

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, JULY 9, 2014

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, July 9, 2014 at 4:00 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
Mike Rastegar, Vice-Chairman
Roy Spina
Kendall Groom
Barbara Goodwin
Frank Fowler
Buzz Burleson

DIRECTORS ABSENT: None

STAFF, CONSULTANTS,
OTHERS PRESENT: Bob Van Wyk, General Manager
Peter Sanchez, Interim Assistant District Engineer
Jarrod Takemoto, Rural Streams Program Manager
Esther Schwandt, Clerk to the Board

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

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

2. REPORT OF THE GENERAL MANAGER:

Mr. Van Wyk reported on the following: (1) he distributed a letter from Mayor Ashbeck of the City of Clovis, reappointing Director Roy Spina as the City of Clovis' representative on the District Board for another four year term; and, (2) he distributed a flyer and reminded the Board of Directors of the General Manager's Retirement Open House scheduled for Thursday, July 10, 2014 at the District office.

3. APPROVAL OF MINUTES: None Submitted

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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 Renew Basin Lease Agreement for Agricultural Purposes, Granville Homes, Basin "CD" (Dakota & Garfield)
- b. Authorization to Execute Standard Developer Agreement, Tract 5464/FR CUP 2004-325, Drainage Area "BM", R. J. Hill Homes, (Hamilton & Temperance)

Approved as Recommended

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

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9. Adoption of Resolution Declaring Excess Property, Authorization to Negotiate Sale of Said Property and Approval of Right of Entry, Pup Creek Detention Basin Outlet Channel Property

Recommend the Board of Directors adopt the Resolution attached to the Board Memorandum declaring a portion of the Pup Creek Detention Basin Outlet Channel property (7,880.15 square feet) as excess property not needed for District purposes, authorize staff to negotiate the sale of said property with the developer and authorize staff to execute a Right of Entry agreement with the developer to allow access to the property prior to the sale.

Mr. Takemoto stated the title of the Board Memorandum should have included notice that the Board of Directors will need to approve the Resolution with a 2/3rds vote as this is a land matter.

Approved as Recommended, Adopting Resolution No. 2014-796

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

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

No items were submitted.

REPORT OF GENERAL COUNSEL

Mr. Price stated there were no items to report.

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CLOSED SESSION

The Board then convened in Closed Session at 4:20 pm to consider the following litigation:

- 13. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of
Section 54956.9. Number of cases: 1**

Following discussion of the anticipated litigation, Mr. Price left the Board Meeting at 4:21 pm.

The Board continued in Closed Session to consider the following:

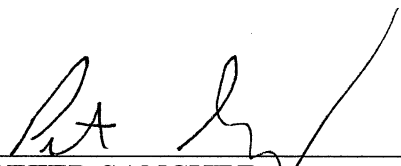
- 12. PUBLIC EMPLOYMENT
Title: General Manager-Secretary
Pursuant to Government Code §54954.5**

The Board then convened in regular session at 7:19 pm. Director Williams stated no reportable action was taken in Closed Session. Director Williams initiated discussion as to the salary range for the General Manager-Secretary position. The Board of Directors authorized the Chair to negotiate the salary, at an acceptable salary range with the future General Manager.

ADJOURNMENT

Adjourned Board Meeting at 7:27 pm

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



PETER SANCHEZ
DISTRICT ENGINEER
7-29-14

DATE