

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD November 23, 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 November 23, 2010. Meeting was called to order at 5:00 p.m. by Board Vice President Jeff Neely.

DIRECTORS PRESENT

Vice President Jeff Neely
Steven Balls
Ryan Jacobsen
George Porter

DIRECTORS ABSENT

President Jeff Boswell

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

REVIEW AGENDA

No changes

REVIEW OF FUTURE MEETINGS

Mr. Serrato reminded the Board of the cancelation of the last meeting in December.

PUBLIC PRESENTATION

None scheduled

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 – November 9, 2010

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

380: WATER REPORT

a. Current Water Conditions

Watermaster Jim Irwin reported on the current and projected water supply information. As of November 22, Pine Flat release was 136 cfs, and storage was 395,525 acre-feet. Pine Flat Precipitation is 209.4% of normal. Mr. Irwin reported that Consolidated Irrigation District was diverting Exhibit "C" and "D" Flows at the Fresno Weir.

CONTROLLER'S REPORT

The Controller reported on the following:

Staff has received Requests for Proposals (RFP) for the hiring of a new auditor. Staff will review the RFP with the Board prior to the selection of a new firm.

Ms. Hailey has requested to hold a Finance Committee meeting on Monday, December 13 at noon to review the 2011 budget.

Staff will present the 2011 Budget for review and adoption by the Board during the first meeting in December.

The Controller is in the process of setting up the Other Post Employment Benefits Account (OPEB).

The Controller reviewed the following financial reports:

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

Staff requests that the Board approve the Financial Reports as given with the correction to the Treasurer's Report of reporting the transfer of \$500,000 from the Water Purchase Fund to the Accrued Benefits Fund.

M/S/C/(Balls/Porter) That the Board of Directors approved the Financial Reports as given by Staff with the correction as noted by the following vote. (Ayes Balls, Neely, Porter, Jacobsen; Nays 0; Absent Boswell; Abstain 0)

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

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

Developer Projects – There are no developer projects taking place at this time. There are three or four projects scheduled during the 2010/2011 Maintenance Season.

Agency Projects – CalTrans is currently working on a bridge over the Herndon Canal as part of their Highway 99 project between Ashlan Avenue and into Madera County. CalTrans has started work on the slip-liner project on the Cole South Branch Canal under Highway 99 located southwest of Olive and West avenues. Fresno Metropolitan Flood Control District is constructing a road culvert across the Fresno Colony Canal located northeast of Annadale and Walnut avenues. CalTrans is scheduled to start in the next few weeks on piping portions of the Hansen Canal as part of the State Route 180 East project between Temperance and Academy avenues.

City of Fresno's Temporary SWTF - Improvements to the Jefferson and Gunn Canals The contractor has recently completed pouring the new headgate structure and has almost completed the gate work. The contractor has also started bringing in fill dirt to build up the banks which will commence in January 2011.

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

A FID crew completed the earthwork portion of the Enterprise Canal near Riverbend Avenue so the contractor can apply a 400 foot section of concrete lining on the left bank. The project should be completed by December 1 in order to start running water again in the canal.

Crews continue to work on retrofitting numerous weirs on the regulating structures and devices. Work is taking place on installing flowmeters at the measuring structures and devices.

Staff hopes to begin construction work in the next month or two on the Pursell Pond.

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

The County of Fresno has temporarily stopped removing materials on the site to address an issue raised by the Regional Water Quality Control Board.

b. District Office Plan

Work on the building continues but the wet weather has delayed the progress. Most of the roof was completed before the rain started over last weekend. Staff is reviewing telephone proposals with the assistance of McMillian Consulting.

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c. General Maintenance and Equipment Update

- Six employees attended crane training at the office last week;
- Heavy equipment operators are dredging portions of the Enterprise Canal;
- Water is being pumped over various coffer dams constructed to allow those sections to dry out;
- Last week crews were grading the Kennedy-Owens Canal, Flume Ditch, and Thompson Canal – this week the grader crew is on the Herndon Canal;
- Brush removal is taking place along the Gould and Enterprise Canals;
- Work orders are being addressed on the Holland Colony;
- Pipeline repairs are taking place on the Fairview near Academy and McKinley avenues;
- Gate repairs on the Enterprise and Gould Canals are being done;
- Rodent control issues along the canal banks are being addressed.

The October 16, through November 15, 2010 Maintenance Report was handed out.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Kings County Water District

The Kings County Water District has agreed to discontinue the operations of the banking facility for one year and to continue to monitor groundwater levels.

KRWA Fisheries Management Program

The draft of the Annual Fisheries Technical Report was released. The draft report is indicating a healthy fishery. The studies continue on fish migration, replanting timelines, and habitat restoration.

FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY

9 (d) Contracts

A fully-executed copy of the 9(d) contract has been received by the District. The next step will be for FID to send a letter to the Bureau of Reclamation informing them that the District intends to make a \$3.2 million dollar payment for the capital component discounted payoff. Staff will be wiring the payment to the Bureau of Reclamation prior to the end of the year.

Mr. Serrato gave an update on the San Joaquin River restoration interim flow releases.

OTHER

City of Clovis / FID Jameson Groundwater Banking Project

Staff continues to meet with the City of Clovis staff. The banking contract is expected to be completed by the end of December. The City of Clovis is currently suggesting

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additional language on the draft agreement. The group is scheduled to meet prior to the end of the year.

Legislations

SBX 7-6

SBX 7-6 allows for an agency within a region of the State to be the lead agency to collect and report groundwater monitoring information that would then be reported to the Department of Water Resources. Agencies within the Upper Kings River are working with the Kings River Conservation District to be the reporting agency. Gary Sawyers, on behalf of KRCD, has developed a Memorandum of Understanding that participating agencies will enter recognizing KRCD as the reporting agency. Cost should be minimal and divided amongst the participating agencies.

SBX7-7

Department of Water Resources Staff held a meeting at Fresno State University focusing on the legal intent of the language within SBX 7-7. DWR has determined that the legislation requires measurement at the turnout gate, volumetric pricing, and a development of a water management plan. Legislation calls for the plan and implementation to be done by July 2012. Currently, discussion continues on the accuracy of the measuring methods, community pipelines, and possibly deferring the implementation of the legislation to 2015.

Other

LAFCO – The next Municipal Service Review for FID is due in July 2012. Mr. Serrato will be attending a meeting on December 9 to discuss increasing the LAFCO board by an additional two seats to be filled by special districts' representation.

ADMINISTRATIVE MATTERS

a. Resolution 2010-21 Safe Harbor Plan

The FID retirement plan requires that the District's 401(k) be approved by the Directors to adopt the Safe Harbor Plan. Vice President Neely will be signing the resolution as acting President. All FID employees have been notified of the renewal.

M/S/C/(Jacobsen/Balls) That the Board of Directors approved the Safe Harbor Plan renewal with Director Neely signing Resolution 2010-21 as acting President of the Board by the following vote. (Ayes Balls, Neely, Porter, Jacobsen; Nays 0; Absent Boswell; Abstain 0)

b. Damage Claim – Frances Padilla

Mr. Irwin gave an accounting of the timeframe and issues claimed by Ms. Padilla. Staff went to Ms. Padilla's property and investigated her claims of the pipeline leaking and overflowing her septic system and also causing standing water in front of her property. Ms. Padilla has also reported her claim to her home owner's insurance. Staff

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recommends denying Ms. Padilla's claim and sending a letter informing her of the Board's decision.

M/S/C/(Jacobsen/Balls) That the Board of Directors deny the claim submitted by Ms. Padilla by the following vote. (Ayes Balls, Neely, Porter; Nays 0; Absent Boswell; Abstain 0)

c. End-Of-Year Appreciation Cards

Staff requested approval from the Board to purchase appreciation cards from Save Mart. The Board approved the purchase of the cards in the amount of \$25 and asks that this item be included as a line-item in the general budget starting next year.

M/S/C/(Jacobsen/Balls) That the Board of Directors approved the purchase of appreciation cards in the amount of \$25 for each employee of the District by the following vote. (Ayes Balls, Neely, Porter, Jacobsen; Nays 0; Absent Boswell; Abstain 0)

DIRECTORS' REPORT

Director Jacobsen – would like to review the Waldron Banking Facility groundwater level report at either the December or January meeting.

CLOSED SESSION

There was no Closed Session.

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)): KRWA.

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REPORT OF ACTION TAKEN IN CLOSED SESSION

There was no Closed Session.

ADJOURNMENT

Vice-President Neely adjourned the meeting at 6:17 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board