

**ACTION SUMMARY MINUTES**  
**MINUTES OF THE REGULAR MEETING OF**  
**THE BOARD OF DIRECTORS OF THE**  
**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**  
**HELD WEDNESDAY, OCTOBER 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, October 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:**

Alan Hofmann, General Manager-Secretary  
Debbie Campbell, Design Engineer  
Frances Lopez, Office Manager  
Karyn Kruser, Staff Analyst  
Daniel Rourke, Environmental Resources Manager  
Brent Sunamoto, Operations Engineer  
Esther Schwandt, Clerk to the Board

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

Ken Behling  
Sally Behling

**PRESIDING:** Director Williams, 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. Hofmann reported on the following: (1) he distributed the current Board Requests & Assignments Form; (2) he stated staff has scheduled a Priorities & Programming Committee for Monday, October 27, 2014; an Administrative Committee for Thursday, November 6, 2014 and a Community Relations Committee Meeting for Thursday, December 4, 2014; (3) he reported the District's Conference Room A and Kitchen project should be completed within 2 weeks; and (4) he participated as a Regional Expert on the City of Fresno Recharge Fresno Forums.

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

**Approved as Recommended**

**Motion by: Rastegar 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.

**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: 2), and stated she would therefore be recusing herself on this item.

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**7. PUBLIC HEARING:**

There were no Public Hearings scheduled.

**8. CONSENT CALENDAR:**

- a. Authorization to Renew Grazing Lease Agreement, Ken and Sally Behling, Big Dry Creek Reservoir
- b. Authorization to Renew Grazing Lease Agreement, Floyd Harlan, Big Dry Creek Reservoir
- c. Authorization to Renew Lease Agreement, Outdoor Systems Advertising, Basin "EH" (Herndon & Golden State)
- d. Engineer's First Quarter Report of Developer Agreements, July 2014 through September 2014
- e. Ratification of Expenditures, Report of Fund Balances and Activity, September 2014
- f. Report of Pollutant Discharge Incidents, September 2014
- g. Grant Expenditure and Reimbursement Report
- h. Submittal of First Quarter Budget Report, Fiscal Year 2014-2015
- i. Award of Contract "BL-14", Basin Clearing (Armstrong North of Jensen)

**Approved as Recommended**

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

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**9. Authorization of Direct Connection to FMFCD System:**

- a. SPR 2014-003, Span Development, Timothy Mitchell, Drainage Areas  
“AV” and “KK” (Elm & North Avenues)**

Recommend the Board of Directors approve the direct connection with the requisite conditions: (1) installation of a positive shutoff valve; (2) installation of an approved back flow prevention device; and (3) dedication of a flood easement and release in favor of the District.

Ms. Campbell noted at the last Board Meeting, Director Spina had requested staff look into an alarm system for detecting hydrocarbons with respect to feasibility and costs. Ms. Campbell stated Mr. Rourke had researched the alarm systems, and Mr. Hofmann stated staff determined the alarms would be too cost prohibitive, and as such, staff would not recommend making them a requirement of a loading dock.

**Approved as Recommended**

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

- b. Co. SPR 6883, Diversified Development Group, John Brelsford, Drainage  
Area “CF” (Central & Minnewawa)**

Recommend the Board of Directors approve the direct connection with the requisite conditions: (1) installation of a positive shutoff valve; (2) installation of an approved back flow prevention device; and (3) dedication of a flood easement and release in favor of the District.

**Approved as Recommended**

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

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**10. Authorization to Amend Cellular Communications Tower Lease, Crown Castle, Basin "J" (Bullard & Forkner)**

Recommend the Board of Directors authorize amendment of the subject lease in accordance with the terms proposed by Crown Castle.

Responding to Director Williams' question as to whether Legal Counsel has reviewed the amended lease document, Mr. Price said he had not. Mr. Hofmann stated staff would have Legal Counsel review the document.

**Approved as Recommended, with the further Recommendation that Legal Counsel review the Proposed Amended Lease, and should Legal Counsel believe there is a problem with the Amended Lease, that the Lease be brought back to the Board for further review**

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

**11. Update on Statewide Industrial General Permit Regulating Stormwater Discharges from Commercial and Industrial Facilities**

No action is required of the Board of Directors unless specific direction is to be given to staff.

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

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

**a. Recommendation from the Policy Committee:**

**(1) Recommend Amendments to the District's Employee Handbook and Human Resources Policies and Procedures**

Recommend the Board of Directors review and approve the proposed revisions to the District's Employee Handbook and Human Resources Policies and Procedures as recommended by the Policy Committee.

**Approved as Recommended**

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

**b. Report on Board of Directors Attendance at Various Meetings:**

**(1) Association of Metropolitan Water Agencies (AMWA),  
Director Burleson**

Recommend: (1) No further verbal report of the Association of Metropolitan Water Agencies (AMWA) Board Meeting, which was held on September 25, 2014, is required unless Director Burleson has additional information to present, as Director Burleson gave a brief verbal report at the October 2014 District Board Meeting.

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.**

**(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 (UKBIRWMA) Board Meeting held on October 15, 2014.

Director Burleson gave a verbal report. Director Burleson also stated he would be attending the Groundwater Land Use Symposium to be held on October 29, 2014. Director Spina requested an Agenda Item be placed on a subsequent Board Meeting Agenda to authorize Director Burleson's attendance at the Groundwater Land Use Symposium as compensable as he will be attending and reporting back to the Board on this item. The next Board Meeting would be November 19, 2014; therefore, should the Board determine the attendance is compensable it would then be paid retroactive.

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

**REPORT OF GENERAL COUNSEL**

Mr. Price reported on Legislative items of interest to the District. He invited the Board to Baker, Manock & Jensen's Water Forum with respect to Groundwater Legislation to be held on Tuesday, November 11, 2014 at 4:30 pm at their offices. He stated he would have his office send a flyer inviting the Board to the Water Forum.

Director Goodwin recused herself from the proceedings due to a potential conflict of interest with the next Item No. 14, and left the Board Meeting at 6:49 pm.

**CLOSED SESSION**

The Board then convened in Closed Session at 6:50 pm to consider the following litigation:

**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: 2)

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The Board then convened in regular session at 7:12 pm. Mr. Price stated no reportable action was taken in Closed Session.

**ADJOURNMENT**

**Adjourned Board Meeting at 7:13 pm**

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

  
ALAN HOFMANN  
GENERAL MANAGER-SECRETARY

11/6/14  
DATE