

**ACTION SUMMARY MINUTES**  
**MINUTES OF THE REGULAR MEETING OF**  
**THE BOARD OF DIRECTORS OF THE**  
**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**  
**HELD WEDNESDAY, JUNE 10, 2015**

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Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, June 10, 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  
Barbara Goodwin, Vice-Chairman  
Jennette Williams  
Roy Spina  
Kendall Groom  
Frank Fowler  
Buzz Burleson

**DIRECTORS ABSENT:** None

**STAFF, CONSULTANTS,**  
**OTHERS PRESENT:** Alan Hofmann, General Manager-Secretary  
Peter Sanchez, District Engineer  
Debbie Campbell, Design Engineer  
Paul Merrill, Finance Manager  
Brent Sunamoto, Operations Engineer  
Daniel Rourke, Environmental Resources Manager  
Sarai De La Garza, Engineer  
Karyn Kruser, Staff Analyst  
John Santos, Engineer  
Esther Schwandt, Clerk to the Board

Doug Jensen, General Counsel; Baker, Manock & Jensen

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

**2. REPORT OF THE GENERAL MANAGER:**

Mr. Hofmann reported on the following: (1) an Engineering student was recently hired as an Intern to work at the District, part-time during the Summer; and (2) in the Board Packet are a number of agreements, the General Manager wanted to assure the Board that all agreements are reviewed by the District's Legal Counsel.

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**3. APPROVAL OF MINUTES: Meetings of May 12, 2015 and May 27, 2015**

Due to her absence at the May 12, 2015 Board Meeting, Director Williams abstained.

**Approved as Recommended with Respect to the Minutes of May 12, 2015**

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

Due to their absence at the May 27, 2015 Board Meeting, Directors Goodwin, Fowler and Burleson abstained.

**Approved as Recommended with Respect to the Minutes of May 27, 2015**

**Motion by: Williams      Second by: Spina**  
**Ayes: Rastegar, Spina, Williams, Groom**  
**Noes: None**  
**Abstentions: Goodwin, Fowler, 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 Rastegar noted a potential Conflict of Interest with Agenda Item No. 9. **Authorization to Enter into an Agreement, Caltrans, State Route 99 Realignment from Clinton to Ashlan Avenues, Drainage Areas "XX" (Hughes & Pine) and "UU<sub>2</sub>" (e/o 99, s/o Pine)**, and stated he would therefore be recusing himself on this item.

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**7. PUBLIC HEARING:**

There were no Public Hearings scheduled.

**8. CONSENT CALENDAR:**

- a. Acceptance of Report of External Auditor, Brown Armstrong Accountancy Corporation, Calendar Year 2014, Financial Statements:
  - (1) Audit Report of External Auditor, Calendar Year 2014, Money Purchase Pension Plan and Trust
  - (2) Report of District External Audit Engagement, Money Purchase Pension Plan
- b. Authorization to Execute Agreement for Common Use of Easements, City of Fresno, Water Pipeline Paralleling Storm Drain, Drainage Area "UU<sub>2</sub>" (Olive & Golden State Boulevard)
- c. Report of Pollutant Discharge Incidents, May 2015
- e. Report on Status of High Speed Rail Task Orders and Drainage Fee Invoice
- f. Grant Expenditure and Reimbursement Report
- g. Authorization to Enter into Agreement, Pacific Gas & Electric Relocation of Power Line, Pup Creek-Enterprise Detention Basin (Herndon & DeWolf)

Director Burleson requested Agenda Item 8d be pulled.

**Approved as Recommended with the Exception of Agenda Item 8d as it was Pulled**

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

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**d. Report of Public Concerns, May 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.

Director Burleson initiated discussion regarding staff's protocol as to the dead birds at Basin "CX".

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

Chairman Rastegar requested Agenda Item 9. Authorization to Enter into an Agreement, Caltrans, State Route 99 Realignment from Clinton to Ashlan Avenues, Drainage Areas "XX" (Hughes & Pine) and "UU<sub>2</sub>" (e/o 99, s/o Pine) be moved to the end of the Agenda.

**10. Authorization to Submit an Application for Vacation of McKenzie Avenue between Polk and Cornelia, Basin "CK" (Belmont & Polk)**

It is recommended that the Board of Directors authorize staff to submit an application with the County of Fresno for a vacation of McKenzie Avenue, adjacent to Basin "CK".

**Approved as Recommended**

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

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**11. Report on Irrigation of District Facilities**

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

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:**

**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.

Director Burleson gave a verbal report.

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

**(2) 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.

Director Goodwin 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.

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Director Rastegar recused himself from the proceedings, due to a potential conflict of interest with the following item, and left the dais at 6:27 pm.

**9. Authorization to Enter into an Agreement, Caltrans, State Route 99 Realignment from Clinton to Ashlan Avenues, Drainage Areas "XX" (Hughes & Pine) and "UU<sub>2</sub>" (e/o 99, s/o Pine)**

It is recommended the Board of Directors authorize staff to enter into an agreement with Caltrans for construction of Master Plan facilities as outlined in the Board Memorandum.

Director Spina noted a minor typographical correction to Exhibit No. 4.

**Approved as Recommended**

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

**CLOSED SESSION**

Mr. Hofmann stated while the following Closed Session items were scheduled, at this time, staff and Legal Counsel do not believe there is a need for a Closed Session this evening:

**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: 2)

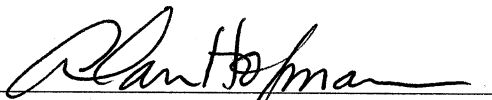
A Closed Session was not convened.

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**ADJOURNMENT**

**Adjourned Board Meeting at 6:32 pm**

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

  
ALAN HOFMANN  
GENERAL MANAGER-SECRETARY

6/18/15  
DATE