

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 27, 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 April 27, 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
George Porter

DIRECTORS ABSENT

None

STAFF PRESENT

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

OTHERS PRESENT

Mitch Barker, Public Agency Retirement Services
Fred Hurst, Union Bank
Andrew Brown, HighMark
David Pomoville, Fresno Metropolitan Flood Control District

REVIEW AGENDA

Staff requested that Item 11 a., presentation on setting up an OPEB (Other Post Employment Benefits) account, be moved to follow the Consent Calendar.

Attorney Alex Peltzer is expected to arrive around 6:30 pm, at which time Staff would like to move into Closed Session. The Board agreed with Staff's requests.

REVIEW OF FUTURE MEETINGS

ACWA will be held next week in Monterey, CA.

PUBLIC PRESENTATION

None

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 27, 2010**

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 – April 13, 2010

Ryan Jacobsen suggested making a grammatical change to the top paragraph of page 45.

M/S/C/(Jacobsen/Balls) That Board of Directors approved the Consent Calendar with the noted change to the April 13 Minutes by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

ADMINISTRATIVE MATTERS

a. Presentation by Mitch Barker from PARS on OPEB – Setting up a Trust

- Controller DeAnn Hailey introduced the individuals giving the presentation: Mitch Barker, Public Agency Retirement Services; Fred Hurst, Union Bank; and Andrew Brown, HighMark. Mr. Barker, along with his partners, presented a proposal to the Board on the establishment of an IRS approved OPEB (Other Post Employment Benefits) account and the investment criteria and their interest in working with the District.

The Board directed staff to continue the discussions within the Finance Committee.

380: WATER REPORT

a. Current Water Conditions

The current and projected water supply information was given by Watermaster Jim Irwin. As of April 26, Pine Flat release was 1,793 cfs and storage was 650,345 acre-feet. Precipitation at Pine Flat is currently at 23.10 inches for the season which is approximately 128.3% of normal – average is 18.01 inches. Reports are looking good for a mid March through October water season.

Mr. Serrato and Mr. Irwin met with Mr. Steve Haugen and the other Districts of the Upper Kings last week at KRWA to discuss the water supply and Pine Flat Storage. Current forecast for FID will allow the District to deliver water through October.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 27, 2010**

b. Class II Water Sale

San Luis Water District and Westland Water District are still interested in the purchase of water. This item will be brought back to the next meeting after Staff has had an opportunity to discuss the details with the interested parties.

c. Transfer to Kings County Water District

The District is proposing to bank uncontrolled water flows with Kings County Water District. This water will be able to be used or sold at a later date. The District will be able to bank up to 5,000 acre-feet.

M/S/C/(Balls/Porter) That Board of Directors approved the moving of up to 5,000 acre-feet of uncontrolled water to the Kings County Water District until such time that it can be used or sold by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

CONTROLLER'S REPORT

Miscellaneous

The annual audit report has been completed and the Controller is waiting for the bound copies to be delivered. Bill Patterson from Sampson and Sampson will be at the next board meeting to give the Directors the 2009 annual audit report.

Controller DeAnn Hailey reviewed expenses and income for the month of March.

- a. **March 2010 Fund Statement**
- b. **March 2010 Notes to the Fund Statement**
- c. **March 2010 Treasurer's Report**
- d. **March 2010 Deposits and Investments**
- e. **2010 Investment Maturities**

M/S/C/(Balls/Porter) That Board of Directors approved the Controller's Report and Financial Statements as presented by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

Open Session was suspended at 6:40 pm for a break.

CLOSED SESSION

The Board went into Closed Session at 7:00 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.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 27, 2010**

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

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

Closed Session was concluded at 8:25 pm.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Boswell reported that real estate transaction on the Pacheco Partnership property has closed escrow. The Property consisted of 10.0 acres of Lot 20 of the map entitled "Map of Subdivision of Section 29, Township 13 South, Range 17 East, Mount Diablo Base and Meridian, being a part of Fresno Irrigated Farms Company's Tract", recorded in Book 7 of Plats, at Page 2.

Open Session resumed at 8:26 pm.

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 – Staff is processing four Developer pipeline projects for the 2010-2011 maintenance season. No projects are taking place at the current time.

Agency Projects – Staff is processing five Agency projects for the 2010-2011 maintenance season. No projects are taking place at the current time.

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

Chief Engineer Bill Stretch reported on the Three-year plan.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 27, 2010**

- c. Grant Application – Approve Funds to Prepare Application for USBR WaterSmart Water and Energy Efficiency Grant and Contribute Matching Funds to Briggs Water Banking Facility Project. Resolution No. 2010-07 and Action Request 2010-06**

The District is taking steps to apply for a grant from the United States Bureau of Reclamation (USBR) to fund improvements on the Briggs Canal. This application is similar to the application submitted in 2009. Staff will be requesting \$300,000 of the grant funds available. Staff recommended the Board approve Resolution 2010-07 to authorize Staff and its consultants, Provost & Pritchard Consulting Group, to prepare the application at an estimated cost of \$5,000 and that monies come from the Construction Fund. Staff also recommends that the Board proceed with the project, as outlined in Action Request 2010-06, at an estimated cost of \$715, 000 with the monies to come from the Construction Fund.

M/S/C/(Balls/Porter) That Board of Directors approved Resolution 2010-07 and Action Request 2010-06 to proceed with the Briggs project with funds to come from the Construction Fund by the following roll call vote. (Ayes Neely, Balls, Boswell, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

- a. Nielsen Site Rubble Pile Update**

Mr. Kimura had nothing new to report during Open Session.

- b. Waldron Banking Facility**

Staff met with Mr. Alex Peltzer and sent a letter to the involved parties concerning the damage to a portion of the Big Sandridge Canal liner earlier this year. Staff is waiting for their responses.

- c. District Office Plan**

Progress is being made on the new office building. The roof is getting near completion and plumbing is being installed. The crew is still an estimated 60-90 days behind schedule.

- d. General Maintenance and Equipment Update**

- Excavator equipment is moving the spoil piles along the Enterprise Canal;
- Clean-up work is being performed on the Oleander Canal and at Pursell Pond;
- Riprap work is taking place at the Waldron Banking Facility;
- Ripping is also taking place at the Lincoln Pond site along the Lower Dry Creek Canal;

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 27, 2010**

- Pipeline repairs are taking place throughout the District;
- Weed spraying is being done as weather permits.

The March 16 through April 15, 2010 Maintenance Report was handed out.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

The analysis of employee benefits that Director Jacobsen requested will be presented at the May 11 meeting.

Upper Kings River Agreement – Exhibit "C" Flows

The last signature has been obtained on the Upper River Agreement. This agreement is in effect for the next five years.

Exhibit "D" Flows

Exhibit "D" Flows remain at 100 cfs. from the District. The additional rain and snow did not raise the District's contributions.

Legislative Committee Meeting

Assembly Bill 1676 (Fuentes) would require that state and local elected officials be required to maintain their place of residence within the jurisdiction of their elected office. ***Oppose unless amended***

Assembly Bill 1955, (De La Torre) if passed, would not allow directors to be on two boards at the same time (i.e. Fresno Irrigation District Board and Kings River Water Association Board) due to a possible conflict of interest. ***Oppose***

Senate Bill 1070 (Cogdill) would state in the Planning and Zoning Law that this bill would define the term "Tulare Lake Basin" for purposes of that law. ***Support***

FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY

9(d) Contract Negotiations

Staff continues to meet and negotiated with the Bureau of Reclamation for the renewal of the 9 (d) contracts.

Eastside Stream Group

Staff met with the Cities of Fresno and Clovis and the Flood Control District to discuss the new requirements of the State Water Resources Control Board for reporting water diversions from the eastside stream. The group also discussed the finalization of the application for the same waters, it was suggested by the group to wait until SB 1070 has been resolved before proceeding with finalization of the application.

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD APRIL 27, 2010**

OTHER

State Water Resources Control Board - Jameson Banking Facility

The State has notified the District that the Jameson Groundwater Banking Facility was approved for the Proposition 50 grant. KRCD is the contact agency for the Proposition 50 grant. A few corrections were made to the agreement after receipt from KRCD. Once the corrections have been accepted and returned, the District will submit an invoice to the State Water Resource Control Board to receive its first reimbursement from the State.

DIRECTORS' REPORT

None

ADJOURNMENT

President Boswell adjourned the meeting at 9:00 p.m.

Submitted By,



Gary R. Serrato
Board Secretary