

**ACTION SUMMARY MINUTES**  
**MINUTES OF THE REGULAR MEETING OF**  
**THE BOARD OF DIRECTORS OF THE**  
**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**  
**HELD WEDNESDAY, JANUARY 22, 2014**

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Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, January 22, 2014 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: Jennette Williams, Chairman  
Mike Rastegar, Vice-Chairman  
Roy Spina  
Kendall Groom  
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  
Paul Merrill, Finance Manager  
Paul Allen, Facilities Manager  
Daniel Rourke, Environmental Resources Manager  
Karyn Kruser, Staff Analyst  
Esther Schwandt, Clerk to the Board

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

Jeff Roberts, Granville Homes

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

**FMFCD BOARD MEETING MINUTES  
WEDNESDAY, JANUARY 22, 2014  
PAGE 2 OF 6**

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

Mr. Van Wyk reported on the following: (1) he noted Director Goodwin previously requested staff confer with the Department of Finance staff to confirm the District's record keeping with respect to Proposition 1E Grants are in compliance; he further noted the Department of Finance would be meeting with District staff approximately 3 to 4 days beginning February 3, 2014 to review the District's Prop 1E Grant information and accounting format; he stated staff will report those findings to the Board once they become available; (2) he distributed a power point presentation prepared by the Kings Basin Water Authority regarding "Drought Tracking"; (3) he reported the District's General Manager has been reappointed to the Local Government Committee and Director Groom has been reappointed to the Finance Committee both representing Region 6 for the Association of the California Water Agencies (ACWA); (4) he distributed the Board Requests and Assignments form noting staff distributes this to the Board quarterly; and, (5) with respect to Agenda Item No. 9, staff has distributed the City Annexation Form completely filled out, which was not attached to the Board Memorandum.

**3. APPROVAL OF MINUTES: Meeting of January 8, 2014**

**Approved as Recommended**

**Motion by: Spina Second by: Groom**

**Ayes: Williams, Rastegar, Spina, Groom, 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.

**FMFCD BOARD MEETING MINUTES  
WEDNESDAY, JANUARY 22, 2014  
PAGE 3 OF 6**

**6. POTENTIAL CONFLICTS OF INTEREST:**

Director Goodwin noted a potential Conflict of Interest with Agenda Item No. **14. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to sub-division (b) of Gov. Code Section 54956.9: (Number of Potential Cases: 1)**, and stated she would therefore be recusing herself on this item.

Mr. Van Wyk reported there would not be a Closed Session this evening.

**7. PUBLIC HEARING:**

There were no Public Hearings scheduled.

**8. CONSENT CALENDAR:**

- a. Authorization to Execute Master Maintenance Service Contracts
- b. Engineer's Second Quarter Report of Developer Agreements, October 2013 through December 2013
- c. Ratification of Expenditures, Report of Fund Balances and Activity, December 2013
- d. Report of Pollutant Discharge Incidents, November and December 2013
- e. Submittal of Second Quarter Budget Report, Fiscal Year 2013-2014
- f. Report on Recognition by ACWA Joint Powers Insurance Authority of District's Low Loss Ratio Award Regarding the Workers' Compensation Program, Property Program and Liability Program

**Approved as Recommended**

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

9. **Authorization to Sign City Annexation Application, Westlake Project, Drainage Area "CD" (Gettysburg, Shields, Bryan, Garfield)**

Recommend the Board of Directors authorize staff to execute the annexation document attached to the Board Memorandum.

Mr. Jeff Roberts, representing Granville at Westlake Inc. addressed the Board with respect to the proposed project, and the requested City Annexation as outlined in the Board Memorandum.

**Approved as Recommended**

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

10. **Report on Analysis of Development Review Fees and Provide Direction to Staff**

Recommend the Board of Directors review the report on Potential Service Fees to Recoup Cost of Development Review Services as attached to the Board Memorandum, and provide direction to staff.

Director Goodwin suggested having the two Cities and the County representatives at the meetings with the Building Industry representatives to assure the Developers that they are not getting a fee from two agencies doing the same review and to answer any other questions that the Developers may have.

Mr. Van Wyk stated staff will be meeting with the Building Industry representatives and bring back the comments from those meetings to the Board at a subsequent Board Meeting.

**It was the consensus of the Board of Directors that staff proceed as outlined in the Board Memorandum and as discussed this evening. 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:**

(1) **San Joaquin River Conservancy (SJRC), Director Goodwin**

Recommend Director Goodwin give a verbal report of the San Joaquin River Conservancy Board Meeting held on January 15, 2014.

Director Goodwin gave a verbal report.

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

(2) **Upper Kings Basin Integrated Regional Water Management Authority (UKBIRWMA), Director Burleson**

Recommend Director Burleson give a verbal report of the Upper Kings Basin Integrated Regional Water Management Authority Board Meeting held on January 15, 2014.

Director Burleson gave a verbal report.

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

12. **Authorization to Accept Relocation Assistance Report for Robert Nanto, Basin "BL" (Church & Armstrong)**

Recommend the Board of Directors accept the Relocation Assistance Payment Report and authorize staff to proceed with payment of the relocation benefits to Mr. Nanto in an amount not to exceed \$22,148.

**Approved as Recommended**

**Motion by: Burleson                      Second by: Spina**

**Ayes: Williams, Rastegar, Spina, Groom, Goodwin, Fowler, Burleson**

**Noes: None**

**Abstentions: None**

**Absentees: None**

**REPORT OF GENERAL COUNSEL**

No items were reported.

**CLOSED SESSION**

14. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to sub-division (b) of Gov. Code Section 54956.9:

(Number of Potential Cases: 1)

**A Closed Session was not convened.**

**ADJOURNMENT**

**Adjourned Board Meeting at 7:12 pm.**

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

  
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BOB VAN WYK  
GENERAL MANAGER-SECRETARY

  
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DATE