

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, December 14, 2018 at 10:00 a.m.

Board Directors

Alan Hofmann, Chair

Maurice Kaufman, Vice-Chair

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 10:17 a.m.

Directors in attendance: Hofmann, Gosselin, Mogus

Alternative Directors in attendance: Rourke

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

Also present: California Stormwater Quality Association (CASQA) Executive Director Geoff Brosseau, and SWRCB staff Annalisa Kihara and Laurel Waddrip

2. PLEDGE OF ALLEGIANCE

Chair Hofmann lead the Pledge of Allegiance

3. PUBLIC COMMENTS

None

4. AGENDA APPROVAL

No Changes in the Agenda

5. JPA ADMINISTRATION:

A. DRAFT MINUTES FROM SEPTEMBER 21, 2018 BOARD MEETING

Upon Motion by Director Mogus, seconded by Director Gosselin, the Board approved unanimously approved the minutes for the September 21st Board meeting.

B. BOARD MEETING LOCATION(S) FOR CALENDAR YEAR 2019

Executive Director Hubner provided options for the Board's consideration for potential Board meeting locations throughout the state for Calendar Year 2019.

Upon Motion by Director Gosselin, seconded by Director Mogus, the Board approved unanimously the following Board meeting locations for Calendar Year 2019:

March 15, 2019: Cal EPA Building/Sacramento

June 28, 2019: City Hall/City of Emeryville

September 20, 2019: Southern California Coastal Water Research Project office/Costa Mesa

December 20, 2019: Fresno Metropolitan Flood Control District Chambers/Fresno

C. ADMINISTERING ENTITY AGREEMENT ("AGREEMENT") BETWEEN THE CALIFORNIA STORMWATER AUTHORITY AND STORMWATER QUALITY ASSOCIATION (CASQA)

Executive Director Hubner provided a PowerPoint presentation of this item, including background, elements of the Agreement (purpose, funding amount, transactions, Authority and CASQA's responsibilities, termination provisions, term, reports, oversight rights, and compliance with law). He also noted that CASQA's Board of Directors approved the Agreement on December 12, 2018.

Upon Motion by Director Mogus, seconded by Director Gosselin, the Board approved unanimously approved an Administering Entity Agreement between the California Stormwater Authority and CASQA to provide funding to support administering entity services for the California Stormwater Authority.

D. LEGAL SERVICES AGREEMENT

Executive Director Hubner provided background on past efforts to secure independent legal services for the Authority, and revisions made in the legal service agreement before the Board for consideration today.

Upon Motion by Director Gosselin, seconded by Director Mogus, the Board approved unanimously approved an Agreement for Legal Services with Mr. Gilbert Trujillo, Esq. for independent legal services for the California Stormwater Authority.

E. BYLAWS

Executive Director Hubner provided a PowerPoint presentation of this item, including research and template used to draft Bylaws, Bylaw organization, process and deadlines for receiving and responding to Bylaw comments, revisions made to Bylaws for inclusion in the Draft Final Bylaws, comments received from Alameda County Flood Control & Water Conservation District (ACFCWCD), options, and staff's recommendation.

Legal Counsel Trujillo went over his responses to comments on the draft Bylaws received from ACFCWCD. A hard copy of his responses was provided to each of the Directors. The Board by consensus responded to each comment from ACFCWCD by agreeing, rejecting, noting or deferring to a future meeting amended Bylaws.

Upon Motion by Director Gosselin, seconded by Director Mogus, the Board approved unanimously Resolution No. 2018-03 and Exhibit A, adopting Bylaws for the Authority including all recommended Authority Legal Counsel changes agreed to by Board consensus on the comments received from ACFCWCD, except for Articles 10 and 14 which are to be struck and brought back at a future meeting with modifications.

F. BOARD INSURANCE

Executive Director Hubner provided an overview to the Board of the need for Director Insurance, and information and cost estimates from two agencies that could provide insurance to the Authority.

Upon Motion by Director Gosselin, seconded by Director Mogus, the Board unanimously adopted Resolution No. 2018-04, authorizing staff to apply, and obtain Board insurance (and any associated required membership) from the Special Districts Association Risk Management Authority (SDRMA) not to exceed \$3,500. In the event, SDRMA is not available staff shall proceed to apply and obtain insurance from the Association of California Water Agencies Joint Powers Insurance Authority.

G. GRAPHICAL LOGO

Executive Director Hubner provided a recap on the development of the logo concepts, and efforts to obtain feedback from various stakeholder groups on the Concept No. 3. He reported that Concept No. 3 remained the preferred.

Upon Motion by Director Mogus, seconded by Director Gosselin, the Board unanimously approved Concept No. 3 as the logo for the California Stormwater Authority.

6. INFORMATIONAL ITEMS:

A. PROPOSED PROJECT IDENTIFICATION AND COMMUNICATION PROCESS

Executive Director provided a brief recap of this item, including a September 25th teleconference with SWRCB staff, an October 30th STORMS Implementation Committee meeting, and same day follow-up meeting. At this later meeting, topics included potential projects, additional membership in the Authority, and the possibility of creating an online form for project identification and solicitation.

SWRCB Senior Engineer Ms. Kihara provided additional information to the Board on two attachments provided with this item: a table highlighting STORMS Goals, Objectives and Projects and an associated project narrative descriptor.

Director Mogus offered, and the Board concurred having an informational item by SWRCB staff on STORMS at the March Board meeting.

B. EXECUTIVE DIRECTOR'S REPORT

Executive Director Hubner provided three updates: website development, recent Form 700 filings, and CASQA activities. Legal Counsel Trujillo reminded the Board of a new law regarding timing for development of websites and posting of agendas online.

C. DIRECTOR COMMUNICATIONS

Chair Hofmann announced the retirement of Alternate Director Rourke from the FMFCD next February. Staff and members of the audience congratulated Mr. Rourke on his past service and contributions to FMFCD, CASQA and stormwater community at large.

7. ADJOURN MEETING

Meeting adjourned at 11:37 am. Next Board meeting is scheduled for March 15, 2019 in Sacramento.