

# Yolo County Flood Control & Water Conservation District

---

---

## AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, September 6, 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 August 2, 2005 Special and August 2, 2005 Regular Board Meetings.
- 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: Lake County Sanitation District's request to amend the Geysers Agreement to allow an additional point of diversion and place of use.
- 7:40 5. Board Presentation: The auditor will present and review the FY 2004/05 independent audit and any management recommendation(s).
- 8:00 6. Board Consideration: Accepting introduction of an ordinance to implement bidding procedures under the Uniform Public Construction Cost Accounting Act.
- 8:05 7. Board Consideration: Approval of providing a Notice of Intent to the ACWA/JPIA regarding the potential to withdraw from the Liability Program in 2006.

- 8:10 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 the following:  
a) Current legal and legislative activities.
- 8:30 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) General Activities  
b) Water Resources Monitoring Program  
c) Indian Valley issues  
d) Operations, Maintenance and Water Conditions
- 9:10: 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.
- 9:20 12. Board Consideration: The Board will consider the approval and the payments of bills.
- 9:25 13. Closed Session: Personnel Issues; Government Code Section 57952
- 9:45 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 September 1, 2005.

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

REGULAR BOARD MEETING MINUTES  
September 6, 2005

The regular monthly meeting of the Board of Directors of the Yolo County Flood Control and Water Conservation District was held at 7:00 p.m. on September 6, 2005 at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Brice convened the meeting with Directors Scheuring, Rominger and Vink present. Also in attendance were:

District Staff and Consultants

Tim O'Halloran, General Manager  
Christy Barton, Assistant General Manager  
Max Stevenson, Water Resources Associate  
Tim Ireland, Intern  
Jennifer Reed, Special Projects Manager  
Paul Bartkiewicz, Legal Counsel  
Francis Borcalli, Engineering Consultant

**Members of the Public**

Don Rominger, Retired District Director  
Heather Jones, Macias Gini & Company  
Dave Pratt

**MINUTES**

M/S/C approved the minutes of the August 2, 2005 Regular Board meeting as mailed.

**OPEN FORUM**

No comments were made.

**CHANGES TO THE POSTED AGENDA**

Chair Brice requested addition to the agenda of an item. The item was the General Manager's Performance Review and consideration of a merit increase.

M/S/C by a 4/4<sup>th</sup> vote, the Board approved the General Manger's Performance Review and consideration of a merit increase.

**GEYSERS' AGREEMENT**

Mr. Bartkiewicz described events that led to the District and Lake County Sanitation District (LACOSAN) executing a Geysers Agreement in 1995, and the benefits to Lake County, Yolo County and the District. The benefits include:

- Treated effluent would be used at the geysers for recharge.
- Accidental wastewater spills to Clear Lake would be reduced or eliminated.
- Treated effluent would not be disposed of to surface waters within Cache Creek watershed.
- The District received more flexibility in the implementation of the Solano Decree.
- The project carriage water would not reduce the District's seasonal allocation.

The Geysers Agreement represented a good cooperative solution between governmental agencies to address a problem. Mr. Bartkiewicz reported Lake County Sanitation District is now requesting an amendment to add another point of diversion and another place of use to the Agreement. The previously provided draft agreement amendment was for 10 years. However, Mr. Dellinger is requesting a 20-year agreement.

Director Scheuring questioned the impact of 7,950 acre feet from Clear Lake on the District.

Mr. Bartkiewicz reported that if there were back to back non-spill years, there could be an impact because the spring elevation of the lake would be lower than without the project. Mr. O'Halloran stated that potential impact is minor but real, and was known and accounted for in the original agreement.

Mr. Dellinger stated that he appreciated the District's prior actions enabling the LACOSAN to reduce wastewater stresses to Clear Lake and Cache Creek. He reported that LACOSAN is already recycling secondary treated effluent from waste water systems serving ten communities around Clear Lake, completely eliminating effluent discharges to Clear Lake from those areas. The current "full circle" proposal would tie in the two remaining community wastewater systems around Clear Lake to the recycling system, thereby completely encircling the lake. Due to operational and financial concerns, the new project starts at Lakeport and will require carriage water until population and effluent growth around the lake can displace the needed lake water.

LACOSAN requested an amendment to allow a second intake from Clear Lake at Kelseyville, an agricultural end-use from the pipeline, and a 20-year term to enable debt financing for the agricultural end-user's capital improvements.

Mr. Dellinger reported he was unsure of the demand for agricultural water. It is still being investigated. He reported that there are still a number of areas around Clear Lake that are not using community wastewater systems, but that new systems are anticipated to be formed once the ability to tie into the full circle pipeline is feasible.

M/S/C approved execution of the amendment to the Geysers' Agreement extending the term to 20 years and allowing other non-substantive modifications as approved by Chair Brice and Attorney Bartkiewicz.

## **FISCAL YEAR 2004-2005 AUDIT**

Director Vink reported the Finance Committee had met with Heather Jones, Macias Gini & Company, to review the FY 2004-2005 Independent Audit (Audit) and that the Audit did not raise any significant issues. The Committee's recommendation is to accept the Audit.

Ms. Jones reviewed the Audit, which included two reports, the required communications to the Finance Committee defining responsibilities and procedures, and the Audit of the District financial statements and performance. The reports indicate "no significant difficulties in dealing with management in performing the Audit and that the financial statements present fairly the financial position of the District as of April 30, 2005 and 2004. This is a clear unqualified opinion of the District's Auditor.

Ms. Jones also reported on their audit strategy regarding review of records and random selection of activities to track through the system. They have software that will identify anomalies, which are then investigated. Ms. Jones thanked management and stated Mrs. McGriff does a fantastic job being timely and accurate.

M/S/C accepted the FY 2004-2005 Independent Audit Report.

#### **UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (UPCCAA)**

Mrs. Barton reported that although the Board approved utilizing the UPCCAA in February 2005 there are certain procedures that must be followed to implement the Act. She reported an ordinance to implement the bidding procedures and a resolution needed to be adopted. She reported the draft ordinance had an error in the adoption date, which would be corrected.

M/S/C accepted introduction of Ordinance 1-2005 to provide informal bidding procedures under the Uniform Public Construction Cost Accounting Act as modified, waived the reading and instructed staff to complete activities required for adoption at the October Board meeting.

In response to a question, Mr. Bartkiewicz reported that ordinances (as opposed to resolutions) are used when they are required by statute code sections such as this one specified in the UPCCAA.

#### **LIABILITY COVERAGE RATE COMPARISON**

Mrs. Barton reviewed the ACWA/JPIA's requirement for a one-year advanced notice prior to withdrawing from a program and the difficulty that creates when trying to get rate comparisons from carriers who know the District cannot change insurance for over a year.

M/S/C approved sending a Notice of Intent to Withdraw from the ACWA/JPIA Liability Program to facilitate the ability to compare coverage options.

#### **DIRECTORS' REPORTS**

Director Scheuring reported that the Water Resources Association of Yolo County (WRA) had hired

Lucy & Co (L&C) as a facilitator for the Yolo County Integrated Regional Water Management Plan (IRWMP). L&C has already completed a survey of member agencies regarding their understanding of the scope and purpose of the IRWMP. There appears to be a lot of support among the agencies for the IRWMP. L&C will start developing an outreach plan for consideration. He also reported that the WRA had received funding from the Department of Water Resources to help develop topic papers addressing flood control, water quality, water supply, recreation, and riparian and ecosystem enhancement. These papers will be a foundation on which to build the IRWMP and the basis for future dialog. Funds will also be used to develop water policies to incorporate into the Yolo County General Plan.

Director Rominger reported on the 2X2 meeting with Yolo County. The principle discussion was regarding the impact of gravel mining in Cache Creek on District infrastructure and flood control.

Director Vink reported that the Northern California Water Association (NCWA) did not meet last month, but did host a program regarding urban development and water supply planning. NCWA is addressing a number of issues including: 1) Conditional Agricultural Waiver for Sacramento Valley; 2) End of legislative session issues; and 3) Delta activities.

Chair Brice reported that the Personnel Committee had met with Mr. O'Halloran to perform a performance review. She distributed copies of the review to Board members and stated the Committee recommended a 5% increase.

M/S/C approved a 5% merit increase for Mr. O'Halloran effective May 1, 2005. Direction was given to Mr. Bartkiewicz to modify Mr. O'Halloran's employment agreement to reflect that evaluations will be performed in a time frame of similar to that of other employees for May 1 Budget changes.

Director Scheuring concurred with the written evaluation.

Director Vink reminded Mr. O'Halloran that addressing infrastructure improvements is a priority for the Board.

Director Rominger expressed appreciation for Mr. O'Halloran's work and anticipated a long length of service for Mr. O'Halloran.

Chair Brice expressed her pleasure working with Mr. O'Halloran.

## **ATTORNEY'S REPORT**

Attorney Bartkiewicz reminded the Board of the legislative time frame and that the Governor would need to take action on bills by the end of September. Then he reviewed the status of SB 820, AB 1747 and AB 1328.

## **GENERAL MANAGER'S REPORT**

### **General Activities**

General Manager O'Halloran reported on general District activities including;

- Continued development of a District Work Plan and its use for tracking jobs.
- The District booth at this year's Yolo County Fair (2<sup>nd</sup> place).
- Tour of the District service area by some members of the Regional Board's Ag Waiver Administrative Team with Rich Landon, Denise Sagara and Mr. O'Halloran to educate the members regarding agricultural drainage issues.
- Future development of a District policy regarding extending or constructing new canals.

Mr. O'Halloran thanked the Board for the merit increase and stated that it is an honor to work with such a dedicated Board.

### **Water Resources Monitoring Program**

Mr. O'Halloran introduced Tim Ireland, a summer intern who is expected to return in January 2006.

Mr. Ireland reported on the District's Water Resources Monitoring Program providing a Power Point Presentation for the Board to review his activities measuring flow and monitoring water quality in the canal system and sloughs. He provided information regarding specific equipment used for flow measurements and locations of measurements. He also provided information regarding equipment used to measure water quality constituents – electrical conductivity (EC), pH, temperature, dissolved oxygen and oxygen reduction potential.

Mr. O'Halloran reported that the District is preparing itself for extensive monitoring of water flow and quality, trying to establish a baseline for water quality data, and preparing to use in-house expertise for flow monitoring in Yolo County to reduce reliance on USGS.

### **Indian Valley Issues**

Mr. O'Halloran introduced Jennifer Reed, a temporary employee, who reported on the Indian Valley septic system and repatriation issues. Ms. Reed reviewed the problems with the septic system at the Indian Valley campground and Department of Health Services issues involved in correcting the problem. The District is in the process of gathering good water use data. Ms. Reed also reported on requirements for and the status of repatriation of human remains within a collection of artifacts from the Indian Valley Reservoir site collected prior to constructing the dam. Discussion will be held with UC Davis regarding the potential for the District to donate the collection to UC Davis.

## **OPERATION, MAINTENANCE AND WATER CONDITIONS**

Mr. O'Halloran reviewed the Water Conditions Report and reported the District will continue to deliver water this irrigation season as long as it is practical.

### **GENERAL DISCUSSION**

Director Vink questioned the status of the extension to the agreement regarding the Madison Wall and how letters written to the Board are handled by staff.

Director Rominger asked if it was time to change auditing firms to get a fresh look.

### **PAYMENT OF THE BILLS**

Mrs. Barton reported that the creation of the Southeast Davis Drainage Maintenance District (SDDMD) was in response to petitions from the landowners to resolve a dispute over funding of operations and maintenance for a Davis city well that pumps urban and agricultural drainage into the Yolo Bypass. Davis provides a portion of the cost to our District, which then passes the costs through to the agricultural lands' owners. Payment to the City of Davis is not due until the funds have been received from the agricultural lands' owners in the SDDMD.

The payment to the City of Davis was pulled to await confirmation the landowners' funds have been received.

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

Yolo Flood Control Checks: #34601-34614

### **CLOSED SESSION**

The regular meeting was adjourned to Closed Session under:

Personnel Issue; Government Code Section 57957;

Persons present other than the Board were Mr. O'Halloran, Mrs. Barton, Ms. Reed 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