

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JULY 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 July 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 R. 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

District's Labor Counsel Howard Sagaser
District's Counsel Dave Holland

REVIEW AGENDA

Staff informed the Board that a former employee will appear at 5:15 p.m. for an Evidentiary Hearing. The former employee has requested that the hearing be done in Closed Session. Once the hearing is complete, the board meeting will continue in Open Session.

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

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CONSENT CALENDAR

a. Approval of Regular Board Meeting Minutes – July 13, 2010

M/S/C/(Neely/Porter) That the Board of Directors approved the Consent Calendar by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

380: WATER REPORT

a. Current Water Conditions

Watermaster Jim Irwin reported on the current and projected water supply information. As of July 26, Pine Flat release was 7,038 cfs, and storage was 757,863 acre-feet. Inflow into Pine Flat continues to be higher than normal with FID receiving a larger volume of entitlement.

Mr. Serrato informed the Board with the projected higher August inflows and possible thunderstorms, a higher flow requirement for Exhibit "D" Flows could be triggered. The minimum flow requirement would increase by an additional 150 cfs above the 100 cfs required for Exhibit "C" flows.

CLOSED SESSION

The Board went into Closed Session at 5:25 p.m. to discuss:

Government Code Section 54957. Personnel Matters.

REPORT OF ACTION TAKEN IN CLOSED SESSION

There was no reportable action taken during Closed Session concerning the Personnel Matter. This portion of Closed Session concluded at 7:25 p.m.

The Board went back into Open Session at 7:45 p.m. after a short break.

CONTROLLER'S REPORT

The Controller reported on the following:

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

Controller DeAnn Hailey reviewed the District's June financial reports and answered a minimal amount of questions from the Board.

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Mr. Serrato pointed out that the second quarter of power generation at the Pine Flat power plant is one of the highest power revenue quarters in recent memory for KRWA. The District should receive the second quarter power revenue payout sometime in August or September.

Ms. Hailey also reported that during the month of June, \$5,600 of PTO (Paid Time Off) was cashed out – helping to reduce the District’s liability. Additional letters will be going out again next month.

Staff requested the reports be approved as presented.

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

e. Delinquent Assessment 1997 to 2005

As directed by the Board at the July 13 meeting, Ms. Hailey reviewed the delinquent assessments covering 1997 to 2005. The Board discussed several options for collections and a possible amnesty program. Mr. Serrato stated that Staff will attempt to again contact individuals who are delinquent with their assessments and inform them that the Board of Directors are willing to forgo penalties, interest, and recording fees if the assessments are made current before the end of the 2010 calendar year. Director Jacobsen suggested delinquent notices go out in English and Spanish.

f. Velarde – APN 449-050-07 (Review of Charges)

Direction from the Board of Directors on this matter was handled with item e.

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 new developer projects taking place.

Agency Projects – There are no new agency projects taking place.

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

Mr. Stretch reviewed the status of the basin projects. A presentation of the Pursell Pond project will be given at the next meeting.

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ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

Staff continues to talk to the Fresno County Environmental Health to determine what steps need to be taken to complete the project. Staff is talking to Fresno County Public Works Department to determine if they have a need or use for the remaining materials on the property.

b. Waldron Banking Facility

There has been no word from the involved parties regarding the repair of the banks on the Waldron (Lambrecht) site. The reclamation wells continue to pump banked water at all three sites.

c. District Office Plan

Work is continuing at a slow pace. The center foyer is coming along with the skylight waiting to be assembled. The contractor is working at the end of their "delay days". The County is required to review all RFIs (Request For Information) that come in. The County can take up to six weeks to review each RFI. Staff suggests meeting 15 minutes prior to the next Board Meeting to give the Directors a tour and status report of the facility.

d. General Maintenance and Equipment Update

- Heavy equipment operators continue to remove dredgings stockpiled at the head of the Herndon Canal;
- Backhoes are addressing gopher holes and minor canal breaks – the number of work order items have decreased;
- Crews are discing Waldron basin as time permits;
- Crews are getting caught up on the pipeline repairs and gate repairs;
- Crews are getting caught up on weed control – new products are being tested with mixed results;
- Trash removal is taking place throughout the District;

The Maintenance Report for June 16 to July 15, 2010, was passed out.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

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KINGS RIVER WATER ASSOCIATION

Legislative Committee Meeting

The KRWA Legislative Committee is tracking several bills:

- AB 2304 (Huffman) Groundwater Management Plans – identify lands with groundwater recharge potential;
- AB2776 (Huffman) Transfer of Water – agriculture use to municipal use;
- SB565 (Pavley) Water Resources – implement new fees and gives State Water Resources Control Board additional investigative powers.

KRWA is opposing all of fore-mentioned bills.

FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY

Bureau of Reclamation Water Allocation

Reclamation has allocated 10% Class II water for the 2010 year.

9(d) Contract Negotiations

The District continues to await the Bureau's final discount rate that will be announced in October.

Bureau of Reclamation – Request for Scenarios

The Bureau selected FID's Request for Scenarios as their first choice for recirculation of Friant's water in San Luis Reservoir. Staff has been informed that the amount of water coming back to the east side is now 40,000 ac-ft instead of the original 60,000 ac-ft. Staff is now waiting on the final contract from the Bureau.

OTHER

Proposition 50 (Mini 50)

Mr. Serrato announced that the District was selected to receive a portion of the Proposition 50 Mini funds. The District will receive just under \$1 million dollars to be utilized for the additional reclamation well and infrastructure on the Jameson Banking project.

LAFCO

LAFCO has been requested to add two Special District seats on their board. The majority of the requests have come from fire districts. Mr. Serrato and Mr. Dave Orth, General Manager of Kings River Conservation District, met with the CEO of LAFCO, Mr. Jeff Witte, to discuss this issue. There are approximately 160 special districts in Fresno County and a simple majority would be required to approve the additional seats. If the election was successful the special districts would be responsible for one-third of the LAFCO budget.

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LAFCO is also seeking to implement a fee structure to require local districts to cover the cost of the Triennial Municipal Service Reviews (MSR). It was suggested by Dave Orth of KRCD that Districts provide a copy of their audit reports to reduce fees that LAFCO is seeking to impose

ADMINISTRATIVE MATTERS

- a. Resolution 2010-09 Kaweah Delta Water Conservation District

Kaweah Delta Water Conservation District requested to become a general member of Friant Water Authority and Friant Water Users Authority. This request was passed at the FWA and FWUA meeting but requires a resolution from each members' board.

M/S/C/(Neely/Balls) That the Board of Directors approved by Resolution 2010-09 Kaweah Delta Water Conservation District's general membership into Friant Water Authority and Friant Water Users Authority by the following roll call vote. (Ayes Neely, Balls, Boswell, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

- b. Hoban/Hudson Fence Damage Claim – St. George Canal No. 12 Located N/W Kings Canyon and Clovis Avenues.

This claim was reviewed at the last board meeting in conjunction with the landowners' encroachment on the District's easement. Staff is again recommending that the Board deny the claim.

M/S/C/(Jacobsen/Balls) That the Board of Directors denied the claim submitted by Bruce Hoban and Michael Hudson by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

DIRECTORS' REPORT

Director Neely – watched a television program featuring Mr. Huel Howser who was reporting on the Klamath River and the difficulty of attempting to remove three dams.

CLOSED SESSION

The Board went into Closed Session at 9:03 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.

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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 54957. Personnel Matters.

REPORT OF ACTION TAKEN IN CLOSED SESSION

The Board President announced there was no reportable action taken during Closed Session and adjourned Closed Session at 9:10 p.m.

ADJOURNMENT

President Boswell adjourned the meeting at 9:20 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board