

Minutes of the Regular Meeting of the Board of Directors of the Kings River Conservation District held February 9, 2010.

President McKean called the meeting to order at 1:33 P.M.

**DIRECTORS PRESENT**

Mark C. McKean, President  
Brent L. Graham, Vice President  
David Cehrs, PhD  
Ceil Howe Jr.  
Gildo Nonini  
Norman B. Waldner  
Mike Yoshimoto

**DIRECTORS ABSENT**

None

**OTHERS PRESENT**

KRCD Staff & Consultants:  
David Cone  
Steve Haugen, KRWA  
John Moore  
David Orth  
Donna Pepper  
Randy Shilling  
Steve Stadler  
Brian Trevarrow  
Cristel Tufenkjian  
Todd Flanagan, North American Weather Consultants

**ADDITIONS TO OR DELETIONS FROM THE AGENDA**

There were no additions to or deletions from the Agenda.

**PUBLIC PRESENTATIONS**

None

**APPROVAL OF MINUTES**

It was moved by Director Cehrs, seconded by Director Howe and unanimously carried that the Minutes of the January 12, 2010 Regular Board meeting be approved, as presented.

**WATER CONDITIONS**

Steve Haugen, KRWA, summarized a report on water conditions stating storage in the Pine Flat Reservoir (Reservoir) as of 2400 hours on February 8, 2010 was 453,978 acre-feet of storage with vacant space of 740,022 acre-feet. On that date, the calculated natural inflow to the Reservoir was 1,344 C.F.S.

Mr. Haugen reported on the eight (8) Kings River snow sensors currently operational, with readings as of February 8, 2010 as follows:

SENSOR	ELEV	WATER CONTENT (INCHES)	APRIL 1 AVERAGE (INCHES)	PERCENT APRIL 1 AVERAGE
Big Meadows	7600	23.4	25.9	90.3%
West Woodchuck	8800	22.8	32.8	69.5%
Upper Burnt	9700	26.8	34.6	77.5%
Mitchell Meadow	9900	14.9	32.9	45.3%
State Lakes	10300	19.4	29.0	66.9%
Black Cap Basin	10300	28.4	34.3	82.8%
Charlotte Lakes	10400	17.8	27.5	64.7%
Bishop Pass	11200	23.4	34.0	68.8%
<b>Snow Sensor Average</b>		<b>22.1</b>	<b>31.4</b>	<b>70.5%</b>

### DIRECTORS' REPORTS

There were no reports.

### GENERAL MANAGER'S REPORT

David Orth, General Manager, directed the Board to the General Manager's monthly status report for the month of January 2010 and highlighted the following:

Community Choice Aggregation (CCA): Mr. Orth reported on the petition filed by the City and County of San Francisco (CCSF) with the California Public Utilities Commission (CPUC) seeking to modify CCA rules and regulations (D.05-12-041). The petition seeks several actions; Investor Owned Utilities should not be allowed to solicit or accept opt-out requests at any time and should be barred from offering incentives to local governments to not participate in CCA. The petition from the CCSF states that Assembly Bill 117 (AB 117) contemplates that CCA programs, not utilities, should be responsible for offering customers an opportunity to opt out of CCA service as part of the customer notification process required by Section 366.2(c)(11) and (13). Mr. Orth noted the CCSF believes these changes to the tariffs and rules are necessary to allow for the implementation of CCAs according to AB 117. Orth reported that the Authority filed comments in support of the CCSF petition.

Mr. Orth also reported the Authority Board meeting was held on January 28<sup>th</sup>, at which time the Board took action to establish effective dates of withdrawal for the cities of Lemoore and Selma. Mr. Orth noted the nine (9) remaining members have not indicated a concern or desire to withdraw from the Authority. The Authority Board also passed Resolution 10-03 opposing the Pacific Gas & Electric Company (PG&E) funded Initiative titled "2/3 Vote Requirement for Local Public Electricity Providers". Mr. Orth further reported the Board also approved the renewal of the Authority's Public Officials Liability Insurance policy, which expires January 29, 2010, to be renewed for one year with a Premium of \$3,025 to be paid equally by the nine remaining Authority members.

**Flood Mapping/Monitoring:** Mr. Orth reported Fresno County Supervisor Judy Case held a workshop in Riverdale on January 19<sup>th</sup> to discuss the recently implemented Federal Emergency Management Agency (FEMA) flood zone maps. Mr. Orth represented the District on the panel and explained KRCD's role in local flood control. Orth noted FEMA is working with the Department of Water Resources (DWR) to develop more detailed elevation data upon which map amendments can be considered. Mr. Orth also reported District staff is developing work plans and priorities to address issues raised by the U.S. Army Corps of Engineers on the District's Flood Project Inspection.

## **LEGISLATION**

Mr. Orth reported several discussions with Kings River Water Association and its members regarding implementation of the water use efficiency, ag water management planning, and groundwater elevation monitoring requirements of the recently passed California Legislature's 2009 Comprehensive Water Package. Mr. Orth further reported District staff is preparing summaries of the ag water management plan requirements and a concept proposal for District preparation of plans and regional monitoring programs which will be presented for District Board consideration in the next few months.

Mr. Orth reported he attended a meeting on February 4th with DWR Director, Mark Cowin and staff, to discuss implementation of the water conservation, water use efficiency, and agricultural water management planning component Senate Bill X7-7 of the Comprehensive Water Package.

## **PUBLIC INFORMATION**

Cristel Tufenkjian, Manager of Community and Public Relations, directed the Board to her written report. No verbal report was given.

## **CORRESPONDENCE, MEETINGS AND CONFERENCES**

There were no correspondences, meetings, or conferences to report.

## **STAFF STATUS REPORTS AND PRESENTATIONS**

**Water/Environmental Resources and Flood Control:** David Cone, Deputy General Manager, Water/Environmental Resources and Flood Control presented an overview of Flood Maintenance activities reporting on January 25<sup>th</sup> a levee was breached on the north bank of the Dutch John Cut, 1 mile below the Dutch John Weir. Mr. Cone further reported rain water had pooled against the landside slope of the levee from field rain runoff and water began tubing through a rodent hole causing erosion to the waterside of the levee. Mr. Cone presented photo slides showing the damages to the levee, and the repair after material was backfilled then compacted.

**Weather Modification Program:** Mr. Todd Flanagan, North American Weather Consultants (NAWC) provided an overview of operations of the Precipitation Augmentation Program by NAWC in the month of January. Mr. Flanagan reported storm systems for the month resulted in 9.49 hours of flight time, totaling 5.48 hours of cloud seeding generation were performed, along with Cloud Nucleation Generation ground-based seeding totaling 471.75 hours in January.

**Power Resources:** Mr. John Moore, Manager of Power Generation, presented a status report on the operations at the Jeff L. Taylor Pine Flat Power Plant (Plant) reporting the Pine Flat Reservoir began the month of January at an elevation of 807.56 feet (ft.) and storage was 340,421 acre-feet (AF). As of February 1, 2010 the reservoir elevation was 829.07 ft and storage was 416,042 AF. There was no turbine discharge for the month of January and no discharge from the Turbine Bypass system. The flow from Mill and Hughes Creeks was 4,992 AF and spill from the dam totaled 5,274 AF. There was no generation from the Plant for January due to seasonal shutdown.

Mr. Moore presented an overview of operations at the Malaga Peaking Plant (Peaking Plant) reporting for January 2010, the Peaking Plant had 5 fired starts and 18.7 fired engine hours for Unit #1, and 8 fired starts and 27.2 fired engine hours for Unit #2 with a generation total of 2,005 MWh for the month of January.

Mr. Moore offered a slide presentation of the Peaking Plant Unit #1 LM-6000 turbine that is scheduled to be transported to the Trans-Canada Turbines (TCT) service depot in Alberta Canada for repairs from February 21 through May 6, 2010. Mr. Orth noted DWR will provide funds for the repairs with no availability damages to be incurred by the District.

### **RESOLUTION 10-01**

Mr. Cone reported the District has been active with the representation of the Member Units of Kings River Water Association under the Irrigated Lands Regulatory Program. The Member Units and the District have formed the Kings River Watershed Coalition Authority (KRWCA) to take the lead with the representation. Mr. Cone further reported the KRWCA has selected Kings River Conservation District to be its Fiscal Agent.

Mr. Cone also reported the KRWCA has developed and approved a Fiscal Agent Agreement and has requested that the District execute the agreement to become the Fiscal Agent to conduct financial management activities for the KRWCA. Mr. Cone noted that District Counsel has reviewed the Agreement.

It was moved by Vice President Graham, seconded by Director Cehrs and unanimously carried, adopting Resolution No. 10-01 authorizing and directing the General Manager to take such actions as are necessary to execute the Fiscal Agent Agreement on the behalf of the District and to authorize District staff to take actions to implement Fiscal Agent duties and responsibilities for the Kings River Watershed Coalition Authority.

### **RESOLUTION 10-02**

President McKean requested the Board consider adoption of Resolution 10-02 in commendation of Richard Herring, who has retired from the District after twenty-seven years of service.

It was moved by Director Nonini, seconded by Director Waldner and unanimously carried, adopting Resolution No. 10-01 that the Board of Directors commends Richard Herring for his achievements and outstanding service to the District.

### **FINANCE AND ADMINISTRATION**

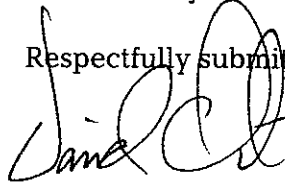
Mr. Shilling presented an expenditure to budget comparison report for the period ending January 31, 2010.

It was moved by Director Nonini, seconded by Director Waldner and unanimously carried, bills in the amount of \$2,231,873.53 as presented in the schedule of Disbursements and Current Accounts Payable, were approved and ordered paid.

**ADJOURNMENT**

There being no further business, President McKean adjourned the meeting at 2:55 P.M.

Respectfully submitted,



David Orth  
Secretary

  
Approved

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BEFORE THE BOARD OF DIRECTORS  
OF THE KINGS RIVER CONSERVATION DISTRICT  
FRESNO, CALIFORNIA

RESOLUTION NO. 10-01

AUTHORIZATION TO ACT AS FISCAL AGENT FOR THE  
KINGS RIVER WATERSHED COALITION AUTHORITY

**WHEREAS**, the Kings River Conservation District (District) is vitally interested in water quality issues within its boundaries and has been actively involved in representing the District in the Southern San Joaquin Valley Water Quality Coalition; and

**WHEREAS**, the Kings River Watershed Coalition Authority (Authority) has been formed to manage the water quality activities under Irrigated Lands Regulatory Program and the District is a member of the Authority; and

**WHEREAS**, the District has been selected by the Authority to be its Fiscal Agent; and

**WHEREAS**, the Authority has prepared and approved a Fiscal Agent Agreement (Agreement); and

**WHEREAS**, the Authority has requested the District to sign the Agreement and become the Fiscal Agent for the Authority.

**THEREFORE, BE IT RESOLVED** that,

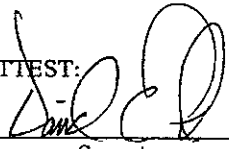
1. The foregoing recitals are true and correct;
2. The District has determined that it wishes to become the Fiscal Agent for the Authority;
3. The General Manager of the District is hereby authorized and directed to execute and deliver the Fiscal Agent Agreement on behalf of the District;
4. District staff is authorized and directed to take such further actions as they deem necessary or appropriate to implement the Fiscal Agent Agreement.

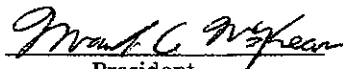
**THE FOREGOING RESOLUTION** was passed and adopted at a Regular Meeting of the Board of Directors of the Kings River Conservation District on the 9<sup>th</sup> day of February, 2010, by the following vote:

AYES: President McKean, Vice President Graham, Directors Howe, Nonini, Cehrs, Waldner, and Yoshimoto

NOES: None

ABSENT: None

ATTEST:  
  
Secretary

  
President

BEFORE THE BOARD OF DIRECTORS  
OF THE KINGS RIVER CONSERVATION DISTRICT  
FRESNO, CALIFORNIA

**RESOLUTION NO. 10-02**

**RESOLUTION IN COMMENDATION OF RICHARD HERRING**

WHEREAS, on January 2, 2010, Richard Herring, Maintenance Technician/Buyer at the Jeff L. Taylor, Pine Flat Power Plant, retired after twenty-seven (27) years of dedicated service to Kings River Conservation District (District); and

WHEREAS, Mr. Herring has served the District since 1982, and has served in many capacities from Apprentice Electrician to Maintenance Technician/Buyer; and

WHEREAS, Mr. Herring has been instrumental in planning, coordinating, and implementing an entire warehouse and inventory system for the Pine Flat Power Plant; and

WHEREAS, Mr. Herring has demonstrated his willingness to serve the District in any role or capacity whether at the Pine Flat Power Plant, or in the District office;

NOW, THEREFORE, LET IT BE RESOLVED, that the Board of Directors commends Richard Herring for his achievements and outstanding service to the District and wishes him well in his Retirement.

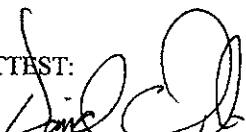
THE FOREGOING RESOLUTION was passed and adopted by the Board of Directors of the Kings River Conservation District this 9th day of February 2010, by the following vote:

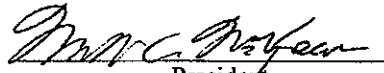
AYES: President McKean, Vice President Graham, Directors Howe, Nonini, Cehrs, Waldner, and Yoshimoto

NOES: None

ABSENT: None

ATTEST:

  
Secretary

  
President

KINGS RIVER CONSERVATION DISTRICT  
 Schedule of Disbursements and Current Accounts Payable  
 Presented February 9, 2010  
 (For Expenditures in the Month Ending January 31, 2010)

Employee Payroll	01/04/10	9,458.26	
Employee Payroll	01/06/10	78,923.46	
Employee Payroll	01/08/10	91.25	
Employee Payroll	01/20/10	80,006.55	
			168,479.52
Accounts Payable (KRCD)		1,990,623.26	1,990,623.26
	Sub-Total		2,159,102.78
Ready-Tax Electronic Funds Transfers:			
Employee Tax Deposits	01/08/10		7,126.49
Employee Tax Deposits	01/13/10		16.40
Employee Tax Deposits	01/13/10		32,629.30
Employee Tax Deposits	01/27/10		32,998.56
	TOTAL		<u>2,231,873.53</u>