DIRECTORS' REPORT

Director Neely – asked Mr. Serrato about the invoice from the Lower Tule Irrigation District, Mr. Serrato stated that the invoice was associated with the services of Attorney Alex Peltzer in our representation for the negotiations of the 9 (d) contracts. The contracts should be completed by the end of the year.

ADJOURNMENT

President Boswell adjourned the meeting at 7:22 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board