

**FRESNO IRRIGATION DISTRICT  
MINUTES OF THE REGULAR MEETING  
HELD OCTOBER 26, 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 October 26, 2010. Meeting was called to order at 5:00 p.m. by Board President Jeff Boswell.

**DIRECTORS PRESENT**

President Jeff Boswell  
Vice President Jeff Neely  
Steven Balls  
Ryan Jacobsen (arrived 5:11 p.m.)  
George Porter

**DIRECTORS ABSENT**

None

**STAFF PRESENT**

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**

No changes

**REVIEW OF FUTURE MEETINGS**

No changes

**PUBLIC PRESENTATION**

None

**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 – October 12, 2010

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**M/S/C/(Balls/Neely)** That the 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**

Watermaster Jim Irwin reported on the current and projected water supply information. As of October 25, Pine Flat release was 1,217 cfs, and storage was 346,414 acre-feet. With the recent storms in the mountains, FID picked up 175 cfs of entitlement. Due to warm and dry conditions this month, FID delivered more water this month than in September. Carry over from this year's supply will be 28,000 acre-feet. Kings River Water District and FID are the only districts still diverting water. Shut down of the FID system will take place on Monday, November 1<sup>st</sup> to commence the winter maintenance season. Water Department personnel will begin the transition to the construction/maintenance side.

**b. Close of 2010 Water Season**

Staff recommends discontinuing water deliveries on October 31, 2010, in order to begin the 2010-2011 maintenance season.

**M/S/C/(Balls/Porter)** That the Board of Directors approved the discontinuing of water deliveries on October 31, 2010, for the start of maintenance season by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**CONTROLLER'S REPORT**

The Controller reported on the following:

Last week the District received \$765,000 from KRCD for reimbursement on the Jameson Pond project.

Landowners did not take advantage of the amnesty program in September; however, Ms. Hailey expects more landowners to participate in the program as it gets closer to the December 15 deadline.

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

The Controller reviewed the financial reports for the Board. General Fund Expenses for the approved revised budget are presently at 71%. Employees continue to cash out their PTO. Staff requests approving the financial reports as presented.

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**M/S/C/(Balls/Porter)** That the Board of Directors approved the Financial Reports as presented by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**e. Resolution 2010-15 – Formation of the OPEB Trust**

Controller DeAnn Hailey explained she reviewed several different OPEB plan trust options as requested by the Board at the last meeting. Staff was directed to research other plans that would allow direct investment into the plan as opposed to a discretionary form of investing. The plans that were reviewed can cost anywhere from 20 to 50 basis points plus administrative fees. Other plans would not allow the District to use the direct approach to investing. PARS would allow the District to invest using a direct investment plan and there are no fees for setting up the master plan. PARS also allows the switching between direct and discretionary investing. Staff's recommendation is to go with PARS and the direct investment approach. Staff is also requesting that Assistant General Manager Laurence Kimura be allowed to sign Resolution 2010-15 as Acting Secretary in the General Manager's absence.

**M/S/C/(Neely/Balls)** That the Board of Directors approved Resolution 2010-15 and allowing Assistant General Manager Laurence Kimura to sign the resolution by the following roll call vote. (Ayes Neely, Balls, Boswell, Jacobsen, Porter; Nays 0; Absent 0; Abstain 0)

**CHIEF ENGINEER'S REPORT**

Chief Engineer Bill Stretch reported on the following items:

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

**Developer Projects** – There are no developer projects taking place at this time.

**Agency Projects** – The City of Clovis replaced a concrete collar connection on the Helm Company Canal No. 103 located northeast of Barstow and Willow Avenues. The connection within the District's easement had several cracked joints which were repaired at the same time as the project. The City of Clovis may request reimbursement for that portion of the repairs. The project is currently being pressure tested and seems to be holding.

Improvements to the Jefferson and Gunn Canals were awarded to Bill Nelson Construction. The contractor should start mobilizing on October 27, 2010. While water is still in the canals they will start removing encroachments, trees, and bushes.

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

Mr. Stretch reviewed the status of the Jameson Basin. Most of the work has been taking place on the east and south levees. The trash issue will be discussed at the next Board meeting.

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The bids for the southern portion of the Oleander Basin property sale will close on November 2.

The bid documents for the Big Sandridge Basin are scheduled to be released in the next few months.

**c. FID-FMFCF Common Use of Easements Agreement – Discussion**

FMFCF has asked that FID consider changing the language of the common use of easements agreements so that FID would assume more of the liability when working within the easement. Staff recommends keeping the existing language when entering into a common use agreement with all agencies. The Board is also not inclined to change the language of the common use agreement at this time.

**ASSISTANT MANAGER'S REPORT**

Assistant General Manager Laurence Kimura reported on the following:

**a. Nielsen Site Rubble Pile Update**

The County of Fresno continues to remove materials from the site. Only one large pile remains.

**b. District Office Plan**

Work on the building continues with flashing and preparation for the stucco. Windows continue to be installed. The lower portion of the south and west side of the building has been applied with the color coat of the stucco.

**c. General Maintenance and Equipment Update**

- Heavy equipment operators completed the riprap work on the Fresno Canal;
- The graders have finished up on the Enterprise Canal and are now starting on the Gould – brushing crews are working ahead of the graders;
- Backhoe operators are helping out with trash removal and riprap work;
- Repairs crews are generally on schedule;
- Spraying has been suspended due to windy conditions;
- Trash crew is working on hot spots and the automatic trashracks.

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

Staff is reviewing the bids for this year's equipment and computer purchases. An equipment committee meeting will be scheduled for 4 pm prior to the November 9 meeting.

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**MANAGER'S REPORT**

Assistant General Manager Laurence Kimura reported for General Manager Gary Serrato on the following:

**KINGS RIVER WATER ASSOCIATION**

Staff has arranged the diversion of Exhibit "C" Flows that flow over the Fresno Weir to be diverted by either the Kings County Water District or Peoples Ditch Company.

**Kings County Water District Groundwater Banking Facility**

KCWD's Board of Directors has decided to suspend the use of the groundwater banking facility for a year.

**State Water Right Fees**

State Water Right Fees for the Kings River Water Association are schedule to be increased to 2009 levels. FID's portion will be approximately \$30,000 for the 2011 water year.

**KRWA Fishery Management Program**

During the month of November, KRWA and KRCD will be performing electro shocking in selected portions of the Kings River near the Fresno Weir. November is typically the lowest point for the River which makes it a good time to perform a fish count.

**FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY**

**9 (d) Contracts**

The contracts have been received at the District. Staff will review the contracts prior to having them executed.

**OTHER**

**City of Clovis / FID Jameson Groundwater Banking Project**

Mr. Serrato continues to meet with Mike Leonardo from the City of Clovis and the attorneys representing both parties for the development of the Groundwater Banking Agreement.

**ADMINISTRATIVE MATTERS**

**a. Re-Visit Property Damage Claim Submitted by Jose Rodriquez**

Mr. Rodriquez submitted a revised claim for damages. Staff's recommends paying the revised claim in the amount of \$2,815.

**M/S/C/(Neely/Balls)** That the Board of Directors approved the revised claim for Mr. Jose Rodriquez by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

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**b. Claim – Leland Rebensdorf (Loss of Raisins)**

On October 6 at Mr. Leland Rebensdorf's property along the Kennedy-Owens Canal, 22 trays of raisins became irreversibly damaged when water overtopped a stand. It appears that an upstream grower made a change in the amount of water being taken without notifying the District of the change. The damage claim is for \$276.60. Director Porter noted that we need to communicate to the farmers through meetings or newsletters that they need to let their WSO know before making any changes in water delivery.

**M/S/C/(Neely/Porter)** That the Board of Directors approved the damage claim of \$276.60 by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**c. Request for Overnight Stay for Board Members and Staff to Attend Special District Institute Governance Seminar – Anaheim, CA February 17-18, 2011**

The approved motion would allow any Board Member or Staff to attend the Governance Seminar in February.

**M/S/C/(Porter/Balls)** That the Board of Directors approved the attendance of Board Members and Staff to the Special District Institute Governance Seminar in Anaheim, CA by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**d. Request for Overnight Stay for Controller and Payroll Administrator to Attend 2010 Government Tax Seminar – Lakewood, CA December 1, 2010**

Staff requested authorization to attend the tax seminar in Lakewood, CA. This seminar covers 2011 payroll tax laws and regulations for special districts and also the health care reform laws.

**M/S/C/(Neely/Balls)** That the Board of Directors approved the Controller and Payroll Administrator to attend the 2010 Government Tax Seminar by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

**e. Action Request to Proceed with the Conversion to 9(d) CVP Contract**

Staff is looking for direction from the Board of Directors whether to move forward with the conversion to a 9(d) contract and make the payment of approximately \$3.2 million dollars to pay for the remaining capital component of the Central Valley Project.

**M/S/C/(Neely/Jacobsen)** That the Board of Directors approved moving forward with the 9(d) contracts by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

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**DIRECTORS' REPORT**

**Director Porter** – expressed what a great water season it has been and hopes for the same next year.

**CLOSED SESSION**

Open Session concluded at 7:09 and the Board went into 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

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

President Boswell stated there was nothing to report from Closed Session.

**ADJOURNMENT**

President Boswell adjourned Closed Session at 7:11 p.m. and adjourned the meeting at 7:12 p.m.

Submitted By,

Laurence Kimura  
Acting as Secretary of the Board