

Yolo County Flood Control & Water Conservation District

Board Meeting
Tuesday, August 3, 2021
7:00 P.M.

NOTE: This meeting is being agendized to allow Board Members, staff, and the public to participate in the meeting via teleconference, pursuant to the [Governor's Executive Order N-29-20 \(March 17, 2020\)](#).

Teleconference Options to join GoToMeeting:

YCFC&WCD Board of Directors' Meeting
Tuesday, August 3, 2021 7:00 PM - 9:00 PM (PDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/420430429>

You can also dial in using your phone.

United States: [+1 \(312\) 757-3121](tel:+13127573121)

Access Code: 420-430-429

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Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of COVID-19, please consider the following:

1. You are strongly encouraged to observe the live stream of the Yolo County Flood Control & Water Conservation District Board of Directors' meeting (see details above).
2. If you are joining the meeting via GoToMeeting and wish to make a comment on an item, please provide your comment in the chat box to "YCFC&WCD Board of Directors". You will be called by name or phone number when it is your turn to comment.
3. If you choose not to observe the Board of Directors' meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on Monday, August 2, 2021. Please submit your comment to Christina Cobey at ccobey@ycfcwcd.org to place your comment into the Board meeting record.
4. If you are watching/listening to the live stream of the Board meeting and wish to make either a general public comment or to comment on a specific agenda item as it is being heard, you may submit your comment to Kristin Sicke at ksicke@ycfcwcd.org. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

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 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 July 6, 2021 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
- 7:07 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: Adopt Resolution 21.08 Requesting Collection of Charges on Tax Roll
- 7:15 5. Consideration: Adopt Resolution 21.09 Approving Acquisition of Real Property – Grant of Easement
- 7:20 6. Presentation: Hungry Hollow Canal Extension Project
- 7:40 7. Director’s Report: Report on meetings and conferences attended during the prior month on behalf of the District
- 7:35 8. Attorney’s Report: Report on legal matters of concern to the District
- 7:40 9. 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

- 7:55 10. General Discussion: Opportunity for clarification or additional information request
- 8:00 11. Consideration: Consider the approval and the payment of bills
- 8:05 12. 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 July 30, 2021.

By: _____
Christina Cobey, Administrative Assistant

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
AGENDA REPORT

MEETING DATE: August 3, 2021

ITEM #: 1

SUBJECT: Consideration: Adoption of the July 6, 2021 Regular Board Meeting Minutes

INITIATED OR BOARD

COORDINATED OR

REQUESTED BY: STAFF

APPROVED BY: Kristin Sicke

OTHER _____

ATTACHMENT YES NO

INFORMATION

DIRECTION

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.

Staff request the Directors call the Yolo County Flood Control & Water Conservation District (District) office if a correction is needed to be made to the draft minutes to clarify a substantial point or to correct content. Staff will then have time to make the appropriate change(s) and submit the revised draft for review to the Board and the public at the Board 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, July 6, 2021, 7:00 PM

YCFC&WCD Offices
34274 State Highway 16
Woodland, CA 95695

Due to the threat of COVID-19 and pursuant to the [Governor's Executive Order N-29-20 \(March 17, 2020\)](#), the regular meeting of the Board of Directors of the Yolo County Flood Control & Water Conservation District (District) was agendized to allow Board members, staff, and the public to participate in the meeting via teleconference. The meeting was held at 7:00 p.m. on Tuesday, July 6, 2021 at the District's offices and remotely via GoToMeeting. Chair Rominger convened the meeting. The following people were in attendance:

District Board

Bruce Rominger, Chair
Erik Vink, Vice Chair
Tom Barth
Jim Mayer

District Staff

Kristin Sicke, General Manager
Max Stevenson, Assistant General Manager (remotely)
Ryan Bezerra, Legal Counsel

Members of the Public

Jim Barrett (remotely)
David Guy, NCWA (remotely)
Dave Pratt (remotely)
Damoon Rejai (remotely)
Separ Rejai (remotely)
Lee Smith

1. CONSIDERATION: Approval of Minutes

M/S/C approved the minutes of the June 1, 2021 regular Board meeting.

Ayes: Directors Barth, Mayer, and Rominger

Noes: None

Absent: Directors Kimball and Vink

Abstain: None

2. OPEN FORUM

There were no comments during the open forum.

3. CONSIDERATION: Adding Items to the Posted Agenda

There were no changes made to the agenda.

4. CONSIDERATION: Adopt Resolution 21.07 Setting the Regular Board Meeting Time

General Manager Sicke reported the need to have a formal resolution adopted by the Board setting the regular Board meeting time to comply with the Brown Act. The Directors discussed the potential for a new Board meeting time and then decided that 7 p.m. on the first Tuesday of the month was considered the optimal time.

District staff recommended the Board adopt Resolution 21.07 Setting the Regular Board Meeting Time, which was now officially set to 7 p.m. on the first Tuesday of the month.

M/S/C adopted Resolution 21.07 Setting the Regular Board Meeting Time.

Ayes: Directors Barth, Mayer, Rominger, and Vink

Noes: None

Absent: Director Kimball

Abstain: None

5. DIRECTORS' REPORTS

Director Mayer reported on participating in NCWA's Ag Committee and Conservation Committee meetings. Director Barth reported on participating in the WRA/YSGA Board of Directors meetings on June 21, 2021.

6. ATTORNEY'S REPORTS

Legal Counsel Bezerra reported on the County of Sonoma being sued by environmental groups for not considering environmental consideration in well drilling permit requirements.

7. 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 June 30, 2021 financial statements report were quickly reviewed, and the actual FY 2021/2022 Budget was compared to the projected FY 2021/2022 Budget.
- c) YSGA Update – An overview of recent YSGA meetings and GSP-related tasks was discussed.
- d) General Activities – A list of outreach activities and projects both in-house and coordinated with other agencies was reviewed.
- e) The following upcoming events were announced:
 1. July 8: USDA NRCS Yolo County Local Working Group Meeting (Zoom)
 2. July 9: Yolo and Solano Subbasin Coordination Meeting (Zoom)
 3. July 15: NCWA Bay-Delta Working Group Meeting (MS Teams)
 4. July 15: Meeting with Supervisor Barajas (Woodland)
 5. July 16: S. Colusa County Groundwater Discussion (RD 108)
 6. July 21: NCWA Dry Year Task Force Meeting (MS Teams)
 7. July 21: Cache Creek Capacity Analysis Check-In (Conference Call)
 8. July 26: WRA/YSGA EC Meetings (YCFCWCD)
 9. July 30: YCFCWCD/Lake County 2x2 (TBD)

8. GENERAL DISCUSSION

There was no general discussion.

9. CONSIDERATION: Payment of Bills

M/S/C approved the following claims for payment – Yolo County Flood Control & Water Conservation District Checks # 60154-60167.

Ayes: Directors Barth, Mayer, Rominger, and Vink

Noes: None

Absent: Director Kimball

Abstain: None

10. 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.

11. CLOSED SESSION REPORT

Chair Rominger reported that the Directors, General Manager Sicke, Assistant General Manager Stevenson, Legal Counsel Bezerra, and David Guy participated in the closed session item and that there was nothing to report.

12. ADJOURNMENT

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

ATTEST:

Bruce J. Rominger, Chair

Kristin Sicke, Secretary

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
AGENDA REPORT

MEETING DATE: August 3, 2021

ITEM #: 4

SUBJECT: Consideration: Adopt Resolution 21.08 Requesting Collection of Charges on Tax Roll

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 District places the following Regular Special Assessments on the Yolo County (County) property tax roll annually:

1. 1990 East Adams Area Assessment District (Code 54620)
2. 2000 Hungry Hollow Area Assessment District (Code 54621)
3. 2012 Annexation Special Assessment District (Code 54623)

As part of the Special Assessments' process, the County is requesting the Board adopt a formal resolution that acknowledges the collection of these charges on the County's property tax roll for 2021/2022. The 2021/2022 assessments by special assessment district are attached.

RECOMMENDATION:

District staff recommend the Board adopt Resolution 21.08 Requesting Collection of Charges on Tax Roll.

RESOLUTION NO. 21.08

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE YOLO COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT REQUESTING
COLLECTION OF CHARGES ON TAX ROLL**

WHEREAS, the Yolo County Flood Control and Water Conservation District (District) requests the County of Yolo (County) collect on the County tax rolls certain charges which have been imposed pursuant to Sections 28 and 29 of the District Act, found on the [District's website](#); and

WHEREAS, the County has required as a condition of the collection of said charges that the District warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Yolo County Flood Control and Water Conservation District that:

1. The Audit-Controller of Yolo County has requested to attach for collection on the County tax rolls those taxes, assessments, fees, and/or charges, attached hereto.
2. The District warrants and represents that the taxes, assessments, fees, and/or charges imposed by the District and being requested to be collected by Yolo County comply with all requirements of state law, including but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218).
3. The District releases and discharges County, and its officers, agents, and employees from any and all claims, demands, liabilities, costs, and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any taxes, assessments, fees, and/or charges on behalf of the District.
4. The District agrees to and shall defend, indemnify, and hold harmless the County, its officers, agents, and employees (the "Indemnified Parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of collection by County of any of the District's said taxes, assessments, fees, and/or charges requested to be collected by County for the District, or in any manner arising out of the District's establishment and imposition of said taxes, assessments, fees, and/or charges. The District agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of the District's taxes, assessments, fees, and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of the District, including property taxes.
5. The District agrees that its officers, agents, and employees will cooperate with the County in answering questions referred to the District by the County from any person concerning the District's taxes, assessments, fees, and/or charges, and that the District will not refer such persons to County officers and employees for response.

6. The District agrees to pay such reasonable and ordinary charges as the County may prescribe to recoup its costs in placing on the tax rolls and collecting the taxes, assessments, fees, and/or charges, as provided by Government Code Sections 29304 and 51800.

PASSED AND ADOPTED by the Board of Directors of the Yolo County Flood Control and Water Conservation District on August 3, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Signed by me after its passage this 3rd day of August 2021.

Bruce J. Rominger, Chair

ATTEST:

Kristin Sicke, Secretary

RAW DATA

APN	\$	Code		
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025280021000	111.02	54620		
025280023000	116.46	54620		
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025280027000	70.54	54620		
025290002000	144.54	54620		
025300001000	12.40	54620		
025300002000	20.18	54620		
025300004000	61.44	54620		
025300008000	17.66	54620		
025300027000	22.00	54620		
025300030000	34.94	54620		
025350020000	13.38	54620		
025350032000	59.34	54620		
025350033000	25.84	54620		
025350035000	1.00	54620	ESA	\$1,043.86
054220013000	524.44	54621		
054220014000	142.68	54621		
910001412000	0.00	54621	HUH	\$667.12
025010015000	341.86	54623		
025010018000	310.32	54623		
025010020000	52.26	54623		
025010043000	19.42	54623		
025010044000	323.30	54623		
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030030065000	73.66	54623
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050200014000	67.40	54623
050200015000	24.14	54623
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054110014000	16.70	54623
054120001000	1195.10	54623
054120003000	145.24	54623
054120004000	1.50	54623
054120008000	206.20	54623
054120009000	250.34	54623
054120010000	71.44	54623
054120011000	7.08	54623
054120012000	135.90	54623
054120013000	92.52	54623
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054120015000	113.74	54623
054120016000	22.78	54623

054230009000	170.22	54623		
054230018000	1548.88	54623		
054230019000	168.32	54623		
054230021000	161.10	54623		
054230022000	210.62	54623		
054230023000	170.38	54623		
054230024000	18.22	54623		
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055210009000	24.78	54623		
061060003000	368.48	54623	2012 Annex	\$8,919.32
	<hr/>			
	10,630.30			\$10,630.30

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: August 3, 2021

ITEM #: 5

SUBJECT: Consideration: Adopt Resolution 21.09 Approving Acquisition of Real Property
– Grant of Easement

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:

JK Vineyards, LLC has granted the District a permanent 60-foot wide easement on their property for memorializing the conveyance and use of Hungry Hollow Canal. The easement agreement and resolution for approving the acquisition of real property are attached for review.

RECOMMENDATION:

District staff recommend the Board adopt Resolution 21.09 Approving Acquisition of Real Property.

RESOLUTION NO. 21.09

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT APPROVING ACQUISITION OF REAL PROPERTY – GRANT OF EASEMENT

WHEREAS, JK Vineyards, LLC is the record landowner of the real property located at [38.751795, -121.969893](#) and designated as Yolo County Assessor’s Parcel Number 054-220-013-000 (the “Property”);

WHEREAS, the District’s Hungry Hollow Canal is located on the Property and conveys water for irrigation purposes and the District wishes to obtain a permanent 60-foot wide easement on the Property for construction, operation, maintenance, repair, and replacement of a ditch, underground pipeline, maintenance road and related facilities for water conveyance, and access upon, over, and across the Property; and

WHEREAS, the District’s Board of Directors finds and determines that it is in the public’s interest for the District to acquire and accept the Grant of Easement because it is necessary to operating the District’s canal system and therefore should be owned solely by the District for the benefit of its water customers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Yolo County Flood Control and Water Conservation District as follows:

1. The Agreement for the District’s acquisition of the Grant of Easement in the form shown in Exhibit A – Grant of Easement attached to this resolution and incorporated herein in full (the “Agreement”), is hereby approved.
2. General Manager Sicke is hereby authorized to acquire and accept on behalf of the District the Grant of Easement shown in Exhibit A attached to this resolution and incorporated herein in full.
3. General Manager Sicke is authorized and directed to file the Grant of Easement and Right of Way for recording with the Yolo County Recorder’s Office as soon as practicable.

PASSED AND ADOPTED by the Board of Directors of the Yolo County Flood Control and Water Conservation District on August 3, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Signed by me after its passage this 3rd day of August 2021.

Bruce J. Rominger, Chair

ATTEST:

Kristin Sicke, Secretary

Exhibit A

Recording Requested By, And When
Recorded, Please Mail Document To:

**YOLO COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT
34274 STATE HIGHWAY 16
WOODLAND, CA 95695**

Official Document, Exempt from Recording
Fees Pursuant to Gov't Code §§ 6103 & 27383

No Document Transfer Tax Per R&T Code § 11922
Assessor's Parcel No.: **054-220-013**

-- This Space for Recorder's Use Only --

GRANT OF EASEMENT

This agreement is made and entered into the 22nd day of June 2021 between JK Vineyards LLC ("Landowner"), and the Yolo County Flood Control & Water Conservation District ("District"), a public agency with its place of business in Yolo County, California (jointly referred to as "Parties"). Landowner hereby grants District a permanent 60-foot wide easement for construction, operation, maintenance, repair and replacement of a ditch, underground pipeline, maintenance road and related facilities for water conveyance, together with access thereto for such purposes, upon, over, and across that certain real property in the County of Yolo, State of California, shown on the attached Exhibit A (the Hungry Hollow Canal transverses APN 054-220-013 from County Road 89 to County Road 16, Woodland, California).

Landowner will not, without District's prior written approval place (or approve or authorize any third party to place) any structures or other improvements upon or within the granted easement.

This easement is binding on and inures to the benefit of the successors and assigns of the Parties.

The foregoing is hereby agreed to by the Parties.

LANDOWNER:
JK Vineyards LLC


Karl Giguere, Owner

DISTRICT:
Yolo County Flood Control &
Water Conservation District:


Kristin Sicke, General Manager

[Signatures Must Be Notarized for Recording]



Map of APN 054-220-013, District's Hungry Hollow Canal, and 60-foot Easement

EXHIBIT A

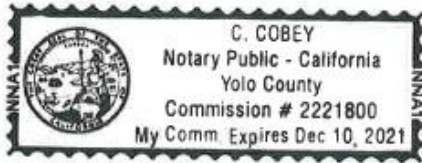
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Yolo }
On July 8, 2021 before me, C. Cobey, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Karl Giguere & Kristin Sicke
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature C Cobey
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian of Conservator

Other: _____

Signer is Representing: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian of Conservator

Other: _____

Signer is Representing: _____

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: August 3, 2021

ITEM #: 6

SUBJECT: Presentation: Hungry Hollow Canal Extension Project

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 District has received a request to allow an irrigation pipeline project to connect to the District's Hungry Hollow Canal (known as the Hungry Hollow Canal Extension Project). The Hungry Hollow Canal Extension Project would convey up to 20 cfs of District irrigation water and extend service to irrigate approximately 700 acres within the District's service area. A design and hydraulic evaluation of the proposed pipeline has been completed.

District staff will provide the Board with a presentation on the proposed project.

RECOMMENDATION:

This agenda item is for informational purposes only. No Board action is required.