

CALIFORNIA STORMWATER AUTHORITY

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MINUTES

BOARD OF DIRECTORS MEETING

Fresno Metropolitan Flood Control District

Chambers of the Board of Directors

5469 East Olive Avenue

Fresno, CA 93727

Friday, September 21, 2018 at 10:00 a.m.

Board Directors

Alan Hofmann

Maurice Kaufman

Karen Mogus

Agencies

Fresno Metropolitan Flood Control District

Alameda County Flood Control & Water Conservation District

State Water Resources Control Board

Alternate Directors

Daniel Rourke

Sharon Gosselin

Phil Crader

Agencies

Fresno Metropolitan Flood Control District

Alameda County Flood Control & Water Conservation District

State Water Resources Control Board

1. ROLL CALL

Meeting called to order at 10:12 am.

Directors in attendance: Hofmann, Kaufman, Mogus.

Alternative Directors in attendance: Rourke, Gosselin.

Authority contract staff present: Executive Director Gerhardt Hubner and Legal Counsel Gilbert Trujillo.

Also present: California Stormwater Quality Association (CASQA) Chair Daniel Apt, CASQA Executive Director Geoff Brosseau, and SWRCB Storm Water Planning Unit Chief Annalisa Kihara.

2. PLEDGE OF ALLEGIANCE

3. SWEARING IN OF BOARD OF DIRECTORS

Directors Hofmann, Kaufmann, and Mogus, and Alternate Directors Rourke and Gosselin were all sworn in.

4. ELECTION OF CHAIR AND VICE CHAIR, AND DESIGNATION OF A SECRETARY AND TREASURER

Director Hofmann was nominated for Chair by Director Kaufman, seconded by Director Mogus. Unanimously approved.

Director Kaufman was nominated Vice Chair by Director Hofmann, seconded by Director Mogus. Unanimously approved.

The Board unanimously designated the Executive Director as Secretary.

The Board agreed to postpone appointment of a Treasurer to a future date.

5. RULES OF PROCEDURE

Motion by Director Kaufman, second by Director Mogus unanimously approving Resolution No. 2018-01 adopting Rules of Procedure for the conduct of Authority business with the following changes:

- 1.1 Regular Meetings. Modified sentence to: "Regular meetings of the California Stormwater Authority shall be set at the last meeting of the calendar year."
- 1.8 Staff Communications. Deleted second sentence. Third sentence modified to: "The Executive Director shall: A) Provide a written clarifying statement restating or summarizing the question and providing an answer to all Directors....."
- 3.4 Discussion, Closure and Question. Modified the second to last sentence: "When no member wishes to discuss or comment further, the Chairperson shall call for a vote on the motion after providing an opportunity for public comment on the matter".

The Board also requested staff to investigate the use of speaker cards for the next Board meeting.

6. AGENDA APPROVAL

By unanimous vote, the Board approved moving Item 8E on the agenda after Item 4.

7. PUBLIC COMMENTS

None

8. JPA ADMINISTRATION:

A. BOARD MEETING LOCATION AND SCHEDULE FOR CALENDAR YEARS 2018 AND 2019

Executive Director Hubner provided options for the Board's consideration for future Board meeting frequency, meeting locations and start times.

Upon Motion by Director Mogus, seconded by Director Kaufman, the Board approved unanimously the following Board meeting schedule for Calendar Year 2018 and 2019.

Calendar Year 2018

December 14, 2018 at 10 a.m. at the Fresno Metropolitan Flood Control District Chambers of the Board of Directors

Calendar Year 2019

March 15, 2019 - Location to be Determined
June 28, 2019 - Location to be Determined
September 20, 2019 - Location to be Determined
December 20, 2019 - Location to be Determined

The Board also directed staff to research meeting locations for Calendar Year 2019, including ones in Southern California, and to report back at the December meetings with recommendations.

B. LEGAL SERVICES

Executive Director Hubner provided a report describing efforts to secure independent legal services for the Authority. Chair Hofmann confirmed that the request for qualification process used to select independent legal services for the Authority was consistent with the Authority's Designated Agency Fresno Metropolitan Flood Control District's contracting procedures. Executive Director Hubner and CASQA Executive Director Brosseau clarified questions regarding Mr. Trujillo's legal service contract and his representation, roles and duties as the Authority's legal counsel. The Board directed staff to evaluate revising Mr. Trujillo's legal services contract to clearly state that his legal services are solely for the Authority.

C. BROWN ACT, CONFLICT OF INTEREST LAWS AND PUBLIC RECORDS ACT PRESENTATION

Legal Counsel Trujillo provided a brief overview of compliance with the Brown Act, Conflict of Interest laws and the California Public Records Act.

D. OFFICIAL FILINGS OF THE JOINT POWERS AGREEMENT WITH CALIFORNIA SECRETARY OF STATE AND CALIFORNIA STATE CONTROLLER

Executive Director Hubner provided an update and confirming that official filing of the Joint Powers Agreement to the California Secretary of State and California State Controller had been completed.

E. APPOINTMENT OF THE CALIFORNIA STORMWATER QUALITY ASSOCIATION (CASQA) AS THE INITIAL ADMINSTRATING ENTITY, BUDGET FOR CALENDAR YEAR 2018, AND ORGANIZATIONAL CHART FOR CALIFORNIA STORMWATER AUTHORITY

Executive Director Hubner provided a PowerPoint presentation of this item, including roles and responsibilities of the Administering Entity, budget and line items for Calendar Year 2018, and an organization chart for the Authority.

Upon motion by Director Mogus, second by Director Kaufman the Board approved unanimously the following actions:

1. Appointed CASQA as the initial Administering Entity for the California Stormwater Authority;
2. Directed staff to draft an administrative agreement or contract for administrative services with CASQA for future Board consideration;
3. Adopted a Budget for Calendar Year 2018; and
4. Approved the Organization Chart for the Authority.

F. CONFLICT OF INTEREST CODE

Executive Director Hubner provided an overview of the Draft Conflict of Interest Code.

Upon Motion by Director Kaufman, second by Director Mogus the Board unanimously approved Resolution No. 2018-02 adopting a Conflict of Interest Code for the Authority.

Legal Counsel Trujillo reminded Board Directors that their Form 700 for "Assuming Office" would be due to the Executive Director for filing with the Fair Political Practice Commission within 30 days.

G. DRAFT BYLAWS

Executive Director Hubner provided an overview of the Draft Bylaws, including background, purpose and contents. The Board unanimously directed the Executive Director to provide the Board with the draft Bylaws in a Word format to facilitate comments. Directors would then provide their comments and any revisions back to the Executive Director for consideration and incorporation into the next draft of the Bylaws for consideration at the December Board meeting.

9. INFORMATIONAL ITEMS:

A. DRAFT GRAPHICAL IDENTITY AND LOGO

Executive Director Hubner introduced three draft conceptual graphical logos. Comments were received from Alternate Director Gosselin providing her preference on the three concepts. The Board discussed all three logos and indicated a preference for Concept No. 3: Synergy and Momentum with perhaps a tag line being included. The item is to return at a future date to allow the member agencies to solicit input and further refinements on Concept No. 3.

B. EXECUTIVE DIRECTOR’S REPORT

Executive Director Hubner provided a report that included information on potential Board insurance, purchase of website and email addresses, recent public outreach at the Los Angeles RWQCB meeting, SWRCB’s STORMS Program as a source of JPA projects, and SB 1266/LAFCO filing. The Board had questions on insurance and membership in the California Special District Association. Alternate Director Rourke confirmed staff’s conclusion on the non-applicability of SB 1266 to the Authority.

C. FUTURE AGENDA ITEMS

Executive Director Hubner introduced a bulleted list of future agenda items for Board discussion. SWRCB Storm Water Planning Unit Chief Kihara, provided comments on future projects that the California Stormwater Authority could assist with. CASQA Chair Apt provided comments on a project CASQA has partially funded “Funding Website Portal”, that also might benefit by the Authority’s involvement. Comments were received from Alternate Director Gosselin on public outreach and messaging. The Board encouraged further outreach, including the upcoming CASQA Annual Conference in October.

D. BOARD MEMBER COMMUNICATIONS

None

10. **ADJOURN MEETING** – Meeting adjourned at 12:02 pm