

# Yolo County Flood Control & Water Conservation District

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## AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, April 7, 2009 7:00 P.M.

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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.

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## AGENDA

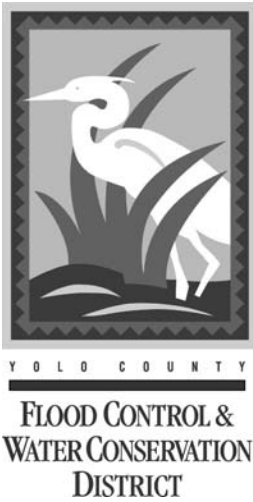
- 7:00 1. Board Consideration: The Board will consider adoption of the minutes of the March 3, 2009 Regular Board Meeting.
- 7:02 2. Open forum (Limited to five minutes): Guest introductions, unscheduled appearances and opportunity for public comment on non-agenda items.
- 7:07 3. Board Consideration: 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: Award of Contract for the Part 12 Indian Valley Independent Safety Inspection.
- 7:20 5. Board Discussion: 2009 Water Delivery Operations with an Allocated Water Supply.
- 8:00 6. Board Consideration: Water Rates and Charges for 2009.

- 8:20 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.
- 8:25 8. Attorney's Report: The District's attorney will report on the following:  
a) Current legal and legislative activities.
- 8:40 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
- 8:55 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.
- 8:58 11. Board Consideration: The Board will consider the approval and the payments of bills.
- 9:00 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 and Water Conservation District, 34274 State Highway 16, Woodland, CA on April 3, 2009.

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



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## **BOARD MEETING MINUTES**

**Tuesday, April 7, 2009, 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 (District) was held at 7:00 p.m. on April 7, 2009, 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  
Jim Mayer, Director  
Bruce Rominger, Director  
Erik Vink, Director

District Staff, Consultants, Presenters

Tim O'Halloran, General Manager  
Christy Barton, Assistant General Manager  
Margaret Kralovec, Writer/Editor  
Jen Reed, Project Manager  
Max Stevenson, Water Resources Associate  
Paul Bartkiewicz, Legal Counsel  
Fran Borcalli, floodSAFE Yolo Program Manager

Members of the Public

Duane Chamberlain  
John Edwards  
Bill Kralovec  
Dave Pratt  
Don Rominger  
Frank Sieferman, Sr.

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

9.9 M/S/C approved minutes for the March 3, 2009, Regular Board Meeting as submitted.

**2. OPEN FORUM**

Director Brice introduced public attendee Bill Kralovec.

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

None.

**4. BOARD CONSIDERATION: Award of Contract for the Part 12 Indian Valley Independent Safety Inspection**

Assistant General Manager Barton informed the Board that every five years, the District is required to perform a Part 12 Independent Safety Inspection of the Indian Valley hydroelectric facility. Barton presented the Board with a staff recommendation to accept the proposal submitted by Kenneth King, P.E., one of two proposals received in response to the District's RFP. This RFP was sent to every contractor on the Federal Energy Regulatory Commission (FERC) list of preapproved inspectors who operate in Northern California. Barton noted that while King's \$55,140 proposal was higher than the competing proposal submitted by URS-Washington (\$46,840), it was more comprehensive. She further noted the financial benefits and convenience of working with an Orinda-based contractor who is located near the District.

Director Mayer inquired about reference checks. Barton indicated District satisfaction with King because staff knows both him and his work, and because King appears on the FERC list. Director Rominger asked if it would be a problem if not all previous FERC issues from the last inspection had been resolved. Barton indicated that only one item would be a carryover from the prior inspection response, a stipulation she anticipates that FERC will approve. Director Brice asked about King's request to lower the liability insurance amount to \$1 million from \$2 million, and Barton indicated that the District's raise to a \$2 million amount was recent, and because the type of work was low-risk, the District was comfortable acceding to this request.

9.10 M/S/C authorization for staff to complete necessary paperwork to award the contract to Kenneth King at an amount not to exceed \$55,140.

**5. BOARD DISCUSSION: 2009 Water Delivery Operations with an Allocated Water Supply**

General Manager O'Halloran made a PowerPoint presentation to the Board, "2009 Water Delivery Operations with an Allocated Delivery" and provided a summary handout of the presentation to Directors and meeting attendees. He explained that the District expects to deliver about 18,000 acre feet of water this season, using best estimates for the May 1 Rumsey Gauge level and water loss rates. District operational goals this year are: to deliver its limited water supply as effectively as possible; to allow for the best distribution of groundwater; to promote staff and customer creativity, flexibility, and responsiveness; and to use this allocation experience to assess and to improve the District's delivery system. O'Halloran expects the season to run from May 26 through the subsequent six or seven weeks, depending on a number of variables. He noted that the success of achieving District goals will rely on real-time tracking of deliveries (using the STORM water accounting program), daily determinations of allocations,

and constant communication among staff and customers.

O'Halloran announced there would be another water customer meeting this coming Friday. Don Rominger asked whether it would be preferable to use creek water to charge the delivery system rather than selling it. O'Halloran responded that he had confirmed with Paul Bartkiewicz his authority to make decisions about delivery of creek water that does not originate from storage. Legal Counsel Bartkiewicz explained that the principle was to treat all customers equally. However, when supplies are low, there is greater need to maximize overall benefits, which may mean not delivering water to the end of the distribution system. The decisions, according to Bartkiewicz, are within the purview of the District's manager who can make such decisions as long as they are reasonably based.

Assistant General Manager Barton explained to the Board that water diversions upstream of Capay Dam are subject to riparian agreements. Barton explained that in the past customers with riparian rights had entered into separate "riparian agreement" with the District. Per the agreements they agreed to allocations on the same basis as water customers down stream of the Capay Dam. O'Halloran noted that the Rumsey Ditch water users were in a different category from the Riparian Agreement holders.

Director Vink asked if there are good water flow measurements at Capay Dam. O'Halloran explained that the Dam releases are measured at the West Adams and Winters Canals. Director Mayer reminded the Board that because bureaucracies are by nature risk-averse, they are not good at problem solving. Mayer sees the District as being willing to take risks, and is correspondingly likely to see and to solve problems. He feels that the District's willingness to solve problems puts it on the right track.

## **6. BOARD CONSIDERATION: Water Rates and Charges for 2009**

Although the District informed customers last month that it did not expect to deliver water this coming season, it has since decided on an abbreviated season in which deliveries will be allocated to customers.

The agriculture water rate structure remains as approved through the 2008 Proposition 218 process, and though the available water is slightly less than the 90,000 acre feet minimum, staff recommends the available water be sold in 2009 at \$35 per acre foot, the closest water rate tier in the approved schedule.

Staff recommends raising non-agricultural water rates (Municipal and Industrial Water, or M&I) by 5% to \$52.50 per acre foot. This rate hike was discussed with Lake County representatives in the most recent joint meeting and received no objections.

When customers want to use District canals to move their own water, the District recommends a flat daily fee per pump of \$5 in cases where little District involvement is required, and a daily fee per pump of \$20 in more complex situations that require District involvement or monitoring.

Though these rates will not cover District expenses in canal maintenance and management for purposes of private canal use, the "wheeling" fees are expected to help customers remember to coordinate their canal use with the District, a communication that is of considerable benefit to the District's management of the water system. O'Halloran noted that farmers who have participated in recent meetings and discussions recognize that the District incurs costs for moving private water, and have not objected to the proposed fees. The District intends to

monitor the entire length of all its canals daily to oversee their use.

To encourage compliance with District policies and to promote fairness for its customers, Staff recommended the establishment of the following penalty schedule for unauthorized use or manipulation of District facilities: 1<sup>st</sup> incident – written warning, 2<sup>nd</sup> incident - \$250, 3<sup>rd</sup> incident - \$500, 4<sup>th</sup> and each additional incident - \$1,000.

**9.11 M/S/C authorization for District staff to impose 2009 Water Rates and Charges as proposed.**

Director Vink extended his high regard for the thoughtful and comprehensive planning work of District staff in preparation for the upcoming season.

**7. DIRECTORS' REPORTS**

Directors Vink and Rominger attended District/Lake County Watershed Protection District Standing Committee meeting. Vink indicated he thought it was worthwhile to continue meeting. Lake County Supervisor Anthony Farrington stated on the record that it was not their intent to impact existing water rights or affect revenues.

Director Mayer reported that he attended a Yolo County Water Committee governance meeting.

**8. ATTORNEY'S REPORT**

Legal Counsel Bartkiewicz reported that there had been a flood of proposed legislation after the budget was addressed. Northern California Water Association (NCWA) is working to analyze bills, and the Association of California Water Agencies (ACWA) holds positions that are consistent with NCWA. Bartkiewicz reported that NCWA has been actively engaged in Delta related legislation and their input has been well received. He expects the legislation to be amended in part due to the positive response to concerns voiced by NCWA. Because State water agencies and solutions are likely to be funded by fees on water use, nearly every proposal under consideration has a fee attached to it. Director Mayer asked about provisions preventing surface water being used for agricultural use. Bartkiewicz reported that this provision had no known constituency, and that it was expected to be eliminated.

**9. GENERAL MANAGER'S REPORT**

a. General Activities

General Manager O'Halloran reported that there is a regional effort underway among Lake, Napa, Solano, Colusa and Yolo Counties to update the Integrated Regional Water Management Plan. O'Halloran, Water Associate Stevenson, and Environmental Associate Lorenzato are reviewing provisions and potential for funding for the proposed new region.

b. Operations, Maintenance, and Water Conditions

Operations Supervisor Espinoza and his team are getting a lot of work done on the canal system, and expect to be able to continue to make headway on system maintenance and upgrades given the short season and dry canals.

Bob Schneider raised the issue of the Cache Creek Settling Basin and the Cache Creek Feasibility Study related to lower Cache Creek funding issues. He applauded floodSAFE

Manager Borcalli on his work getting the players together to find solutions that work. Borcalli added that the work on the Feasibility Study has been accomplished through well-developed and well-maintained relationships. October 1, 2009 is the designated date upon which to initiate work, and DWR is committed to the project. The President's budget contains \$300,000 to the U.S. Army Corps of Engineers, who have to agree to the project. The Feasibility Study requires a 50-50 cost sharing between federal and non-federal sources, so state and local agencies will have to come up with their share.

O'Halloran added that he attended an excellent presentation by the Yolo Resource Conservation District on a geo-morphological study of the reach of Cache Creek from Clear Lake to Capay Dam.

## **10. GENERAL DISCUSSION**

None.

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

The Board briefly discussed payment of an invoice for an arundo removal project. These arundo removal costs have been shared by floodSAFE Yolo and the District. AgriChem Services performed the arundo spraying.

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

Yolo Flood Control Checks: #42281-42301

## **12. ADJOURN**

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

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Ron Tadlock, Chair

ATTEST:

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Tim O'Halloran, Secretary