

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, July 7, 2009 7:00 P.M.

Documents and materials relating to an open session item that are provided to the District Board less than 72 hours prior to a regular meeting will be available for public inspection and copying at 34274 State Highway 16, Woodland, CA.

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

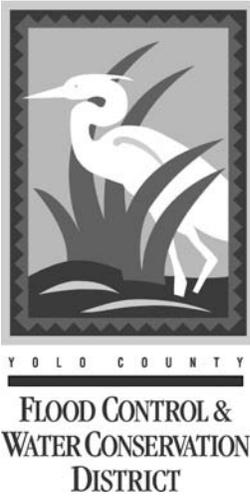
- 7:00 1. Board Consideration: The Board will consider adoption of the minutes of the June 2, 2009 Regular Board Meeting.
- 7:02 2. Open forum (Limited to five minutes): Guest introductions, unscheduled appearances and opportunity for public comment on non-agenda items.
- 7:07 3. Board Consideration: 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.
- 7:08 4. Board Presentation: Indian Valley Reservoir Maintenance Program Update.
- 7:20 5. Board Consideration: Adoption of an Identity Theft Prevention Program.
- 7:25 6. Board Consideration: Nomination and Resolution in Support of General Manager's appointment to ACWA Region IV Board of Directors.
- 7:27 7. Board Consideration: Setting a Hearing regarding the 2009 Delinquency Report.
- 7:30 8. Board Consideration: Capay Dam Stabilization Project
a) Construction Bid Package Advertisement.
b) Construction Management Agreement.
c) Approval of Mitigated Negative Declaration.

- 8:00 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.
- 8:05 10. Attorney's Report: The District's attorney will report on the following:
a) Current legal and legislative activities.
- 8:15 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) Operations, Maintenance and Water Conditions
- 8:25 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.
- 8:28 13. Board Consideration: The Board will consider the approval and the payments of bills.
- 8:30 14. 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 July 2, 2009.

By: _____
Christina Cobey, Administrative Assistant



BOARD MEETING MINUTES

Tuesday, July 7, 2009, 7:00 PM

YCFCWCD Offices

34274 State Highway 16

Woodland, CA 95695

The regular meeting of the Board of Directors of the Yolo County Flood Control and Water Conservation District (District) was held at 7:00 p.m. on July 7, 2009, at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Tadlock convened the meeting.

In attendance were:

District Board

Ron Tadlock, Chair

Ann Brice, Vice Chair

Jim Mayer, Director

Bruce Rominger, Director

Erik Vink, Director

District Staff and Consultants

Tim O'Halloran, General Manager

Mike Horgan, District Engineer

Margaret Kralovec, Writer/Editor

Stefan Lorenzato, Environmental Resource Associate

Jen Reed, Project Manager

Max Stevenson, Water Resources Associate

Ryan Bezerra, Legal Counsel

Members of the Public

Duane Chamberlain

Bill Kralovec

Dave Pratt

Don Rominger

Bob Schneider

1. BOARD CONSIDERATION: Approval of Minutes

9.20 M/S/C approved minutes with minor corrections for the June 2, 2009, Regular Board Meeting.

2. OPEN FORUM

None.

3. BOARD CONSIDERATION: Adding Items to the Posted Agenda

None.

4. BOARD PRESENTATION: Indian Valley Reservoir Maintenance Program Update

Project Manager Reed briefly presented Phase 1 maintenance accomplishments at Indian Valley (IV) Reservoir. Reed described how each of the four goals of this phase, including improvement in the appearance of IV grounds and facilities, creation of a more wholesome environment, elimination of vehicle storage, and removal of safety hazards, had been achieved through the efforts of District staff over a period of several months. Facilities Supervisor Lopez oversaw the demolition and removal of the original lab building which had been converted, without proper permits, into a residence that was no longer in use. The District cleaned up unsightly public bathrooms, installed a new septic system, and restored and protected the grounds around the septic tank. Staff cleaned out debris piled around the property and removed 25 vehicles that had been stored/abandoned at the site. New signage has been installed. Reed described new processes designed to improve efficiencies for maintaining the property, including installation of a self-service usage-fee drop box, and a program to encourage users to pack out their own garbage and recycling. Current facilities include a bathroom structure, boat launch, fire pits, electrical outlets, a shed, a boathouse, and one shade structure. No dump station is available for campground users. The cleaned-up shed now houses a back-up power system for Walker Ridge telecommunications. An appropriate building to house an office or an overnight facility for staff consultants may be added in the future.

General Manager O'Halloran commended Reed's work in coordinating Phase 1 efforts, and the work of staff in accomplishing the site improvements, adding that the brief presentation to the Board could not adequately reflect the amount of work behind its successful completion. Board members expressed congratulations to staff for the dramatic improvements at IV, and inquired about the public's reaction to the changes. Reed indicated that in spite of the remoteness of the campground and the low water levels of the reservoir, the facility continued to serve a steady flow of users who willingly pay usage fees for their day-use and overnight visits. Options and requirements for potable water at the campground remain under consideration. Phase 2 improvements at the site have been postponed because of District budget concerns.

5. BOARD CONSIDERATION: Adoption of an ID Theft Prevention Program

9.21 M/S/C adoption of the proposed program, drafted by Legal Counsel to meet Federal Trade Commission regulations that apply to the District.

6. BOARD CONSIDERATION: Nomination and Resolution in Support of General

Manager's appointment to the ACWA Region IV Board of Directors

General Manager O'Halloran requested Board approval for his continuing service on the ACWA Region IV Board of Directors.

- 09.07** M/S/C Resolution 09.07 nominating Tim O'Halloran as a member of the ACWA Region IV Board of Directors. 5 Ayes.

7. BOARD CONSIDERATION: Setting a Hearing for 2009 Delinquency Report

The District must hold a public hearing, with 30 days notice, regarding delinquent accounts prior to the Board's final determination of delinquency and submission of such accounts to Yolo County for collection. Accounts can be settled directly with the District until they are submitted for collection. Legal Counsel Bezerra indicated that any Board member who may be named on the 2009 Delinquency Report must abstain from voting on this agenda item.

- 9.22** M/S/C the setting of a public hearing for 7:10 p.m. at the regular August Board Meeting (August 4, 2009) to consider the 2009 Delinquency Report, its recommendations, and any public comments that may be provided. 4 Ayes, 1 Abstention (Chair Tadlock).

8. BOARD CONSIDERATION: Capay Dam Stabilization Project

District Engineer Horgan and Environmental Resource Associate Lorenzato updated the Board on the current status of the Capay Dam Stabilization Project. General Manager O'Halloran requested the Board to consider three project issues individually.

a. Construction Bid Package Advertisement

Horgan presented the District's desire to advertise for construction bids for 30 days (14 more than required by law) to give contractors sufficient time to review thoroughly the final bid documents and to develop carefully prepared bids. Horgan anticipates that once received, final bid documents will require a week of District review before being advertised (beginning of August). After the 30-day advertisement period, the District anticipates one week to review submitted bids (first week in September). General Manager O'Halloran stated that the District is not under any legal obligation to accept any of the bids, but that under current economic circumstances, contract bids are oftentimes coming in lower than anticipated. Of more concern is that the project may be more work than bidders anticipate, which provides support for providing ample time for the careful and thorough preparation of bids.

O'Halloran noted that he has and will continue to be working closely with the Infrastructure Committee (Director Rominger and Chair Tadlock) to keep them apprised of final bid documents, the project schedule, progress of permits, bid proposals, and other issues.

- 9.23** M/S/C approval of 30-day construction bid package advertisement.

b. Construction Management Agreement

Stantec Consulting will be submitting their final proposal for construction management of the Capay Dam Stabilization Project within the next week or two, and it is the Board's responsibility to delegate authority to General Manager O'Halloran to negotiate and to enter into a construction management agreement with Stantec Consulting. O'Halloran indicated this would be a decision made in close coordination with the Infrastructure Committee. He added that even though there has been a long history of successful work on this project with Stantec, he has informed Stantec that he expects their bid to reflect current conditions and the

current bid climate. Director Mayer asked for and received confirmation that a signed agreement did not confer District liability should the project be unable to proceed. District Counsel Bezerra indicated that, in addition to a signed agreement, a “Notice to Proceed” is required to make the agreement enforceable. The District is expecting Stantec’s proposal to be received by the end of the week, and that it will include a comprehensive scope of work, including specification of identified tasks.

9.24 M/S/C approval to authorize the General Manager to negotiate and to approve a Construction Management Agreement with Stantec Consulting for the Capay Dam Stabilization Project..

c. Approval of Mitigated Negative Declaration

Environmental Resource Associate Lorenzato reviewed the District’s requirement to identify any adverse environmental impacts of the project before necessary permits can be approved. He noted that the District had contracted with ESA Associates to perform an initial study of the project for environmental impacts, which was now complete. Based on this study, the District has prepared a Mitigated Negative Declaration that identifies mitigations that will ensure that the project will not result in adverse environmental impacts. The District is seeking permits from the US Army Corps of Engineers, the California Department of Fish & Game, and the Regional Water Quality Control Board, who will review both the Initial Study and the Mitigated Negative Declaration as part of their permit review process. Board approval of the Mitigated Negative Declaration allows the permit process and evaluations to proceed, and commits the District and its contractors to carrying out the mitigations specified in the declaration.

Lorenzato described the identified mitigations as limited, common sense measures that will be fully reflected in all construction documents. They mostly consist of temporary construction measures such as fencing and marking to reduce potential for harm during the construction of the apron. Because the new construction will replace a small portion of wetland, a new wetland will be constructed within the District’s service area as a permanent mitigation measure.

O’Halloran thanked District Engineer Horgan and Environmental Resource Associate Lorenzato for their thorough preparatory work on the Capay Dam Stabilization Project. Director Vink stated the Board’s gratitude to Director Rominger and Chair Tadlock for their dedication of time and energy on this project as members of the Infrastructure Committee.

9.25 M/S/C approval of the Mitigated Negative Declaration, and delegation of authority to the General Manager to complete all required mitigations.

9. DIRECTORS’ REPORTS

Director Mayer reported that the work of the Yolo County Governance Committee continues to work on the Joint Powers Authority for the Water Resources Association of Yolo County.

Vice Chair Brice reported that she had taken part in the workshop and tour of the Cache Creek Settling Basin, organized by FloodSAFE Yolo Program Manager Fran Borcalli and General Manager O’Halloran. O’Halloran added that he was pleased at the turnout, and that the attendees included key stakeholders, such as agency representatives and landowners, who have an interest in Settling Basin issues.

Directors Vink and Rominger and General Manager O'Halloran will be attending a Lake County 2x2 on July 8.

10. ATTORNEY'S REPORT

Legal Counsel Bezerra reported on a flurry of activity in early June related to Yolo Bypass management issues.

Bezerra reported that legislative activities are in a constant state of change. Internal working groups are working to develop documents for policy committees on as many as 60-65 water-related bills. Two water conservation bills (AB 49 and SB 261) have yet to be reconciled. The State budget crisis has overtaken consideration of all other issues, and major water-related bills will likely be addressed at a later point in time.

Bezerra stated that at this time, there is no news on whether property taxes will become part of the State's budget solution. One budget remedy under consideration is for the State to use transit tax money that would otherwise go to counties. This option would be devastating to Yolo County, which uses its portion of the gasoline tax to maintain county roads.

12. GENERAL MANAGER'S REPORT

a. General Activities

O'Halloran had nothing to add beyond general activities already discussed in the meeting.

b. Operations, Maintenance, and Water Conditions

July 10 marks the end of the District's allocated deliveries. Deliveries of unallocated water will extend for the next week or two, depending on demand. During August and September, the Solano Decree permits the release of 6,000 acre feet of water, but because of the high rate of water loss in dry channels, these late season releases will not reach far into the delivery system. The District will try to sell and to deliver available water as efficiently as possible at the upper end of the system.

The District has been attempting to respond to special circumstances and needs of its customers, and will continue to do so in the remaining days of the delivery season. The District continues to work closely with farmers, some of whom are pumping water into the system.

13. GENERAL DISCUSSION

Director Vink reported that he will not be able to attend the August Regular Board Meeting.

14. BOARD CONSIDERATION: Payment of Bills

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

Yolo Flood Control Checks: # 42661-42678

12. ADJOURN

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

Ron Tadlock, Chair

ATTEST:

Tim O'Halloran, Secretary