

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, MAY 23, 2012

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, May 23, 2012 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: Roy Spina, Chairman
Jennette Williams, Vice-Chairman
Mike Rastegar
Frank Fowler
Buzz Burlison

DIRECTORS ABSENT: Kendall Groom
Barbara Goodwin

**STAFF, CONSULTANTS,
OTHERS PRESENT:**

Bob Van Wyk, General Manager-Secretary
Jerry Lakeman, District Engineer
Alan Hofmann, Assistant District Engineer/Design
Paul Merrill, Finance Manager
Karyn Kruser, Staff Analyst
Daniel Rouke, Staff Analyst
Kristine Johnson, Staff Analyst
Robert McIntyre, Computer Network Technician
John Santos, Engineer
Kurt Hupp, Rural Program Manager
Frances Lopez, Office Manager; Serving as Clerk to the Board

Ken Price, Assistant General Counsel;
Baker, Manock & Jensen
Lauren Layne, Assistant General Counsel;
Baker, Manock & Jensen

Doug Harrison, Past District General Manager

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

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2. REPORT OF THE GENERAL MANAGER:

Mr. Van Wyk reported on the following: (1) acknowledged the presence of Mr. Doug Harrison; (2) complaints from Property Owners regarding Basin "V" (Sierra Vista, n/o McKinley); apparently there are soccer games going on by people/organizations who do not have an agreement with the District; he stated in order to control the site, the District staff closed the site and installed special locks; he stated staff has now opened the site and will continue to monitor the activity; (3) the draft Budget would be distributed to the Board next Friday, June 1, 2012; with the Budget Workshop being held on Wednesday, June 6, 2012; (4) the State of the City of Luncheon will be held on Wednesday, May 30th and the Clerk to the Board would be contacting the Board Members who have indicated they will be attending; (5) advancements have been made with the "Abandonment of Annadale Avenue" and he requested Mr. Lakeman update the Board as to the status; Mr. Lakeman stated the County had approved the abandonment and he will be bringing a report to the Board at the next Regularly Scheduled Board Meeting; and (6) he distributed a letter from a property owner acknowledging the District and in particular Brent Sunamoto.

3. APPROVAL OF MINUTES: Minutes of May 9, 2012

Approved as Recommended

Motion by: Burleson Second by: Williams
Ayes: Spina, Williams, Rastegar, Fowler, Burleson
Noes: None
Abstentions: None
Absentees: Groom, Goodwin

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.

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7. PUBLIC HEARING:

There were no Public Hearings scheduled.

8. CONSENT CALENDAR:

- a. Authorize the General Manager to Enter into Contracts with Environmental Consulting Firms to Provide "As-Needed" Services for Environmental Planning and Regulatory Compliance
- b. Award of Contract "G-11", Pump Station, Carozza Park, Basin "G" (Olive & Winery)
- c. Report of Pollutant Discharge Incidents, April 2012
- f. Submittal of Third Quarter Budget Report, Fiscal Year 2011-2012
- g. Acceptance of Report of External Auditor, Fiscal Year 2011 Public Agencies Post-Retirement Health Care Plan Trust

Director Burleson requested Agenda Item 8d be pulled; Director Rastegar requested Agenda Item 8e be pulled.

Approved as Recommended, Pulling Agenda items 8d and 8e

Motion by: Burleson Second by: Williams
Ayes: Spina, Williams, Rastegar, Fowler, Burleson
Noes: None
Abstentions: None
Absentees: Groom, Goodwin

- d. **Report of Status of Fancher Creek Floodway (Fowler s/o Belmont) Maintenance, JPJ Incorporated (John Bonadelle, Jr.)**

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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Responding to Director Burleson's question regarding whether the property owner, as stated in the Board Memorandum, had mowed fire breaks on the property for fire safety on May 16th, Mr. Lakeman stated the property owner had indeed done that.

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

e. Report on Other Post-Employment Benefit (OPEB) Investment Returns for Period Ending March 31, 2012

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

Director Rastegar requested staff do a comparison between PARS and PERS and bring that back to the Board at a subsequent meeting. Mr. Van Wyk stated staff will complete that comparison.

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

9. Adoption of Resolution Amending Storm Drainage and Flood Control Master Plan, Pup Creek Enterprise Detention Basin (s/o Herndon, e/o DeWolf Avenues)

Recommend the Board of Directors adopt the Resolution attached to the Board Memorandum amending the Storm Drainage and Flood Control Master Plan to include the Pup Creek Enterprise Detention Basin.

Approved as Recommended, Adopting Resolution No. 2012-743

Motion by: Rastegar Second by: Fowler
Ayes: Spina, Williams, Rastegar, Fowler, Burleson
Noes: None
Abstentions: None
Absentees: Groom, Goodwin

10. Adoption of Resolution Authorizing Application for Local Groundwater Assistance Program Grant, California Department of Water Resources (DWR)

Recommend the Board of Directors adopt the Resolution attached to the Board Memorandum authorizing staff to submit a Grant Application to the California Department of Water Resources for recharge improvements and basin soil sampling.

Approved as Recommended, Adopting Resolution No. 2012-744

Motion by: Rastegar **Second by:** Williams
Ayes: Spina, Williams, Rastegar, Fowler, Burleson
Noes: None
Abstentions: None
Absentees: Groom, Goodwin

11. Adoption of Resolution Authorizing Membership in the Southern Sierra Regional Water Management Group, Execution of Memorandum of Understanding as a Planning Committee Member, and Designation of Primary and Alternative District Representatives

Recommend the Board of Directors: (1) Adopt the Resolution attached to the Board Memorandum as Attachment No. 7 to join as a Planning Committee Member of the Southern Sierra Regional Water Management Group; (2) Authorize the District's General Manager to sign the MOU on behalf of the District; and (3) Appoint the District Engineer (Jerry Lakeman) as the Primary Representative and one staff member (Kurt Hupp, Rural Program Manager) as the alternate representative on the Planning Committee of the SSRWMG to act on behalf of the District in absence of the primary member.

Approved as Recommended, Adopting Resolution No. 2012-745

Motion by: Burleson **Second by:** Williams
Ayes: Spina, Williams, Rastegar, Fowler, Burleson
Noes: None
Abstentions: None
Absentees: Groom, Goodwin

12. Adoption of Resolution of Appreciation, John L.B. Smith

Recommend the Board of Directors adopt the Resolution attached to the Board Memorandum, Resolution of Appreciation for John L.B. Smith.

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Mr. Doug Harrison addressed the Board acknowledging Mr. Smith's remarkable record with the District, in particular noting he could not recall the District ever losing a liability lawsuit. He also acknowledged Mr. Smith's passion for the District and the public the District served.

Approved as Recommended, Adopting Resolution No. 2012-742

Motion by: Burleson Second by: Williams
Ayes: Spina, Williams, Rastegar, Fowler, Burleson
Noes: None
Abstentions: None
Absentees: Groom, Goodwin

- 13. Authorization to Execute Development Agreement for Initial Projects for the Fancher Creek Flood Control Improvement Project, Drainage Area "BO" (Sunnyside & McKenzie), Fancher Creek Town Center, Tom Richards and Ed Kashian**

Recommend the Board of Directors authorize the agreement outlined in the Board Memorandum with the developers of the Fancher Creek Town Center for the initial work on the Fancher Creek Flood Control Improvement Project.

Approved as Recommended

Motion by: Rastegar Second by: Fowler
Ayes: Spina, Williams, Rastegar, Fowler, Burleson
Noes: None
Abstentions: None
Absentees: Groom, Goodwin

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

a. Report on Board of Directors Attendance at Various Meetings:

- (1) Association of California Water Agencies (ACWA)/Joint Powers Insurance Authority (JPIA) 2012 Spring Conference, Monterey, California, Director Groom**

- (2) San Joaquin River Conservancy (SJRC), Director Spina**

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Recommend (1) Director Groom give a verbal report of the ACWA/JPIA 2012 Spring Conference held on May 7 – 9, 2012; and (2) Director Spina give a verbal report of the SJRC meeting held on May 9, 2012.

As Director Groom was not in attendance, no verbal report of the ACWA/JPIA 2012 Spring Conference was given.

Director Spina gave a verbal report of the SJRC meeting held on May 9, 2012.

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

REPORT OF GENERAL COUNSEL

No items were reported.

CLOSED SESSION

A Closed Session was not convened.

ADJOURNMENT

Adjourned Board Meeting at 6:55 pm

Motion by: Williams Second by:
Ayes: Spina, Williams, Rastegar, Fowler, Burleson
Noes: None
Abstentions: None
Absentees: Groom, Goodwin


BOB VAN WYK
GENERAL MANAGER/SECRETARY

6/21/12
DATE