

Minutes of the Special Meeting of the Board of Directors of the Kings River Conservation District held June 26, 2009.

President McKean called the meeting to order at 8:40 A.M.

DIRECTORS PRESENT

Mark C. McKean, President
 David Cehrs, PhD
 Ceil Howe Jr. (Arrive 8:56 A.M.)
 Gildo Nonini
 Norman B. Waldner
 Mike Yoshimoto

DIRECTORS ABSENT

Brent L. Graham, Vice President

OTHERS PRESENT

KRCD Staff & Consultants:

David Orth
 Donna Pepper
 Randy Shilling
 Stacy Wright

Others:

Shannon Koontz-Monis, Pacific Gas & Electric Co.
 Lisa Bischel, Madrid-Salazar Marketing & PR

ADDITIONS TO OR DELETIONS FROM THE AGENDA

There were no additions to or deletions from the Agenda.

PUBLIC PRESENTATIONS

None

RESOLUTION 09-06

Randy Shilling, Deputy General Manager of Finance and Administrative Services, reported the District has had Workers Compensation (WC) Insurance coverage through the Special Districts Risk Management Authority (SDRMA) since July 1, 2003. Mr. Shilling further reported the District issued a 90-day notice of intent to withdraw from the SDRMA WC Program on April 1, 2009, for the purpose of securing competitive quotes for replacement coverage. We received quotes from SDRMA, ACWA/JPIA and a private insurer (Majestic). Mr. Shilling continued reporting when all costs are considered, including the additional membership fees and broker commissions connected with the SDRMA coverage, our best estimate is that we can save almost \$7,500 by switching to ACWA/JPIA. Switching to ACWA/JPIA requires an initial 3-year commitment.

After some discussion, it was moved by Director Waldner, seconded by Director Yoshimoto and unanimously carried, to adopt Resolution 09-06 electing to join the ACWA/JPIA Workers' Compensation Program effective July 1, 2009.

RESOLUTION 09-07

Mr. Shilling reported the ACWA/JPIA WC program is a self-insurance pool and is not part of the California State Fund WC program. Districts participating in the ACWA/JPIA program need consent from the State Director of Industrial Relations.

After some discussion, it was moved by Director Waldner, seconded by Director Yoshimoto and unanimously carried, to adopt Resolution 09-07 requesting that the Director of Industrial Relations (State of California) provide the District a Certificate of Consent to Self Insure Workers' Compensation Liabilities.

CLOSED SESSION

The Board adjourned to Closed Session at 8:56 A.M. Pursuant to Section 54957.6 of the Brown Act the Board to meet with designated labor negotiators to consider the Memorandums of Understanding (MOU) with Stationary Engineers Local 39 for the Flood Maintenance Unit.

RECONVENE TO OPEN SESSION

President McKean reconvened to Open Session at 9:15 A.M. and reported the Board took action to consider and approve conditions, subject to legal counsel review, of a Memorandum of Understanding (MOU) with Stationary Engineers Local 39 for the Flood Maintenance Unit.

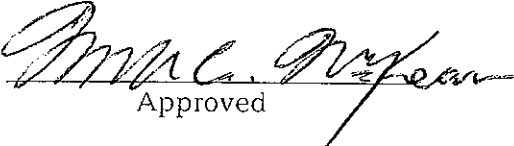
It was moved by Director Howe, seconded by Director Waldner, and unanimously carried to authorize the General Manager and Board President to sign the Memorandum of Understanding with Stationary Engineers Local 39 for the Flood Maintenance Unit consistent with the Board reviewed conditions.

ADJOURNMENT

There being no further business, President McKean adjourned the meeting at 9:18 A.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. 09-06

CONSENTING TO ENTER THE JOINT PROTECTION PROGRAMS
OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES/
JOINT POWERS INSURANCE AUTHORITY

WHEREAS, the Kings River Conservation District is a public entity organized and existing under laws of the State of California; and

WHEREAS, pursuant to the provisions of Section 3700 of the California Labor Code, said District may self-insure for Workers' Compensation Liabilities in a joint protection program; and

WHEREAS, said District desires to participate in the ACWA/Joint Powers Insurance Authority joint protection program for Workers' Compensation coverage.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Kings River Conservation District:

Section 1. That the District hereby elects to join the Workers' Compensation Program sponsored by the Authority.

Section 2. That the District hereby selects \$10,000 as its Retrospective Allocation Point (RAP) for the Authority's cost allocation formula for Workers' Compensation.

Section 3: That the Deputy General Manager of Finance and Administrative Services of this District is hereby authorized to pay to the ACWA/Joint Powers Insurance Authority its first deposit premium.

Section 4. That the Secretary of the Board of Directors of this District is directed to certify a copy of this resolution and to forward the same resolution to the Association of California Water Agencies/ Joint Powers Insurance Authority, 5620 Birdcage Street, Suite 200, Citrus Heights, California, 95610, at which time coverage will commence the First day of July, 2009.

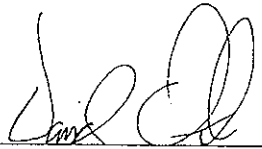
THE FOREGOING RESOLUTION was passed and adopted by the Board of Directors of the Kings River Conservation District this 26th day of June 2009, by the following vote:

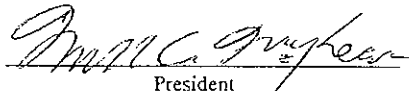
AYES: President McKean, Directors Cehrs, Nonini, Waldner, and Yoshimoto.

NOES: None

ABSENT: Vice President Graham, Director Howe

ATTEST:


Secretary


President

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

RESOLUTION NO. 09-07

AUTHORIZING APPLICATION TO THE
DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA
FOR A CERTIFICATE OF CONSENT TO SELF INSURE
WORKERS' COMPENSATION LIABILITIES

WHEREAS, at a meeting of the Board of Directors of the Kings River Conservation District, a Special District organized and existing under the laws of the State of California and;

NOW, THEREFORE, BE IT RESOLVED, that the General Manager and the Deputy General Manager of Finance and Administrative Services be and they are hereby severally authorized and empowered to make application to the Director of Industrial Relations, State of California, for a Certificate of Consent to Self Insure worker's compensation liabilities on behalf of the Kings River Conservation District.

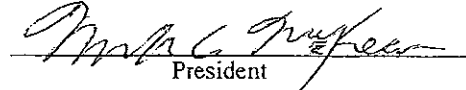
BE IT FURTHER RESOLVED, the General Manager and/or the Deputy General Manager of Finance and Administrative Services of the District, or their designee, is hereby authorized and directed to execute any and all documents required for such application.

THE FOREGOING RESOLUTION was passed and adopted by the Board of Directors of the Kings River Conservation District this 26th day of June 2009, by the following vote:


AYES: President McKean, Directors Cehrs, Nonini, Waldner, and Yoshimoto.

NOES: None

ABSENT: Vice President Graham, Director Howe


President

ATTEST:


Secretary