

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting 34274 State Highway 16 Woodland, CA 95695 Tuesday, June 4, 2013 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 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. Consideration: The Board will consider adoption of the minutes of the May 7, 2013 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.
- 7:08 4. Public Hearing: Consider Adoption of the Initial Study/Mitigated Negative Declaration regarding the Willow Canal Relocation Project.
- 7:50 5. Consideration: Declaring A Portion of the Willow Canal to be Surplus Property.

- 8:00 6. 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.
- 8:05 7. Attorney's Report: The District's attorney will report on legal matters of concern to the District.
- 8:10 8. 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) General Activities
- 8:15 9. 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.
- 8:20 10. Consideration: The Board will consider the approval and the payment of bills.
- 8:25 11. 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 May 31, 2013.

By: _____
Christina Cobey, Administrative Assistant



YOLO COUNTY

FLOOD CONTROL &
WATER CONSERVATION
DISTRICT

BOARD MEETING MINUTES

Tuesday, June 4, 2013, 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 June 4, 2013, at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Vink convened the meeting. In attendance were:

District Board

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

District Staff

Tim O'Halloran, General Manager
Christy Barton, Assistant General Manager Administration
Max Stevenson, Assistant General Manager Resources
Ryan Bezerra, Legal Counsel

Members of the Public

Randy Chafin
Duane Chamberlain
Rick Mummert
Dave Pratt
Jeff Roberts
Don Rominger

1. CONSIDERATION: Approval of Minutes

M/S/C approved the minutes of the May 7, 2013 Regular Board Meeting as submitted.

2. OPEN FORUM

There were no comments.

3. CONSIDERATION: Adding Items to the Posted Agenda

General Manager O'Halloran reported that he has an item that he would like to add to the agenda that came to his attention after the agenda was posted and needs action prior to the next Board meeting.

Adding this item requires approval by 4/5 determination. Since Director Brice will be arriving late, consideration of this item was postponed to later in the meeting.

4. PUBLIC HEARING: Consider Adoption of the Initial Study/Mitigated Negative Declaration Regarding the Willow Canal Relocation Project.

Chair Vink announced that it is 7:05 p.m., which was the time published for the opening of the public hearing to consider the adoption of the Mitigated Negative Declaration (MND) for the Willow Canal Relocation Project (Project). Vink opened the hearing and announced that the purpose of the hearing is to provide interested parties an opportunity to present comments to the Board concerning the MND, and that notice of the hearing had been published as required by law. Vink introduced Quad Knopf Project Manager Randy Chafin who would first present the MND.

Chafin introduced himself and his firm, reviewed the California Environmental Quality Act (CEQA) process, including the Initial Study (IS) process which generated a MND, circulation and review of the MND, and responses to comments received. Chafin provided an overview of the Project, identifying physical properties on a large map provided by the Bellevue North 2500, LLC (Project Proponent). He also summarized the mitigation actions and the Mitigation Monitoring Program that needs to be implemented. Chafin reported that the Project Proponent is responsible to see that the mitigation measures are implemented, with one exception related to the District. The District has specific responsibilities related to the City of Winters' regulations regarding noise suppression and attenuation. This responsibility could be transferred to the Project Proponent by agreement.

The Board asked questions regarding the Mitigation Monitoring Program, the proposed property rights transfers and canal access.

Jeff Roberts, Bellevue North 250, LLC, 923 East Pacheco Boulevard, Suite C, Los Banos, CA 93635, reported that he represented the landowner. Roberts concurred with the remarks of Chafin, noting the Project Proponent will implement the mitigation measures including complying with the City of Winters' standards.

Rick Mummert, President of Benchmark Engineering, 1121 Oakdale Road, Suite 1, Modesto, CA 95355, reported that his firm is the civil designer of the Project. Mummert also reported that the work done to date was prior to the beginning of the CEQA process and that was only grading. He stated that two rail car bridges are proposed to be installed as part of the Project, one over the Moody

Slough and one at the end of the realigned canal at the southeast corner of the Project Proponent's property. He stated that driving roads will be provided on both sides of the relocated Willow Canal. Additionally, he showed where a pipe and pump station are to be installed to provide water to an existing District customer, who currently takes water from the portion of the Willow Canal that is to be relocated. Mummert said that ownership of the pump station, all costs for its operation and maintenance will remain the responsibility of the Project Proponent as long as it is needed.

There were no further comments for the public hearing, so the hearing was closed.

M/S/C the Board adopted Resolution 13.01 Adopting a CEQA Mitigated Negative Declaration for the Willow Canal Relocation Project by the following vote:

Ayes: Directors Brice, Rominger, Tadlock and Vink

Noes: None

Abstain: None

Absent: Director Mayer

3. CONSIDERATION: Adding Items to the Posted Agenda (Continued)

General Manager O'Halloran reported that he has an item that he would like to add to the agenda that came to his attention after the agenda was posted and requires action prior to the next Board meeting. A letter to O'Halloran was received while he was on vacation and not reviewed until he returned, which was after the agenda had been posted. If O'Halloran is to be nominated to serve again on the Association of California Water Agencies (ACWA) Region 4 Board of Directors, a resolution supporting O'Halloran's nomination to the Region 4 Board must be provided to ACWA prior to the next Board meeting.

M/S/C approved by a 4/4ths determination that the need to take action that arose subsequent to the agenda being posted and added to the agenda consideration of a resolution in support of the nomination of Tim O'Halloran to the ACWA Region 4 Board of Directors.

New Item CONSIDERATION: Approving Nomination of Tim O'Halloran to the ACWA Region 4 Board of Directors.

General Manager O'Halloran reported that he has been on the ACWA Region 4 Board of Directors for two terms (4 years) and would like to serve again. ACWA requires a resolution of support for the nomination from the District's Board. O'Halloran reported that staff had not prepared a resolution for the Board's consideration in advance of the Board meeting, but proposed using the standard resolution that the Board had previously approved and provided to ACWA.

M/S/C approved adoption of Resolution 13.02 Placing in Nomination Tim F. O'Halloran as an Association of California Water Agencies Region 4 Director.

5. CONSIDERATION: Declaring a Portion of the Willow Canal to be Surplus Property

General Manager O'Halloran reported that he would prefer to delay consideration of this item until a future Board meeting, at which time the Board should be able to consider a package including an agreement between the property owner and the District and the actual property exchanges. O'Halloran asked Jeff Roberts if this action would create any issues for them. Roberts supported combining all the actions together at a future Board meeting.

6. DIRECTORS' REPORTS

Director Tadlock reported that he had gone on the Water Education Foundation Flood Management Tour and found it to be very informative. Director Brice, who also attended, reported that the tour provided a great overview and understanding of the flood management system, noting that even the time on buses between stops was fully used by prearranged speakers. Chair Vink concurred that the time on the 2-day tour was time well spent.

Director Rominger reported that he had attended part of the ACWA 2013 Spring Conference in Sacramento, noting that a panel discussion regarding the Delta had excellent speakers and was very informative.

7. ATTORNEY'S REPORT

Legal Counsel Bezerra reported on a California Appellate Court Case Dow v. Lassen Irrigation Company. Although, the case does not have a direct impact on the District, it does highlight that the courts look very closely at the wording of court decrees, noting that the placement or absence of a comma will make a difference in interpretation.

8. GENERAL MANAGER'S REPORT

General Manager O'Halloran reported on the following items:

- a) Operations, Maintenance and Water Conditions – the June 4, 2013 Water Condition Report was available at the sign-in desk. Water sales are nearing normal levels for this time of year. There is 113,000 acre-feet of water still available, but the average remaining demand is 130,000 acre-feet. A review of the water customer allocation balances will be conducted, with calls made to those with large allocation balances to determine if the water will be used as planned. If enough water is returned to the pool, it may be possible to waive the allocation limitation. A water customer meeting will be held to provide an update on the status of the Districts water allocation.
- b) General Activities
O'Halloran met with a representative of the Santa Clara Valley Water District, and discussed the process that their water district used to evaluate the seismic studies that were conducted on their dams. They had a committee of outside experts ground truth the studies received, which takes the responsibility for the information off the shoulders of the board and staff, who lack seismic engineering expertise.

O'Halloran announced that the June 10, 2013 board meeting for the Water Resources Association of Yolo County will include a discussion regarding the proposed 2014 State Water Bond by Tim Quinn, ACWA Executive Director, and David Guy, Northern California Water Association President.

9. GENERAL DISCUSSION

Director Rominger asked General Manager O'Halloran if he had been contacted by Cindy Tuttle. Tuttle said that Senator Wolk is looking for items for the Water Bond. O'Halloran suggested developing a set of principles regarding how the funds would be distributed similar to that being proposed by ACWA.

Chair Vink reported that he will not be attending the Regular July 2, 2013 Board meeting. He asked for response from the Board to verify a quorum would be available. Other Board members plan to attend.

Director Rominger asked Assistant General Manager – Resources Stevenson how the groundwater levels were holding up? Stevenson has not evaluated them recently in detail, but they appear to be normal. O'Halloran said that he had reviewed them. They appear normal, but offset, with the downward trend starting a little early.

Director Brice asked Legal Counsel Bezerra what impact will California Congressman Garamendi have on the Bay-Delta Conservation Plan (BDCP) Bezerra reported that both the congress and the state are divided regarding the BDCP, and that congress will not move forward without consensus being developed.

10. CONSIDERATION: Payment of Bills

Questions were asked regarding the California Dam Fees.

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

Yolo County Flood Control Checks: # 48477-48488

11. ADJOURNMENT

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

Erik Vink, Chair

ATTEST:

Tim O'Halloran, Secretary