

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, November 3, 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 October 6, 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.
- 7:10 4. Board Consideration: Rescheduling the Date for Regular December 2009 meeting.
- 7:12 5. Board Consideration: A Resolution Approving The Form Of And Authorizing The Execution And Delivery Of A Purchase And Sale Agreement And Related Documents With Respect To The Sale Of The Seller's Proposition 1A Receiveable From The State; And Directing And Authorizing Certain Other Actions In Connection Therewith.
- 7:15 6. Board Consideration: Approval of Small Capital Items.
- 7:30 7. Staff Report: Famers Central Ditch Flooding and Related Drainage Issues.
- 8:00 8. Staff Report: Update on the floodSAFE Yolo – Pilot Program.

- 8:15 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.
- 8:20 10. Attorney's Report: The District's attorney will report on the following:
a) Current legal and legislative activities.
- 8:30 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
- 8:45 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.
- 8:50 13. Board Consideration: The Board will consider the approval and the payments of bills.
- 9:00 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 October 30, 2009.

By: _____
Christina Cobey, Administrative Assistant



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

BOARD MEETING MINUTES
Tuesday, November 3, 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 November 3, 2009, at its regular place of business, 34274 State Highway 16, Woodland, California. Vice Chair Brice convened the meeting. Chair Tadlock was absent. In attendance were:

District Board

Ann Brice, Vice Chair
Jim Mayer, Director
Bruce Rominger, Director
Erik Vink, Director

District Staff, Consultants, Presenters

Tim O'Halloran, General Manager
Christy Barton, Assistant General Manager
Fran Borcalli, floodSAFE Yolo Program Manager
Margaret Kralovec, Writer/Editor
Jen Reed, Project Manager
Paul Bartkiewicz, Legal Counsel
Phil Hogan, US Natural Resources Conservation Service

Members of the Public

Dave Pratt
Bob Schneider
Frank Sieferman, Sr.

1. BOARD CONSIDERATION: Approval of Minutes

9.34 M/S/C approved minutes for the October 6, 2009, Regular Board Meeting as submitted.

2. OPEN FORUM

Bob Schneider of Tuleyome expressed his interest in sharing recently acquired photos of the North Fork Cache Creek with the Board at a future time. Schneider also wanted to know why Indian Valley Reservoir appeared on the Clean Water Act 303(d) list of impaired water bodies for mercury TMDL exceedence. General Manager O'Halloran indicated that he thought that the inclusion of Indian Valley Reservoir on the list had been determined to be inappropriate and that he understood it had been removed from the current list of impaired water bodies.

3. BOARD CONSIDERATION: Adding Items to the Posted Agenda

None.

4. BOARD CONSIDERATION: Rescheduling Regular December 2009 Meeting

Because of a calendar conflict with Association of California Water Agencies' Conference which may be attended by District Staff and Board Members, the Board considered a recommendation to move the December Regular Board Meeting to December 8, 2009.

9.35 M/S/C date change for the Regular Board Meeting in December from the first Tuesday to the second Tuesday (December 8, 2009).

5. BOARD CONSIDERATION: Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith

Assistant Manager Barton briefly described the Proposition 1A Securitization Program, instituted by California Statewide Communities Development Association Joint Powers Authority (JPA), sponsored by the California State Association of Counties and the League of California Cities, which would allow agencies to sell their Proposition 1A property tax receivables to the JPA in the event that the State had to borrow property tax revenues from local agencies out of financial necessity. On July 28, 2009, Proposition 1A was suspended, which triggered the opportunity for cities, counties, and special districts to consider selling their State receivables to the JPA, for the cost of the interest rate for which the State would otherwise be liable. Through Proposition 1A bond sales, the JPA would provide two cash payments (probably January 15, 2010, and May 3, 2010) to each agency for the receivables to which they are entitled.

09.09 M/S/C adoption of Resolution 09.09 approving District participation in the Proposition 1A Securitization Program, and directing Staff to complete all necessary associated paperwork, including but not limited to the Purchase and Sale Agreement. 4 Ayes, 1 Absent, 0 Nays, 0 Abstentions.

6. BOARD CONSIDERATION: Approval of Small Capital Items

General Manager O'Halloran presented two capital projects that fall under Board approved budgeted small capital improvements, and requested clarification from the Board on whether it needed to provide project-specific permission for District Staff to proceed. O'Halloran gave a brief description of the two structures: a West Adams check structure (\$80,000) and the Fairfield Canal Heading (\$25,000). Director Vink expressed appreciation for the update on the small capital improvements, but did not feel that additional Board approval was necessary. The other Board members agreed that since they fell within the previously approved District capital budget scope, the District could proceed with the two improvements without Board action. Legal Counsel Bartkiewicz concurred. O'Halloran indicated the District would proceed with the two projects.

7. STAFF REPORT: Farmers Central Ditch Flooding and Related Drainage Issues

General Manager O'Halloran reported on deteriorating canal conditions at certain locations due to individuals installing unapproved drains from farmlands into District canals, and showed the Board photographs of several locations where such damage took place, and which the District has had to remedy. O'Halloran offered this report to alert the Board that unapproved installations of drains into the canals are a problem, and to set the stage for developing a District policy for drain installation procedures and consequences for violations. Phil Hogan, from the Natural Resource Conservation Service (NRCS) of Yolo County, indicated that his agency could help the District by collaborating on a conservation plan for drainage issues which the RCD could use to work with landowners and farmers. Director Mayer noted that this would be a perfect example of inter-agency cooperation on setting priorities and achieving results.

8. STAFF REPORT: floodSAFE Yolo Pilot Program

floodSAFE Yolo Program Manager Borcalli provided the Board with a summary of the program's second annual report, and recent accomplishments. Borcalli noted the absence of a coordinated approach to stormwater between rural and urban areas, which has now been addressed with the publication of the City/County Drainage Manual. The Second Annual Report of floodSAFE Yolo Pilot Program, produced by LucyCo Communications, is available online at the District website: www.ycfwcd.org. Borcalli reiterated the program's intention to help the region prepare for 200-year flood protection, to identify and address regional floodplain issues, to complete the Lower Cache Creek feasibility study, to establish a sustainable approach to Yolo County flood issues that extends flexibility to landowners while addressing the flood management needs of the county and region. General Manager O'Halloran reminded the Board that the District, the City of Woodland, and Yolo County have each committed \$200,000 for the pilot program, which is hoped to provide leverage for more federal funding, and integrates with other flood initiatives, including the Central Valley Flood Protection Plan and FloodSAFE California.

9. DIRECTORS' REPORTS

Director Mayer reported that the Yolo County Water Governance Committee will be providing a report in January to the Yolo County Board of Supervisors. Though the report is not yet complete, it will address matters considered by the Governance Committee, including

jurisdictional framework options of a joint powers authority, a county water agency, and

groundwater management. The committee seeks an approach that reduces the need for more regulations through better management practices.

10. ATTORNEY'S REPORT

Legal Counsel Bartkiewicz reported on the current status of water legislation, which includes a set of Delta bills which may or may not be considered in legislative packages. He noted that there is a lack of clarity among legislators and interested parties about which bills are joined in a package and which can be considered individually. The lack of transparency has made legislative voting extremely difficult. No one package of bills has passed, though certain individual bills have passed or failed.

The Delta Governance Bill, which passed, establishes the requirement for Delta mid-stream flow criteria, which are to be set in nine months through a non-evidentiary process. The Association of California Water Agencies (ACWA), a statewide group that represents water interests throughout California, has consistently pursued the position that any water legislation cannot adversely impact existing water rights, and should be paid for by those who benefit from its provisions. Bartkiewicz reported that water agencies with water export interests supported the Delta package, while other water agencies, particularly Sacramento water rights holders upon whom the package assigns a disproportionate burden, did not support the Delta package. In spite of its stated principles to remain neutral on legislation upon which its constituent members disagree, the ACWA Board voted 18-11 to support the Delta package. Board members discussed their concerns over ACWA actions, and requested General Manager O'Halloran to draft a letter that they would sign, stating their objections and concerns about ACWA's recent actions.

11. GENERAL MANAGER'S REPORT

a. General Activities

The District's Harvest Barbecue is scheduled for Friday, November 20. No date has been set for the holiday potluck.

b. Operations, Maintenance, and Water Conditions

The November 3, 2009, Water Conditions Report was reviewed.

12. GENERAL DISCUSSION

Vice Chair Brice invited the Board to the upcoming Bucks for Ducks, a fundraising event for Yolo Basin Foundation, scheduled for Friday, November 13. General Manager O'Halloran informed the Board that the District would be providing tickets and seating at the District-sponsored table for Board members. He announced that Christina Cobey would be distributing tickets to those who wanted to attend.

13. BOARD CONSIDERATION: Payment of Bills

9.36 M/S/C approval for the following claim(s) for payment, except for Check 43205, payment for ACWA dues:

Yolo Flood Control Checks: # 43205-43222

14. ADJOURN

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

Ann Brice, Vice Chair

ATTEST:

Tim O'Halloran, Secretary