

**ACTION SUMMARY MINUTES**  
**MINUTES OF THE REGULAR MEETING OF**  
**THE BOARD OF DIRECTORS OF THE**  
**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**  
**HELD WEDNESDAY, SEPTEMBER 12, 2012**

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, September 12, 2012 at 6:00 p.m. in the Board Chambers of the Fresno Metropolitan Flood Control District at 5469 East Olive Avenue; Fresno, California.

**DIRECTORS PRESENT:** Roy Spina, Chairman  
Jennette Williams, Vice-Chairman  
Kendall Groom  
Mike Rastegar  
Barbara Goodwin  
Frank Fowler  
Buzz Burleson

**DIRECTORS ABSENT:** None

**STAFF, CONSULTANTS,**  
**OTHERS PRESENT:** Bob Van Wyk, General Manager  
Jerry Lakeman, District Engineer  
Alan Hofmann, Assistant District Engineer/Design  
Peter Sanchez, Operations Engineer  
Frances Lopez, Office Manager  
Karyn Kruser, Staff Analyst  
Daniel Rourke, Environmental Resources Manager  
Larry Kalpakoff, Information Systems Coordinator  
Diana Montijo, Office Assistant  
Kristine Johnson, Staff Analyst  
Esther Schwandt, Clerk to the Board

Ken Price, Assistant General Counsel;  
Baker, Manock & Jensen

Tom Montijo, husband of Diana Montijo

**PRESIDING:** Director Spina, presiding as Chairman called the meeting to order at 6:00 p.m. and Director Groom led the Pledge of Allegiance.

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**2. REPORT OF THE GENERAL MANAGER:**

Mr. Van Wyk reported on the following: (1) staff has prepared the final amount for the District's Tax Assessment Fund which represents 50% of the District's tax revenue and totaled approximately \$8 million which is up and over budget by approximately \$70,000; (2) he distributed copies of AB 1387 which was signed into law and gives local law enforcement more tools with respect to metal thefts and targeting those recycling centers that are receiving stolen property, such as copper wire, manholes, etc.; (3) he distributed a resolution for Agenda Item 8a which was inadvertently left out of the Board packet; (4) he reminded the Board of tomorrow's Board Meeting, Thursday, September 13<sup>th</sup>; (5) the District's next Regular Board Meeting will be Wednesday, September 26<sup>th</sup> at the Five Restaurant to honor a District employee's 30 years of service to the District; and (6) the State of the County Breakfast will be Thursday, September 27<sup>th</sup>.

**3. APPROVAL OF MINUTES: Meeting of August 22, 2012**

**Approved as Recommended**

**Motion by: Williams Second by: Rastegar**  
**Ayes: Spina, Williams, Groom, Rastegar, Goodwin, Fowler, Burleson**  
**Noes: None**  
**Abstentions: None**  
**Absentees: None**

**4. BUSINESS AND PRESENTATIONS FROM THE FLOOR:**

There was no Business or Presentations from the Floor

**5. ADDITIONS TO THE AGENDA:**

There were no Additions to the Agenda.

**6. POTENTIAL CONFLICTS OF INTEREST:**

There were no Conflicts of Interest.

**7. PUBLIC HEARING:**

There were no Public Hearings scheduled.

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**8. CONSENT CALENDAR:**

- b. Authorization to Distribute 2013 Clean Stormwater Grants
- c. Authorization to Execute Standard Developer Agreement, Tract 5472, Drainage Area "BX" (Nees & Locan), UCP Barclay III, LLC
- d. Authorization to Execute Waiver of Conflict of Interest; Baker, Manock & Jensen and the California Stormwater Quality Association (CASQA)
- e. Report of Public Concerns, August 2012
- f. Award of Contract "FF-64", Storm Drain Pipeline "L" Street (Inyo to Mono Streets)
- g. Ratification of Expenditures, August 2012

Director Groom requested item 8a be pulled.

**Approved as Recommended, with the exception of item 8a which was pulled.**

**Motion by: Fowler      Second by: Goodwin**  
**Ayes:            Spina, Williams, Groom, Rastegar, Goodwin, Fowler, Burleson**  
**Noes:            None**  
**Abstentions:    None**  
**Absentees:      None**

**a. Adoption of Resolution Authorizing Disposal of Assets:**

- (1) Computer Equipment**
- (2) Office Furniture**

**Recommend the Board of Directors adopt the Resolution declaring the computer equipment and other miscellaneous office supplies, identified in Exhibit "A" (attached to the Board Memorandum), as excess property not needed for District purposes, and authorize staff to arrange for the donation of office equipment to non-profit or government agencies to be disposed of in a manner best serving the interests of the District.**

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Responding to Director Groom's question as to what happens to the laptops if they are not taken by other governmental agencies, Mrs. Lopez stated there is an auction company that is contracted with the County to auction off those items that are left, and the auction company reimburses the District for those items, and anyone can register with the clearinghouse to be able to purchase those items at the auction.

**Approved as Recommended, Adopting Resolution No. 2012-752**

**Motion by: Groom            Second by: Fowler**  
**Ayes:            Spina, Williams, Groom, Rastegar, Goodwin, Fowler, Burleson**  
**Noes:            None**  
**Abstentions:    None**  
**Absentees:        None**

**9.        Presentation of Resolution of Appreciation, Honoring Diana Montijo's Twenty Years of District Service**

**Recommend the Board of Directors present the Resolution of Appreciation honoring Diana Montijo for 20 years of public service to the District.**

Mr. Van Wyk introduced Diana and her husband Tom Montijo, and acknowledged Mrs. Montijo's work ethic and employees' enjoyment in working with her at the District these past 20 years. Mrs. Lopez acknowledged Mrs. Montijo's knowledge of District procedures as a great asset to the District.

Mrs. Montijo expressed her appreciation for the District, and the Board and Management's effective and forethought decision making in the past that has brought the District to where it is at today, and expressed her grateful appreciation for her position at the District.

Chairman Spina then presented Mrs. Montijo with a framed Resolution and Mr. Van Wyk presented her with flowers.

Report submitted for informational purposes only, no action is required by the Board unless specific direction is to be given to staff.

**As the report was submitted for informational purposes only, no further action was taken.**

**10. Report to the Board on the State Water Resources Control Board (SWRCB) Scheduled Workshop on Receiving Water Limitations Language**

Report submitted for informational purposes only, no action is required by the Board unless specific direction is to be given to staff.

As the report was submitted for informational purposes only, no further action was taken.

**11. Board Reports, Workshops, Correspondence and Requests for Future Agenda Items:**

- a. **Report on Board of Directors Attendance at Various Meetings; Upper Kings Integrated Regional Water Management Plan (IRWMP) Project Development Workshop, Directors Fowler and Burleson**

Recommended Directors Fowler and Burleson give a verbal report of the IRWMP Project Development Workshop held on August 24, 2012.

Director Burleson gave a verbal report and Director Fowler concurred.

Report submitted for informational purposes only, no action is required by the Board unless specific direction is to be given to staff.

As the report was submitted for informational purposes only, no further action was taken.

**REPORT OF GENERAL COUNSEL**

**12. Authorization to Amend District's Conflict of Interest Code**

Legal Counsel recommends removing the Conflict Code from the District's Policy. The Policy will be revised and separately considered by the Policy Committee, and then the entire Board during an upcoming meeting. Therefore, at this time, Legal Counsel recommends the Board adopt the amended Conflict Code as attached to the Board Memorandum so that staff may submit it to the Board of Supervisors for approval.

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Responding to Director Spina's question, Mr. Price noted one change needs to be made to page two of the Appendix A of the proposed "Conflict of Interest Code for the Fresno Metropolitan Flood Control District" *Executive Director* should be changed to *General Manager*.

**Approved as Recommended**

**Motion by: Goodwin      Second by: Rastegar**  
**Ayes: Spina, Williams, Groom, Rastegar, Goodwin, Fowler, Burleson**  
**Noes: None**  
**Abstentions: None**  
**Absentees: None**

Mr. Price reported on Legislative items of interest to the District.

**CLOSED SESSION**

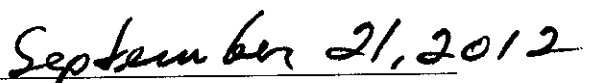
A Closed Session was not convened.

**ADJOURNMENT**

**Adjourned Board Meeting at 6:40 pm**

**Motion by: Groom      Second by: Burleson**  
**Ayes: Spina, Williams, Groom, Rastegar, Goodwin, Fowler, Burleson**  
**Noes: None**  
**Abstentions: None**  
**Absentees: None**

  
\_\_\_\_\_  
BOB VAN WYK  
GENERAL MANAGER-SECRETARY

  
\_\_\_\_\_  
DATE