



NOTICE OF MEETING

**BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
WEDNESDAY, MAY 25, 2011 at 6:00 p.m.
Chambers of the Board of Directors
5469 East Olive Avenue
Fresno, California**

AGENDA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. **REPORT OF THE GENERAL MANAGER**
3. APPROVAL OF MINUTES: Meeting of May 11, 2011
4. BUSINESS AND PRESENTATIONS FROM THE FLOOR
(This is an opportunity for the members of the public to address the Board on any matter related to the District that is not listed on the Agenda.)
5. ADDITIONS TO THE AGENDA
(Two-thirds vote required)
6. **POTENTIAL CONFLICTS OF INTEREST**
(Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.) *[FPPC §87105]*
7. **PUBLIC HEARING: None Scheduled**
8. **CONSENT CALENDAR**
(All Consent Calendar items are considered to be routine action items and will be enacted by one motion. There will be no separate discussion of these items unless requested, in which event the item will be removed from the Consent Calendar and considered following approval of the Consent Calendar.)
 - a. Acceptance of Quarterly Investment Report, First Quarter
 - b. Authorization to Enter into Soccer Use Agreement, Liga Campesina Cesar, Basin "V" (Sierra Vista n/o McKinley) and Basin "M" (San Jose e/o First)
 - c. Authorization to Renew Basin Lease Agreement for Agricultural Purposes, Basin "CD" (Dakota & Garfield)

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- d. Authorization to Schedule Special Joint Board Meeting on June 7, 2011 with Fresno Irrigation District (FID) Board to Tour District Facilities
- e. Award of Contracts:
 - (1) Contract “BK-9”, Storm Drain (Kings Canyon & Walling Avenue)
 - (2) Contract “W-28”, Pump Station (Minnewawa & Freeway 180)
- f. Report of Pollutant Discharge Incidents, April 2011
- 9. Adoption of Resolution of Appreciation, Honoring Gary Newmark’s Twenty Years of District Service
- 10. This Item was Pulled
- 11. Authorization to Accept Settlement Procedure and Appraise Property, Redbank Creek Spoil Site (DeWolf n/o McKinley)
- 12. Authorization to Enter Into Time Payment Agreements:
 - a. County SPR 7765, Manjit Nahal, Drainage Area “CS” (Minnewawa & North)
 - b. County SPR 7763, Abel Vaca, Drainage Area “CE” (Malaga & Chestnut)
- 13. Authorization to Schedule Public Hearing for Adoption of Modification to Local Drainage Areas “BL” (Church, Locan, Jensen, Fowler), and “BM” (Kings Canyon, Church, Fowler, Temperance) of the Storm Drainage and Flood Control Master Plan
- 14. Report of Groundwater Recharge Basin Maintenance
- 15. Report on District Basin Active Recreational Parks
- 16. Report on Real Estate Activity, April 2011
- 17. Board Reports, Workshops, Correspondence and Requests for Future Agenda Items:
 - a. Report on Board of Directors Attendance at Various Meetings:
 - (1) ACWA Joint Powers Insurance Authority (JPIA) 2011 Spring Conference, Director Groom
 - (2) San Joaquin River Conservancy (SJRC), Director Williams

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REPORT OF GENERAL COUNSEL

18. Report on Administrative, Legislative and Real Estate Legal Services

CLOSED SESSION

19. CONFERENCE WITH LEGAL COUNSEL:

a. ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to sub-division (b) of Section 54956.9:

(1) **FMFCD vs. Park Place Holdings, LP and Tingey Properties, LLC (Bluff View Private Preschool, Drainage Area “DH” [Blackstone, Alluvial, Audubon, San Joaquin River])**

(2) **Authorization to Exercise Small Claims Option, Bella Duran, Basin “BU” (Clovis & Dakota Avenues)**

b. EXISTING LITIGATION

Pursuant to subdivision (a) of Section 54956.9: **Brar Construction and Development, Inc. Regarding Contract “RR-61” vs. FMFCD**

ADJOURNMENT

ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

A person with a qualifying disability under the Americans With Disabilities Act of 1990 may request the District to provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, by facsimile, or written correspondence to the District’s Clerk to the Board at (559) 456-3292 at the District office, at least 48 hours before a public District meeting.