

Minutes of the Regular Meeting of the Board of Directors of the Kings River Conservation District held March 11, 2008.

President McKean called the meeting to order at 1:35 P.M.

**DIRECTORS PRESENT**

Mark C. McKean, President  
 Brent L. Graham, Vice President  
 Gildo Nonini  
 Alvin J. Quist  
 Norman B. Waldner  
 Masaru Yoshimoto

**DIRECTORS ABSENT**

Ceil W. Howe, Jr.

**OTHERS PRESENT**

KRCD Staff/Consultants:

Randy McFarland  
 John Moore  
 David Orth  
 Donna Pepper  
 Jim Richards  
 Diane Ruble  
 Keith Seligman  
 Randy Shilling  
 Brian Trevarrow  
 Cristel Tufenkjian  
 Stephanie Beall, NAWC

Others:

Jeff Adolph, Pacific Gas & Electric Co.  
 Lisa Bischel, Madrid-Salazar Marketing & PR  
 Eric Christen, Coalition for Fair Employment in Construction  
 Nicole Goehring, Associated Builders & Contractors  
 Steve Haugen, KRWA  
 Shannon Koontz, Pacific Gas & Electric Co.  
 Kevin O'Neill, TIC, Inc.

**ADDITIONS TO OR DELETIONS FROM THE AGENDA**

David Orth, Board Secretary, reported subsequent to the posting of the KRCD Board agenda on March 4, 2008, there had been important and significant developments in settlement negotiations related to the pending complaint before the California Public Utilities Commission (San Joaquin Valley Power Authority v Pacific Gas & Electric Company) and input and direction from the KRCD Board of Directors, as agent to the SJVPA, is needed. Mr. Orth further reported pursuant to the Ralph M. Brown Act, the KRCD Board must determine by a 2/3 majority that there is a need for action that came to the attention after the posting of the monthly Board agenda and the facts support such a determination.

Mr. Orth requested the Board to consider modification of the agenda to include Item 9b.

It was moved by Director Nonini, and seconded by Director Yoshimoto, and unanimously carried to approve the modification to the Board agenda to include Item 9b.

## PUBLIC PRESENTATIONS

Ms. Nicole Goehring, Associated Builders & Contractors, addressed the Board and distributed a copy of correspondence from the Greater Fresno Area Chamber of Commerce regarding opposition to KRCD's consideration of a Public Labor Agreement (PLA) for the proposed Community Power Plant. Mr. Eric Christen, Coalition for Fair Employment in Construction, and Mr. Kevin O'Neill, TIC, Inc. also addressed the Board in opposition of the proposed PLA.

## MINUTES

It was moved by Director Waldner, seconded by Director Yoshimoto and unanimously carried that the Minutes of the February 12, 2008 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 March 10, 2008 was 356,477 acre-feet with vacant space of 833,930 acre-feet. On that date, the calculated natural inflow to the Reservoir was 1,412 C.F.S.

Mr. Haugen reported on the eight (8) Kings River snow sensors currently operational, with readings as of March 10, 2008 as follows:

SENSOR	ELEV.	WATER CONTENT (INCHES)	APRIL 1 AVERAGE (INCHES)	PERCENT APRIL 1 AVERAGE
Big Meadows	7600	36.0	25.9	139.0%
West Woodchuck	8800	32.9	32.8	100.3%
Upper Burnt	9700	27.9	34.6	80.6%
Mitchell Meadow	9900	36.6	32.9	111.2%
State Lakes	10300	31.5	29.0	108.6%
Black Cap Basin	10300	33.5	34.3	97.7%
Charlotte Lakes	10400	29.0	27.5	105.5%
Bishop Pass	11200	20.1	34.0	59.1%
<b>Snow Sensor Average</b>		<b>30.9</b>	<b>31.4</b>	<b>98.6%</b>

## **DIRECTORS' REPORTS**

Director Quist reported on his attendance at the Tulare World Ag Expo and the KRCD information booth.

## **KINGS RIVER WEATHER MODIFICATION PROGRAM**

Stephanie Beall, North American Weather Consultants (NAWC) provided a report of operations for the month of February 2008, noting there were a total of five (5) seeding flights and two (2) ground based generator events with total generator hours of 291.25 for the month.

## **GENERAL MANAGER'S REPORT**

David Orth, General Manager directed the Board to the General Manager's monthly status report for the month of February 2008 and highlighted the following:

Community Choice Aggregation (CCA): Mr. Orth reported the Board and KRCD Public Financing Corporation met on February 12<sup>th</sup> and took action to approve the Electric Supply Agreement (ESA) and related agreements pertaining to the KRCD commitments to supply energy to the Community Choice Program. Mr. Orth further reported San Joaquin Valley Power Authority Board (Authority) held a workshop on February 14<sup>th</sup> to receive these agreements and has begun a review and public hearing process expected to take a number of weeks. The Authority met on February 28<sup>th</sup> which included a public hearing on the ESA. Mr. Orth also reported the final execution of these agreements is dependent upon the outcome of the California Public Utilities Commission action on the matter of joint and several liability, which is expected in early April.

Irrigated Lands Program: Mr. Orth reported the monthly meeting of the Southern San Joaquin Valley Water Quality Coalition (Coalition) was held February 6<sup>th</sup> and discussions continue regarding the Tulare Basin Plan update process and the framework of the recent monitoring and reporting program established by the Regional Water Quality Control Board. Mr. Orth also reported KRCD staff continues to work with Kings River agencies to develop a joint powers agency (JPA) to provide direction and oversight of the Irrigated Lands Program for Kings River landowners and anticipates a JPA will be formed by this summer.

Upper Kings Water Forum: Mr. Orth reported the Upper Kings Forum met on February 21<sup>st</sup> to discuss governance and future project development and KRCD continues to lead efforts to create a separate entity with governance responsibility over this program.

## **LEGISLATION**

Mr. Orth reported the Legislative Analyst's Office for the State of California has proposed a tax shift from local government is in order after reviewing the state's fiscal budget. Mr. Orth reported the tax shift will redirect property tax revenues away from water and districts to support the Public Safety Realignment Act (PSRA) and will give county and local government the ability to reallocate any remaining revenues. Mr. Orth reported that ACWA is leading opposition to this proposal and KRCD staff would support that effort.

**PUBLIC INFORMATION**

Ms. Cristel Tufenkjian, Manager, Community and Public Relations, provided a status report on activities for February 2008 including the Technical Workshop with the California Energy Commission on March 6<sup>th</sup> for the proposed Community Power Plant in Parlier.

**CORRESPONDENCE, MEETINGS AND CONFERENCES**

There was no correspondence, meetings, or conferences.

**STAFF STATUS REPORTS AND PRESENTATIONS**

Water/Environmental Resources and Flood Control: Mr. Keith Seligman, Manager of Flood Control Maintenance, reported on February activities and displayed the proposed updated Flood Plain map of the Kings River area, issued by the Federal Emergency Management Agency (FEMA).

Power Resources: Mr. James T. Richards, P.E., Manager of Power Resources, reported generation from the Jeff L. Taylor Pine Flat Power Plant began on March 3<sup>rd</sup>. Mr. Richards further reported Pine Flat Reservoir began the month at an elevation of 784.80 feet and storage of 268,992 acre-feet (AF).

Mr. Richards also reported the Malaga Peaking Plant was dispatched to operate 10 days in February to provide generation supply for Pacific Gas & Electric customers in the Fresno area. An outage is planned in March for routine inspections, and service to prepare for the annual Heat Rate Test and summer peak season.

Finance and Administration: Mr. Randy Shilling, Deputy General Manager of Finance and Administrative Services, presented an expenditure to budget comparison report for the period ending February 29, 2008.

It was moved by Director Quist, seconded by Director Nonini and unanimously carried, bills in the amount of \$1,951,137.37 as presented in the schedule of Disbursements and Current Accounts Payable, were approved and ordered paid.

**CLOSED SESSION**

The Board adjourned to Closed Session at 2:25 P.M. to:

- a) Pursuant to Government Code Section 54956.9(b), conference with Legal Counsel on threatened or anticipated litigation.
- b) Pursuant to the Government Code Section 54956.9 (b)(1), the Board may adjourn to Closed Session to confer with Legal Counsel on pending litigation in the matter of San Joaquin Valley Power Authority v Pacific Gas & Electric Company before the California Public Utilities Commission.

**RECONVENE TO OPEN SESSION**

President McKean reconvened to Open Session at 3:50 P.M. and disclosed the Board met in closed session with legal counsel and that no action was taken in closed session.

**ADJOURNMENT**

There being no further business, President McKean adjourned the meeting at 3:55 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Orth", written in a cursive style.

David Orth  
Secretary

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Approved