

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

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

DIRECTORS ABSENT: Jennette Williams

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
Andrew Remus, Staff Analyst
Paul Merrill, Finance Manager
Esther Schwandt, Clerk to the Board

Ken Price, Assistant General Counsel

Jeff Roberts, Tree Fresno
Caroline Ponte

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 EDC Annual Luncheon will be held tomorrow at 11:30 a.m. at the Fresno Convention Center, the Clerk to the Board has contacted those Board Members who have indicated they will be attending; (2) he distributed a letter addressed to the Board from Caroline Ponte regarding the District's Basin "EJ", he stated this item will be added to the November Board Meeting Agenda; (3) he

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reported tomorrow the District's employees will be having their Employee's Benefits Fair; (4) he distributed a copy of the Newsletter from the City of Fresno, noting on page 4, it mentions the partnering between the City of Fresno and the District on the passage of AB 1070; (5) he distributed flyers regarding the Tree Planting to be held at the District's Basin "DE"; the Tree Planting is to be held in conjunction with Granville Homes and Tree Fresno; Mr. Jeff Roberts addressed the Board stating the Tree Planting will be held on November 6th at 8:00 am, and noted that this will be the 38,000 tree planted in Fresno County by Tree Fresno; and (6) Director Spina noted the Shinzen Japanese Garden is also scheduled for November 6th and invited Board Members and staff to attend after planting the trees.

3. APPROVAL OF MINUTES: No Minutes were submitted.

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:

- a. Authorization to Execute Standard Developer Agreement, Tract 5984, Drainage Area "3G" (Barstow & Locan), 5965 Enterprises, LP (Wilson Homes)
- b. Authorization to Participate in Joint Improvement Project at the Fancher Creek Town Center Development in Southeast Fresno, Including Basin "BO" (w/o Fowler Avenue, n/o Tulare Avenue)

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- c. Report of Award of Uniform Cost Accounting Contract "SS-11", Access Across Fresno Colony Canal, (Annadale & Walnut Avenues)
- d. Report on Completion of the Roof for FMFCD Building 1
- e. Report on Fair Market Value of Billboard Rental for the Lease at Basin "EH" (Herndon & Golden State)
- f. Report on Health Insurance Premium for 2011
- g. Report on Real Estate Activity, September 2010
- h. Report of Pollutant Discharge Incidents, September 2010
- i. Approve Correction to Attachment of the 2009-2010 Ad Hoc Committee and Recommendation of a Budget Amendment Dated October 13, 2010
- j. Submittal of Fourth Quarter Budget Report, Fiscal Year 2009-2010
- k. Authorization of Expenditure for Jensen Avenue Paving, Contract "HH-25" and Advance of Reimbursement from Agreement 740(D)-UU₁-8, City of Fresno

Approved as Recommended

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

- 9. Authorization to Purchase Right-of-Way and Execute Agreement for Reimbursement of Easement Costs, Redevelopment Agency of the City of Fresno, Drainage Area "KK" (e/o Freeway 41, n/o Annadale)**

Recommend the Board of Directors authorize staff to enter into a reimbursement agreement with the Redevelopment Agency of the City of Fresno for the cost of the easements identified on Exhibit No. 2 as attached to the Board Memorandum, in the approximate amount of \$60,000.

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Approved as Recommended

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

10. Authorization to Purchase GPS Survey Equipment through State of California Procurement Division, California Multiple Award Schedule (CMAS)

Recommend the Board of Directors authorize purchase of GPS survey equipment through the State Procurement Division's CMAS process.

Approved as Recommended

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

11. Authorization to Relocate Fence, Basin "AW₁" (Orange Avenue s/o North Avenue)

Recommended the Board of Directors authorize the reconstruction of the Basin "AW₁" fence and reallocate \$14,000 from the "BX, Nees: Pipe Upsize for R/T Park" Budgeted Project for funding as outlined in the Board Memorandum.

Approved as Recommended

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

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- 12. Authorization to Execute Common Use and Easement Agreements with the Fresno Irrigation District, Central Canal in Drainage Area "HH" (Chestnut & Jensen), Fresno Colony Canal in Drainage AW₁ (Cedar and North), Fancher Creek in Drainage Area "BO" (Tulare and Sunnyside)**

Recommend the Board of Directors accept FID's terms at the three locations identified in the Board Memorandum and authorize staff to execute the appropriate documents. It is also recommended that the Board provide direction to staff as whether to accept this language as a standard for future documents or provide direction as to how to proceed in the future.

Approved as Recommended, and the Board further directed staff to assemble a meeting with FID staff, City of Fresno staff, City of Clovis staff, and the County of Fresno staff to determine the scope of the issue, and whether acceptable language can be developed. If not, District staff is to place an item on a future Board Meeting Agenda to form an Ad Hoc Committee to meet with FID to discuss acceptable language for future documents.

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

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

No items were reported.

REPORT OF GENERAL COUNSEL

No items were reported

CLOSED SESSION

A Closed Session was not convened.

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ADJOURNMENT

Adjourned Board Meeting at 6:20 pm.

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



BOB VAN WYK
GENERAL MANAGER/SECRETARY



DATE