

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JANUARY 12, 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 January 12, 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
George Porter

DIRECTORS ABSENT

Ryan Jacobsen

STAFF PRESENT

General Manager Gary Serrato
Assistant General Manager Laurence Kimura
Chief Engineer Bill Stretch
Watermaster Jim Irwin
HR Director Regina Davis
Recording Secretary Lynn Rowe

OTHERS PRESENT

Area Farmer Vaughn Chamness

REVIEW AGENDA

Staff requested that item 10 f. be moved to the beginning of the meeting.

ADMINISTRATIVE MATTERS

f. Appointment of Fresno Irrigation District Representative to the KRWA Executive Committee

Historically KRWA Executive Committee has rotated the Chairmanship and Vice-Chair position every two years. 2010 is the year which KRWA will rotate the two positions, FID's representative is scheduled to assume the Vice-Chair position, which Director Neely has agreed to assume and will also create a vacant position on the Board. Staff requests that the FID Board select a Director to assume the vacated position created by Director's Neely's acceptance of the Vice-Chair position. Director Neely recommended Director Porter replace him on the KRWA Executive Committee Board. Director Porter agreed to take on the position and Mr. Serrato will continue as an alternate. The next meeting will be January 19, 2010.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JANUARY 12, 2010**

M/S/C/(Neely/Balls) That Board of Directors approved appointing Director Porter to be Fresno Irrigation District's representative to the KRWA Executive Committee by the following roll call vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

REVIEW OF FUTURE MEETINGS

The 2010 meeting schedule reflects changing the board meeting days from Wednesdays to Tuesdays

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]

Director Balls recused himself from item 10 g.

The Board decided to move item 10 g. to the beginning of the agenda and take action.

M/S/C/(Neely/Balls) That Board of Directors approved moving item 10 g. to the beginning of the meeting by the following vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

ADMINISTRATIVE MATTERS

g. Damage Claim – A & R Cunha Farm

Duane Cunha submitted a claim in the amount of \$8,148.00 for the loss of 18 almond trees due to flooding by a breach of the West Perrin Canal. Staff recommended the claim be denied and sent to JPIA for further investigation.

M/S/C/(Neely/Porter) That Board of Directors denied the claim submitted by A & R Cunha Farm and forward it to JPIA by the following vote. (Ayes Neely, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain Balls)

PUBLIC PRESENTATION

Farmer Vaughn Chamness requested that the Board review a proposal he believes will assist with the irrigation of his property. President Boswell directed staff to review Mr. Chamness new proposal and bring it back to the Board. Mr. Serrato informed the Board that Mr. Chamness has been informed that a lift pump would be required to irrigate his farm. Mr. Chamness agreed to allow Staff to measure and monitor the depth of his irrigation well.

CONSENT CALENDAR

- a. Approval of Regular Board Meeting Minutes – December 9, 2009
- b. December 2009 Check Register
- c. December 2009 Payroll Registers

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JANUARY 12, 2010**

- d. **December 2009 Unpaid Assessment Report**
- e. **December 2009 Unpaid ISIP Assessment Report**
- g. **December 2009 Investment Account**
- h. **December 2009 COP Investment Account**

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

380: WATER REPORT

a. Current Water Conditions

The current and projected water supply information was given by Watermaster Jim Irwin. As of January 11, Pine Flat release was 108 cfs and storage was 361,617 acre-feet. Precipitation at Pine Flat is currently at 8.40 inches to date which is approximately 117.2% of normal – average is 7.17.

Snow sensors are showing that the Sierras are at 65% of the year-to-date. The first snow survey is scheduled to be performed in the last week of January, weather permitting. Mr. Irwin presented a routing that was based on a 100% Kings River forecast and 100% Class I allocation from the Friant Division of the Central Valley Project. Based on the current projections, the Watermaster is estimating that the District will be able to run through mid October.

CONTROLLER'S REPORT

a. Resolution 2010-01 – Object To County's Sale of Tax-Defaulted Properties

Mr. Serrato explained the necessity for the District to protest the selected sale of defaulted properties by Fresno County. The protest would allow FID's uncollected assessments to be attached to the sale of the properties. The sale of the property would include FID's unpaid assessment and would require Fresno County to collect them on behalf of FID.

M/S/C/(Neely/Balls) That Board of Directors approved Resolution 2010-01 by the following roll call vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

Mr. Serrato reported that the District received a correspondence from the Pacific Legal Foundation thanking the District for the contribution made in December 2009.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JANUARY 12, 2010**

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 – The Orange Avenue Landfill situation has been resolved. The replacement of the pipeline on the North Central Canal, located S/E North and Orange Avenues will start in the next few days and is to be completed by February 24. The landfill is scheduled for closure by the end of October 2010.

Agency Projects – City of Fresno is working on the Gunn/Brown connection as part of the City of Fresno Temporary Surface Water Treatment Plant. Cal Trans is piping a portion of the Hansen Canal located near NW Kings Canyon and Academy Avenue. Another pipeline project by the City of Fresno along the Bullard Canal on Herndon between Marks and Valentine Avenues is continuing.

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

Mr. Stretch updated the Board on the Three-Year Projects:

- Pipelines
- Regulating Structures
- Measuring Structures
- Basins
- Trashrakes
- Miscellaneous Canal Structures

See attached Engineer's Report (January 12, 2010) for complete details. Slides were provided.

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

Little work continues to take place. Staff continues to try and contact the Regional Water Quality Control Board office to set up a meeting.

b. District Office Plan

Steel is being installed with additional steel waiting to be delivered. Staff meets with the architects and building contractors every week to ensure construction stays on time.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JANUARY 12, 2010**

c. General Maintenance and Equipment Update

- Heavy equipment operators are currently hauling sand away from the Little Sandridge Canal;
- The excavator continues to dredge sediments from the Enterprise Canal;
- Sloping work continues on the Viau and Wilson systems;
- Brush removal is taking place on the Gould near Trimmer Springs Road;
- Aquatic weed pre-emergent spraying was being performed on the Lower Dry Creek and Herndon Canal;
- Trash truck is working Houghton and Houghton West Canals.

An Equipment Committee meeting took place prior to the Board Meeting. Two bids were received to replace a totaled tractor. The committee recommended the John Deere Tractor which was lower bidder.

M/S/C/(Porter/Balls) That Board of Directors approved the purchase of a John Deere Tractor as presented by Staff and to have Staff negotiated the best possible deal with the dealership and that the money is to come from the Water Purchase Fund by the following call vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Upper Kings Agreement

The Upper River group continues to work on the language for the agreement. Topics still being finalized are flood release water, storage space, temperature control pool, and the rotation of the Exhibit C Flows. The goal is to still have the agreement completed by the end of January.

FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

Negotiations on the 9 (d) contract with the Bureau of Reclamation are scheduled to begin January 15, 2010. Gary Sawyers, Laurence Kimura and Gary Serrato are listed as participants to the negotiations.

Mr. Serrato reviewed the discussions that have been taking place at the Friant meetings concerning the settlement agreement.

OTHER ISSUES

On January 15, 2010, a California Comprehensive Water Package forum will be held at the Fresno Convention Center. The California Latino Water Coalition and ACWA are sponsoring this informational event.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JANUARY 12, 2010**

ACWA (Region 6 & 7) will be holding a workshop on January 25, at the Fresno County Farm Bureau to discuss the California's Legislative Water Package.

Next week Mr. Serrato will be going to Sacramento as part of a KRWA contingent to meet with Assemblyman Juan Arambula regarding proposed legislation to correct the interpretation of the use of water as beneficial when applied to groundwater banking facilities.

ADMINISTRATIVE MATTERS

a. 2010 Mid Pacific Water Users Conference – Reno, NV

That the Board approved the overnight stay for Directors Neely, Balls, and Porter to attend the 2010 Mid Pacific Region Water Users Conference January 27-29, 2010.

M/S/C/(Neely/Balls) That Board of Directors approved the overnight stays of the Directors to attend the 2010 Mid Pacific Region Water Users Conference by the following vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

b. California Irrigation Institute Conference – Sacramento, CA

Mr. Kimura requested authorization from the Board to attend the California Irrigation Institute Conference in Sacramento. Mr. Kimura remarked that the agenda appears to be interesting and informative.

M/S/C/(Neely/Balls) That Board of Directors approved the overnight stay of Mr. Kimura to attend the California Irrigation Institute Conference in Sacramento, CA by the following vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

c. ITRC Training – Cal Poly

Mr. Irwin requested that four employees (three water system operators and one engineering technician) attend the next session of the Irrigation Training and Research Center sponsored by Cal Poly. This will incur an overnight stay for each of the employees.

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

d. California Comprehensive Water Package Forum

This item was discussed earlier in the meeting.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JANUARY 12, 2010**

e. Fresno Irrigation District / Consolidated Irrigation District Partnership

Fresno Irrigation District and Consolidated Irrigation District have initiated discussions on the opportunities of a partnership to explore the development of a number of projects and best management practices. Both FID and CID staff met with the Engineering firm of Provost & Pritchard to draft a scope of work that outlines the developing and understanding of the work to be performed. Provost & Pritchard have submitted a proposal for consideration of the work described.

Staff recommends proceeding with this Scope of Work outlined by Provost & Pritchard Engineering consulting services which are estimated to be \$56,000, which will be funded equally between Consolidated Irrigation District and Fresno Irrigation District.

M/S/C/(Neely/Balls) That Board of Directors approved proceeding with one half of the cost of the Scope of Work plan provided by Provost & Pritchard Engineering and not to exceed the cost of \$56,000, funds to be allocated from the Water Purchase Fund, by the following vote. (Ayes Neely, Balls, Boswell, Porter; Nays 0; Absent Jacobsen; Abstain 0)

DIRECTORS' REPORT

None

CLOSED SESSION

Closed Session was called at 8:15 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: Gary R. Serrato and Liberty Christian
Terms and Conditions: Update (Gary R. Serrato)

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato, FID and Pacheco Partnership
Properties: APN 015-080-17S
Terms and Conditions: Agreement for Purchase and Sale of Real Property and Escrow Instructions

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JANUARY 12, 2010**

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

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato, FID and Don and Susan Horner, Landowners

Properties: APN 025-040-80S

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

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato, FID and Larry and Sharon Cruff, Landowners

Properties: APN 340-08-011

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

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Boswell adjourned Closed Session at 8:50 and stated that the properties have been acquired from Don and Susan Horner and Larry and Sharon Cruff.

ADJOURNMENT

President Boswell adjourned the meeting at 8:51 p.m.

Submitted By,



Gary R. Serrato
Board Secretary