

# Yolo County Flood Control & Water Conservation District

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## AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, March 1, 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. Board Consideration: The Board will consider adoption of the minutes of the February 1, 2011 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: Purchase of New Vehicles in Compliance with the California Air Resources Board Heavy-Duty Truck Emission Regulation.
- 7:30 5. Board Consideration: Agricultural Water Rate Setting for the 2011 Irrigation Season.
- 7:45 6. Staff Presentation: Report on the District's Safety Program.

- 8:10 7. 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.
- 8:15 8. Attorney's Report: The District's attorney will report on the following:  
a) Current legal and legislative activities.
- 8:25 9. 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
- 8:35 10. 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.
- 8:40 11. Board Consideration: The Board will consider the approval and the payments of bills.
- 8:45 12. Closed Session:  
a) Conference with real property negotiator involving APN 025-010-018, and CCF V, Inc. Instructions to the negotiator may include price, terms of payment, or both. (See Government Code sections 54954.5(b) and 54956.8.); and  
b) Conference with real property negotiator involving APN 050-010-010. Instructions to the negotiator may include price, terms of payment, or both. (See Government Code sections 54954.5(b) and 54956.8; and
- 8:58 13. Closed Session Report  
Report action and vote, if any, taken in Closed Session
- 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 February 25, 2011.

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



Y O L O C O U N T Y

FLOOD CONTROL &  
WATER CONSERVATION  
DISTRICT

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## **BOARD MEETING MINUTES**

**Tuesday, March 1, 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 March 1, 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  
Jim 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

## **1. BOARD CONSIDERATION: Approval of Minutes**

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

## **2. OPEN FORUM**

None

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

None

### **4. BOARD CONSIDERATION: Purchase of New Vehicles in Compliance with the California Air Resources Board Heavy-Duty Truck Emission Regulations**

Facilities Supervisor Lopez reported that this item is a follow-up to his December presentation to the Board regarding California Air Resources Board (CARB) regulations and three District trucks. At that meeting Lopez was instructed to do further research regarding potential changes in the CARB regulations and possible funding sources.

Lopez confirmed that CARB had adopted changes to the regulations. Lopez confirmed that he had contacted CARB staff, who had confirmed that the regulations related to the District had not changed. California agencies are held to a higher standard than federal agencies or the general public.

Lopez reported that he had also checked with the Yolo/Solano Air Quality District (Air Quality) regarding potential funding sources. Air Quality staff checked on potential funding sources internally and through the State. Lopez was told that due to the low number of miles being driven on the District's three trucks of concern, a District application for funds would be ranked very low in priority for funding assistance. Air Quality has \$68,000 available for all of Yolo County. For any potential State funding, such as through CARB, funding assistance to the District would be a low priority given the limited use of the three trucks that are not in compliance with the new regulations.

Supervisor Chamberlain suggested the District apply for the Air Quality funding as it receives additional funding from license registrations and may have more funding available in the future.

Lopez reviewed the options of retrofitting the trucks per the regulations or changing out the engines to comply. The known retrofits have become maintenance problems, the cost for new engines are running at least \$75,000, and older trucks that are in compliance are in high demand and becoming very costly when compared to the cost and benefits of a new truck.

General Manager O'Halloran confirmed that he had met with appropriate staff to discuss the District's needs. Staff believes the District can get by with replacing the two trucks and limiting the annual mileage on the third truck to comply with the regulations.

Director Mayer suggested O'Halloran check with Senator Wolk's office to ascertain the appropriate State representative to contact regarding the potential for regulatory relief through the legislature. He also suggested a potential phasing in of the truck purchases.

M/S/C authorized up to \$210,000 for the purchase of two heavy-duty diesel trucks, as proposed.

### **5. BOARD CONSIDERATION: Agricultural Water Rate Setting for 2011 Irrigation Season**

General Manager O'Halloran reviewed the current proposal, which he reported does not include a recommendation regarding the Non-agricultural rates. A recommendation for the Non-agricultural rate will be considered at an upcoming Finance Committee meeting. Given the March 15 deadline for

agricultural applications and the complex requirements of Prop 218, O'Halloran recommended using the existing rate schedule adopted in 2008 to set the agricultural rates for the 2011 irrigation season. Based on the tier structure in the 2008 schedule, the agricultural rate would be set at \$17.50 per acre-foot.

O'Halloran reported that Assistant General Manager Barton, Water Resources Associate Stevenson, and he had reviewed the water supply information and historical information and have determined that the 2011 irrigation season will be an unallocated year.

O'Halloran reported that although he is recommending using the 2008 schedule, he would like the Finance Committee to consider for next year revising the schedule by adding at least two additional tiers. If that means going through the Prop 218 process, the District would have more than adequate time to complete that process by early 2012.

Director Vink, Chair of the Finance Committee, mentioned that prior discussions had included considering a surcharge for large capital projects such as the Capay Dam Apron Project.

O'Halloran reminded the Board that for the Capay Dam Apron Project that the Board had approved a 20 year loan. Repayment of the loan, approximately \$250,000 per year, will come from the District's depreciation fund account and reduce funds available for Capital projects until the loan is retired.

M/S/C affirmed the existing 2008 rate schedule and set the regular agricultural water rate at \$17.50 per acre-foot for the 2011 irrigation season.

#### **6. STAFF PRESENTATION: Report on the District's Safety Program**

General Manager O'Halloran reminded the Board that at a prior meeting he had reported that the District was ranked very low in the Workers' Compensation and Property Programs with the ACWA/JPIA. He reported that the District's Safety Committee had reviewed the Workers' Compensation injuries and provided him with a memo and a number of recommendations as provided in the Board's agenda package. O'Halloran, other management staff and all supervisors had met with the Safety Committee to review the memo and the recommendations. O'Halloran noted that with two exceptions, he concurs with the memo and thought the Committee did an excellent job. The items that O'Halloran questioned the Committee about were both related to statements suggesting that the District places a higher value on completing a job than on completing a job safely. The Committee reported that may have been overstated. They thought it represented the way some employees approach their work, not how they are directed to approach their work.

O'Halloran reviewed, commented and concurred with each of the recommended action items within the memo. Regarding the dedicated funding for hazard mitigation, O'Halloran noted many of the District's capital expenses have a safety component attached to them addressing hazards, but that information has not previously been acknowledged or tracked, e.g., improving check structures by adding handrails. Regarding incentives for safety and consequences for disregard of safety, O'Halloran reported he has spoken with other Managers regarding both of these issues and supports the idea. He noted that the Committee also recommended an annual status report to the Board by the Safety Committee. O'Halloran suggested that presentation be calendared, similar to the annual review of the Brown Act provided by District Counsel.

The Board impressed upon O'Halloran the need to change the employee's mindset and emphasize safety at work. The Board asked for a report on days of lost work to tie to the data within the Committee's memo and suggested the Committee think about potential incentives. A suggestion was made to set a goal of becoming one of the top 10% at the ACWA/JPIA within some given timeframe.

O'Halloran reported that the District has been using the ACWA/JPIA to get various types of training, but that the training may need to be more focused. He said the Committee is in the process of reviewing the District's Illness and Injury Prevention Plan (IIPP). O'Halloran reported that the Safety Program has to become more interactive to make it more real for the employees, with more interaction between management, the Safety Committee and the employees. He asked any Board members to call him if they had other suggestions.

## **7. DIRECTORS' REPORTS**

Director Brice attended a February 24, 2011 meeting in Sacramento of the Public Policy Institute of California (PPIC) at which General Manager O'Halloran was on a panel entitled "Promoting Market-Based Solutions to Manage Supply, Quality and Flooding." Additionally, the PPIC discussed its newly released report "Managing California's Water: From Conflict to Reconciliation."

## **8. ATTORNEY'S REPORT**

Legal Counsel Bartkiewicz reported that PPIC reports are typically well done. He is in the process of reviewing the executive summary of the PPIC report "Managing California's Water: From Conflict to Reconciliation", which was presented at the February 24, 2011 meeting. It takes into account one of Northern California Water Association's major points on water use efficiency; that is the difference between basin efficiency rather than on-farm efficiency. The report acknowledges that increasing agricultural efficiency will not generate much new water because more water will be needed to supply the needs now being met by the "excess" agricultural water.

Bartkiewicz reported that his office is still following the activities of the Delta Stewardship Council and that the deadline for introducing legislation has passed. There are some spot bills awaiting action. One spot bill is SB200 (Wolk), which would require certain conditions be met before any action is taken related to a peripheral-type canal could be considered.

Bartkiewicz reported that the State Water Resources Control Board had approved the Davis-Woodland Clean Water Project that utilized the District's 1994 appropriation application on the Sacramento River, which was submitted for the use of the cities and subsequently transferred to them.

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

General Manager O'Halloran reported on:

Grant Davids' draft report for the Northern California Water Association (NCWA), which was reviewed for the Board at the February Board meeting. The draft report has been completed and is in the final review process.

A meeting on "information management" sponsored by NCWA was held on February 28, 2011 at the District. O'Halloran took the opportunity to discuss the concept that information management is

more than an operational management tool. It is also a way to demonstrate transparency and develop credibility.

Small flood control releases began on February 28, 2011 from Clear Lake after careful review of the current conditions and weather forecasts. O'Halloran discussed the District's release strategy with Scott De Leon, Lake County, prior to initiating the release. A nuance raised by De Leon was the fact that there was about 2 foot of snow in the upper watershed (which is very unusual). This was also reflected in the National Weather Service forecasts for Clear Lake precipitation and lake levels forecasts.

The Water Resources Association of Yolo County has been awarded a Prop 84 Planning grant for the Westside Integrated Regional Water Management Plan. O'Halloran and Water Resources Associate Stevenson will participate tomorrow in the interviewing of potential consults to develop the plan documents for the five involved counties.

#### **10. GENERAL DISCUSSION**

None

#### **11. BOARD CONSIDERATION: Payment of Bills**

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

Yolo County Flood Control Checks: # 45240, 45279-45286

#### **12. 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 025 – 010 – 018, and CCF V, Inc. Instructions to negotiator may include price, terms of payment, or both. Persons attending other than the Board were Attorney Bartkiewicz, General Manager O'Halloran and Assistant General Manager Barton.
- b) 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. Director Rominger recused himself due to a potential conflict of interest and left the meeting during this item. Persons attending were Directors Brice, Mayer, Tadlock and Vink, Attorney Bartkiewicz, General Manager O'Halloran and Assistant General Manager Barton.

#### **13. CLOSED SESSION REPORT**

Chair Rominger returned to the meeting and reconvened the regular meeting. Legal Counsel Bartkiewicz reported there was no action to report from Closed Session.

#### **14. ADJOURN**

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

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Bruce Rominger, Chair

ATTEST:

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Tim O'Halloran, Secretary