

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, JANUARY 27, 2010

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, January 27, 2010 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: Kendall Groom, Chairman
Roy Spina, Vice-Chairman
Richard Welton
George Marcus
Jennette Williams
Mike Rastegar

DIRECTORS ABSENT: Frank Franco

**STAFF, CONSULTANTS,
OTHERS PRESENT:**

Bob Van Wyk, General Manager-Secretary
Jerry Lakeman, District Engineer
Alan Hofmann, Design/Assistant Engineer
David Pomaville, Administrative Services Manager
Esther Schwandt, Clerk to the Board

John Smith, Assistant General Counsel
Ken Price, Assistant General Counsel

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

2. REPORT OF THE GENERAL MANAGER

Mr. Van Wyk reported on the following: (1) Roger Palomino's retirement luncheon is scheduled for February 17th at 11:30 am at the Dante Club; staff will be asking the Board to adopt a Resolution of Appreciation for Mr. Palomino at the next Board Meeting; and (2) he regretfully reported Steve Hall, former ACWA Executive Director from 1993-2007, had passed away due Lou Gehrig's disease.

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- 3. APPROVAL OF MINUTES:** Minutes of January 13, 2010

Approved as Recommended

Motion by: Williams Second by: Spina
Ayes: Groom, Spina, Marcus, Welton, Williams, Rastegar
Noes: None
Abstentions: None
Absentees: Franco

- 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.

- 8. CONSENT CALENDAR:**

- b. Authorization to Execute Standard Developer Agreement and Enter Into Time Payment Agreement, County SPR 7578, Kroeker, Inc. Drainage Area "CE", (n/w/c Chestnut & American)
- c. Report of Mr. Salvador Macias Encroachment Status, Big Dry Creek Diversion Channel to Little Dry Creek (n/w of Big Dry Creek Reservoir)
- e. Authorization to Issue Checks for Land Purchase to Widen the Fancher Creek Channel Near McKinley and Academy (Dresick, Martin & Saiban)

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- f. Report of Pollutant Discharge Incidents, December 2009
- g. Report on Real Estate Activity, December 2009
- h. Report on JPIA Liability, Property, and Workers' Compensation Risk Assessment of District Facilities and Operations

Approved as Recommended

Motion by: Welton Second by: Spina
Ayes: Groom, Spina, Marcus, Welton, Williams, Rastegar
Noes: None
Abstentions: None
Absentees: Franco

- a. **Authorization to Sign Joint Agency Cooperation Agreement to Construct Recharge Improvements on Behalf of City of Fresno**

Director Welton expressed his belief the Board should be presented the agreement for review before the Board grants the approval.

Board of Directors did not approve staff recommendation, instead directed staff to bring the item back with the specific provisions of the agreement for review by the Board at a subsequent Board Meeting.

Motion by: Welton Second by: Williams
Ayes: Groom, Spina, Marcus, Welton, Williams, Rastegar
Noes: None
Abstentions: None
Absentees: Franco

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d. Authorization to Execute Letter of Support for the California High-Speed Train Project

Director Welton noting the proposal of a California High-Speed Train project is a major event statewide and therefore believed it very appropriate the District Board take a position, and suggested the Board adopt a Resolution of Support with a letter from the Chairman as to the District's support of the proposal as well as the proposed Fresno maintenance facility. He also requested the Board be kept informed as to the status, so that the District can do its part in assisting Fresno in their quest for the High-Speed Train Project and maintenance station.

Approved as recommended with the addition that the letter of support be prepared to include the District's support for the High-Speed Train Project as well as the Fresno Maintenance Station for the Chairman's signature; and the Board of Directors adopted Resolution No. 2010-641, Resolution Supporting the California High-Speed Train Project

Motion by: Welton Second by: Spina
Ayes: Groom, Spina, Marcus, Welton, Williams, Rastegar
Noes: None
Abstentions: None
Absentees: Franco

9. This Item was Pulled

As this item was pulled, no action was required by the Board of Directors.

10. This Item was Pulled

As this item was pulled, no action was required by the Board of Directors.

11. Report on Implementation of State Water Resources Control Board Agreement for American Recovery Reinvestment Act (ARRA) Construction Funds

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

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Director Welton complimented the staff on keeping up with the projects. Director Williams concurred and suggested this information should be included in the District's Floodline Newsletter and suggested an article in the Fresno Bee to show the District is doing its part to stimulate the local economy by constructing these projects. Mr. Pomaville noted there will be a joint informational release to the media within the next few weeks through the State Water Board on their projects and noted staff is working with the State Water Board's public information staff.

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

12. Review of Funding Allocation in Drainage Areas "II₁/RR" and Report of Drainage Areas "II₁/RR" Funding Sources

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

Director Welton suggested a letter prepared by staff and signed by the Chairman, be directed to Mayor Swearingin summarizing the work that has been done to assist in the completion of the revitalizing of the downtown in particular noting the amount of work that is being completed in the Drainage Areas "II₁/RR".

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

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

a. Report on Board of Directors Attendance at Various Meetings, Director Groom, San Joaquin River Conservancy (SJRC)

Recommend Director Groom give a verbal report of the SJRC meeting held January 13, 2010.

Director Groom gave a verbal report.

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

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REPORT OF GENERAL COUNSEL

No items were submitted.

CLOSED SESSION

A Closed Session was not convened.

ADJOURNMENT

Adjourned Board Meeting at 6:28 pm

Motion by: Spina Second by: Williams
Ayes: Groom, Spina, Marcus, Welton, Williams, Rastegar
Noes: None
Abstentions: None
Absentees: Franco



BOB VAN WYK
GENERAL MANAGER/SECRETARY



DATE