

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, SEPTEMBER 8, 2010

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, September 8, 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
Frank Franco
George Marcus
Jennette Williams
Mike Rastegar

DIRECTORS ABSENT: Richard Welton

**STAFF, CONSULTANTS,
OTHERS PRESENT:**

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

Doug Jensen, General Counsel

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

2. REPORT OF THE GENERAL MANAGER

Mr. Van Wyk reported on the following: (1) the District held its annual Blood Drive today and he announced it was successful, collecting approximately 17 pints of blood; (2) staff will be scheduling an Adoption of Resolution of Necessity for the Burlington Northern property for Basin "AE", for the October 13, 2010 Board Meeting; he noted as the property was purchased under the issue of condemnation, staff has to complete the process in order to complete the acquisition; (3) he attended the COG "One Voice" meeting, noting the delegation is scheduled to go February 26th through March 3rd to Washington D.C.; (4) he requested Mr. Pomaville give an update on the roof being replaced in Building 1; Mr. Pomaville then showed an aerial photograph of Building 1 and showed how far the roofing company has proceeded; he noted we are delayed in the air conditioning units installation

**FMFCD BOARD MEETING MINUTES
WEDNESDAY, SEPTEMBER 8, 2010
PAGE 2 OF 5**

due to a production delay; he stated the air conditioning units may possibly not arrive until the end of the month; staff has worked with the contractor to push ahead with construction; he stated what that means is they have had to complete the roofing by lifting the old units up, complete the roof, and then placing the old units back on; Responding to Director Spina's question, Mr. Pomaville stated the old units are functional and could be left in place until Spring 2011 should the air conditioners not arrive in time to avoid inclement weather; and (5) he distributed a letter from Ron Watson, Airport Operations Manager of the Fresno Yosemite International Airport confirming the information they had previously given District staff, and that is that representatives of Wildlife Control Technology, consultants to the Fresno Airport Department, may be entering certain Airport Department property leased by the District; said locations being Basins "B", "BU" and "T", and the far west location of Leaky Acres. They have stated the purpose is to discourage waterfowl from congregating or nesting in areas where doing so could be potentially hazardous to aircraft landing or departing Fresno Yosemite International Airport.

3. APPROVAL OF MINUTES: Minutes of August 11, 2010 and August 25, 2010

Responding to Director Spina's question on page 6 of August 11, 2010 Minutes, Mr. Lakeman stated Mr. Ajib does have an easement to the property.

Approved as Recommended

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

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.

**FMFCD BOARD MEETING MINUTES
WEDNESDAY, SEPTEMBER 8, 2010
PAGE 3 OF 5**

7. PUBLIC HEARING:

There were no Public Hearings scheduled.

8. CONSENT CALENDAR:

- a. Acceptance of Quarterly Investment Report, Second Quarter
- b. Ratification of Expenditures, August 2010
- c. Report of Public Concerns, August 2010
- d. Report on Award of Uniform Cost Accounting for Contract "5F-39" (Fowler & Escalon), Electrical Facilities
- e. Report on Passage of Legislation, SB 1070 (Cogdill)

Approved as Recommended

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

9. Authorization to Obtain Dam Failure Insurance through Eaton and Eaton Insurance Brokers

Recommend the Board of Directors authorize staff to place Dam Failure Liability Insurance with Eaton and Eaton Insurance Brokers for the 2010-2011 term.

Approved as Recommended

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

**FMFCD BOARD MEETING MINUTES
WEDNESDAY, SEPTEMBER 8, 2010
PAGE 4 OF 5**

10. Award of Contracts:

- a. Contract "HH-25", Pipeline Project
(Jensen, Drummond, Vine, Date & Maple Avenues)**

Recommend the Board of Directors award Contract "HH-25" to Floyd Johnston Construction Company Inc. in the amount of \$945,953.75.

Approved as Recommended

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

- b. Contract "EM-19", Pump Station Shafts and Basin Internal Pipelines**

Recommend the Board of Directors award Contract "EM-19" to Western Paving Company in the amount of \$202,445.

Approved as Recommended

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

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

No items were submitted.

REPORT OF GENERAL COUNSEL

No items were reported.

**FMFCD BOARD MEETING MINUTES
WEDNESDAY, SEPTEMBER 8, 2010
PAGE 5 OF 5**

CLOSED SESSION

A Closed Session was not convened.

ADJOURNMENT

Adjourned Board Meeting at 6:24 pm.

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



BOB VAN WYK
GENERAL MANAGER/SECRETARY



DATE