

ACTION SUMMARY MINUTES
MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
HELD WEDNESDAY, JULY 27, 2011

Pursuant to notice, the Regular Meeting of the Board of Directors of the Fresno Metropolitan Flood Control District was held Wednesday, July 27, 2011 at 6:00 p.m. at The Downtown Club 2120 Kern Street; Fresno, California.

DIRECTORS PRESENT: Roy Spina, Chairman
Kendall Groom
Mike Rastegar
Barbara Goodwin
Frank Fowler
Buzz Burleson

DIRECTORS ABSENT: Jennette Williams, Vice-Chairman

**STAFF, CONSULTANTS,
OTHERS PRESENT:**

Jerry Lakeman, District Engineer
Alan Hofmann, Assistant District Engineer/Design
David Pomaville, Administrative Services Manager
Peter Sanchez, Operations Engineer
Carol Gerking, Accountant
Debbie Campbell, Development Services Manager
Esther Schwandt, Clerk to the Board

Doug Jensen, General Counsel; Baker, Manock & Jensen
John Smith, Assistant General Counsel;
Baker, Manock & Jensen

Katie Campbell, Daughter of Debbie Campbell
Richard Schumacher, Father of Debbie Campbell
Kay Schumacher, Mother of Debbie Campbell
Julie Spina, Wife of Chairman Spina
Carol Fowler, Wife of Director Fowler
Sandra Lakeman, Wife of Jerry Lakeman
Brenda Hofmann, Wife of Alan Hofmann
Dan Schwandt, Husband of Esther Schwandt

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

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The Board then recessed at 6:03 pm and reconvened in regular session at 6:47 pm.

9. Adoption of Resolution Honoring Debbie Campbell's Thirty Years of District Service

Recommend the Board of Directors adopt the Resolution of Appreciation acknowledging Debbie Campbell's 30 years of dedicated service to the District.

Mr. Lakeman had Ms. Campbell introduce her family in attendance. Mr. Schumacher, Ms. Campbell's father expressed his pride in his daughter's accomplishments.

Approved as Recommended, Adopting Resolution No. 2011-706

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

Director Spina then presented Ms. Campbell the framed resolution and expressed the Board's appreciation for Ms. Campbell's achievements and noted she was the first female Engineer to join the District.

Mr. Lakeman then presented Ms. Campbell with flowers, and a United States flag that had been flown over the State Capital in honor of her 30 years of service to the District. Mr. Lakeman then acknowledged Ms. Campbell's conscientious work and history with the District, and expressed his appreciation for all her work at the District.

Mr. Hofmann expressed his appreciation for the relationship they share both on a professional and personal level. He also noted her dedication and ability to work in an industry that at the time was very male dominated, and how she did a wonderful job. He also noted her integrity, consistency, faithfulness, and being an excellent role model. He thanked Ms. Campbell for her work and noted it was a pleasure to work with her.

Mr. Jensen stated it was a real pleasure for him to work with her, as she is bright, intelligent, has a ready smile and her heart is in the right place in terms of doing things for the community.

Mr. Smith acknowledged his many years of working with Ms. Campbell.

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Mr. Pomaville noted it was a pleasure to work with her and she is very well respected.

Mr. Sanchez noted Ms. Campbell was his first Supervisor, and he stated it was a pleasure working with her.

Ms. Gerking noted her friendship with Ms. Campbell, acknowledged her many attributes, and her respect for Ms. Campbell.

Ms. Campbell expressed her thanks to her Supervisor, Mr. Hofmann and her Managers, Mr. Van Wyk and Mr. Lakeman. She stated she truly enjoyed what she did at the District and the people she worked with. She noted her appreciation for her Development Review staff as they are very hardworking and dedicated. She also expressed her thanks to the Board, in particularly for their support of the Juvenile Diabetes Walk-a-Thon.

Director Spina noted his appreciation of the good team working relationship that exists among District Staff Members.

10. Adoption of Resolution Dedicating Street Right-of-Way in Fee (*Two-thirds vote required*), Paseo Frontage of Locan Avenue to City of Clovis, Basin "3G" (Barstow & Locan)

Recommend the Board of Directors adopt the Resolution attached to the Board Memorandum authorizing the dedication of street right-of-way to the City of Clovis for a portion of Locan Avenue as shown on the attached Exhibit "A".

Approved as Recommended, Adopting Resolution No. 2011-708

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

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- 11. Appointment of Ad Hoc Committee to Consider Recommendation of Closeout of Bond Reserve and Bond Redemption Funds of Improvement Districts "CC", "AA-DD", "V" and "JJ"**

It is recommended the Chairman appoint a three member Ad Hoc Committee to review this item.

Approved as Recommended, Chairman Appointed Directors Fowler, Goodwin, and Spina to the Ad Hoc Committee

- 12. Award of Contract "3A-8", Pipeline and Pump Station (Shaw & Helm), and Adoption of Resolution of Special Transfer of PPDA Funds**

Responding to Director Groom's question, Mr. Jensen stated Legal Counsel was in agreement with the staff recommendation.

Recommend the Board of Directors waive the bid irregularity (unsigned Addendum No. 2) and award Contract "3A-8", Option "B", to Emmett's Excavation Inc. in the amount of \$891,931 and adopt the resolution attached to the Board Memorandum authorizing the transfer of \$195,000 from the Drainage Area "3A" PPDA Trust Account to the Capital Projects Fund.

Approved as Recommended, Adopting Resolution No. 2011-709

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

8. CONSENT CALENDAR:

- a. Report of Pollutant Incidents, June 2011

Director Goodwin requested Agenda Item 8b be pulled for discussion.

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Approved as Recommended, Pulling 8b

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

b. Report of Proposed Letter to Property Owners Regarding Elimination of the Fancher Creek Floodplain and Assistance in Flood Insurance Premium Reduction

No action is required of the Board of Directors unless specific direction is to be given to staff.

Director Goodwin noted that she believed the District was being proactive in sending the letter and complimented staff on the “how to” attachment as she believed that was well done. She did however have some suggestions to make the letter more “public friendly” and would review those with Mr. Lakeman. In particular though, she requested the acronym FIRM be spelled out for the public.

Approved as Amended by Director Goodwin

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

2. REPORT OF THE GENERAL MANAGER:

Mr. Lakeman on behalf of the General Manager reported on the following: (1) he stated staff had previously reported a District project on “G” Street in downtown Fresno, near a Homeless encampment where the District was able to work out an agreement with the City of Fresno on how to handle the matter; he distributed a copy of a newspaper article dated July 24, 2011 which appeared in the Fresno Bee entitled “Storm Drain Project to Close ‘G’ Street”; he also distributed a copy of a newspaper article dated July 15, 2011 which appeared in the Clovis Independent regarding the Homeless encampment downtown, in which the District was briefly mentioned; (2) he distributed copies of three emails from concerned citizens who live out of the area regarding the welfare of wildlife in the District’s

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basins; (3) he distributed a copy of a newspaper article dated July 19, 2011 which appeared in the Clovis Independent regarding the City of Clovis and the Fresno Irrigation District agreement for a new water bank in western Fresno County; he also included a map showing the location; (4) he distributed a copy of a letter from the Association of California Water Agencies (ACWA) dated July 26, 2011 regarding "ACWA Comments on EPA and Army Corps of Engineers Guidance Regarding Identification of Waters Protected by the Clean Water Act; he noted this was regarding draft regulations proposed by EPA on what they identify and wish to expand the definition of what falls under waters of the USA; and (5) he reported on a meeting the staff had today with the High Speed Rail proponents, and noted the High Speed Rail would significantly impact the District's facilities more than staff had originally anticipated as the original route was proposed to be elevated through Fresno, but now several of the areas are proposed at or below grade. Discussion was carried as to the High Speed Rail proponents' optimistic accelerated time schedule, the possibility of requiring some reimbursement for the District's participation, and the High Speed Rail project's need for dirt.

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.

6. POTENTIAL CONFLICTS OF INTEREST:

There were no Conflicts of Interest.

7. PUBLIC HEARING:

There were no Public Hearings scheduled.

REPORT OF GENERAL COUNSEL

No items were reported.

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CLOSED SESSION

A Closed Session was not convened.

ADJOURNMENT

Adjourned Board Meeting at 7:37 pm.

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


JERRY TAKEMAN
DISTRICT ENGINEER


DATE