

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, June 7, 2005 7:00 P.M.

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 May 10, 2005 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: The Wild & Scenic Ad Hoc Subcommittee will report on and recommended action related to the amended State Wild & Scenic legislation (AB 1328).
- 7:40 5. Board Consideration: Election of Vice-Chair for 2005.
- 7:45 6. Board Consideration: Providing Notice for Potential Withdrawal from ACWA/JPIA Workers' Compensation Program.

- 7:50 7. Board Consideration: Resolution of Support for ACWA Region IV Board Member
- 7:55 8. Board Consideration: Wild Wings Golf Community Request
- 8:05 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.
- 8:15 10. Attorney's Report: The District's attorney will report on the following:
a) Current legal and legislative activities.
- 8:25 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
- 8:50 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.
- 8:55 13. Board Consideration: The Board will consider the approval and the payments of bills.
- 9:00 14. Closed Session: Review of Confidential Federal Energy Regulatory Commission Report on Indian Valley Dam Vulnerability under Brown Act Section 54957 Involving Security and Public Access
- 9:30 15. 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 June 3, 2005.

By: _____
Christina Cobey, Administrative Assistant

REGULAR BOARD MEETING MINUTES

June 7, 2005

The regular June meeting of the Board of Directors of the Yolo County Flood Control and Water Conservation District was held at 7:00 p.m. on June 7, 2005 at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Brice convened the meeting with Directors Scheuring and Rominger present. Director Vink arrived shortly thereafter. Also in attendance were:

District Staff and Consultants

Tim O'Halloran, General Manager
Christy Barton, Assistant General Manager
Mike Horgan, Engineer
Max Stevenson, Water Resources Associate
Paul Bartkiewicz, Legal Counsel
Francis Borcalli, Engineering Consultant
Joe Barnes, Engineering Consultant

Members of the Public

Lois Wolk, State Assemblymember
Susan Treabess, State Assemblymember Wolk
Petra Marchand, Yolo County Public Works
Katherine Maestas, Cache Creek Wild
Blake Harlan, District Water User
Lynnel Pollock, Past Yolo County Supervisor
Denise Sagara, Yolo County Farm Bureau
Frank Siefertman, Sr., Past Yolo County Supervisor
Glenn Holstein
Stan Barth

MINUTES

M/S/C approved the minutes of the May 10, 2005 Regular Board meeting as corrected.

OPEN FORUM

No comments were made.

CHANGES TO THE POSTED AGENDA

Mr. O'Halloran requested that a personnel matter be added to the closed session agenda as the matter had arisen since the agenda was posted.

M/S/C by a 4/4 vote, the Board determined that the need to take action arose subsequent to the

agenda being posted and approved adding the following item to the agenda.

Personnel Issue; Government Code Section 57957.

WILD & SCENIC AD HOC SUBCOMMITTEE

Mr. O'Halloran presented the status of current State legislature actions on Wild and Scenic AB 1328. Mr. Bartkiewicz then provided an overview of the development of amendments to AB 1328. He advised that members of the attorneys' working group exhibited good cooperation and creativeness and that AB 1328, as amended, protects the District's interests. Various amendment provisions were discussed.

Director Scheuring commended the attorneys' working group for the clear amendment language prepared. He asked and Mr. Bartkiewicz confirmed that the amended AB 1328 does not impair the District's water releases from storage nor its application for winter water rights on Cache Creek and that it does not jeopardize existing District water rights and opportunities.

Assemblymember Wolk stated that the amendment process succeeded in protecting the District's fundamental concerns and that Lake County Board of Supervisors had voted earlier in the day to support her Wild and Scenic legislation. She asked that the Board remove its opposition to AB 1328.

Director Rominger stated that he was supportive of the protective language in the amended AB 1328 and that it was now prudent for the District to consider removing its opposition to the legislation.

Director Scheuring stated that he appreciated Directors Brice and Rominger and Mr. O'Halloran's representation in the process on the District's behalf. He also appreciated Assemblymember Wolk's acceptance of the District's requested amendments.

M/S/C approval to remove the Board's opposition to AB 1328.

ELECTION OF VICE-CHAIR FOR 2005

Director Brice outlined the need to refill the Board's Vice-Chair position due to the resignation of Director Eoff from the Board. Mr. O'Halloran summarized past policy regarding selection, term and rotation of Board positions. The Board then discussed the matter.

M/S/C to appoint Director Scheuring as the Board's Vice-Chair for the remainder of Director Eoff's term.

Director Scheuring requested that a written policy on suggested rotation of Board positions be developed. Mr. O'Halloran advised that he will prepare a policy for Board review.

POTENTIAL WITHDRAWAL FROM ACWA/JPIA WORKERS' COMPENSATION PROGRAM

Ms. Barton overviewed the District's interest in seeking options to the ACWA/JPIA coverage for Workers' Compensation insurance and the need to initiate a process to withdraw from the JPIA in order to obtain consideration by other providers. Board discussion followed.

M/S/C approval to provide Notice of Intent to Withdraw from the ACWA/JPIA's Workers' Compensation Program.

RESOLUTION OF SUPPORT FOR ACWA REGION IV BOARD MEMBER

Mr. O'Halloran summarized the role of membership on the ACWA Region IV Board and recommended that Ms. Barton be nominated for membership.

M/S/C adoption of Resolution 05.08 Placing in Nomination Christy Barton as a Member of the Association of California Water Agencies Region IV.

WILD WINGS GOLF COMMUNITY REQUEST

Mr. Horgan provided background information on the Wild Wings Golf Community's request to waive a tree removal requirement listed in an April 1, 2003 Agreement.

M/S/C approval of Resolution No. 05.09 Consenting to Deviation from Three-Party Wild Wings Agreement as amended by Mr. Bartkiewicz.

DIRECTORS' REPORTS

Director Vink reported that he attended a NCWA Board of Directors' meeting in Oroville. Some items on the agenda were: CVP water rates, State fee litigation and legislative lobbyist representation.

Director Rominger reported on the Wild and Scenic Coalition meetings and stated that there will be some residual opposition to AB 1328 in the County. He also reported on the recent Board – Yolo County 2X2 meeting which included discussion of flood control in Yolo County.

Director Brice reported on a press conference regarding the Conaway JPA process.

Board discussion followed on the JPA.

ATTORNEY'S REPORT

Mr. Bartkiewicz reported on the status of CalFed fee matters, including SB 113 and on AB 820

which addresses revisions to water rights and water usage reporting. He stated the latter is not yet in final form and that ACWA and NCWA are representing the District's interests in the ongoing process.

Board discussion followed.

GENERAL MANAGER'S REPORT

Mr. O'Halloran asked Mr. Horgan to summarize current District right of way issues. Mr. Horgan reported that residential developments in Woodland, Winters and Lake County are proposed in areas adjacent to and around District facilities. He also stated that some requests have been made for District abandonment of some rights to facilitate the developments. He advised that he is working with counsel to identify legal requirements for abandonment and a process to address consideration of such requests.

Director Rominger stated that actions to abandon rights should address the circumstances where proposed developments plans are unsuccessful, and the reimbursement of costs incurred by the District.

Mr. Stevenson provided an update on the Cache Creek Mercury TMDL establishment process through an amendment to the Basin Plan. He advised that the current draft of the amendment does not require studies or actions by the District on Cache Creek immediately above the Capay Dam as originally anticipated. He also stated that the District sent further comments on the plan to the RWQCB and will oppose its adoption of the Basin Plan amendments due to various unresolved concerns.

Ms. Marchand stated that the Yolo County Board of Supervisors is asking local State legislators to help obtain an extension to the document's comment period due to the very short time allowed for review. She advised that personal phone calls to the RWQCB and SWRCB are needed to help obtain the 90 day extension.

Mr. Stevenson also provided an update on the District's proposal for a \$275,000 State Agricultural Water Use Efficiency grant which has been recommended for full funding. The project will include 26 flow monitoring stations on canals, creeks, and sloughs. It will include provisions for SCADA capability and will require a District cost share spread over several years.

Mr. O'Halloran thanked Directors Rominger and Brice for their efforts on the Wild and Scenic legislation amendment process. He advised that he will now refocus his and the District's efforts on the District work plan and the Water Resources Association of Yolo County IRWMP.

OPERATIONS, MAINTENANCE AND WATER CONDITIONS

Mr. O'Halloran reported on:

- Current water supply and delivery conditions.

- Maintenance activities including some small canal breaks.

Mr. O'Halloran also complimented Supervisor Espinoza for preseason system preparation work.

Director Rominger requested removal of a tamarisk bush on the Winters Canal east bank upstream of County Road 25.

GENERAL DISSCUSSION

Director Vink advised that he will not be able to attend the July Board meeting.

Director Brice stated that the District's Stewardship and Water Conservation District Luncheon on May 26, 2005 went well and was well received.

PAYMENT OF THE BILLS

M/S/C after review, approved the following claims for payment:

Yolo Flood Control Checks: #34003-34017

CLOSED SESSION

The regular meeting was adjourned to Closed Session under:

Brown Act Section 54957 Involving Security and Public Access; and

Personnel Issue; Government Code Section 57957.

Persons present other than the Board were General Manager O'Halloran, Assistant General Manager Barton, Engineer Horgan and Attorney Bartkiewicz.

CLOSED SESSION REPORT

The regular Board meeting was reconvened. Attorney Bartkiewicz reported that during Closed Session the Board took no action.

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

Ann T. Brice, Chair

ATTEST:

Tim O'Halloran, Secretary