

# Yolo County Flood Control & Water Conservation District

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## AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, December 6, 2011 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. Consideration: The Board will consider adoption of the minutes of the November 1, 2011 Regular Board Meetings.
- 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. 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. Consideration: Adoption of Amended and Restated 457(b) Deferred Compensation Plan.
- 7:15 5. Consideration: Scribner Claim related to the Mutual Ditch.
- 7:25 6. Consideration: Indian Valley Unit #3 Repower Project
- 7:40 7. Staff Report: SBX 7-7 Water Management Plan and Water Measurement Requirements.

- 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.
- 8:10 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  
c) A Moment in History
- 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. Consideration: The Board will consider the approval and the payment 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 December 2, 2011.

By: \_\_\_\_\_  
Christina Cobey, Administrative Assistant



YOLO COUNTY

FLOOD CONTROL &  
WATER CONSERVATION  
DISTRICT

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## BOARD MEETING MINUTES

Tuesday, December 6, 2011, 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 December 6, 2011 at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Rominger convened the meeting. In attendance were:

District Board

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

District Staff

Tim O'Halloran, General Manager  
Christy Barton, Assistant General Manager  
Fran Borcalli, floodSAFE Yolo Program Manager  
Anthony Lopez, Facilities Supervisor  
Jen Reed, Project Manager  
Max Stevenson, Water Resources Associate  
Paul Bartkiewicz, Legal Counsel

Members of the Public

Duane Chamberlain  
Dave Pratt  
Don Rominger  
Patrick Scribner and friend

**1. CONSIDERATION: Approval of Minutes**

M/S/C approved the minutes of the November 1, 2011 Regular Board Meeting as corrected.

**2. OPEN FORUM**

None

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

General Manager O'Halloran reported on the need for a Closed Session item that came up after the posting of the agenda. The item to be added is a conference with the real property negotiator involving APN 050-010-010 under Government Code sections 54954.5 (b) and 54956.8.

The Board determined by a 5/5ths vote that the need to take action arose subsequent to the agenda being posted.

M/S/C added the proposed Closed Session item to the agenda as Item 13.

**4. CONSIDERATION: Adoption of Amended and Restated 457(b) Deferred Compensation Plan**

Assistant General Manager Barton reported on required changes to the District's retirement plans to comply with IRS determinations and guidance regarding a number of pieces of legislation. The Money Purchase Plans will automatically update and require no action by the Board. As there are some options that need to be selected regarding the District's deferred compensation plan, VALIC requested that the Board authorize the adoption of the amended and restated deferred compensation plan.

M/S/C authorized adoption of the District's 457 (b) Deferred Compensation Plan as amended and restated.

**5. Consideration: Scribner Claim related to the Mutual Ditch**

Assistant General Manager Barton reported on a claim received on November 2, 2011 from Attorney Blake on behalf of Patrick and Louanne Scribner alleging seepage from the Mutual Ditch is causing flooding in the basement of two houses on their property. Barton reported that the District neither owns nor operates the Mutual Ditch. Barton briefly reviewed the claim process.

M/S/C rejected the Scribner claim on the basis of its merit.

**6. Consideration: Indian Valley Unit #3 Repower Project**

Facilities Supervisor Lopez reviewed the proposed repairs to Unit #3, the economic analysis table provided within the Board meeting package, the factors taken into consideration in developing the table, and the proposed schedule for refurbishing the unit.

General Manager O'Halloran reported that funds for the work will come from the Fiscal Year 2011/12 Capital Budget.

M/S/C approved the proposed refurbishment of the Indian Valley Hydro Unit #3.

## **7. STAFF REPORT: SBX 7-7 Water Management Plan and Water Measurement Requirements**

General Manager O'Halloran reported that the development and implementation of regulations related to SBX 7-7 is still in flux. Although the District has historically charged for water based on volume (acre-feet), there are some provisions within the implementation of the regulation that are of concern.

O'Halloran highlighted and explained his concern regarding implementation of portions of California Code of Regulations Title 23, Division 2, Chapter 5.1, Article 2 - Agricultural Water Measurement for the Board. The large proportion of small diversions on the District's system may make the accuracy requirement difficult to meet.

O'Halloran reported that the District's 2000 Water Resources Management Plan will need to be modified to meet the new standards by December 31, 2012 as set by SBX 7-7. He reported that the Ag Water Management Council is developing on-line planning software to address and review agricultural water management plans. He reported on the District's intent regarding updating and modifying its water management plan to meet and exceed the DWR requirements.

## **8. DIRECTORS' REPORTS**

Director Tadlock reported on the Bucks for Ducks event. Director Brice reported the "Birds-eye View" map donated by the District was auctioned for \$750.

Director Mayer was the Association of California Water Agencies (ACWA) Conference keynote speaker at the Friday morning Hans Doe Forum Breakfast. Assistant General Manager Barton reported Mayer provided an excellent presentation.

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

Legal Counsel Bartkiewicz reported that he continues to work with ACWA and the Northern California Water Association regarding Delta issues and strategies, and that the State Water Resources Control Board (SWRCB) is developing a Delta Water Quality Plan for 2012. The SWRCB appears to be using a different process than was used during the Phase 8 process, being more regulatory than evidentiary. Bartkiewicz stated that during the Phase 8 hearings Engineer Borcalli had presented hydrological information regarding the characteristics of Cache Creek, and that the SWRCB subsequently determined that Cache Creek has no continuity with the Delta during certain times of the year.

Bartkiewicz reported that ACWA is supporting the water bond, but questions if it will pass. In the event it should fail, ACWA has formed a task force, on which Bartkiewicz serves, to address how to fund the public benefit portion of the bond.

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

General Manager O'Halloran reported on the following items:

- a) Supervisor Chamberlain is being honored as the Yolo County Farm Bureau Agriculturalist of the Year, at the Farm Bureau's 98<sup>th</sup> Annual Meeting.
- b) Bob Schneider has been appointed to the Regional Water Quality Control Board. Schneider's knowledge of the District and the issues in Yolo County, such as mercury and the Irrigated Lands Program should prove beneficial.
- c) Fiscal Year 2011/12 Capital Budget projects are proceeding. The Capay Dam Project is being finished, the repair of the shingle wall at Indian Valley is proceeding, projects on the irrigation system and SCADA are being completed.
- d) Yolo County Public Works and the District have overlapping concerns on numerous pieces of infrastructure, the ownership of which is not always clear. The District is proposing to meet with Public Works to discuss these issues and how to increase efficiency by sharing services when appropriate.
- e) The Board Workshop has been moved to Thursday, January 12 at Director Brice's house starting at 9 AM. The Board will receive a reminder and agenda for the meeting.
- f) The District's joint grant application with the Yolo County Farm Bureau to create a Well Abandonment Program has passed the first round in the grant process. However, the grant's reviewing staff is now requesting information that would be gathered as part of the proposed program. This will require some one-on-one meetings with grant personnel; and
- g) Water Conditions Report was provided by handout. Director Tadlock identified an error in the report to be corrected.

## **11. GENERAL DISCUSSION**

None

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

General Manager O'Halloran reported on the invoice from the Bureau of Reclamation regarding the Indian Valley transmission line right-of-way. Staff intends to investigate the issue further.

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

Yolo County Flood Control Checks: # 46379-46394 and 46310

## **13. CLOSED SESSION:**

The meeting was adjourned to Closed Session under:

- a) Government Code sections 54954.5(b) and 54956.8. Conference with real property negotiator involving APN 050-010-010. Instructions to negotiator may include price, terms of payment, or both. (See Government Code sections 54954.5 (b) and 54956.8.

Director Rominger recused himself due to a potential conflict of interest and left the meeting for the night. Persons attending were Directors Brice, Mayer, Tadlock and Vink, Attorney Bartkiewicz, General Manager O'Halloran, Assistant General Manager Barton, and Water Resources Associate Stevenson.

**14. CLOSED SESSION REPORT**

Vice-Chair Mayer reconvened the regular meeting. Legal Counsel Bartkiewicz reported there was no action to report from Closed Session.

**15. ADJOURNMENT**

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

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James Mayer, Vice Chair

ATTEST:

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Tim O'Halloran, Secretary