

Minutes of the Regular Meeting of the Board of Directors of the Kings River Conservation District held December 9, 2009.

President McKean called the meeting to order at 1:30 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  
Randy McFarland  
John Moore  
David Orth via telephone  
Donna Pepper  
Randy Shilling  
Steve Stadler  
Brian Trevarrow

Others:

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 Waldner, seconded by Director Cehrs and unanimously carried that the Minutes of the November 10, 2009 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 December 7, 2009 was 354,056 acre-feet with vacant space of 839,944 acre-feet. On that date, the calculated natural inflow to the Reservoir was 500 C.F.S.

## **DIRECTORS' REPORTS**

Director Cehrs presented slides regarding the El Nino weather system that is predicted for January through March 2010. Director Cehrs also reported his attendance to the Upper Kings Basin Water IRWM Authority Advisory Committee meeting.

Director Waldner reported he attended the meetings of the ACWA/ Joint Powers Insurance Authority and the U.S. Geological Survey held at the Association of Water Agencies (ACWA) Conference Dec 1-4, 2009 in San Diego California.

## **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 the FEMA Flood Map Update reporting that he and Steve Stadler attended a workshop with the Fresno County Board of Supervisors on October 27, 2009. Mr. Cone further reported that staff is continuing to research and compile data on the flood mapping issue and working with Fresno Metropolitan Flood Control District and City of Fresno on many of the flood management issues. Mr. Cone also reported General Manager David Orth will be meeting with some of the Fresno County Supervisors to explain the District's role as a flood control agency in the area.

**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 reporting the Pine Flat Reservoir began the month of November at an elevation of 783.75 ft and storage was 265,910 AF. As of December 1, 2009 the reservoir elevation was 790.14 ft. There was no discharge from the dam and discharge from the Turbine Bypass for the month was 12,958 AF. There was no recordable flow from Mill and Hughes Creeks. Mr. Moore reported new studs and nuts were replaced on the Unit#3 Runner, and Certified Coatings had completed the recoating of Unit #3 Penstock.

Mr. Moore also presented an overview of operations at the Malaga Peaking Plant reporting the plant for November 2009 had 11 fired starts and 57.0 fired engine hours for Unit #1, and 12 fired starts and 51.7 fired engine hours for Unit #2. The plant generated a total of 4,887 MWh for the month of November.

## **WEATHER MODIFICATION EXTENSION**

Mr. Cone reported the current weather modification contract for season 2009-10 is the final year of the contract with North American Weather Consultants, Inc (NAWC). Mr. Cone further reported that NAWC has offered to extend the contract for the 2010-11 and the 2011-12 seasons at the current 2009-10 contract rate. Mr. Cone asked the Board to consider extending the contract with NAWC for weather modification activities for two (2) seasons on the Kings River watershed without advertizing or bidding. Mr. Cone noted the District is not required by law or internal policy to advertize or obtain bids for services and has extended the contract in the past.

It was moved by Director Waldner, seconded by Director Howe and unanimously carried, to extend the contract with North American Weather Consultants for weather modification activities on the Kings River watershed for the 2010-2011 and 2011-2012 seasons at the current 2009-10 contract rate.

**RESOLUTION 09-11**

Mr. Shilling reported the District's normal retirement age is 60 years old. An employee who retires at age 60 or after and has ten or more years of service with the District is eligible for lifetime health insurance benefits from the District.

Mr. Shilling further reported the Personnel Committee has met and decided to recommend to the Board that the District extend health benefits coverage to employees who have reached age 55 years old and have at least 25 years of continuous service with the District who become permanently disabled and unable to perform the primary or essential functions of their position.

It was moved by Director Howe, seconded by Director Waldner and unanimously carried, to adopt Resolution 09-11 to extend health benefits eligibility to employees who have reached age 55 years old and have at least 25 continuous years of service with the District who become permanently disabled and unable to perform the primary or essential functions of their position.

**FINANCE AND ADMINISTRATION**

Randy Shilling, Deputy General Manager of Finance and Administrative Services, presented an expenditure to budget comparison report for the period ending November 30, 2009.

It was moved by Director Cehrs, seconded by Director Howe and unanimously carried, bills in the amount of \$2,570,645.21 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 2:05 P.M., pursuant to Government Code Section 54956.8, to provide direction to the General Manager or his designee regarding real property owned by the District at Excelsior and 26-1/4 Avenues, and identified as APN 004-010-09 and APN 004-030-01.

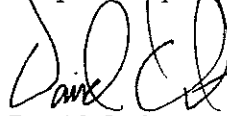
**RECONVENE TO OPEN SESSION**

President McKean reconvened to Open Session at 2:20 P.M. and reported the Board took no action in Closed Session.

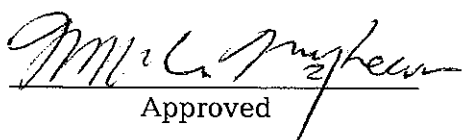
**ADJOURNMENT**

There being no further business, President McKean adjourned the meeting at 2:21 P.M.

Respectfully submitted,



David Orth  
Secretary



Approved

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

RESOLUTION NO. 09-11

HEALTH BENEFITS FOR EMPLOYEES THAT BECOME  
PERMANENTLY DISABLED BETWEEN AGES 55 AND 60

**WHEREAS**, the Kings River Conservation District (District) is a Special District duly organized and existing under and by virtue of the laws of the State of California (the "District"), and;

**WHEREAS**, the District is a member of the Association of California Water Agencies (ACWA) and provides health insurance benefits to its employees through the ACWA Benefits program, and;

**WHEREAS**, the District currently provides health insurance benefits (including health, dental and vision insurance) to District employees that retire on or after attaining age 60 and with at least 10 years of service with the District, and;

**WHEREAS**, the District desires to provide health insurance benefits (including health, dental and vision insurance) to District employees that have reached age 55 and have at least 25 continuous years of service with the District who become permanently disabled and unable to perform the primary or essential functions of their job.

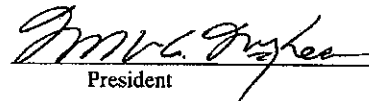
**NOW THEREFORE BE IT RESOLVED**, that the District adopt the above-referenced disability retirement policy to be effective January 1, 2010, and the District's Employee Handbook is hereby amended to state that employees who become permanently disabled who are at least fifty-five (55) years of age and who have been continuously employed by the District for at least twenty-five (25) years are eligible for health, dental and vision insurance coverage through the District's group policies in the same manner as regular full-time employees.

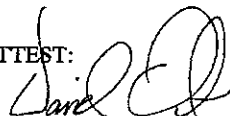
**THE FOREGOING RESOLUTION** was passed and adopted at a Regular Meeting of the Board of Directors of the Kings River Conservation District on this 8th day of December 2009, by the following vote:

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

**NOES:** None

**ABSENT:** None

  
President

**ATTEST:**  
  
Secretary

KINGS RIVER CONSERVATION DISTRICT  
 Schedule of Disbursements and Current Accounts Payable  
 Presented December 8, 2009  
 (For Expenditures in the Month Ending November 30, 2009)

Employee Payroll	11/10/09	77,198.90	
Employee Payroll	11/25/09	78,012.40	
			155,211.30
Accounts Payable (KRCD)		2,355,720.37	2,355,720.37
	Sub-Total		2,510,931.67
Ready-Tax Electronic Funds Transfers:			
Employee Tax Deposits	11/04/09		29,330.18
Employee Tax Deposits	11/13/09		30,383.36
	TOTAL		<u>2,570,645.21</u>