

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JULY 8, 2009**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California on July 8, 2009. Meeting was called to order at 5:02 pm by Board President Jeff Boswell.

DIRECTORS PRESENT

President Jeff Boswell
Vice President Jeff Neely
Steven Balls
George Porter
Ryan Jacobsen

DIRECTORS ABSENT

None

STAFF PRESENT

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

OTHERS PRESENT

District Legal Representative, Gary Sawyers
Kerman Area Farmer and FID Supporter, Mickey Kenneson
Betsuin Buddhist Temple Representative Paula Kanagawa
Betsuin Buddhist Temple Representative Robert Ishikawa

REVIEW AGENDA

Mr. Serrato requested that item 6 c. be moved to the beginning of the meeting since the representatives from the Buddhist temple were present. It was noted that part of the discussion of item 6 c. may be held during Closed Session. Mr. Serrato also requested that item 9 e. be removed from the agenda

REVIEW OF FUTURE MEETINGS

No changes

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, June 24, 2009**
- b. **June 2009 Check Register**
- c. **June 2009 Payroll Registers**
- d. **June 2009 Unpaid Assessment Report**
- e. **June 2009 Unpaid ISIP Assessment Report**

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

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

- c. **Fresno Betsuin Buddhist Temple – Potential Pipeline Relocation of the Maupin West Branch Canal No. 374 located N/W Alluvial and Willow Avenues – Update**

Mr. Stretch presented the background of this project to the Board. The construction of a new temple and surrounding landscaping and parking lot was built by the temple representatives without obtaining the District's approval or permits. This pipeline has a history of leaking and the District is concerned that continuous travel over the pipeline will greatly weaken an already problem pipeline to a level that will expose the District to an increased level of liability.

Mr. Ishikawa expressed the position of the Board of the Buddhist Temple insisting that they had obtained the proper permits required from the City and County of Fresno and therefore the temple is not required to replace the existing FID pipeline.

Director Boswell explained to Mr. Ishikawa that the temple did not receive any permits or approval to work or encroach on the District's pipeline and that the District is requiring the temple to replace the old mortar joint pipe with a more suitable pipeline designed to hold up in urban conditions. Director Boswell explained that the District was willing to upfront the cost for upgrading the pipeline and accept payments from the temple over a fixed timeframe. It was suggested that Mr. Ishikawa meet with the other temple Board Members and approach the District with another proposition.

Further discussion on this issue was deferred to Closed Session.

PUBLIC PRESENTATION

Mr. Serrato presented to Mr. Kenneson a plaque of appreciation for all his help, dedication, and support of the Fresno Irrigation District.

CLOSED SESSION

Closed Session was called at 5:36 pm.

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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: Laurence Kimura and Ardismae Brooks

Properties: Portion of APN 334-320-05

Terms and Conditions: Update

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Boswell stated there was nothing to report from Closed Session

Open Session resumed at 6:40 pm.

380: WATER REPORT

a. Current Water Conditions

Watermaster Jim Irwin reviewed the current and projected water supply information. As of July 7, Pine Flat release was 6,390 cfs and storage was 553,748 acre-feet. Pumping has concluded at the Waldron Groundwater Banking sites. Staff will be monitoring how quickly the groundwater will recover, now that the pumping has been completed.

b. End of Water Season

Staff recommends that the water delivery season be extended to the end of August. A press release will be published stating water season will continue through the month of August for the entire District.

Staff is looking for direction to explore additional water sales. U.S. Bureau of Reclamation transfer requirements are being worked on to complete the water sale / transfer to San Luis Water District.

M/S/C/(Jacobsen/Porter) That Board of Directors approved Staff's recommendation to extend the water delivery season to the end of August and to proceed with publishing a press release by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

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Mr. Kimura reported that the issues that Director Porter brought up at the last board meeting concerning landowner Arabian and Lower Dry Creek were addressed and corrected.

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 – No projects at this time.

Agency Projects – A permit was issued this week on the Teague School Pipeline (Polk and Gettysburg area). The project has been completed.

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

Mr. Stretch will cover a list of Three-Year Projects under item 6. d.

Mr. Stretch reviewed for the Board as part of the Three-Year plan an improvement project for the Enterprise Canal at Big Dry Creek. Staff hired a consultant to prepare an initial study of potential environmental impacts for the project in accordance with CEQA (California Environmental Quality Act). The Mitigated Negative Declaration was circulated for review, including distribution to state agencies by the Office of Planning and Research. The comment period is open through July 21, 2009.

d. Informational Items:

- i. Present List of Three-Year Maintenance and Facility Upgrade Plan (MFUP) Projects to be Constructed During the 2009-10 Maintenance Season. Item 2009-14**

Mr. Stretch reviewed the budget and projects and grants awarded on the remaining Three-Year Plan. Projects include lining and rodent barriers; regulating structures and devices; basins; trashrakes; and canal structures to name a few. Focus will be on the long-crested weirs to be completed by FID employees with various other projects to be out sourced to contractors

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

Mr. Erickson is still out of town. He is expected back in time to attend the July 17 meeting with the District and City of Fresno.

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b. Waldron Banking Project Update

The Advisory Committee meeting went well – everyone seems pleased with the current conditions. Complaints have significantly decreased. Mr. Serrato continues to be in contact with DWR regarding the funds owed to the District in the amount of \$460,000.

c. District Office Plan

The office bid was awarded to Applegate Johnston at the last Board Meeting. The notice to proceed will be sent in the next week or so. All bonds and licenses have been investigated and found to be in order. Mr. Serrato commended Mr. Kimura on his diligent work and thoroughness on this project.

d. General Maintenance and Equipment Update

- Finishing up on the gopher holes
- Magnacide will be applied during the next two weeks
- Removal of dredging material continues on the Big Dry Creek
- Fencing repairs continue on the Little Pine Flat
- Spraying continues as the weather permits (puncture vines)
- Trashtruck is working throughout the District

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

Mr. Serrato is requesting a Financial Committee meeting to update the Directors. The meeting will be scheduled for next week.

KINGS RIVER WATER ASSOCIATION

Mr. Serrato mailed a letter to the other members of the Upper River Group (Consolidated Irrigation District and Alta Irrigation District) to begin the re-negotiation process of Exhibit C flows. Mr. Serrato would like one or two directors to attend the first meeting. Mr. Serrato is looking to have the process completed by the end of water season.

Channel losses have increase significantly this year from Pine Flat to the Fresno Weir. Mr. Serrato has asked KRWA to review the measurements of the river and to explore the river for newly installed pumps.

An External Issues Committee Meeting took place yesterday that included the Executive Committee members. The Executive Committee members were informed on the work that was accomplished by the External Issues committee and direction for next steps.

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FRIANT WATER AUTHORITY / FRIANT WATER USERS AUTHORITY

An Advisory Committee meeting will take place on Friday. The Bureau has indicated that allocations will remain the same, 90% Class I.

San Joaquin River Interim flows scheduled for October, will require approximately 30,000-40,000 acre-feet and will be utilized in the area beginning at Friant Dam up to the Merced River.

OTHER ISSUES

Kings County Water District

Mr. Serrato informed the Board that several issues have surfaced with the proposed groundwater banking project in Kings County. Three ground water pumps adjacent to proposed site, have gone dry. A meeting has been scheduled with Kings County Water District and Provost & Pritchard next week to decide the District's position and future participation in this project.

Del Mar School

Mr. Serrato reported on the gathering dealing with the fencing issue at Blackstone/Shields near the Del Mar School. Mr. Serrato spoke to both the English and Spanish speaking attendees. The attendees were very excited about the pedestrian bridge being constructed by the City of Fresno.

Interior Secretary Meeting

Mr. Serrato attended the meeting held at Fresno State hosting Interior Secretary Salazar. Mr. Serrato invited Mr. Mike Connor, from the US Bureau of Reclamation, to visit our office and discuss the current water crisis and the effects it directly has on irrigation districts throughout the valley.

ACWA Region 6

Mr. Serrato reminded the Directors that there is an opening for the Region 6 Board of Directors. Mr. Serrato explained the time commitment that is required for this position.

ADMINISTRATIVE MATTERS

- a. **Resolution 2009-12 – Election of Directors To The Special District Risk Management Authority Board**

Since no one is familiar with any of the candidates, the Board has decided not to vote for any of the applicants running.

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- b. June 2009 Investment Account (walk in)**
- c. June 2009 COP Investment Account (walk in)**

Mr. Serrato reviewed the investment accounts. The reports were tabled for the next meeting.

- d. Lease Agreement – Fresno Metropolitan Flood Control District (Fancher Creek Detention Basin Agreement) (walk in)**

Mr. Kimura reported that Fresno Metropolitan Flood Control District (FMFCD) and FID are in collaboration on the Fancher Detention Basin. FID provided the property (approximately 20 acres) and FMFCD is providing the excavation. CalTrans is currently working on the Highway 180 improvement project near the proposed basin. CalTrans is looking for 300,000 cubic-yards of imported fill and FMFCD is looking for a place to unload the excavated dirt. FID is proposing an agreement or lease with FMFCD so that FMFCD can sub-lease the property and/or allow excavation work to be performed on FID's property. Director Boswell would like to see a joint venture with FMFCD assuming the liability as opposed to a lease. Staff will discuss this further with FID's attorney.

- e. Friant Mediation (Resolution 2009-11 – Discussion only)**

Removed from Agenda by General Manager.

DIRECTORS' REPORT

Director Neely – may be out of town during the next Board Meeting.

Director Porter – wanted to revisit the possibility of moving the meeting to Tuesdays. This will be placed on the agenda for the next meeting.

Director Jacobsen – brought in an article on water quality from the City of Fresno for anyone interested in reading it.

ADJOURNMENT

President Boswell adjourned the meeting at 8:50 p.m.

Submitted By,

Gary R. Serrato
Board Secretary