

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, APRIL 8, 2015

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, April 8, 2015 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
Kendall Groom
Frank Fowler
Buzz Burleson

DIRECTORS ABSENT: Mike Rastegar, Chairman
Barbara Goodwin, Vice-Chairman
Jennette Williams

STAFF, CONSULTANTS,

OTHERS PRESENT: Alan Hofmann, General Manager-Secretary
Peter Sanchez, District Engineer
Debbie Campbell, Design Engineer
Frances Lopez, Office Manager
Karyn Kruser, Staff Analyst
Brent Sunamoto, Operations Engineer
Daniel Rourke, Environmental Resources Manager
Esther Schwandt, Clerk to the Board

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

Walter "Andy" Sells, Association of California Water Agencies
Joint Powers Insurance Authority (ACWA/JPIA)

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

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2. REPORT OF THE GENERAL MANAGER:

Mr. Hofmann reported on the following: (1) staff has determined it prudent, as a part of the Board Committee Packet process, to send a Committee Packet to the Alternate Committee Member; thus insuring adequate back-up should the Alternate need to attend in place of a regular Committee Member; (2) Mr. Paul Merrill, District Finance Manager, had an accident and severely injured his hand; Mr. Hofmann stated Mr. Merrill had surgery today, and it had not been determined how long Mr. Merrill would need to be out of the office; (3) he noted at the end of the Agenda, it lists the Board's upcoming meetings, noting next Wednesday, April 15th would be the Board's Workshop on Current Employee Compensation and Benefits Program offered by the District, and next Thursday, April 16th would be the Community Relations Committee Meeting; and (4) with respect to Item 8c., Mr. Hofmann stated the Board Memorandum states, "The Department of Water Resources (DWR) has not yet provided approval of the dedication." However, he stated the District has since received approval from DWR.

3. APPROVAL OF MINUTES: Meeting of March 25, 2015

Approved as Recommended

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

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.

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8. CONSENT CALENDAR:

- b. Report on Drainage Fee Time Payment Agreements (January – March 2015)
- c. Adoption of Resolution Dedicating Street Right-of-Way, Temperance Avenue to City of Fresno, Redbank Detention Basin Access Road (McKinley & Temperance) *(Two-thirds vote required)*

Director Fowler requested 8a be pulled.

Approved as Recommended, with the exception of 8a which was Pulled.

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

a. Report of Public Concerns, March 2015

This report is for informational purposes only. No Board action is required unless specific direction is given staff regarding the content, format, and interest in receiving future reports.

Responding to Director Fowler’s question regarding the number of calls the District is receiving since the closure of those basins found not to be in compliance by dog owners of the dog on leash requirement, Mr. Hofmann stated many of the phone calls shown on the report were prior to the official closing of the basins, and were associated with the closing for the storm event. He stated since then, he has only received 2 emails, and they were from dog owners who had previously contacted the District, and were now interested in the process to establish a “leash free dog park” in a District basin. He stated he had received only one phone call from another resident, expressing his concerns with the closure of the parks. However, he stated at the end of that call, the resident seemed to understand the District’s liability issues. Director Fowler stated he believed the staff has done a good job in dealing with this matter so far. Mr. Hofmann noted staff has created a one page fact sheet, which will be posted at the basin, informing the dog owners of the process they would need to follow in order to establish a “leash free dog environment” in a District basin.

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

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9. Appearance by Walter “Andy” Sells, Chief Executive Officer, Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA), Rate Stabilization Fund Reimbursement

It is recommended the Board of Directors hear the presentation of Mr. Walter “Andy” Sells, Chief Executive Officer of the Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA)

Mr. Hofmann introduced Mr. Sells, Chief Executive Officer of the ACWA/JPIA. Mr. Sells addressed the Board, thanking them for the District’s participation in the insurance pool, and to express his congratulations to the District for having one of the largest refunds, specifically in the amount of \$161,499.57. He then explained how the refund is determined. He noted District staff’s participation in training, which he believed has helped reduce the District’s exposure to losses. Mr. Sells stated the District has a loss ratio below 30% in each of the three programs it participates in, Worker’s Compensation, Property and Liability programs, which he stated is quite phenomenal. Mr. Sells presented the check to Director Groom as the District’s representative on the ACWA/JPIA Board, Director Spina (as acting Chairman), and the General Manager.

Mr. Hofmann stated it was a very pleasant surprise. Director Spina requested Mr. Hofmann pass the compliments onto staff.

Responding to Director Groom’s question, Mr. Sells stated ACWA/JPIA calculates the refunds annually.

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

10. Authorization to Approve Underground Electrical Easement and Temporary Construction Easement with PG&E, Basin “O” (First & Bullard)

It is recommended the Board of Directors authorize staff to execute an Underground Electrical Easement and Temporary Construction Easement, in Basin “O”, with PG&E.

Approved as Recommended

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

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11. Report of Groundwater Recharge Activity in District Basins for 2014 Recharge Year

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

Mr. Hofmann noted during this last storm event, he had the Operations Staff take a look at those basins that would otherwise work with an automatic pump and pump water away. He said staff found a couple of those that staff could turn off and hold the water to conserve as much water as possible, recognizing the drought situation.

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

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

No items were submitted.

REPORT OF GENERAL COUNSEL

No items were reported.

CLOSED SESSION

The Board then convened in Closed Session at 6:23 pm to consider the following litigation:

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

(Number of Potential Cases: 1)

The Board then convened in regular session at 6:59 pm. Mr. Price stated no reportable action was taken in Closed Session.

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ADJOURNMENT

Adjourned Board Meeting at 7:00 pm

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


ALAN HOFMANN
GENERAL MANAGER-SECRETARY

4/14/15
DATE