

**Yolo County Flood Control &
Water Conservation District**

**Board Meeting
34274 State Highway 16
Woodland, CA 95695
Tuesday, June 6, 2023
7:00 P.M.**

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 by scheduling an appointment with Christina Cobey at (530) 662-0265, ext. 100 or ccobey@ycfcwcd.org.

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 please contact Christina Cobey. Requests should be made as early as possible, and at least one full business day before the start of the meeting.

AGENDA

- 7:00 1. Consideration: Adoption of the May 2, 2023 Regular Board Meeting Minutes
- 7:02 2. Open forum (Limited to five minutes): Guest introductions, unscheduled appearances, opportunity for public comment on non-agenda items
- 7:03 3. 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.
- 7:05 4. Consideration: Rescheduling the Regular July Board Meeting
- 7:07 5. Consideration: January 2023 Storm Events Emergency Canal Repairs
- 7:10 6. Director's Report: Report on meetings and conferences attended during the prior month on behalf of the District
- 7:15 7. Attorney's Report: Report on legal matters of concern to the District

- 7:20 8. General Manager’s Report: Report regarding current general activities and projects of the District
- a) Operations, Maintenance, and Water Conditions
 - b) Financial Report
 - c) Capital Improvement Program
 - d) YSGA Update
 - e) General Activities
 - f) Upcoming Events
- 7:40 9. General Discussion: Opportunity for clarification or additional information request
- 7:45 10. Consideration: Consider Approval of Larsen Wurzel & Associates Contract Exceedance
- 7:50 11. Consideration: Consider Approval of Payment of Bills
- 7:55 12. Closed Session: Bay-Delta
 Closed session conference with legal counsel for existing administrative proceeding and anticipated litigation/significant exposure to litigation pursuant to Government Code §54956.9, subsections (d)(1) and (d)(2) – State Water Resources Control Board Bay/Delta Plan update proceeding.
- 8:05 13. Closed Session: Public Employee Performance Evaluation (Government Code § 54954.5(e) and 54957)
 Title: General Manager
- 8:25 14. Closed Session: Labor Negotiations (Government Code § 54957.6)
 District Representative(s): Directors Mary Kimball and Jim Mayer
 Unrepresented Employee: General Manager
- 8:50 15. Consideration: Consider Merit Increase to General Manager Salary
- 9:00 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 & Water Conservation District, 34274 State Highway 16, Woodland, CA on June 2, 2023.

By: _____
 Christina Cobey, Administrative Assistant

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: June 6, 2023

ITEM #: 1

SUBJECT: Consideration: Adoption of the May 2, 2023 Regular Board Meeting Minutes

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

Pursuant to Section 54957.5 of the Brown Act, copies of the draft minutes are available to the public on the District's website and at the District office prior to their approval.

In advance of the Board meeting, staff request the Directors notify staff if a correction is needed in the draft minutes to clarify a substantial point or to correct content. Staff will make the appropriate change(s) and submit the revised draft for review to the Board and the public at the meeting.

RECOMMENDATION:

District staff recommend the adoption of the attached minutes with any corrections.



Y O L O C O U N T Y

FLOOD CONTROL &
WATER CONSERVATION
DISTRICT

BOARD MEETING MINUTES

Tuesday, May 2, 2023, 7:00 PM

YCFC&WCD Offices

34274 State Highway 16

Woodland, CA 95695

The regular meeting of the Board of Directors of the Yolo County Flood Control & Water Conservation District (District) was held at 7:00 p.m. on Tuesday, May 2, 2023 at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Barth convened the meeting. The following people were in attendance:

District Board

Tom Barth

Mary Kimball

Jim Mayer

Shane Tucker

Erik Vink

District Staff

Kristin Sicke, General Manager

Andrew Ramos, Legal Counsel

Sal Espinoza, Operations & Maintenance Supervisor

Members of the Public

Jim Barrett

Duane Chamberlain

Geoff Klein

Emily Reinhart

Rod Scheaffer

1. CONSIDERATION: Approval of Minutes

M/S/C approved the minutes of the April 4, 2023 Regular Board meeting.

Ayes: Directors Barth, Kimball, Mayer, Tucker, and Vink

Noes: None

Absent: None

Abstain: None

2. OPEN FORUM

There were no comments.

3. CONSIDERATION: Adding Items to the Posted Agenda

Legal Counsel Ramos suggested re-ordering the closed session item for the Bay-Delta closed session item (agendized as Item 16) to occur prior to the Public Employee Performance Evaluation closed session item (agendized as Item 14).

4. PUBLIC HEARING: Adoption of Resolution 23.08 Adopting Agricultural Water Rates for 2023 to 2027

Chair Barth opened the public hearing session and announced that the Directors would be considering adoption of Resolution 23.08 to adopt revised agricultural water rates following a staff presentation on the proposed agricultural water rates. Barth also announced that following the presentation there would be a formal opportunity for public comment on the item.

General Manager Sicke provided a brief presentation on the District's Revenue Stabilization Program, which consists of three phases:

1. Special Benefit Assessment – fixed revenue to fund capital improvement projects
2. Updated Agricultural Water Rate – revenue to fund operational expenses
3. Future Groundwater Charge – revenue to fund operational expenses and offset the agricultural water rate (to be determined in 2026)

Sicke stressed the need to update agricultural water rates to meet current and future service levels and prepare reserve funds for use during drought periods and recover from existing District cash deficits. The District manages critical surface water delivery systems, which includes timely maintenance and upgrades to aging infrastructure.

The District worked with Larsen Wurzel & Associates to develop a cost-of-service study that defined the components of the new flat rate structure: 1) a Base Rate to cover net direct expenses in all non-allocated years at minimum expected sales of 110,000 AF; 2) a Drought Reserve Fee to build sufficient drought reserves to cover two years of net direct expenses during allocated or no sales years; and 3) a Short-Term Capital Recovery Charge to eliminate recent accrued cash deficit of \$1M from prior insufficient revenues.

Sicke discussed the District's process in accepting and approving Larsen Wurzel & Associates cost-of-service study at the special March 14, 2023 Board meeting. A notice was mailed to water customers on March 16, 2023 announcing the proposed agricultural water rate components: 1) Base Rate = \$39/AF; 2) Drought Reserve Fee = \$15.50/AF; and 3) Short-Term Capital Recovery Charge = \$1.80/AF. The public hearing would officially adopt the updated agricultural water rate.

Sicke reported that after reviewing the end of Fiscal Year 2022/2023 accrued cash deficit projections, the Short-Term Capital Recovery Charge target was reduced from \$1M to

approximately \$763,000, which resulted in a reduction of the Short-Term Capital Recovery Charge to \$1.40/AF.

Sicke requested the Board of Directors adopt Resolution 23.08 to adopt the new agricultural water rate of \$55.90/AF.

Barth opened the public comment portion of the public hearing. No public comments were received, and Barth announced the closing of the public hearing.

M/S/C Adopted Resolution 23.08 Adopting Agricultural Water Rates for 2023 to 2027.

Ayes: Directors Barth, Kimball, Mayer, Tucker, and Vink

Noes: None

Absent: None

Abstain: None

5. CONSIDERATION: Adoption of Drought Reserve Policy

As a continuation to the updated agricultural water rate discussion, General Manager Sicke reviewed the draft Drought Reserve Policy that would assist in providing transparency and accountability to customers on the accrual and drawdown of the Drought Reserve Fee component of the water rate.

Sicke reported that the District desired to establish a Drought Reserve to ensure uninterrupted operations and maintenance and capital improvements on the surface water delivery system. The reserve is intended to aggregate over time and to be utilized when annual water sales are insufficient to offset annual net agricultural water costs. The Board wanted to create a responsible yet conservative reserve that would allow for the reserve to be built up over time as agricultural water sales allow. The Drought Reserve Policy principles expected to be adhered to when building and keeping the reserve are as follows:

- The Drought Reserve is intended to cover two years of agricultural water operating and capital expenses and will be set in accordance with and upon acceptance of the FY 23/24 annual agricultural water rates.
- The Drought Reserve is calculated as 100% of the total revenue required for agricultural water expenses (based off of the FY 23/24 budget), less non-operating revenue available to offset agricultural water expenses.

Drought Reserve Target = \$8,578,000

2 Years of Agricultural Water Expenses (based on proposed FY 23/24 Budget)

- Total projected agricultural water expenses = \$6,300,000

- *Less* Non-Operating Revenue Available to Offset Agricultural Water Expenses = \$1,066,000
 - *Less* Special Property Benefit Assessment for Capital Infrastructure Projects = \$945,000
 - Net Annual Agricultural Water Expense = \$4,289,000
- When agricultural water supplies allow, the District will contribute the drought reserve component of the water rate (\$15.50/AF of total water sold) annually to the Drought Reserve until the Drought Reserve Target is achieved.
 - Once the District reaches the Drought Reserve Target, the District may commensurately lower the annual drought reserve component of the agricultural water rate for the subsequent fiscal year, unless the fund is utilized in a preceding fiscal year or is anticipated to be used in the upcoming fiscal year.
 - The District may change the Drought Reserve Target amount (increase or decrease) in a given fiscal year, to account for changed assumptions or conditions.
 - The Drought Reserve will be accounted for in the District’s monthly and annual financial statements, and the status of the Drought Reserve will be reviewed during the General Manager’s report to the Board of Directors, at least every quarter, if not monthly. The reports will provide an update of Drought Reserve funds relative to Drought Reserve Target and a general description of activities involved in the drawdown of funds.
 - During its annual budget setting processes, the District will report annually on its Drought Reserve total, anticipated annual budget set-aside or reserve usage, and risks and opportunities associated with the upcoming fiscal year. There is potential during allocated seasons for the Drought Reserve component of the water rate to be collected, while also drawing down Drought Reserve funds for operational expenses.

The Directors collectively agreed to ensuring the Drought Reserve Policy maintains as a working-policy document that will continually improve as we learn more about the application of accruing and drawing down the drought reserve component.

M/S/C adopted the District’s Drought Reserve Policy.

Ayes: Directors Barth, Kimball, Mayer, Tucker, and Vink

Noes: None

Absent: None

Abstain: None

6. CONSIDERATION: Adoption of the Fiscal Year 2023/2024 District Budget

General Manager Sicke reviewed the proposed Budget for Fiscal Year (FY) 2023/2024, which began May 1, 2023. Sicke introduced the Budget as the District’s planning and financial control document, and also as a reflection of the District’s values.

Sicke reported the proposed FY 2023/2024 Budget was prepared by staff and reviewed and recommended by the Board’s Finance Committee, which convened on April 12 and 20, 2023. Sicke reviewed the assumptions for the FY 2023/2024 Budget: agricultural water revenue projections utilize the updated water rate and assume 111,000 acre-feet of water sales (similar to 2017 and 2019 irrigation seasons) and personnel expenses include three additional staff positions (for a total of 26 full-time equivalents).

Sicke highlighted special items of interest linked to increased expenses in FY 2023/2024 comparative to FY 2022/2023, which primarily consists of state and federal regulatory compliance items at Cache Creek Dam, Indian Valley Reservoir, and within the canal system. Sicke commended staff’s efforts to continue outside service arrangements with partnering agencies to lessen staff overhead. Sicke also reviewed the proposed Capital Projects for FY 2023/2024 related to the Capay Diversion Dam Bladder Replacement, repairs at Indian Valley Reservoir, and various infrastructure improvements in the irrigation system. The Capital Budget was requested to be set at \$2.75M for ensuring these significant infrastructure improvements are completed.

Lastly, Sicke reviewed the updated estimated effect of budget on cash to illustrate the District’s new accounting process for ensuring special benefit assessment funds are used solely for infrastructure improvements at and downstream of the Capay Diversion Dam, and that the drought reserve component of the water rate is tracked appropriately.

M/S/C Adopted the Fiscal Year 2023/2024 District Operations and Maintenance and Capital Budgets.

Ayes: Directors Barth, Kimball, Mayer, Tucker, and Vink

Noes: None

Absent: None

Abstain: None

7. CONSIDERATION: January 2023 Storm Events Emergency Canal Repairs

General Manager Sicke reviewed the events at the March 7, 2023 Board meeting, where the Board adopted Resolution No. 23.05 Declaring Emergency Conditions from the December 2022 and January 2023 Storm Events. Since March, District staff have met with FEMA inspectors, and initiated jobs for completing repairs to the canal system and impacted infrastructure. The majority of canal system improvements were completed by May 1, 2023 with a few outstanding mitigation projects still to be completed at the end of the 2023 irrigation season. Sicke reported that District staff were working closely with FEMA to provide the necessary documentation for the financial

reimbursement process.

Sicke recommended that the Board continue to declare emergency conditions related to the January 2023 Storm Events and Emergency Canal Repairs projects, covering April and May 2023.

M/S/C Continued the Emergency Declaration from damages incurred during the January 2023 Storm Events, covering April and May 2023.

Ayes: Directors Barth, Kimball, Mayer, Tucker, and Vink

Noes: None

Absent: None

Abstain: None

8. DIRECTOR'S REPORT

Directors Tucker and Vink reported on participating in the District's Finance Committee meetings on April 12 and 20, 2023.

Directors Kimball and Mayer reported on participating in the District's Personnel Committee meeting on April 20, 2023 in preparation for the closed session item on the General Manager Performance Evaluation.

Director Mayer also reported on participating in NCWA's Sacramento Valley Earth Day event and other NCWA meetings.

Chair Barth had nothing to report.

9. ATTORNEY'S REPORT

Legal Counsel Andrew Ramos reported on [Assembly Bill \(AB\) 1337](#) being considered by ACWA for additional amendments. AB 1337 – State Water Board: Water Diversion Curtailments – authored by Assemblymember Buffy Wicks would give the State Water Board unprecedented statutory authority to curtail the diversion or use of water under any claim of right during any water year – even in a year like 2023 where California received record precipitation.

10. GENERAL MANAGER'S REPORT

General Manager Sicke provided reports on the following:

- a) Operations, Maintenance, and Water Conditions
- b) Financial Report Summary – Highlights from the April 30, 2023 Financial Statements Report were reviewed along with the end of FY 2022/2023 Budget projection.
- c) Capital Improvement Program – An update on the planning activities related to capital projects was provided.
- d) YSGA Update – An update on Yolo Subbasin Groundwater Agency's 2022 *Yolo Subbasin Groundwater Sustainability Plan* implementation activities was provided.
- e) General Activities – A list of outreach activities and projects (in-house and coordinated with other agencies) was reviewed.

- f) The following upcoming events were announced:
1. YSGA: Yolo/Solano Subbasin Interbasin Coordination Meeting (May 8)
 2. ACWA Spring Conference (May 9-11)
 3. Rolling Acres Ad Hoc Committee Meeting (May 15)
 4. Yolo County Water Awareness Forum (May 16)
 5. Tour of Cache Creek Dam with City of Clearlake (May 17)
 6. UCD/GRA Groundwater Shortcourse (May 18)
 7. SB 552 Coordination Meeting (May 18)
 8. ACWA Board of Directors Meeting (June 2)
 9. Board of Supervisors Meeting: Drought Update (June 6)
 10. GRA/ACWA GSA Summit (June 7-8)
 11. NCWA Groundwater Management Task Force Meeting (June 12)
 12. Yolo County Financial Oversight Committee Meeting (June 15)
 13. YSGA: Board of Directors Meeting (June 19)
 14. Yolo County's Cache Creek Walk (June 21-23)
 15. Supervisor Frerichs and Barajas: Agricultural Forum / Roundtable (June 22)

11. GENERAL DISCUSSION

There was no general discussion.

12. CONSIDERATION: Payment of Bills

M/S/C approved the following claims for payment – Yolo County Flood Control & Water Conservation District Checks # 62248-62260.

Ayes: Directors Barth, Kimball, Mayer, Tucker, and Vink

Noes: None

Absent: None

Abstain: None

13. CONSIDERATION: Announce Designation of District Labor Negotiation Representatives

Chair Tom Barth announced the Personnel Committee members, Directors Mary Kimball and Jim Mayer, as the designated District Labor Negotiation Representatives.

M/S/C approved Directors Mary Kimball and Jim Mayer serving as the designated District Labor Negotiation Representatives.

Ayes: Directors Barth, Kimball, Mayer, Tucker, and Vink

Noes: None

Absent: None

Abstain: None

14. CLOSED SESSION

Closed Session conference with legal counsel for existing administrative proceeding and anticipated litigation/significant exposure to litigation pursuant to Government Code 54956.9, subsections (d)(1) and (d)(2) – State Water Resources Control Board Bay-Delta Plan update proceeding.

Closed Session Report: Chair Barth reported that the Directors, General Manager Sicke, and Legal Counsel Ramos participated in the closed session item and that there was nothing to report.

15. CLOSED SESSION

Public Employee Performance Evaluation (Government Code 54954.5(e) and 54957)
Title: General Manager

Closed Session Report: Chair Barth reported that the Directors and General Manager Sicke participated in the closed session item and that there was nothing to report.

16. CLOSED SESSION

Labor Negotiations (Government Code 54957.6)
District Representatives: Mary Kimball and Jim Mayer
Unrepresented Employee: General Manager

Closed Session Report: Chair Barth reported that the Labor Negotiator Representatives would meet with General Manager Kristin Sicke prior to the June 6, 2023 Board meeting.

17. ADJOURNMENT

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

Tom Barth, Chair

ATTEST:

Kristin Sicke, Secretary

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
AGENDA REPORT

MEETING DATE: June 6, 2023

ITEM #: 4

SUBJECT: Consideration: Rescheduling the Regular July Board Meeting

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
PREPARED BY: Kristin Sicke
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

The 4th of July holiday conflicts with the District's regularly scheduled July Board meeting.

RECOMMENDATION:

Staff recommend the Board reschedule the Board meeting from July 4, 2023 to the second Tuesday of the month, July 11, 2023.

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: June 6, 2023

ITEM #: 5

SUBJECT: Consideration: January 2023 Storm Events Emergency Canal Repairs

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
PREPARED BY: Kristin Sicke
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

At the May 2, 2023 Board meeting, the Board continued to declare emergency conditions related to the January 2023 Storm Events and Emergency Canal Repairs projects.

District staff will provide an update on emergency repair projects and the Cal OES/FEMA reimbursement process.

RECOMMENDATION:

District staff recommend the Board declare continuation of the emergency conditions related to the 2023 Storm Events and Emergency Canal Repairs projects for June 2023.

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: June 6, 2023

ITEM #: 10

SUBJECT: Consideration: Consider Approval of Larsen Wurzel & Associates Contract Exceedance

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
PREPARED BY: Kristin Sicke
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

At the September 2022 Board meeting, the Board of Directors authorized the District General Manager to enter into a services agreement with Larsen Wurzel & Associates for up to \$162,000 to develop a cost-of-service study and engineer’s report, develop materials and conduct outreach, and implement the relevant Proposition 218 processes. During the development of the cost-of-service study there were additional meetings with the District’s Outreach Committee and General Manager that resulted in a request for Larsen Wurzel & Associates to complete additional analyses for the cost-of-service study above and beyond the agreed upon scope of work. Additionally, Larsen Wurzel & Associates assisted with developing guiding principles related to the Drought Reserve Policy.

Thankfully, there was approximately \$40,000 savings within the Outreach Task of the project budget because of the on-the-ground efforts of District Directors and staff to engage in and participate in educational outreach activities. The slack in the Outreach Task primarily covered the additional technical work completed by Larsen Wurzel & Associates; however, there was a final budget overage of \$9,629.87 that exceeded the General Manager’s authorization.

RECOMMENDATION:

District staff recommend the Board authorize approval of payment to Larsen Wurzel & Associates in excess of the authorized contracted amount by \$9,629.87, for a total project budget of \$171,629.87.

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
AGENDA REPORT

MEETING DATE: June 6, 2023

ITEM #: 15

SUBJECT: Consideration: Consider Merit Increase to General Manager Salary

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
PREPARED BY: Tom Barth
APPROVED BY:

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

At the May 2, 2023 Board meeting, Chair Tom Barth announced the District Personnel Committee, Directors Mary Kimball and Jim Mayer, would serve as the District's representative Labor Negotiators in negotiations with General Manager Sicke. Following the previous closed session agenda items, the Labor Negotiators will provide a recommendation to the Board for considering a merit increase to the General Manager's salary.

RECOMMENDATION:

The Board of Directors will consider the proposal of the District's representative Labor Negotiator Representatives.