

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, April 1, 2014 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 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 Jennifer Reed 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. Consideration: The Board will consider adoption of the minutes of the March 4, 2014 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. 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. Staff Report: Drought and Budget Issues Update.
- 7:30 5. Consideration: Water Wheeling and Canal Road Obstructions.
- 7:45 6. Staff Report: Groundwater and Conjunctive Use Issues and Initiatives.
- 8:10 7. Consideration: Rescheduling the Regular May Board Meeting.

- 8:15 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.
- 8:20 9. Attorney's Report: The District's attorney will report on legal matters of concern to the District.
- 8:25 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) Operations, Maintenance and Water Conditions
 - b) Financial Report
 - c) General Activities
 - d) Upcoming Events
- 8:35 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.
- 8:40 12. Consideration: The Board will consider the approval and the payment of bills.
- 8:45 13. Closed Session:
- a) Conference with real property negotiator O'Halloran regarding the sale of District property APN 025-010-018, (See Government Code Section 54954.5(b) and 54956.8).
- 9:00 14. Adjourn

he 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 March 28, 2014.

By: _____
Christina Cobey, Administrative Assistant



Y O L O C O U N T Y

**FLOOD CONTROL &
WATER CONSERVATION
DISTRICT**

BOARD MEETING MINUTES

Tuesday, April 1, 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 was held at 7:00 p.m. on April 1, 2014, at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Tadlock convened the meeting. In attendance were:

District Board

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

District Staff

Tim O'Halloran, General Manager
Christy Barton, Assistant General Manager - Administration
Ryan Bezerra, Legal Counsel

Members of the Public

Duane Chamberlain
John McKean
Dave Pratt
Don Rominger
Frank Sieferman

1. CONSIDERATION: Approval of Minutes

M/S/C approved the minutes of the March 4, 2014 Regular Board Meeting as submitted.

Ayes: Directors Brice, Mayer, Rominger, Tadlock and Vink

Noes: None

Absent: None

2. OPEN FORUM

There were no comments.

3. CONSIDERATION: Adding Items to the Posted Agenda

There were no changes.

4. STAFF REPORT: Drought and Budget Issues Update

General Manager O'Halloran provided an update regarding how the District is responding to the drought and the associated budgetary issues. He reviewed communications with District employees, Indian Valley storage and required releases, Spring Valley water needs, and reaffirmed that the District's Indian Valley facilities are closed to the public. O'Halloran reported that work regarding the water wheeling will be reviewed later on the agenda, so he focused on budgetary considerations.

O'Halloran reported that in mid-March the District was able to divert some winter run-off into the canal system and has been able to sell that water on the Winters Canal. He reported that concern was expressed by a water customer regarding the diversions, the limited sales area, and inconsistency with notices that the District has previously provided regarding having no water for sale this summer. He reviewed the District's normal practice of picking up rain runoff when available at the beginning of the season for charging the system and for sale, and the judgment calls involved in making these operational decisions. O'Halloran stated that there still is not enough water in storage for summer irrigation releases and that no sales of stored water are anticipated. The Board affirmed that these types of operational decisions are within the purview of the general manager.

O'Halloran reviewed the budgetary concerns and considerations reporting that the Finance Committee (Committee) has already met reviewing mandated costs and discretionary costs. The Committee wanted full Board review of the District's memberships and dues obligations. O'Halloran reviewed membership costs and benefits regarding related to the Northern California Water Association (NCWA), the Association of California Water Agencies (ACWA), the Water Resources Association of Yolo County (WRA), and the Sites Joint Powers Authority.

The Board instructed O'Halloran to meet with David Guy of NCWA to discuss the fact that the District cannot afford the current level of dues and to be creative regarding how the District can afford to continue as a NCWA member through the coming fiscal year.

5. CONSIDERATION: Water Wheeling and Canal Road Obstructions

General Manager O'Halloran reviewed the District's history of supporting use of the District's facilities for needed wheeling of water. O'Halloran reviewed the "Wheeling" Water Fact Sheet regarding fees and fines. He reported that to address the wheeling of water through the District's system this summer, the District anticipates the need for two ditchtenders to be working each day. Based on prior records and anticipated wheeling this summer, a \$20 per day per wheeling event fee was developed to partially cover the District's costs for overseeing and providing this benefit to its water customers. He also reported on the proposed fine schedule noting previously the District's had a first offence warning followed by a fine if necessary. He reported that no fines have been issued in the past, but warnings have been. Water customers should now be accustomed to the rules regarding wheeling and it is appropriate to step up requirements for compliance. The focus is on compliance, not the leveeing of fines.

M/S/C approved the flat fee of \$20 per day per wheeling event fee and a fine schedule of \$250 for a first offence and \$500 any subsequent offences.

Ayes: Directors Brice, Mayer, Rominger, Tadlock and Vink

Noes: None

Absent: None

The Board instructed staff to be sure that the communications with the working ditchtenders is always available to avoid accidental violation of wheeling rules by water customers.

6. STAFF REPORT: Groundwater and Conjunctive Use Issues and Initiatives

General Manager O'Halloran reported that this item is to set the stage for where the District is heading regarding groundwater and conjunctive use issues. He listed various core documents being used at the state, regional and local levels to address the Governor's call for groundwater legislation and the common key issues between them. He reviewed the District's AB 3030 activities. O'Halloran reported that it is important to refocus the discussion from conjunctive use to water supply reliability in order to develop a vision for the future. This planning effort will position the District with projects ready to implement, if potential funding becomes available.

7. CONSIDERATION: Rescheduling the Regular May Board Meeting

General Manager O'Halloran reported that if District Management attends the Spring Conference in Monterey for the Association of California Water Agencies (ACWA) and the ACWA/Joint Powers Insurance Association (ACWA/JPIA), that there would be a conflict with the Regular May Board meeting date. He reported that at this time, only refundable hotel reservations have been made.

M/S/C approved resetting the date for the Regular May Board meeting to Tuesday, May 13, 2014.

Ayes: Directors Brice, Mayer, Rominger, Tadlock and Vink

Noes: None

Absent: None

8. DIRECTORS' REPORTS

Director Mayer reported on the NCWA annual meeting attended with Director Brice and General Manager O'Halloran, and the "Saving California Communities" water panel in Davis, which included O'Halloran as part of the panel.

Chair Tadlock reported on the NCWA Board meeting and the District's Finance Committee meeting. He thanked O'Halloran for bringing information to the Committee already well-reviewed.

Director Vink noted that the Finance Committee's meetings are very difficult this year due to the forecast revenue and budget shortages.

Director Rominger reported on a tour with Supervisor Saylor of local farming areas, and a meeting and discussion regarding water rights with the governor and his staff.

O'Halloran noted that he had distributed an article "How to build a winning water bond" that was written by Director Mayer and published in the Davis Enterprise.

9. ATTORNEY'S REPORT

Legal Counsel Bezerra reported on:

- *City of San Jose v. Superior Court*. A California Court of Appeal ruled that public agencies are not required to disclose under the Public Records Act (PRA) communications from officials' private cell phones and e-mail accounts. Public agencies cannot be held responsible for those records because the private devices of individual officials and employees are not subject to the PRA.

- United States (US) Court of Appeals for the Ninth Circuit struck down most of the 2010 Judge Wanger ruling on federal protections for Delta Smelt, upholding the 2008 Biological Opinion of the US Fish and Wildlife Service. Although this decision does not directly impact the District at this time, it may eventually.

10. GENERAL MANAGER'S REPORT

General Manager O'Halloran provided reports on:

- a) Operations, Maintenance and Water Conditions - The Water Conditions Report and a hydrograph of a real-time groundwater monitoring well was reviewed.
- b) Financial Report Summary – Highlights of the February 28, 2014 Monthly Management Financial Statements were reviewed.
- c) General Activities – A list of outreach activities and projects both in-house and coordinating with other agencies was provided.
- d) Upcoming Events
 - April 2 – Sites Joint Powers Authority meeting at the District
 - April 10 – Regional Water Treatment Plant Facility Groundbreaking – Woodland site
 - April 25 – An Evening with the Yolo County Resource Conservation District at the Cache Creek Conservancy
 - May 5 and 6 – ACWA/Joint Powers Insurance Association Spring Conference in Monterey
 - May 6 to 9 – ACWA Spring Conference in Monterey

11. GENERAL DISCUSSION

There was none.

12. CONSIDERATION: Payment of Bills

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

Ayes: Directors Brice, Mayer, Rominger, Tadlock and Vink
 Noes: None
 Absent: None

Yolo County Flood Control Checks: # 49776-49793

Chair Tadlock announced that Open Session was being adjourned into Closed Session to confer with Real Property Negotiator O'Halloran regarding the sale of District property APN 025-010-018.

13. CLOSED SESSION:

- a) Confer with real property negotiator O'Halloran regarding the sale of District property APN 025-010-018 (See Government Code Section 54954.5(b) and 54956.8). Persons present other than the Board were General Manager O'Halloran, Assistant General Manager – Administration Barton and Legal Counsel Bezerra.

Chair Tadlock reconvened the meeting to Open Session and announced that there was no action to report from Closed Session.

14. ADJOURNMENT

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

Ron Tadlock, Chair

ATTEST:

Tim O'Halloran, Secretary