

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, FEBRUARY 24, 2016

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, February 24, 2016 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

DIRECTORS ABSENT: Buzz Burleson

**STAFF, CONSULTANTS,
OTHERS PRESENT:** Alan Hofmann, General Manager-Secretary
Peter Sanchez, District Engineer
Debbie Campbell, Design Engineer
Brent Sunamoto, Operations Engineer
Paul Merrill, Finance Manager
Daniel Rourke, Environmental Resources Manager
Karyn Kruser, Staff Analyst
Andrew Remus, 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 Director Fowler led the Pledge of Allegiance.

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2. REPORT OF THE GENERAL MANAGER:

Mr. Hofmann reported on the following: (1) the Clerk to the Board will be working with Board Members to file their Form 700 Statement of Economic Interest forms, which are due by April 1, 2016; (2) he distributed the flyer and reminded the Board Members who indicated they would be attending the California Special District Association (CSDA) Workshop that would be held Wednesday, March 2, 2016 at the Clovis Veterans Memorial District; and (3) on June 5, 2016, the District will be 60 years old; he stated staff and the Community Relations Committee would be reviewing ways in which to commemorate this anniversary, and would bring those recommendations back to the full Board for review.

3. APPROVAL OF MINUTES: Meeting of February 10, 2016

Approved as Recommended

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

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 Groom noted a potential Conflict of Interest with Agenda Item No. 9. **Authorization to Amend Schedule of Fee Rates, Professional Services; Blair, Church & Flynn**, and stated he would therefore be recusing himself on this item.

7. PUBLIC HEARING:

There were no Public Hearings scheduled.

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8. CONSENT CALENDAR:

- a. Authorization to Execute Standard Developer Agreement, Tract 6095, Drainage Area "BM" (California & Armstrong), Lennar Homes
- b. Ratification of Expenditures, Report of Fund Balances and Activity, January 2016
- c. Report of Pollutant Discharge Incidents, January 2016
- d. Report of Quarterly Investment Report for the Period Ending December 31, 2015
- e. Report on Other Post Employment Benefit (OPEB) Investment Returns
- g. Report on Survivor's Benefit for the District's ICMA Deferred Compensation Plan

Mr. Hofmann requested Agenda Item 8f be pulled. Director Spina concurred, noting he also had a question on this item.

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

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

f. Report on Proposed Ballot Initiative "California Water Conservation, Flood Control and Stormwater Management Act of 2016"

This report is for informational purposes only. No action is required of the Board of Directors unless specific direction is to be given to staff.

Mr. Hofmann clarified that in the Board Memorandum, staff reported that the State Attorney General was still reviewing the initiative; however, staff has received notification that the Attorney General has prepared an initiative and a position, and, therefore, it is an official Initiative at this point.

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Responding to Director Spina's question as to staff's opinion as to the impact to the District of this Initiative, Mr. Hofmann stated this Initiative would make the process a lot simpler should the Board ever decide to increase their assessment to raise revenues for capital programs.

Mr. Jensen noted this Initiative would be a high profile fight with the Legislators, as some of the proponents believe this is the same as Proposition 218; however, he noted there are several subtle differences in the procedures and voting. He concurred with Mr. Hofmann in that this Initiative would make it easier for this District as well as others to increase their levies.

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

10. Adoption of Resolution Dedicating Right-of-Way in Fee to Fresno Irrigation District, 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 right-of-way (in fee) along the Gould Canal to FID for right-of-way purposes.

Approved as Recommended, Adopting Resolution No. 2016-844

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

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

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

(1) 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 held on January 26, 2016.

Director Spina gave a verbal report, noting the Oversight Board's work was supposed to be completed by the end of July 2016; however, that timeline has been extended another year by the State.

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 February 17, 2016.

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.

Director Groom recused himself from the proceedings due to a potential conflict of interest and left the Board Meeting at 6:21 pm.

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9. Authorization to Amend Schedule of Fee Rates, Professional Services; Blair, Church & Flynn

It is recommended the Board of Directors authorize staff to amend the Blair, Church & Flynn Professional Services contract based on the proposed rate schedule attached to the Board Memorandum. Subject to Board approval, the new rates will apply to all work performed after March 1, 2016.

Approved as Recommended

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

CLOSED SESSION

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

13. 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 6:24 pm

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



ALAN HOFMANN
GENERAL MANAGER-SECRETARY

3/4/16

DATE