

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, FEBRUARY 27, 2013

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, February 27, 2013 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: Jennette Williams, Chairman
Roy Spina
Kendall Groom
Barbara Goodwin
Frank Fowler
Buzz Burleson

DIRECTORS ABSENT: Mike Rastegar, Vice-Chairman

**STAFF, CONSULTANTS,
OTHERS PRESENT:**

Jerry Lakeman, District Engineer
Alan Hofmann, Assistant District Engineer/Design
Peter Sanchez, Operations Engineer
Paul Merrill, Finance Manager
Paul Allen, Construction Manager
Andrew Remus, Staff Analyst
Daniel Rourke, Environmental Resources Manager
Esther Schwandt, Clerk to the Board

Doug Jensen, General Counsel; Baker, Manock & Jensen
Lauren Layne, Assistant General Counsel;
Baker, Manock & Jensen

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

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2. REPORT OF THE GENERAL MANAGER:

Mr. Lakeman on behalf of the General Manager reported on the following: (1) Blue Tech Valley Wide Conference 2013 is scheduled for May 1 – 2, 2013 any Board Members interested in attending should let the Clerk to the Board know; he noted the District will pay for the Board Members registration, however it was a non-compensated event; (2) he reminded the Board Members of the 2013 Valley Business Awards Luncheon scheduled for March 5, 2013; (3) he distributed a letter to the Board which will be addressed to property owners near the District's work at Sunnyside and McKenzie Avenues informing them of the potential impact to them from traffic and parking restrictions; he noted this is the Basin that the District is excavating for the Prop 1E Grant; he stated McKenzie Avenue would be used as a haul route; (4) the City of Clovis Mayor's Breakfast is scheduled for May 16th, 2013 at 7:00 am; he requested those Board Members interested in attending let the Clerk to the Board know; (5) he noted at the regularly scheduled BIA Meeting which was held this morning, Mr. Van Wyk led a discussion on the creation of a Development Review Fee; Mr. Lakeman noted that this was fairly well received, as the BIA recognizes that while they do not like to pay fees, they do want some accountability and by-in as to how the District will go about determining what that fee should be; the BIA also informed staff that they see the development activity picking up this summer, and they anticipate that they will be submitting more plans for review to the District and they wanted to insure that the District is prepared to make whatever adjustments it needs to address the review of these plans in a timely manner; (6) he informed the Board that the Clerk to the Board was in the process of scheduling several Board Committee Meetings; and; (7) all Board Members should have received their Form 700s and noted those are due back to the District by April 1, 2013.

Chairman Williams noted the General Manager had requested and was granted this evening off.

3. APPROVAL OF MINUTES: February 13, 2013

Director Goodwin requested a correction to page 5, paragraph 2. In particular changing the last two sentences to read, "Director Goodwin noted she believed it would be prudent to look at the Budget on a quarterly basis, whether or not changes were needed." She believed this more accurately reflected the intent of her comments. The Clerk to the Board noted one correction to page one; Pal Merrill should be "Paul Merrill".

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Approved as Recommended, with the above noted corrections

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

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. Actions to Dispose of Three Vehicles and Acquire Replacement Vehicles:

- (1) Adoption of Resolution Declaring One $\frac{3}{4}$ Ton Truck, One $\frac{1}{2}$ Ton Extended Cab Truck and One $\frac{1}{2}$ Ton Van as Excess Property
- (2) Authorizing their Disposal Through eBay
- (3) Authorization to Purchase Budgeted Replacement Vehicles

b. Report of Pollutant Discharge Incidents, January 2013

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- c. Report of Uniform Cost Accounting Contracts:
 - (2) Preparation for Landscaping Upper Portion of Basin "AA" (Blackstone & Holland):
 - (a) Contract "AA-39" (Holland w/o Blackstone), Basin Tree and Shrub Removal
 - (b) Contract "AA-40" (Holland w/o Blackstone), Basin Grading
- d. Report on 2nd Quarter Other Post-Employment Benefit (OPEB) Investment Returns for Period Ending December 31, 2012
- e. Authorization to Enter into Lease Agreement for Sheep Grazing, Basins "BY" (Behymer & Sunnyside) and "DL" (International & Villa)

Director Fowler requested item 8c.(1) be pulled.

Approved as Recommended, with the exception of Item 8c.(1)

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

8.c. Report of Uniform Cost Accounting Contracts:

- (1) **Annual Hydroseeding Contract – Portions of Basin "ZZ" (Whitesbridge & Crystal), Basin "CF" (Central & Peach), Basin "CW" (Fresno & Nees), Basin "3A" (Shaw & Helm), Basin "RR3" (Whitesbridge & Roeding), Big Dry Creek Dam and Diversion Channel (Shepherd & DeWolf), Fancher Creek Dam and Diversion Channel (Bullard east of Madsen), Fancher Creek Detention Basin (Olive & McCall), Redbank Dam (Shaw & Indianola), and Big Dry Creek Diversion Channel (Copper & Armstrong)**

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 Fowler expressed his concern with respect to the lack of a bid summary, and requested in the future for consistency, a bid summary be included in contract awards.

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

9. Report on Status of Department of Water Resources (DWR) Local Groundwater Assistance Grant for Basin Recharge Improvement and Soil Sampling Project

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

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

10. Report on the Stormwater Quality NPDES Permit Program Reapplication, Third Permit Term

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

Responding to Director Fowler's question as to whether there is a fee in place or if the District has discussed putting a fee in place to help cover the District's cost with respect to the environmental compliance requirements, Mr. Rouke noted it was discussed at the District's Executive Staff Retreat and it was decided that staff check into what other agencies are doing with respect to fees for environmental compliance. Director Fowler noted his belief that the District needs to look into this, as the District cannot continue to absorb these costs. Director Fowler noted with respect to the change in the northern boundaries which were changed to align with the City of Fresno's Sphere and the Master Plan to account for the changes in projected growth patterns north of the City of Fresno, the County currently has won the first round of lawsuits with only one minor change for the Friant Ranch project which has a potential for 2500 homes in that boundary which is now being eliminated. He suggested staff may want to discuss the issue with the County before the boundary is changed. Mr. Rourke stated he would meet with the County to discuss the item. Director Spina requested Mr. Rourke report back to the Board once he has met with the County on the boundary matter.

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

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

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

(1) Upper Kings Basin Integrated Regional Water Management Authority (UKBIRWMA), Director Burleson

Director Burleson to give a verbal report of the Upper Kings Basin Integrated Regional Water Management Authority (UKBIRWMA) which held its meeting on February 14, 2013.

Director Burleson gave a verbal report.

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

(2) Oversight Board for the Successor Agency of the Clovis Redevelopment Agency, Director Spina

Director Spina to give a verbal report of the Oversight Board for the Successor Agency of the Clovis Redevelopment Agency Board Meeting held on February 19, 2013.

Director Spina gave a verbal report.

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

REPORT OF GENERAL COUNSEL

Mr. Jensen reported on Legislative items of interest to the District.

CLOSED SESSION

A Closed Session was not convened.

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ADJOURNMENT

Adjourned Board Meeting at 6:47 pm.

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



JERRY LAKEMAN
DISTRICT ENGINEER

3-21-13
DATE