

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, MAY 27, 2015

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, May 27, 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: Mike Rastegar, Chairman
Jennette Williams
Roy Spina
Kendall Groom

DIRECTORS ABSENT: Barbara Goodwin, Vice-Chairman
Frank Fowler
Buzz Burleson

STAFF, CONSULTANTS,
OTHERS PRESENT: Alan Hofmann, General Manager-Secretary
Peter Sanchez, District Engineer
Debbie Campbell, Design Engineer
Verlyn Neufeld, Construction Manager
Brent Sunamoto, Operations Engineer
Paul Merrill, Finance Manager
Daniel Rourke, Environmental Resources Manager
Esther Schwandt, Clerk to the Board

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

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

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2. REPORT OF THE GENERAL MANAGER:

Mr. Hofmann reported on the following: (1) he participated in the California Special District Association (CSDA) Legislative Days and as a part of that, he was able to visit with staff members of Senators Vidak and Berryhill's office, and he met with Assemblyman Jim Patterson; (2) the State of the City of Fresno is Wednesday, June 3rd at 12:00 pm for those Board Members who have indicated they would be able to attend; (3) the current Association of California Water Agencies (ACWA) Newsletter reports on the ACWA conference Mr. Hofmann attended, and in particular highlights Governor Jerry Brown addressing the ACWA Conference at a luncheon, which Mr. Hofmann had mentioned at the last meeting; (4) Channel 30 news ran a story last Friday on the District, interviewing District Facilities Manager, Paul Allen regarding the measures the District takes to insure goslings in District basins are cared for during basin dewatering; and (5) a copy of the Fresno Bee article dated Friday, May 15, 2015 entitled, "Storm prompts flood advisory in Valley" was distributed to the Board, and Mr. Hofmann requested Brent Sunamoto, District Operations Engineer, brief the Board on that small, yet intense rain event that hit the valley on Thursday, May 14, 2015; Mr. Sunamoto reviewed the flooding event noting it caused some flooding and damage; he stated the storm followed a path up Freeway 41 & Shields Avenue, and northeast to Champlain & Perrin; Mr. Sunamoto stated he commended the City of Fresno staff on their quick response to the situation.

3. APPROVAL OF MINUTES: None were Submitted

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:

- a. Acceptance of Quarterly Investment Report, First Quarter
- b. Engineer's Report of Construction, April 2015
- c. Ratification of Expenditures, Report of Fund Balances and Activity, April 2015
- d. Report of Pollutant Discharge Incidents, April 2015
- e. Report on Other Post Employment Benefit (OPEB) Investment Returns

Director Groom requested Agenda Item 8f be pulled.

Approved as Recommended with the Exception of 8f which was pulled

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

f. Submittal of Third Quarter Budget Report, Fiscal Year 2014-2015

It is recommended the Board of Directors accept the Third Quarter Budget Report for the period ending March 31, 2015.

Director Groom requested staff add a bar graph for the total Budget to see how the District is doing with respect to Budget versus Actual for an overall picture.

Approved as Recommended

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

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9. Authorization to Enter Into Installment Payment Agreement, Fresno SPR 2013-023, Antonio and Bertha Correa, Drainage Area "AV" (Elm & North)

It is recommended that the Board of Directors authorize staff to enter into an Installment Payment Agreement with Antonio and Bertha Correa for Fresno SPR 2013-023.

Approved as Recommended

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

10. Authorization to Execute Developer Agreement, Tract 6077, Drainage Area "7C", City of Clovis (Rodgers & Freeway 168)

It is recommended that the Board of Directors authorize staff to execute a Developer Agreement with the City of Clovis for the construction of the required Master Plan facilities.

Approved as Recommended

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

11. Authorization to Sign Basin Use Soccer Agreement, Central Valley Soccer Alliance, Basin "F" (Barstow & Del Mar); Basin "H" (Del Mar & Mesa); Basin "I" (Bullard & Teilman); and Basin "M" (San Jose e/o First)

It is recommended the Board of Directors authorize staff to execute a Basin Use Agreement through October 31, 2015, permitting use of Basins "F", "H", "I", and "M" by the Central Valley Soccer Alliance.

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Approved as Recommended

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

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

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

(1) Association of Metropolitan Water Agencies (AMWA), Director Burleson

It is recommended Director Burleson give a verbal report of the Association of Metropolitan Water Agencies (AMWA) Meeting held on April 23, 2015.

Due to Director Burleson's absence, no verbal report was given.

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

It is recommended Director Spina give a verbal report of the Oversight Board for the Successor Agency of the Clovis Redevelopment Agency Board Meeting held on April 28, 2015.

Director Spina gave a verbal report.

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

(3) **Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) 2015 Spring Conference, Sacramento, California, Director Groom**

It is recommended Director Groom give a verbal report of the Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) 2015 Spring Board of Directors' Meeting held on May 4-5, 2015 in Sacramento, California.

Director Groom gave a verbal report. Director Groom suggested staff contact JPIA staff as to ways to keep our health care costs down, noting, in 2018 our costs could possibly go up substantially due to the proposed "Cadillac Tax". Mr. Hofmann stated it is his understanding the threshold for the "Cadillac Tax" is \$10,000 per year, per employee, and believes the liability for the "Cadillac Tax" will rest with the agency. The Board of Directors requested staff bring back a report as to the costs of the District's health care insurance per employee, and if it meets the "Cadillac Tax" threshold, then ways in which to mitigate the effect of the cost to the District at a future Board Meeting.

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

(4) **San Joaquin River Conservancy (SJRC), Director Goodwin**

It is recommended Director Goodwin give a verbal report of the San Joaquin River Conservancy (SJRC) Board Meeting held on May 20, 2015.

Due to Director Goodwin's absence, no verbal report was given

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

REPORT OF GENERAL COUNSEL

Ms. Layne reported on Legislative items of interest to the District.

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CLOSED SESSION

The Board then convened in Closed Session at 6:29 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)

Ms. Layne stated no reportable action was taken in Closed Session.

ADJOURNMENT

Adjourned Board Meeting at 6:44 pm

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


ALAN HOFMANN
GENERAL MANAGER-SECRETARY

6/4/15
DATE