

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, October 3, 2006 7:00 P.M.

In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, then please contact Christina Cobey at (530) 662-0265 or (530) 662-4982 fax. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

AGENDA

- 7:00 1. Board Consideration: The Board will consider adoption of the minutes of the September 5, 2006 Regular Board Meeting.
- 7:02 2. Open forum (Limited to five minutes): Guest introductions, unscheduled appearances and opportunity for public comment on non-agenda items.
- 7:07 3. Board Consideration: Adding Items to the Posted Agenda.
In order to add an item to the agenda, it must fit one of the following categories:
a) A majority determination that an emergency (as defined by the Brown Act) exists; or
b) A 4/5ths determination that the need to take action that arose subsequent to the agenda being posted.
- 7:10 4. Board Presentation: Center for Land-Based Learning.
- 7:25 5. Board Consideration: District's Investment Policy.
- 7:28 6. Board Consideration: State and Federal Surplus Property Program.
- 7:30 7. Board Presentation: District Water Quality Issues.
- 8:00 8. Board Update and Consideration: New Year's Eve Storm Recovery Update and Continuation of Emergency Conditions.
- 8:10 9. Directors' Reports: Each member of the Board will have the opportunity to report on meetings and conferences attended during the prior month on behalf of the District.

- 8:20 10. Attorney's Report: The District's attorney will report on the following:
- a) Current legal and legislative activities, including consideration for position of support or opposition of Proposition 90, 84 and 1E.
- 8:30 11. General Manager's Report: The Board will receive a report from the General Manager or designated representatives regarding current general activities and projects of the District.
- a) General Activities
 - b) IRWMP
 - c) Davis/Woodland Surface Treatment Plant
 - d) Madison Elevation Report
 - e) Operations, Maintenance and Water Conditions
- 8:50 12. General Discussion: Opportunity for Board members to ask questions for clarification, provide information to staff, request staff to report back on a matter, or direct staff to place a matter on a subsequent agenda.
- 8:55 13. Board Consideration: The Board will consider the approval and the payments of bills.
- 9:00 14. Closed Session:
- a) Conference with Legal Counsel Under: Brown Act Section 54956.9(a) Carman vs. YCFC&WCD and Watson vs. YCFC&WCD
- 9:29 15. Closed Session Report
- 9:30 16. Adjourn

The public may address the Board concerning an agenda item either before or during the Board's consideration of that agenda item. Public comment on items within the Board's jurisdiction is welcome, subject to reasonable time limits for each speaker. Upon request, agenda items may be moved up to accommodate those in attendance wishing to address that item. Times listed for consideration of agenda items are approximate only. The Board may consider any agenda item at any time during the Board meeting.

I declare that the foregoing agenda was posted at the office of the Yolo County Flood Control and Water Conservation District, 34274 State Highway 16, Woodland, CA on September 29, 2006.

By: _____
Christina Cobey, Administrative Assistant

REGULAR BOARD MEETING MINUTES

October 3, 2006

The regular October meeting of the Board of Directors of the Yolo County Flood Control and Water Conservation District was held at 7:00 p.m. on October 3, 2006 at its regular place of business, 34274 State Highway 16, Woodland, California. Vice-Chair Scheuring convened the meeting with Directors Brice, Tadlock and Vink present. Director Rominger was absent. Also in attendance were:

District Staff and Consultants

Tim O'Halloran, General Manager
Christy Barton, Assistant General Manager
Mike Horgan, Engineer
Paul Bartkiewicz, Legal Counsel

Members of the Public

Don Rominger, Retired District Director
Bob Schneider, Tuleyome
Duane Chamberlain, Yolo County Supervisor
Dave Pratt
Petrea Marchand, Yolo County
Mary Kimball, Center for Land-Based Learning
Chad Roberts, Yolo Audubon

MINUTES

M/S/C approved the minutes of the September 5, 2006 Regular Board meeting as mailed.

OPEN FORUM

No comments were made.

CHANGES TO THE POSTED AGENDA

Mr. O'Halloran requested that Item 7 in the agenda be deleted as Mr. Stevenson was not available to make the presentation. The Board agreed to the modification.

CENTER FOR LAND-BASED LEARNING

Mr. O'Halloran introduced Ms. Mary Kimball, Director for the Center for Land-Based Learning. Ms. Kimball provided an overview of the Center's development history, current organizational structure, and its ongoing agricultural education programs for high school students. She provided details on the FARMS Leadership Program, the SLEWS Program and the Farm on Putah Creek. She stated that the Center draws students from a wide variety of backgrounds and schools and is a state-wide nonprofit organization with activities throughout California from Yuba and Sutter Counties in the north to Orange County in the south.

Ms. Kimball also described a past habitat restoration project in which the center partnered with the District and other organizations. She stated that the center sees the potential to continue to partner with the District both on immediate and future projects, including public outreach efforts.

Board discussion followed on the District's past collaboration with the center on the Chapman Reservoir habitat restoration project and on further details for the Center's programs.

DISTRICT'S INVESTMENT POLICY

Director Scheuring summarized the District's Investment Policy and the State requirement for annual review. Mrs. Barton stated that legal counsel had reviewed the policy and found that no changes were required by law.

Board discussion followed on the current policy and no action was taken.

STATE AND FEDERAL SURPLUS PROPERTY PROGRAM

Mrs. Barton described Staff's interest in maintaining the District's ability to utilize the State and Federal Governments' Surplus Property Purchase Program and the requirement for Board authorization to renew its participation in the program.

The Board and Staff discussed past program purchases, elements of the program and the naming of the District employees authorized to purchase surplus property.

M/S/C approval of Resolution No. 06.09 of the Yolo County Flood Control and Water Conservation District Authorization to Acquire Federal Surplus Property.

NEW YEAR'S EVE RECOVERY UPDATE AND CONTINUATION OF EMERGENCY CONDITIONS

Mrs. Barton stated that FEMA had accepted five District projects for funding, but, had found the Hungry Hollow Canal bridge repair work to be ineligible. She advised that FEMA has committed \$104,000 for the five projects and that the District would incur the costs of \$1,500 for them.

Mrs. Barton also stated that FEMA has not yet provided acknowledgment of the \$400,000 worth of erosion control projects that were submitted to the Agency and that further inquiries of FEMA would be made.

The Board and Staff discussed the FEMA process and some details of the repair work.

M/S/C approval to continue the Declaration of Emergency Conditions until the next Board meeting.

DIRECTORS' REPORTS

Director Vink reported that NCWA has prepared a policy addressing Bay-Delta conservation plans and that its Board is likely to adopt it.

Director Scheuring reported that an internal draft of the IRWMP was being reviewed, that there would be a 45 day public comment period on the document and that a workshop is scheduled for November 11, 2006. Mr. O'Halloran stated that a more substantial presentation on this topic will be provided to the Board at either its November or December meeting.

Director Scheuring also reported that the Water Resources Association of Yolo County (WRA) Flood Control Advisory Committee was conducting augmented outreach and forming a Technical Advisory Committee (TAC). The TAC will meet monthly to review and reflect on current data and report to the WRA board.

ATTORNEY'S REPORT

Mr. Bartkiewicz provided overviews of Propositions 90, 84, and 1E.

He also stated that Prop 90 would substantially change eminent domain law in California, goes beyond the concerns and issues raised by the US Supreme Court's ruling on a case in Connecticut, and may substantially increase costs to public agencies exercising eminent domain. He advised that ACWA and NCWA oppose this proposition. Mr. Schneider stated that Prop 90 is bad for land use planning in California and that there is broad based opposition to it.

Mr. Bartkiewicz reported that NCWA has no position on Prop 84; while ACWA supports it and that both groups support Prop 1E. He recommended Board support Props 84 and 1E and opposition to Prop 90.

Director Vink stated that he had reviewed Proposition 90 and was concerned about its possible negative effects. Mr. Roberts gave an overview of the impacts of a similar previous measure approved in Oregon which created substantial problems. He stated that Proposition 90 was a threat to California.

M/S/C approval to support Propositions 84 and 1E, to oppose Proposition 90, and to convey these actions by letter.

Mr. Bartkiewicz reported on the September 2006 court decision which upheld a challenge by El Dorado Irrigation District to the inclusion of Term 91 provisions in a State issued water right contract. The three judicial opinions issued differed, but present a potential for inclusion of Term 91 provisions in future contracts and could even have repercussion for the District. Board and Staff discussion followed on this matter.

Mr. Bartkiewicz also reported that the US Fish and Wildlife Service is planning to delist the Valley Longhorn Elderberry Beetle from the endangered species list and that the action may take quite some time to complete.

GENERAL MANAGER'S REPORT

General Activities:

Mr. O'Halloran reported on the following upcoming events:

- October 13 – Bucks for Ducks fund raiser
- October 19 – Cache Creek Conservancy Autumn Fest
- October 26 – Farm City Banquet
- November 17 – District Harvest BBQ
- December 16 – District Christmas Party

Davis/Woodland Surface Treatment Plant Project:

Mr. O'Halloran stated that the District is still very engaged as a junior partner and that District operation of a treatment plant is being discussed.

Madison Elevation Project:

Mrs. Barton reported that raising of the one house in Madison has been completed and the owner has moved back in. She stated that Mercy Housing staff was the key to the success of the project. She also stated that funding for this program is now closed. General discussion by the Board, Staff and audience followed.

Operations, Maintenance, and Water Conditions:

Mr. O'Halloran advised that the new water year began on October 1, 2006; water storage carry over is good; and, water deliveries to customers will end October 22, 2006 to allow for the Capay Dam

inspection. He said the work is expected to take 10 days and he does not anticipate reinitiating deliveries unless unusual circumstances dictate.

The Board and Staff discussed the current fiscal year's budget and Director Vink requested that a report on water sales be given at the November Board meeting.

Indian Valley Dam Penstock Recoating Project:

Mr. O'Halloran reported that Mr. Jack Sinor had prepared bid documents in September for the relining of the penstock and inspection and repair of the internal hydroelectric turbine coatings and components.

He advised that six prospective qualified contractors have been contacted, bids will be opened October 12, 2006, and the budget for this work is \$600,000.

GENERAL DISCUSSION

No comments were made.

PAYMENT OF THE BILLS

M/S/C after review, approved the following claims for payment:

Yolo Flood Control Checks: # 37095-37106

CLOSED SESSION

The regular meeting was adjourned to Closed Session under:

Brown Act Section 54956.9(a) Carman vs. YCFC & WCD and Watson vs. YCFC & WCD.

Persons present other than the Board were General Tim O'Halloran, Assistant General Manager Barton and Attorney Bartkiewicz.

CLOSED SESSION REPORT

The regular Board meeting was reconvened. Vice-Chair Scheuring reported that during Closed Session there was no action to report.

There being no further business to come before the Board, the meeting was adjourned.

David Scheuring, Vice-Chair

ATTEST:

Tim O'Halloran, Secretary