

# Yolo County Flood Control & Water Conservation District

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## AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, June 1, 2010 7:00 P.M.

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Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection in the customer service area of the District's Administrative Office at the address listed above.

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.

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## AGENDA

- 7:00 1. Board Consideration: The Board will consider adoption of the minutes of the May 11, 2010 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 Consideration: Quit Claim of Unused Easement for Yolo County.
- 7:13 5. Board Discussion: Membership in Northern California Water Association.
- 7:30 6. Board Consideration: Adoption of the Fiscal Year 2010/2011 Budget

- 7:50 7. Board Consideration: Capay Dam Apron Rehabilitation Project Update.  
a) Engineering and Construction  
b) Permitting Issues  
c) Loan Application Submittal
- 8:00 8. 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.
- 8:05 9. Attorney's Report: The District's attorney will report on the following:  
a) Current legal and legislative activities.
- 8:15 10. 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) Operations, Maintenance and Water Conditions
- 8:25 11. 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.
- 8:28 12. Board Consideration: The Board will consider the approval and the payments of bills.
- 8:30 13. 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 May 28, 2010.

By: \_\_\_\_\_  
Christy Barton, Assistant General Manager



Y O L O C O U N T Y  
FLOOD CONTROL &  
WATER CONSERVATION  
DISTRICT

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## **BOARD MEETING MINUTES**

**Tuesday, June 1, 2010, 7:00 PM**

**YCFCWCD Offices  
34274 State Highway 16  
Woodland, CA 95695**

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The regular meeting of the Board of Directors of the Yolo County Flood Control and Water Conservation District was held at 7:00 p.m. on June 1, 2010, at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Brice convened the meeting. Director Mayer was absent. In attendance were:

District Board

Ann Brice, Chair  
Bruce Rominger, Vice Chair  
Ron Tadlock  
Erik Vink

District Staff

Tim O'Halloran, General Manager  
Christy Barton, Assistant General Manager  
Mike Horgan, Engineer  
Max Stevenson, Water Resources Associate  
Paul Bartkiewicz, Legal Counsel

Members of the Public

Duane Chamberlain  
Dave Pratt  
Bob Schneider

**1. BOARD CONSIDERATION: Approval of Minutes**

M/S/C approved the minutes of the May 11, 2010 Regular Board Meeting as submitted.

**2. OPEN FORUM**

None

**3. BOARD CONSIDERATION: Adding Items to the Posted Agenda**

None

**4. BOARD CONSIDERATION: Quit Claim of Unused Easement for Yolo County**

General Manager O'Halloran reported that the District owns an easement for a canal, which has never been built, on Assessor's Parcel Number 040-014-014. Yolo County is proposing to widen County Road 98, a portion of which would overlap the unused easement. Yolo County has requested the District quit claim its easement so County can simply deal with the underlying landowner. After review, staff has determined it does not anticipate constructing the proposed canal and as such suggests quit claim of the easement to assist Yolo County.

M/S/C the Board declared described easement surplus to the needs to the District and authorized the District to quit claim any portion or all of the easement as staff deems necessary.

**5. BOARD DISCUSSION: Membership in Northern California Water Association**

General Manager O'Halloran reviewed the District's membership with the Northern California Water Association (NCWA) over the last seven years. He noted a number of issues that makes him question if the District should continue its membership. O'Halloran noted that meetings are segregating representatives of the membership from one another. Directors, general managers, attorneys and lobbyists are not meeting together to share information and/or develop ideas. Not only did the recent resignation of CEO Donn Zea come as a surprise to the District, but the protocols related to a search for a new CEO have precluded input from the general membership. These and other recent activities have raised questions regarding the efficacy of the organization and whether the District's substantial dues payments would be better spent elsewhere. Potential options for the District to continue to have representation on legislative issues of importance to it were discussed. O'Halloran noted the proposed Fiscal Year (FY) 2010/2011 budget does not include payment of the second half of the NCWA dues for 2010.

O'Halloran will provide Director Tadlock with bullet points of the District's concerns for Tadlock to relay to NCWA. NCWA will be invited to address the District's concerns at a future Board meeting. O'Halloran and Legal Counsel Bartkiewicz will provide some alternatives to NCWA membership that would address important issues currently covered by NCWA.

**4. BOARD CONSIDERATION: Quit Claim of Unused Easement for Yolo County (Reopened)**

Water Resources Associate Max Stevenson arrived late and asked to address the Board regarding Item 4. Chair Brice reopened Item 4 for Stevenson's remarks. Stevenson noted that the District has Supervisory Control and Data Acquisition (SCADA) equipment adjacent to the Willow Slough on the easement proposed for quit claim, and that he would not like to lose that location.

M/S/C authorized General Manager O'Halloran to modify the quit claim to carve out and retain the portion of the easement necessary to protect the District's activities at the SCADA equipment site.

**6. BOARD CONSIDERATION: Adoption of Fiscal Year 2010/2011 Budget**

General Manager O'Halloran reviewed the budget process with a power point presentation regarding the proposed FY 2010/2011 budget. He reported the proposed budget includes revenues slightly exceeding expenses, but does not specifically address some capital expenses proposed to be funded

outside the normal budget process. e.g. the Capay Dam Apron Rehabilitation Project (Capay Dam Project) and Indian Valley expenses related to the Indian Valley Dam Part 12 Independent Safety Inspection. O'Halloran reviewed the budget process and highlighted proposed revenues and expenses, depreciation, and the capital improvement program. O'Halloran reviewed some of the difficulties in estimating revenues for this year due to the weather issues, the shortened season to accommodate the Capay Dam Project and the incorrect acreage/crop data on the signup applications due to the short water year application process. O'Halloran noted that the District will need to review the application process – its purpose, strengths and weaknesses to improve the process and be more reflective of the actual intended water use.

Finance Committee Member Vink reported on the budget meetings. After careful review, the Finance Committee recommended adoption of the proposed FY 2010/2011 budget.

Bob Schneider asked about the funding of the arundo removal program and flood control efforts. He noted the District's importation of water provides a benefit to all groundwater users by maintaining higher groundwater levels, and that the District's spill water and return flow, and drainage from agriculture provide necessary water to benefit habitat along the sloughs throughout the county.

M/S/C adopted the FY 2010/2011 budget as presented.

#### **7. BOARD CONSIDERATION: Capay Dam Apron Rehabilitation Project Update**

General Manager O'Halloran reviewed the Board's actions at the prior meeting regarding the Capay Dam Apron Rehabilitation Project (Project). He reported the Pre-bid meeting is scheduled for tomorrow, and that at this time there are 13 general contractors expected. O'Halloran reviewed the Project schedule, as requested at the May Board meeting, and stated the biggest unknown is management of the water in the creek. The contractors need to be able to handle 60 cfs at the project site and have contingency plans to accommodate another 30 cfs. He reported that this project is taking a lot of staff time and energy.

O'Halloran reported that the state loan process seems to constantly need more information. The two resolutions adopted by the Board at the May meeting regarding the loan were deemed by the State Board as inadequate. O'Halloran reviewed the two alternative resolutions provided by the State Board for adoption.

M/S/C unanimously approved Resolutions 10.06 and 10.07 designating authorized District representatives to file State Revolving Fund Financing Agreement and take related actions, and the sources of funding to repay the loan. 4 Ayes, 1 Absent, 0 Nays, 0 Abstentions.

#### **8. DIRECTORS' REPORTS**

Chair Brice reported on the presentation of awards for the Water Awareness Poster contest, which is co-sponsored by the District and the Water Resources Association of Yolo County (WRA). The students were presented their awards by individual County Supervisors. Brice reported that this is always a fun occasion.

#### **9. ATTORNEY'S REPORT**

Legal Counsel Bartkiewicz reported there are only four more days for legislation to be moved out of the house of origin. Bartkiewicz has been following the activities of the Delta Stewardship Council.

They are organized and moving forward to create the required draft Delta Plan.

Bob Schneider complemented Bartkiewicz regarding his participation in the recent WRA Water Bond Forum.

## **10. GENERAL MANAGER'S REPORT**

General Manager O'Halloran reported

- a) General Activities – O'Halloran reported that due to Solano Decree restrictions, Clear Lake is not anticipated to be able to meet the maximum irrigation demands in June and July. Therefore, the District has started water releases from Indian Valley Dam. By keeping water in Clear Lake now, it will be available to meet the maximum demand without requiring flows from the Indian Valley Dam that are too large to run through the turbines.
- b) Operations, Maintenance and Water Conditions – O'Halloran reported that he had met with Yolo County Counsel and the Farm Bureau regarding the changes in regulations regarding water rights reporting. The new legislation imposes fines for not reporting uses. The concern was focused on water diverters on the Sacramento River. However, the same concerns apply to activities along the County's sloughs unless there is a water right and reporting associated with the activity. The water being sold by the District in the sloughs are not an issue as they are part of District's water right and reported by the District.

Legal Counsel Bartkiewicz reported that the Delta Legislation requires the state to know what water rights exist and how are they being used. Strictly controlling use to those legally allowed is anticipated to free up water for the Delta. The legislation includes funding for enforcement and imposition of large fines. People may be able to continue to divert without a water right, but they are at risk.

O'Halloran reported that County Counsel will be reporting on this issue to the Board of Supervisors. O'Halloran suggested an educational joint meeting or workshop with other water agencies, and interested water users regarding the issues sometime this fall or winter.

## **11. GENERAL DISCUSSION**

Director Rominger asked about the resolution of the complaint from the May meeting regarding the unauthorized use of District water. General Manager O'Halloran reported that Field Supervisor Espinoza had met with the water customer and reviewed the situation. We do not expect the situation to be repeated.

## **12. BOARD CONSIDERATION: Payment of Bills**

Director Vink questioned the size to the State's dam fees at the Indian Valley Dam as compared to the fees at the Cache Creek Dam.

M/S/C approval for the following claim(s) for payment:

Yolo County Flood Control Checks: # 44180-44190

**13. ADJOURN**

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

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Ann Brice, Chair

ATTEST:

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Tim O'Halloran, Secretary