

Date of Hearing: April 28, 2021

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT  
Cecilia Aguiar-Curry, Chair  
AB 1592 (Committee on Local Government) – As Introduced March 25, 2021

**SUBJECT:** Fresno Metropolitan Flood Control District: contracts.

**SUMMARY:** Increases Fresno Metropolitan Flood Control District's (FMFCD) contract bid threshold for the purchase of materials or supplies. Specifically, **this bill:**

- 1) Provides that a contract for materials or supplies that has a contract price exceeding \$16,000, instead of \$10,000, shall be let to the lowest responsible bidder after notice inviting bids is published in the district, as specified.
- 2) Clarifies that a contract may be let by the FMFCD without public bidding if the contract does not exceed \$16,000 for a contract for materials or supplies.
- 3) Makes other technical and clarifying changes.

**EXISTING LAW:**

- 1) Enacts the Fresno Metropolitan Flood Control Act (the Act).
- 2) Establishes the FMFCD, for the purpose of acquiring and constructing facilities for flood control and the drainage of flood, storm, and wastewater's and the conservation of any thereof.

**FISCAL EFFECT:** None.

**COMMENTS:**

- 1) **Bill Summary.** This bill increases FMFCD's bid threshold for the purchase of materials and supplies from \$10,000 to \$16,000. This bill also makes clear that a contract for materials and supplies may be let by FMFCD without public bidding if it does not exceed \$16,000. Last, this bill makes other technical and clarifying changes.
- 2) **Fresno Metropolitan Flood Control District.** The FMFCD is a special act special district created to control flood and storm waters within an approximately 400 square mile watershed between the San Joaquin and Kings rivers in the north-central portion of Fresno County [SB 839 (Burns), Chapter 503, Statutes of 1955]. FMFCD was subsequently established by the voters in 1956. In addition to flood and storm water control services, the District operates storm water quality management, water conservation, recreation, and wildlife management programs. FMFCD is governed by a seven-member Board of Directors. Two of the members are appointed by the County Board of Supervisors, four are appointed by the Fresno City Council and one is appointed by the Clovis City Council.
- 3) **Similar Legislation.** AB 394 (Arambula) of 2020 would have increased the bid threshold for FMFCD to purchase materials and supplies from \$10,000 to \$25,000. The author stated the need for the bill:

“The Fresno Metropolitan Flood Control District provides flood control and urban storm water services in a 399-square mile watershed located between the Kings and San Joaquin Rivers. The District is home to roughly 690,000 people and includes both urban and agricultural land uses. In order to ensure our County’s vision of a completed system of storm water management facilities and increase the quality-of-life in our community, the Fresno Metropolitan Flood Control District needs the flexibility to secure the necessary supplies and materials to achieve those goals. AB 394 is a necessary step away from outdated contracting restrictions, shrinking project timeframes and overhead on important operational purchases.”

AB 394 has since been made a 2-year bill and very similar language was added to this bill, AB 1592 (Committee on Local Government).

4) **Arguments in Support.** None on file.

5) **Arguments in Opposition.** None on file.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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