



NOTICE OF MEETING

**BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
WEDNESDAY, MAY 9, 2012 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 April 25, 2012
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. Authorization of District Engineer Travel, National Association of Flood and Stormwater and Management Agencies (NAFSMA) 2012 Annual Meeting, Coeur d'Alene, Idaho, August 13 – 16, 2012
 - b. Authorization to Renew Basin Lease Agreement for Agricultural Purposes, Basin "CD" (Dakota & Garfield)

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- c. Authorization to Schedule 2012-2013 Budget Workshop and Budget Hearing, and Cancel Regular Board Meeting
 - d. Engineer's Report of Construction, April 2012
 - e. Report of Developer Agreements, April 2012
 - f. Quarterly Real Estate Report, April 2012
 - g. Ratification of Expenditures, April 2012
 - h. Authorization to Contract for Basin Maintenance Services, ARC Fresno
 - i. Report of Public Concerns, April 2012
9. Authorization to Issue Check to Purchase Pup Creek Detention Basin No. 2, Roman Catholic Bishop of Fresno, (s/o Herndon, e/o DeWolf Avenues)
10. Adoption of Resolution Rescinding Resolution No. 2012-733, Resolution Authorizing Obtaining a Court Order Permitting Entry on Property Owned by Burlington Northern Santa Fe Railroad and San Joaquin Valley Railroad Company/RailAmerica (APN 451-010-14) to Conduct an Environmental Investigation, Basin "CC" Expansion
11. Request from El Paseo Shopping Center to Lease Portion of Basin "EH" for Sign (Herndon & Golden State)
12. Board Reports, Workshops, Correspondence and Requests for Future Agenda Items:
- a. Recommendation of the Policy Committee:
 - (1) Adoption of Proposed Policy – Late Payment of Drainage Fees
 - (2) Juan Gomez Drainage Fee Payment Proposal, CUP 2009-026 Drainage Area "AS"

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(3) Adoption of Amended Policies:

- (a) Drainage Fees: Administration of Master Plan Engineering Services Fee
- (b) General Fund/Developer Reimbursement from PPDA, Where State Revolving Loan Fund Exists

REPORT OF GENERAL COUNSEL

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

CLOSED SESSION

14. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:

Simonian Property, Basin “BL” Expansion

15. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Subdivision (a) of Section 54956.9:

**City of Fresno vs. The Oversight Board for the Successor Agency of the
Redevelopment Agency of the City of Fresno; et. al. Case No. 34-2012-80001121**

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

**Initiation of Order Permitting Entry – Petition (Civ. Code Section 1245.010[a]);
Property Location = APN 451-010-14 Owners BNSF and San Joaquin Valley
Railroad, Basin “CC” Expansion**

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.