

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

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, July 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: 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
Frances Lopez, Office Manager
Daniel Rourke, Environmental Resources Manager
Brent Sunamoto, Operations Engineer
Brandy Swisher, Staff Analyst
John Santos, Engineer
Esther Schwandt, Clerk to the Board

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

Dennis Gaab, former General Manager (1968-1972)
representing Benchmark Communities

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

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2. REPORT OF THE GENERAL MANAGER:

Mr. Hofmann reported on the following: (1) he distributed copies of four "Letters to the Editor/Opinion" articles from the Fresno Bee; two dated Sunday, July 5, 2015 – one entitled "Wrong slant" and the other entitled "Public open space" both in support of the District; one dated June 25, 2015 entitled "Ponding basins" criticizing the District, but with comments attached supporting the basin; and one dated June 28, 2015, entitled "Public open space" in support of the District; all articles attached to this Board Packet; (2) he and the Clerk to the Board attended the California Special District Association (CSDA) Governance Foundations seminar held recently at the Fresno Irrigation District; he stated it was an excellent module for their Special District Leadership Academy which is actually education for Board Members, and he highly recommended it to the Board Members; he stated he would also bring some of those items discussed at the seminar to the Board, at a future Board Meeting; (3) he will be attending a CSDA General Manager's Leadership Conference, and would be out of the office July 13 – July 15; (4) the City of Fresno (City) confirmed that Basin "AH₁" dog park had been closed by the City due to an illness that appears to be going around the dogs who have visited the site, and can be passed on to humans as well; he stated the dog park will be closed pending a determination by the City as to how to resolve the issue; (5) the District received plans regarding the development of the Fulton Mall, and was able to get them out the door rather quickly to accommodate the City's timetable; and, (6) he distributed a flyer produced by the Kings Basin Water Authority Member Agencies of which the District is a member of, and entitled "What does a 20% Reduction in water use look like?"

3. APPROVAL OF MINUTES: None 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.

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7. PUBLIC HEARING:

There were no Public Hearings scheduled.

8. CONSENT CALENDAR:

- a. Adoption of Resolution Authorizing Quitclaim of Access Easements, Tract 5664, Pup Creek Detention Basin, De Young Properties (Sierra & Temperance) *(Two-Thirds vote required)*
- b. Authorization to Execute Standard Developer Agreements:
 - (1) Southeast Surface Water Treatment Facility, CUP 2014-041, Drainage Area "BQ", City of Fresno (Olive & Armstrong)
 - (2) Tract 5571, Drainage Area "BV", Lennar Homes (Armstrong & Dakota)
 - (3) Tract 5998, Drainage Area "DP", Wilson Homes (Leonard & Dakota)
- c. Ratification of Expenditures, Report of Fund Balances and Activity, May 2015
- d. Report of Public Concerns, June 2015
- e. Report on 2015 State Legislative Activity
- f. Report on Drainage Fee Time Payment Agreements (April – June 2015)
- g. Authorization to Advertise for a Request for Proposals, Janitorial Services for District Offices, Building 1 and 2

Approved as Recommended

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

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9. Preliminary Approval to Declare Excess Property, Redbank Creek Detention Basin Access Road (Temperance & Clinton)

It is recommended the Board of Directors consider the merits of declaring the access road property excess and direct staff as to supporting or opposing the proposed request.

Mr. Dennis Gaab, representing Benchmark Communities, dba 1715 N. Palm Avenue, Fresno, addressed the Board regarding their proposal to provide the District a new, more direct access to Redbank Creek Detention Basin through their tract, and they are requesting the District declare the access road property as excess and dedicate it to the City of Fresno, at no fee, for public trail purposes as outlined in the Board Memorandum. Mr. Gaab reviewed the proposed project and history of the development.

Approved as Recommended at no cost to the City of Fresno, and subject to the Department of Water Resources' approval

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

10. Report on the Release of the Environmental Protection Agency's and United States Army Corps of Engineers Proposed Rule Defining Waters of the United States

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

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

11. Report on the Sustainable Groundwater Management Act

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

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

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12. Direction on the Full Membership Requirements in the Upper Kings Basin Integrated Regional Water Management Authority

It is recommended the Board of Directors direct staff on the alternate preferred for the cost to small public agencies joining the Upper Kings Basin Integrated Regional Water Management Authority (UKBIRWMA) as a voting member.

Discussion was carried among Board Members and staff with respect to the item as outlined in the Board Memorandum. Director Burleson stated based on the Board's discussion he would move forward as the Board's representative.

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

No items were submitted.

REPORT OF GENERAL COUNSEL

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

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:

15. 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)

A Closed Session was not convened.

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ADJOURNMENT

Adjourned Board Meeting at 7:32 pm

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


ALAN HOFMANN
GENERAL MANAGER-SECRETARY

7/24/15
DATE