

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, OCTOBER 12, 2016

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, October 12, 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
Buzz Burleson

DIRECTORS ABSENT: None

STAFF, CONSULTANTS,
OTHERS PRESENT: Peter Sanchez, District Engineer
Debbie Campbell, Design Engineer
Brent Sunamoto, Operations Engineer
Paul Merrill, Finance Manager
Daniel Rourke, Environmental Resources Manager
Andrew Remus, Staff Analyst
Brandy Swisher, Staff Analyst
John Santos, Engineer
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.

**FMFCD BOARD MEETING MINUTES
WEDNESDAY, OCTOBER 12, 2016
PAGE 2 OF 5**

2. REPORT OF THE GENERAL MANAGER:

Mr. Sanchez on behalf of the General Manager reported on the following: (1) the General Manager is attending the California Special District Association (CSDA) Conference in San Diego; (2) the City of Fresno has on their Council Agenda for tomorrow night, the reappointments of Directors Groom and Williams; and (3) he reminded the Board of the upcoming meetings, the Administrative Committee is scheduled to meet Tuesday, October 25th; the Economic Development Corporation's lunch is scheduled for Wednesday, October 26th; and, the next Regular Board Meeting is scheduled for Wednesday, October 26th.

3. APPROVAL OF MINUTES: Meeting of September 28, 2016

Due to her absence at the September 28, 2016 Board Meeting, Director Williams abstained.

Approved as Recommended

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

There were no Conflicts of Interest.

7. PUBLIC HEARING:

There were no Public Hearings scheduled.

**FMFCD BOARD MEETING MINUTES
WEDNESDAY, OCTOBER 12, 2016
PAGE 3 OF 5**

8. CONSENT CALENDAR:

a. Submittal of Fourth Quarter Budget Report, Fiscal Year 2015-2016

Mr. Sanchez noted a correction to page 2 of Attachment 2. Specifically, Development Fees being over budget by \$126,553. in reality, that is the total amount collected. Mr. Sanchez stated the over budget amount is \$52,743.

b. Authorization to Execute Standard Developer Agreements:

- (1) CUP 2015-191, Drainage Area "AC", California Gold Development Corporation (Brawley & Herndon)
- (2) CUP 2016-001, Drainage Area "R", Heritage Development Company (Ricchiuti) (Willow & Shepherd)

c. Cancellation of Regular Board Meetings Scheduled for November and December 2016

d. Report of Public Concerns, September 2016

f. Authorization to Approve Revisions to the 2016-2017 Budget from the Fourth Quarter Close-Out Report, Fiscal Year 2015-2016

Director Burleson requested Agenda Item 8e be pulled.

Approved as Recommended, with the Exception of Item 8e which was pulled.

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

**FMFCD BOARD MEETING MINUTES
WEDNESDAY, OCTOBER 12, 2016
PAGE 4 OF 5**

e. Report on Drainage Fee Time Payment Agreements (July–September 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.

Director Burleson noted staff has done a good job on the drainage fees and agreements. However, he questioned the options with the one delinquency that has not changed in status since 2011. Mr. Sanchez stated the District received notification from the City today, that this property went through the formal process for review of properties that are dilapidated and out of code, and the Hearing Officer gave the property owners until March 2017 to resolve the issues. He stated as the District still has an active lien on the property, and the property owners cannot take occupancy until the owners pay the District's fees, at this point, staff believes it appropriate to keep this "on the books". Responding to Director Burleson's subsequent question, Mr. Sanchez stated the property owners owe the District approximately \$2,500.

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

9. Review of General Manager's Proposed Testimony to the State Little Hoover Commission

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

Mr. Remus distributed an updated Attachment C, which was a copy of the General Manager's written testimony to the Little Hoover Commission. Responding to Director Burleson's question, Mr. Remus briefed the Board as to the purpose of the State Little Hoover Commission.

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

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

No Items were submitted.

REPORT OF GENERAL COUNSEL

Ms. Layne reported Baker, Manock & Jensen would be holding a discussion on abusive lawsuits under the California Wage & Hour Laws on Wednesday, October 26th from 4:00 pm – 5:30 pm at their offices for those interested.

Also, she noted she and the General Manager have been attending a number of the North Kings Groundwater Sustainability Agency meetings. She stated that the Agency has finalized their Joint Powers Authority. She stated she and the General Manager will be giving the Board a full update at the next Board Meeting, and will discuss the possibility of entering into a Memorandum of Understanding with that Agency, as the District is not a member but is an interested party.

CLOSED SESSION

The Board then convened in Closed Session at 6:13 pm to consider the following:

12. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

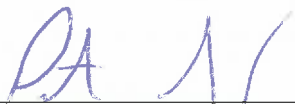
**Title: General Manager-Secretary
Pursuant to Government Code §54954.5**

The Board then convened in regular session at 7:20 pm. Chairman Rastegar stated the Board conducted the Evaluation of the General Manager in Closed Session.

ADJOURNMENT

Adjourned Board Meeting at 7:20 pm

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



PETER SANCHEZ
DISTRICT ENGINEER
10-20-16

DATE