

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, OCTOBER 28, 2015

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, October 28, 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
Brent Sunamoto, Operations Engineer
Daniel Rourke, Environmental Resources Manager
Kristine Johnston, Staff Analyst
Paul Allen, Operations Manager
John Santos, Capital Projects Supervisor
Frances Lopez, Office Manager
Andrew Remus, Staff Analyst
Brandy Swisher, Staff Analyst
Esther Schwandt, Clerk to the Board

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

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

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2. REPORT OF THE GENERAL MANAGER:

Mr. Hofmann reported on the following: (1) he distributed a copy of the ACWA/JPIA Perspective newsletter featuring an article and photograph entitled, "Over 100 HR and Management Staff Attend Important Meetings", which showed one of the meetings being held in the District's Conference Room and attended by our own HR Staff Analyst, Karyn Kruser; (2) he distributed a copy of the Fresno Bee article entitled, "Agencies prepare for El Nino storms" dated October 21, 2015, wherein Peter Sanchez, the District Engineer, was interviewed regarding how much capacity is available in the District's ponding basins; (3) he noted Peter Sanchez, the District Engineer, was also interviewed by Channel 30 as to the District's preparation for El Nino storms; (3) he distributed copies of the Draft Agenda for the Special Joint Board Meeting with the City of Clovis to be held on Monday, November 9, 2015, and requested the Board notify staff as to any proposed additional Agenda items or changes; (4) he stated he will be meeting with Assemblyman Jim Patterson at the District's office on Friday, October 30, 2015 regarding the District's preparations for El Nino storms, and he will give the Assemblyman a brief overview of the District; and, (5) he noted the Fresno Irrigation District (FID) has scheduled approximately 3 meetings with their growers throughout FID's service area, to discuss the Sustainable Groundwater Management Act (SGMA), and FID's General Manager has invited Mr. Hofmann to participate in those meetings regarding the District's role in the SGMA.

3. APPROVAL OF MINUTES:

No Minutes 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.

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6. POTENTIAL CONFLICTS OF INTEREST:

Director Goodwin noted a potential Conflict of Interest with one of the Closed Session items under Agenda Item No. **15. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Gov. Code Section 54956.9: (Number of Potential Cases: 2)**, and stated she would therefore be recusing herself on the one item.

7. PUBLIC HEARING:

There were no Public Hearings scheduled.

8. CONSENT CALENDAR:

a. Authorization to Execute Standard Developer Agreements:

- (1) Tract 5341, Drainage Area “BS” (Temperance & Clinton), Union Community Partners (UCP), Meadowood III, LLC
- (2) Tract 6087, Drainage Area “DN” (Copper & Chestnut), Gary McDonald Homes

b. Authorization to Schedule a Public Hearing for Basins “DQ” (Sierra & Leonard), “DS” (DeWolf & Clinton), “DV” (Temperance & Highway 180), Adoption of Negative Declaration

c. Authorization to Schedule a Public Hearing for Approval of the Projects, Basins “DQ” (Sierra & Leonard), “DS” (DeWolf & Clinton), “DV” (Temperance & Highway 180)

d. Authorization to Extend Administrative Services and Office Space Agreement for the San Joaquin River Conservancy

e. Report on 2016 Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) Health Insurance Premiums

f. Engineer’s First Quarter Report of Developer Agreements, July 2015 through September 2015

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- g. Ratification of Expenditures, Report of Fund Balances and Activity, September 2015
- h. Report of Pollutant Discharge Incidents, September 2015

Approved as Recommended

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

9. Presentation of the California Disability Services Association (CDSA) Employer of the Year Award, ARC Fresno

It is recommended the Board of Directors accept the CDSA 2015 Employer of the Year Award, presented by The Arc of Fresno/Madera Counties.

Mr. Allen introduced Ms. Mary Williams and Mr. Brian Nagel, representing The ARC of Fresno/Madera Counties (ARC).

Ms. Williams and Mr. Nagel presented to the Board the 2015 Employer of the Year Award, in the large employer category, from the California Disability Services Association (CDSA). Ms. Williams stated this is quite an honor, noting throughout the State, all of the organizations are allowed to apply for the large employer of the year category. She stated ARC is very pleased to present this award on behalf of CDSA, and they are very grateful for the work opportunities the District provides.

Chairman Rastegar accepted the award on behalf of the District, and stated it is an honor to the District to receive this award. Mr. Hofmann stated this has been a wonderful partnership noting staff has found ARC employees to be professional and providers of excellent service.

No further action was taken.

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10. Adoption of Resolution of Support of Reclaimed Irrigation System Project, WaterSMART Grant, City of Fresno

It is recommended that the Board of Directors adopt a resolution supporting the City of Fresno's application for a WaterSMART grant and authorize staff to pursue WaterSMART grant funds, in partnership with the City of Fresno as the primary applicant.

Approved as Recommended, Adopting Resolution No. 2015-830

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

11. Adoption of Resolution Dedicating Street and Trail Right-of-Way In Fee to City of Clovis, Basin "DP" (Dakota & Highland) (*Two-thirds vote required*)

It is recommended that the Board of Directors adopt the Resolution attached to the Board Memorandum authorizing the dedication of public street and trail right-of-way (in fee) along Dakota Avenue, Highland Avenue, and the Gould Canal Trail to the City of Clovis for public street and trail right-of-way purposes.

Approved as Recommended, Adopting Resolution No. 2015-831

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

12. Adoption of Memorandum of Understanding for the Sustainable Groundwater Management Act for the Fresno Area/North Kings Sub-Basin

It is recommended the Board of Directors adopt the Memorandum of Understanding for Implementation of the Sustainable Groundwater Act in the Fresno Area/North Kings Sub-basin.

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Approved as Recommended

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

13. 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 October 15, 2015.

Director Burleson gave a verbal report.

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

(2) Upper Kings Basin Integrated Regional Water Management Authority (UKBIRWMA), Director Burleson

It is recommended Director Burleson give a verbal report of the Upper Kings Basin Integrated Regional Water Management Authority (UKBIRWMA) meeting held on October 21, 2015.

Director Burleson gave a verbal report.

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

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(3) 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 October 21, 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

No items were reported.

Director Goodwin recused herself from the proceedings due to a potential conflict of interest and left the dais at 6:28 pm.

CLOSED SESSION

The Board then convened in Closed Session at 6:28 pm to consider the following litigation:

- 15. 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: 1)

Director Goodwin returned to the dais at 6:50 pm.

The Board then continued in Closed Session at 6:50 pm to consider the following litigation:

- 15. 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: 1)

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The Board then convened in regular session at 7:08 pm. Mr. Price stated no reportable action was taken in Closed Session.

The Board then convened in Closed Session at 7:09 pm to consider the following:

16. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Title: General Manager/Secretary

Pursuant to Government Code §54954.5

The Board then convened in regular session at 7:36 pm. The Chairman stated no reportable action was taken in Closed Session.

ADJOURNMENT

Adjourned Board Meeting at 7:36 pm

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


ALAN HOFMANN
GENERAL MANAGER-SECRETARY

11/10/15
DATE