

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, NOVEMBER 9, 2016

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, November 9, 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: Barbara Goodwin, Vice-Chairman
Roy Spina
Kendall Groom
Frank Fowler
Buzz Burleson

DIRECTORS ABSENT: Mike Rastegar, Chairman
Jennette Williams

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
Frances Lopez, Office Manager
Daniel Rourke, Environmental Resources Manager
Karyn Kruser, Senior Human Resources Analyst
Ruben Galindo, Senior Engineering Technician
Norma Lopez, Staff Analyst
Andrew Remus, Staff Analyst
Esther Schwandt, Clerk to the Board

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

Gary McDonald, Copper River Ranch Representative
Bob Dillon, Copper River Ranch Representative

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

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2. REPORT OF THE GENERAL MANAGER:

Mr. Hofmann reported on the following: (1) he and Director Groom would be attending the Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA) Conference in Anaheim November 28th – December 2nd; (2) he distributed a copy of the publication from the Western Weather Agency, noting that October was the second wettest October for the Northern Sierra on record; (3) he reminded the Board that in January the Board will go through its election of Chairman and Committee assignments; (4) the Clerk to the Board will be attending the California Special District (CSDA) Clerk to the Board Conference in Monterey next week; (5) as the Chairman of the Successor Agency to the Redevelopment Agency of the City of Fresno, he gave a report noting they are in the process of liquidating the Agency's assets, of particular note is that certain properties that have arisen in several discussions among interested parties and the City of Fresno representatives on the proper way to dispose of those properties; and, (6) as Veterans Day is this Friday, he thanked the Veterans in attendance for their service to this Country, and noted the District offices would be closed on Friday, in observance of Veterans Day.

3. APPROVAL OF MINUTES: October 26, 2016

Approved as Recommended

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

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. Authorization to Execute Standard Developer Agreement, Tract 6163, Drainage Area "BV", Lennar Homes, Inc. (Temperance & Dakota)
- b. Authorization to Schedule Public Hearing to Adopt Resolution Amending the Storm Drainage and Flood Control Master Plan and Amending the Schedule of Drainage Fees, Surcharges and Costs for Local Drainage Areas (2017 Rate Schedule) and Adoption of Surcharges in Drainage Area "BX" (Clovis Research and Technology Park)
- c. Award of Uniform Cost Accounting Contracts:
 - (1) Report of Award of Contract "AX-10", Construction of Basin Relief Line (EDA Grant) (Central & Orange)
- d. Engineer's Report of Construction, October 2016
- e. Quarterly Real Estate Report, August – October 2016
- f. Ratification of Expenditures, Report of Fund Balances and Activity, October 2016
- g. Report of Pollutant Discharge Incidents, September and October 2016
- h. Report of Public Concerns, October 2016
- i. Acceptance of County of Fresno Quarterly Investment Report, Third Quarter

Director Fowler requested Agenda Item 8.c.(2) be pulled.

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Approved as Recommended, with the exception of Agenda Item 8.c.(2) as it was pulled

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

8.c. Award of Uniform Cost Accounting Contracts:

**(2) Report of Award of Contract “3G-51”, Basin “3G” Street Lights
(Barstow & Locan) and Adoption of Resolution of Special Transfer of
PPDA Funds**

No action is required of the Board of Directors for the Award of Contract “3G-51”. It is recommended that the Board of Directors adopt the Resolution attached to the Board Memorandum authorizing the transfer of \$126,075.72 from the Drainage Area “3G” PPDA Trust Account to the Capital Project Fund.

Director Fowler questioned the process used by staff when it involved Budget Transfers, noting his concern as to how an item can be awarded when the Board has not yet authorized the transfer of the funds. Mr. Hofmann explained in the Board’s approval of the Budget, the Board has authorized the funding through this PPDA Account, so unless there is a larger expenditure then what was budgeted, this is merely the mechanism to get the funds out of the PPDA account to reimburse the Capital Projects fund. Director Fowler stated his belief that the proper way to handle this item would be for the Board to approve the Resolution authorizing the transfer, then award the contract, as he did at the County of Fresno. Mr. Hofmann stated in the future, staff would review this item to implement a procedure so that the funds are transferred by the Board, before a contract is awarded.

Approved as Recommended, Adopting Resolution No. 2016-858

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

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9. Adoption of Resolution of Appreciation, Honoring Ruben Galindo's 40 Years of District Service

It is recommended the Board of Directors adopt a Resolution of Appreciation as an expression of our thanks for 40 years of dedicated service from Ruben Galindo.

Mr. Hofmann reported on Mr. Galindo's 40 years of dedicated service to the District, noting he was hired in 1976. He stated Mr. Galindo is only the second employee to achieve this 40 year milestone. He noted the words that emulate Mr. Galindo are his humbleness and kindness.

Approved as Recommended, Adopting Resolution No. 2016-857

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

Director Goodwin presented Mr. Galindo with a framed resolution. Mr. Hofmann presented Mr. Galindo with flowers for his wife thanking her on behalf of the District. Mr. Galindo stated he still enjoys what he does, and works with a great group of people, and thanked the Board for their acknowledgement.

12. Conceptual Approval of Sale of District Property to Copper River Ranch for Development of a City Well Site, Portion of Basin "DE" (Copper w/o Maple Alignment)

It is recommended the Board of Directors approve the Conceptual Sale of District Property to Copper River Ranch for development of a City of Fresno well site in the northeast corner of Basin "DE".

Mr. Sanchez distributed an amended letter from Gary McDonald Homes originally dated October 26th, noting they are amending their request, as they believe they need 14,000 square feet of land instead of the 12,000 feet of land as shown in the letter attached to the Board Memorandum.

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Mr. Gary McDonald and Mr. Bob Dillon representing Copper River Ranch, addressing the Board with respect to this item, stated they have appreciated working with the District.

Responding to Director Spina's question as to how the transfer will be completed, Mr. Hofmann stated the sale of the property will be to Copper River Ranch, but would be with a Grant Deed to the City of Fresno.

Approved as Recommended

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

10. Authorization to Acquire Microsoft Office Suite 2016 Upgrade

It is recommended that the Board of Directors authorize the purchase of seventy (70) licenses of Microsoft Office 2016 through the State Purchasing Agreement with CDW-Government.

Approved as Recommended

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

11. Authorization to Design and Advertise for Bids, Low Flow Pipelines, Basins “AI” (Gettysburg w/o Hayes) & “EO” (Dakota & Bryan) and Allocation of Funding from Capital Projects Ending Fund Balance

It is recommended that the Board of Directors authorize staff to:

(1) Design and advertise for bids for the construction of internal basin pipelines and outfalls in Basins “AI” and “EO” as shown on Exhibits No. 1 and No. 2 and.

(2) Allocate funding for two (2) projects in the amount of \$225,000 from the Capital Projects Ending Fund Balance.

Approved as Recommended

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

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

- a. **Recommendation from Administrative Committee, Authorization to Transition from Paper Board Packets to a Digital Medium, Approval to Begin Implementation Process with the Purchase of BoardSync Software, and Authorization to Purchase Tablets for Board Members and Key Staff**

It is the recommendation of the Administrative Committee that the Board of Directors authorize the transition from paper Board Agenda Packets to a digital medium. It is the further recommendation of the Administrative Committee that the Board of Directors authorize the purchase of the BoardSync Software service and the purchase of “convertible laptops/tablets” for Board Members and key staff.

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Mrs. Schwandt and Mr. Kalpakoff played a video showing the BoardSync Board portal that would be used by District Board Members. Discussion was carried among Board Members and staff as to the proposed system, ease in connectivity for Board Members, security of the system, and automatic updates. Mr. Kalpakoff then showed the Board a Microsoft Surface tablet staff is proposing for the Board Members' use.

Approved as Recommended

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

b. Report on Board of Directors Attendance at Various Meetings, 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 November 2, 2016.

Director Goodwin gave a verbal report, and showed a brief news video for the Board Members regarding the newest San Joaquin River Parkway Trail, which bridges Friant to Lost Lake Park.

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

14. Authorization to Enter into Memorandum of Understanding with North Kings Groundwater Sustainability Agency

It is recommended that the Board of Directors authorize staff to enter into the Memorandum of Understanding with the North Kings Groundwater Sustainability Agency as attached to the Board Memorandum.

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Responding to Director Spina’s questions, Mr. Hofmann and Ms. Layne responded that the proposed MOU will provide that the District is eligible to be chosen as an “At-Large Member” and in that capacity, is able to cast votes. Also, while the District does not contribute in the cost of this agency, we have however, provided funding for Legal Counsel through Baker, Manock & Jensen (Lauren Layne). The District’s involvement in the sustainability of the sub-basin will be through our storm water and surface water recharge program, as the District does not pump groundwater. Mr. Hofmann then noted the importance of the District being at the table, as there are important areas that the North Kings Groundwater Sustainability Agency will want the District to address; therefore, the District will certainly be on their technical and advisory committees.

Director Spina noted a typographical error on page 2, paragraph I, second line the word “to” needs to be added.

Approved as Recommended

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

REPORT OF GENERAL COUNSEL

Ms. Layne reported on Legislative items of interest to the District.

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:

- 16. 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)

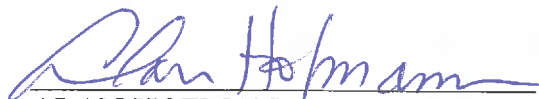
A Closed Session was not convened.

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ADJOURNMENT

Adjourned Board Meeting at 7:20 pm

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



ALAN HOFMANN
GENERAL MANAGER-SECRETARY

12/8/16

DATE