

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, SEPTEMBER 24, 2014

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, September 24, 2014 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
Mike Rastegar, Vice-Chairman
Roy Spina
Kendall Groom
Barbara Goodwin
Frank Fowler
Buzz Burleson

DIRECTORS ABSENT: None

STAFF, CONSULTANTS,
OTHERS PRESENT: Alan Hofmann, General Manager-Secretary
Peter Sanchez, District Engineer
Debbie Campbell, Design Engineer
Daniel Rourke, Environmental Resources Manager
Paul Allen, Facilities Manager
Paul Merrill, Finance Manager
Robert Villalobos, Engineering Technician
Brent Sunamoto, Operations Engineer
Karyn Kruser, Staff Analyst
Esther Schwandt, Clerk to the Board

Doug Jensen, General Counsel; Baker, Manock & Jensen

PRESIDING: Director Williams, 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. Hofmann reported on the following: (1) the EDC Annual Investors Luncheon is scheduled for October 22, 2014; the Clerk to the Board will be contacting the Board Members as to their availability to attend; (2) staff is in the process of scheduling the Priorities & Programming Committee for some time in October; (3) a Board Member had forward a comment from one of the dog owners who uses one of our basin parks, complaining about the homeless in the park; Mr. Hofmann stated staff is following the

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Board's Policy as to how staff addresses these situations, noting staff addresses these issues as quickly as we are made aware of a situation; (4) a Board Member had forward an email from EDC requesting information on parcels, noting they will be working with many businesses that are being relocated as part of the High Speed Rail, and questioned the District's drainage fee; he stated staff has relayed the information to the EDC and will continue to work with them; (5) he reminded the Board he will be out next week attending the California Special District's Association (CSDA) Conference; and (6) he distributed an updated General Manager's Goals and Objectives to the Board which will be approved at the October 8th Board Meeting.

3. APPROVAL OF MINUTES: Meeting of September 10, 2014

Due to his absence at the September 10, 2014 Board Meeting, Director Burleson abstained.

Approved as Recommended

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

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:

Director Goodwin noted a potential Conflict of Interest with Agenda Item No. **14. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** Significant exposure to litigation pursuant to sub-division (b) of Gov. Code Section 54956.9: (Number of Potential Cases: 2), and stated she would therefore be recusing herself on this item.

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7. PUBLIC HEARING:

There were no Public Hearings scheduled.

8. CONSENT CALENDAR:

- a. Award of Contract "CL-O", Basin "CL" (Willow s/o Sierra) Percolation Improvement for Local Groundwater Assistance (LGA) Grant
- b. Ratification of Expenditures, Report of Fund Balances and Activity, August 2014
- c. Report of Pollutant Discharge Incidents, August 2014
- d. Review of Workers' Compensation Deductible Increase

Approved as Recommended

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

9. Adoption of Resolution of Appreciation, Honoring Robert Villalobos Twenty Years of District Service

Recommend the Board of Directors adopt the Resolution of Appreciation honoring Robert Villalobos' 20 years of dedicated public service to the District.

Mr. Hofmann acknowledged the work Mr. Villalobos has provided the District, noting his greatest strength is he does not sacrifice quality for quantity. Mr. Hofmann stated Mr. Villalobos' attention to detail and thoroughness are some of his strong points. Mr. Hofmann congratulated Mr. Villalobos on his 20 years with the District.

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Approved as Recommended, Adopting Resolution No. 2014-798

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

Chairman Williams presented the framed resolution to Mr. Villalobos and congratulated him on behalf of the Board. Mr. Hofmann presented the flowers for Mr. Villalobos' wife to Mr. Villalobos, noting Mrs. Villalobos was unable to attend this evening.

Mr. Villalobos expressed his thanks to the Board and staff, noting he believed it was a privilege to work at the District, and stated he truly enjoys his work.

10. Award of Undeveloped Basin Maintenance Contracts, Units A and B for Maintenance of Undeveloped Retention and Detention Basin Sites

Recommend the Board of Directors authorized staff to enter into contracts with Mow-N-Edge for Unit A and Unit B. Said contracts are to include an initial term of twelve months with two one-year extension options.

Approved as Recommended

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

11. Fourth Quarter Budget Reports:

a. Submittal of Fourth Quarter Budget Report, Fiscal Year 2013-2014

Recommend the Board of Directors accept the Fourth Quarter Budget Report Executive Summary Ending June 30, 2014.

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Approved as Recommended

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

- b. Approve the Revisions to the 2014-2015 Budget from the Fourth Quarter Close-Out Report, Fiscal Year 2013-2014**

Recommend the Board of Directors approve the revisions to the 2014-2015 Budget Beginning Fund Balances – July 1 and the carry-over of Capital Projects as described in the Board Memorandum.

Approved as Recommended

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

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

- a. Report on Board of Directors Attendance at Various Meetings, Oversight Board for the Successor Agency of the Clovis Redevelopment Agency, Director Spina**

Recommend Director Spina give a verbal report of the Oversight Board for the Successor Agency of the Clovis Redevelopment Agency meeting held on September 23, 2014.

Director Spina gave a verbal report.

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

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REPORT OF GENERAL COUNSEL

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

CLOSED SESSION

Director Goodwin recused herself from the proceedings due to a potential conflict of interest and left the Board Meeting at 6:43 pm.

The Board then convened in Closed Session at 6:44 pm to consider the following litigation:

- 14. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to sub-division (b) of Gov. Code Section 54956.9:


(Number of Potential Cases: 2)

The Board then convened in regular session at a 7:26 pm. Mr. Jensen stated no reportable action was taken in Closed Session.

ADJOURNMENT

Adjourned Board Meeting at 7:27 pm.

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


ALAN HOFMANN
GENERAL MANAGER-SECRETARY

10/3/14
DATE