

Yolo County Flood Control & Water Conservation District

Board Meeting
34274 State Highway 16
Woodland, CA 95695
Tuesday, August 6, 2019
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 please contact Christina Cobey at (530) 662-0265 or info@ycfcwcd.org. Requests should be made as early as possible, and at least one full business day before the start of the meeting.

AGENDA

- 7:00 1. Closed Session: Public Employee Performance Evaluation (Government Code § 54954.5(e) and 94957)
Title: General Manager
- 7:15 2. Closed Session Report: Report action and vote, if any taken, in Closed Session
- 7:17 3. Consideration: Temporary Delegation of General Manager Duties to Interim General Managers
Action 1: Consideration of General Delegation Resolution
Action 2: Consideration of Proposition 84 IRWM Drought Grant Delegation Resolution
- 7:22 4. Consideration: Adoption of the July 2, 2019 Regular Board Meeting Minutes
- 7:25 5. Open forum (Limited to five minutes): Guest introductions, unscheduled appearances, opportunity for public comment on non-agenda items
- 7:28 6. 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.

- 7:30 7. Consideration: Review of 2018/2019 Independent Audit
- 7:50 8. Consideration: Moore Siphon Failure Emergency Repair and Replacement Project Update and Adoption of Resolution 19.07 Authorizing the Submission of an Application to IBank for Financing
- 8:10 9. Consideration: Adoption of 2019 Westside IRWM Plan Update
- 8:15 10. Directors' Reports: Report on meetings and conferences attended during the prior month on behalf of the District
- 8:20 11. Attorney's Report: Report on legal matters of concern to the District
- 8:25 12. General Manager's Report: Report regarding current general activities and projects of the District
- a) Operations, Maintenance, and Water Conditions
 - b) Financial Report
 - c) General Activities
 - d) Upcoming Events
- 8:40 13. General Discussion: Opportunity for clarification or additional information request
- 8:45 14. Consideration: Consider the approval and the payment of bills
- 8:50 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 & Water Conservation District, 34274 State Highway 16, Woodland, CA on August 2, 2019.

By: _____
Kristin Sicke, Assistant General Manager

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
AGENDA REPORT

MEETING DATE: August 6, 2019

ITEM #: 3

SUBJECT: Consideration: Temporary Delegation of General Manager Duties to Interim General Managers

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
PREPARED BY: Kristin Sicke
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

As of July 31, 2019, General Manager Tim O'Halloran announced a temporary medical leave. As part of the District's daily activities and business operations, staff have attempted to identify any actions that require delegation authorities. District staff believe that a general resolution delegating General Manager duties will allow for District activities to continue in Tim O'Halloran's absence.

As part of the existing Proposition 84 Integrated Regional Water Management (IRWM) Drought Grant Agreement between the District and California Department of Water Resources (DWR), an updated resolution reflecting the General Manager's delegations is required.

RECOMMENDATION:

District staff recommend the adoption of Resolution 19.05 Designating A Temporary Delegation of General Manager Duties to the Interim General Managers and Resolution 19.06 Designating an Authorized Representative for DWR's Proposition 84 IRWM Drought Grant Implementation Funds.

RESOLUTION NO. 19.05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT DESIGNATING A TEMPORARY DELEGATION OF GENERAL MANAGER DUTIES TO INTERIM GENERAL MANAGERS

WHEREAS, Tim O'Halloran is the General Manager of the Yolo County Flood Control and Water Conservation District (District); and

WHEREAS, Tim O'Halloran has formally requested temporary medical leave starting July 31, 2019; and

WHEREAS, Max Stevenson and Kristin Sicke are the Assistant General Managers of the District;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Yolo County Flood Control and Water Conservation District that Tim O'Halloran's formal request for temporary medical leave is approved effective July 31, 2019, and while Tim O'Halloran is on temporary medical leave, the two Assistant General Managers are delegated all authority previously delegated to the General Manager, including the General Manager's appointment of Secretary. The Board of Directors direct the Assistant General Managers to cooperate and coordinate on their shared duties and authority as General Manager for the District until the General Manager returns.

PASSED AND ADOPTED by the Board of Directors of the Yolo County Flood Control and Water Conservation District on August 6, 2019 by the following vote:

AYES:

NOES:

ABSENT:

Signed by me after its passage this 6th day of August 2019.

Tom Barth, Chair

ATTEST:

Max Stevenson/Kristin Sicke, Secretary

RESOLUTION NO. 19.06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT DESIGNATING AN AUTHORIZED REPRESENTATIVE FOR THE CALIFORNIA DEPARTMENT OF WATER RESOURCES PROPOSITION 84 IRWM DROUGHT GRANT IMPLEMENTATION FUNDS

WHEREAS, the Yolo County Flood Control and Water Conservation District (District) is a water supplier and has the responsibility for water management in the region;

WHEREAS, the District Board of Directors adopted Resolution No. 14.05 on July 1, 2014 to apply for an Integrated Regional Water Management Implementation Grant pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code Section 75001 *et seq.*), and to enter into an agreement to receive a grant for implementation of the Sacramento Westside Integrated Regional Water Management Plan; and

WHEREAS, the General Manager of the District was authorized and directed to execute a grant agreement with the California Department of Water Resources and Grant Agreement 4600010892 was executed on June 17, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Yolo County Flood Control and Water Conservation District that the Assistant General Managers, Max Stevenson and Kristin Sicke, are hereby authorized and designated to represent the District in carrying out the District's responsibilities under the Grant Agreement, including certifying disbursement requests on behalf of the Yolo County Flood Control and Water Conservation District and in compliance with applicable requirements.

PASSED AND ADOPTED by the Board of Directors of the Yolo County Flood Control and Water Conservation District on August 6, 2019 by the following vote:

AYES:

NOES:

ABSENT:

Signed by me after its passage this 6th day of August 2019.

Tom Barth, Chair

ATTEST:

Max Stevenson/Kristin Sicke, Secretary

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
AGENDA REPORT

MEETING DATE: August 6, 2019

ITEM #: 4

SUBJECT: Consideration: Adoption of the July 2, 2019 Regular Board Meeting Minutes

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

Pursuant to Section 54957.5 of the Brown Act, copies of the draft minutes are available to the public at the Board meeting prior to their approval.

Staff request the Directors call the Yolo County Flood Control and Water Conservation District (District) office if a correction is needed to be made to the draft minutes to clarify a substantial point or to correct content. Staff will then have time to make the appropriate change(s) and submit the revised draft for review to the Board and the public at the Board meeting.

RECOMMENDATION:

District staff recommend the adoption of the attached minutes with any corrections.



Y O L O C O U N T Y
FLOOD CONTROL &
WATER CONSERVATION
DISTRICT

BOARD MEETING MINUTES

Tuesday, July 2, 2019, 7:00 PM

YCFC&WCD Offices
34274 State Highway 16
Woodland, CA 95695

The regular meeting of the Board of Directors of the Yolo County Flood Control & Water Conservation District (District) was held at 7:00 p.m. on Tuesday, July 2, 2019, at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Barth convened the meeting. The following people were in attendance:

District Board

Tom Barth, Chair
Mary Kimball
Jim Mayer
Bruce Rominger
Erik Vink

District Staff

Tim O'Halloran, General Manager
Max Stevenson, Assistant General Manager
Kristin Sicke, Assistant General Manager

Members of the Public

Jim Barrett
Dave Pratt

1. CONSIDERATION: Approval of Minutes

M/S/C approved the minutes of the June 4, 2019 regular Board meeting as submitted.

Ayes: Directors Barth, Kimball, Mayer, Rominger, and Vink

Noes: None

Absent: None

Abstain: None

2. OPEN FORUM

General Manager O'Halloran reported that a dear colleague, Fran Borcalli, had recently passed away. Fran served as consultant for the District for a few decades, authoring many reports for the District. Fran was instrumental in implementing floodSAFE Yolo and in demonstrating the District's mission and vision. Chair Kimball recommended potentially naming something after Fran in honor of his service to the District. O'Halloran stated that Tom Trexler of MBK Engineers would provide an update on memorial service details once announced.

3. CONSIDERATION: Adding Items to the Posted Agenda

There were no changes made to the agenda.

4. CONSIDERATION: Moore Siphon Failure Emergency Repair and Replacement Project

Assistant General Manager Sicke provided an update on the Moore Siphon Failure Emergency Project. Sicke reviewed the timeline of events, reported on the permitting and engineering process for the replacement of the Moore Siphon, and provided an updated cost estimate.

District staff recommended the Board declare continuation of the emergency conditions related to the Moore Siphon Failure Emergency Repair and Replacement Project.

M/S/C declared continuation of emergency conditions related to the Moore Siphon Emergency Repair and Replacement Project.

Ayes: Directors Barth, Kimball, Mayer, Rominger, and Vink

Noes: None

Absent: None

Abstain: None

5. PRESENTATION: floodSAFE Yolo 2.0

General Manager O'Halloran introduced the floodSAFE Yolo 2.0 item and reported that MBK Engineers had been hired to assist with the management of the Program. O'Halloran informed the Board that the effort was budgeted for \$200,000, which was to be mutually split by the District and County of Yolo. Tom Trexler of MBK Engineers discussed the draft Memorandum of Understanding (MOU) between the District and the County of Yolo for engaging in services to implement the floodSAFE Yolo 2.0 Program.

Trexler reviewed the mission document: to minimize the risk from flooding in rural areas of Western Yolo County to the maximum extent possible. He reported that floodSAFE Yolo 2.0 would focus on areas that are not currently addressed by existing flood control programs managed by other entities. Trexler reported that a recent kickoff meeting between the District and County of Yolo discussed the immediate next steps and necessary deliverables.

Director Mayer asked what the process would be for prioritizing projects. Trexler reported that for existing implementation projects the readiness-to-proceed and funding mechanism will likely drive the prioritization process. Mayer continued to offer that a funding mechanism for a drainage (or assessment) district would need to have a transparent process for prioritizing projects so ratepayers were informed.

Director Kimball inquired what the difference was between floodSAFE Yolo 2.0 and floodSAFE Yolo 1.0. O'Halloran reported that the floodSAFE Yolo 1.0 effort took place around 2007-2008 and was primarily focused on the Lower Cache Creek Feasibility Study; the floodplain areas of Yolo County were not examined in depth.

Director Rominger reminded the Board and staff about the pending development in north Winters that could potentially cause flooding or stormwater issues in the unincorporated area of the County.

Chair Barth discussed the overtopping and damage to the levees along the District's canal system that results from storm events. He stated that hardening of the canals may be a good project to dovetail into a larger solution and encouraged staff to consider optimizing the canal system for effectively attenuating flood flows.

Director Kimball reminded the Board and staff that this effort could address the ecosystem restoration goals discussed at the recent Board retreat.

6. DIRECTORS' REPORTS

Directors Barth and Mayer participated in the Bay-Delta Voluntary Agreement discussion with David Guy, Legal Counsel Bezerra, O'Halloran, and Sicke.

Director Barth also participated in the YSGA/WRA Board meeting on June 17, 2019.

7. ATTORNEY'S REPORTS

Legal Counsel Bezerra was not in attendance.

8. GENERAL MANAGER'S REPORT

General Manager O'Halloran provided reports on the following:

- a) Operations, Maintenance, and Water Conditions
- b) Financial Report Summary – Highlights from the June 30, 2019 financial statements report were quickly reviewed and the actual FY 2019/2020 financials were compared to the projected FY 2019/2020 Budget.
- c) General Activities – A list of outreach activities and projects both in-house and coordinated with other agencies was reviewed.
- d) The following upcoming events were announced:
 1. July 11: Southeast Davis Drainage District Meeting, Woodland
 2. July 22: WRA/YSGA Executive Committee Meeting, YCFC&WCD Boardroom

3. July 24: ACWA Region 4 Event – Habitat Restoration in the Yolo Bypass and Cache Slough Region, Liberty Farms Duck Club
4. July 31: Advancing Groundwater Recharge Meeting with Resources Agency and DWR, Sacramento
5. August 5: floodSAFE Yolo 2.0: Meeting with Farm Bureau, Woodland
6. August 6: Southeast Davis Drainage District Meeting, Davis
7. August 7: YSGA Working Group Meeting, YCFC&WCD Boardroom
8. September 8: Yolo Land Trust’s A Day in the Country Event, River Garden Farms
9. December 3-6: ACWA’s 2019 Fall Conference & Exhibition, San Diego

9. GENERAL DISCUSSION

There was no general discussion.

10. CONSIDERATION: Payment of Bills

M/S/C approved the following claims for payment – Yolo County Flood Control & Water Conservation District Checks # 057158–057175.

Ayes: Directors Barth, Kimball, Mayer, Rominger, and Vink

Noes: None

Absent: None

Abstain: None

11. CLOSED SESSION

12. CLOSED SESSION REPORT

Chair Barth reported that the Board of Directors and General Manager were in attendance during the closed session item and that there was nothing to report at this time.

13. ADJOURNMENT

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

Tom Barth, Chair

ATTEST:

Tim O’Halloran, Secretary

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: August 6, 2019

ITEM #: 7

SUBJECT: Consideration: Review of 2018/2019 Independent Audit

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
PREPARED BY: Barbara McGriff
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

The 2018/2019 Independent Audit (Audit) Management Report and table of contents are attached. The complete Independent Audit is available upon request. This is the third year of the District's contract with the firm Richardson & Company, LLP.

Brian Nash, Partner with Richardson & Company, LLP will review and answer questions regarding the Audit.

Financial staff have reviewed the Audit Report and consider it to be an accurate representation of the District's financial records. The Audit Report was sent to the Finance Committee for their review and comment.

RECOMMENDATION:

Staff recommend acceptance of the filing of the 2018/2019 Audit.

DRAFT



550 Howe Avenue, Suite 210
Sacramento, California 95825

Telephone: (916) 564-8727
FAX: (916) 564-8728

To Management and the Board of Directors
Yolo County Flood Control and Water Conservation District
Woodland, California

In planning and performing our audit of the financial statements of the Yolo County Flood Control and Water Conservation District (the District) as of and for the year ended April 30, 2019, in accordance with auditing standards generally accepted in the United States of America, we considered the District's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given those limitations, during our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The following other matters have been included in this letter for your consideration:

Documentation of Controls

Controls generally appear to be appropriate to prevent error and to safeguard the District's assets, but the small number of Finance Department staff makes separation of duties difficult. Many duties that should be separated are able to be performed by a single District employee to provide necessary flexibility in case of absences. Consequently, we have previously recommended the preparer and reviewer of important controls initial and date the supporting documentation as an audit trail indicating which staff were involved in the preparation and review to provide evidence that a single employee did not perform duties that should be separated. The District has largely implemented this recommendation, although we noted some items were not signed-off during our current year testing. The preparer and reviewer of the following controls should be formally documented: entering new vendors into the payable system, entering new employees into the payroll system, entering new customers into the water billing system, entering new billing rates into the water billing system, generation and review of the billing register, posting and approval of journal entries, inventory list, retirement plan census data, etc. More detail follows:

- The use of computer passwords to approve transactions with output reports that indicate the preparer and reviewer and date of approval is a best practice that we encourage for all transactions wherever possible, especially for posting of receivables, payables and payroll batches to the general ledger. Manual sign-offs would be necessary only when electronic sign-offs are not apparent on the output report.

- Consider separating the entry of new employees, vendors, P.O.s and customers into the subsidiary systems from the employee that processes the transactions as a preventive control to avoid the possibility of unauthorized transactions being processed.

Other enhancements we recommend include the following:

Policies and Procedures

We understand Employee Handbook and Purchasing Rules and Regulations updates are in progress and we encourage completion of these policies. We recommend enhancing the credit card and expense reimbursement sections of the employee handbook to define acceptable and unacceptable expenses for reimbursement (alcohol, recreation expenses, excessive travel expenses, etc.). Purchasing policies also typically include language about the size of a purchase where informal bids are acceptable and expectations about obtaining those informal bids vs. when a formalized request for proposal is required.

Consider having employees document accounting procedures so new employees would have procedures to follow in case of employee turnover. We noted accounts receivable and payable procedures have been documented.

Consider performing regular employee evaluations, especially for employees that have performance issues to protect the District during a termination.

The Capital Item vs. Expense policy indicates \$5,000 will be used to capitalize capital assets. However, per review of the Net Book Value Report, we noted a number of projects under \$5,000 were capitalized recently and older projects with amounts below the new capitalization threshold have not been deleted from the capital assets detail list. We recommend revisiting this policy to ensure it conforms with current practice. Once a capitalization threshold is established, it should be used. The policy should provide language indicating that improving the capacity of an existing facility is a reason to consider a project capital instead of maintenance expense and that feasibility studies do not meet the capitalization criteria.

Other Suggestions

- Per discussion with District management concerning an appropriations limit calculation, the District stated that it was in existence on 1/1/78 and did not levy a property tax rate in excess of 12.5% in fiscal year 1977/1978, and thus it should be exempt from preparing an appropriations limit calculation per article XIII B of the California Constitution. We recommend the District's legal counsel ensure that this exemption applies to the District.
- If the District has not had an information technology review by an external expert recently, we recommend the District consider having a review performed.

* * * * *

This communication is intended solely for the information and use of management, the Board of Directors, and others within the organization, and is not intended to be, and should not be, used by anyone other than these specified parties.

July 29, 2019

YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

AUDITED FINANCIAL STATEMENTS

April 30, 2019 and 2018

TABLE OF CONTENTS

Independent Auditor’s Report.....	1
Management’s Discussion and Analysis.....	3
<u>Basic Financial Statements</u>	
Statements of Net Position.....	9
Statements of Revenues, Expenses and Changes in Net Position.....	10
Statements of Cash Flows.....	11
Notes to the Basic Financial Statements.....	13
<u>Supplementary Information</u>	
Statements of Net Fiduciary Net Position – Retirement Plan.....	26
Statements of Changes in Fiduciary Net Position – Retirement Plan.....	26
Number of Participants in Retirement Plan.....	26
<u>Compliance Report</u>	
Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	27

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: August 6, 2019

ITEM #: 8

SUBJECT: Consideration: Moore Siphon Failure Emergency Repair and Replacement Project Update and Adoption of Resolution 19.07 Authorizing the Submission of an Application to IBank for Financing

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
PREPARED BY: Kristin Sicke
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

On May 30, 2019, a rupture was discovered in the District’s Moore Siphon causing water deliveries to cease to the Moore System – the Alder, Moore, Maple, Ross, and South Fork Canals. General Manager O’Halloran declared an emergency on May 30, 2019, and District staff notified state and federal agencies of the emergency activities for permitting the repair and replacement of the siphon.

Staff will provide an update on replacement activities related to the Moore Siphon.

Staff have investigated potential financing opportunities available to the District for the Moore Siphon Replacement Project, including financing through the California Infrastructure and Economic Development Bank (“IBank”). IBank requires a signed resolution authorizing the initial submission of an application to incur an obligation payable to IBank.

Staff will provide an update on financing options available and the IBank application process.

RECOMMENDATION:

District staff recommend the Board declare continuation of the emergency conditions related to the Moore Siphon Failure Emergency Repair and Replacement Project. District staff also recommend the Board adopt Resolution 19.07 Authorizing the Submission of an Application to IBank for Financing the Moore Siphon Replacement Project.

RESOLUTION NO. 19.07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK (“IBANK”) FOR FINANCING A CAPITAL IMPROVEMENT PROJECT, AUTHORIZING THE INCURRING OF AN OBLIGATION PAYABLE TO IBANK FOR THE FINANCING OF A CAPITAL IMPROVEMENT PROJECT IF IBANK APPROVES SAID APPLICATION, DECLARATION OF OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF AN OBLIGATION, AND APPROVING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the California Infrastructure and Economic Development Bank (“IBank”) administers a financing program to assist local governments with the financing of eligible projects in accordance with Section 63000 *et seq.* of the California Government Code (the “Act”); and

WHEREAS, IBank created the Infrastructure State Revolving Fund Program (“ISRF Program”) pursuant to the provision of the Act; and

WHEREAS, IBank has instituted an application process for financing under its ISRF Program; and

WHEREAS, IBank’s Criteria, Priorities and Guidelines for the Selection of Projects for Financing under the ISRF Program, dated February 23, 2016, and as may thereafter be amended from time to time (the “Criteria”), establishes requirements for the financing of projects under the ISRF Program; and

WHEREAS, the Yolo County Flood Control and Water Conservation District (“Applicant”) desires to submit an application (“Financing Application”) to IBank under the ISRF Program for financing and refinancing the costs of the Moore Siphon Replacement Project (“Project”) in an amount not to exceed \$2,000,000; and

WHEREAS, the Act and the Criteria require the Applicant to make, by resolution of its governing body, certain findings prior to a project being selected for financing by IBank; and

WHEREAS, the Applicant expects to incur or pay certain expenditures in connection with the Project from its Enterprise Fund that are reimbursable with the proceeds of tax exempt bonds or other tax exempt securities under Federal Tax Law (defined below) prior to incurring indebtedness for the purpose of financing costs associated with the Project on a long-term basis (the “Reimbursement Expenditures”); and

WHEREAS, the Applicant reasonably expects that a financing arrangement (“Obligation”) in an amount not expected to exceed \$2,000,000 will be entered into under and memorialized by one or more financing agreements and related documents (collectively, the “Financing Agreement”) and that certain proceeds of such Obligation will be used to reimburse the Applicant for Reimbursement Expenditures incurred or paid prior to incurring the Obligation; and

WHEREAS, the Applicant acknowledges that IBank funds the ISRF Program, in part, with

the proceeds of tax exempt bonds and, as such, has certain compliance obligations that may require it to have the Applicant enter into one or more new financing agreements to replace the Financing Agreement (collectively, the “Replacement Agreement”) on terms and conditions substantially identical to the original Financing Agreement.

NOW, THEREFORE, be it resolved by the Board of Directors of the Yolo County Flood Control and Water Conservation District (the “Board of Directors”) as follows:

Section 1. The Board of Directors hereby approve confirms, ratifies, and affirms all actions of the Applicant’s representatives, employees and officers heretofore taken in connection with, or with respect to, submitting the Financing Application, and the consideration and approval of the Obligation and the Financing Agreement, if IBank approves the Financing Application and the Obligation, and in connection therewith the Board of Directors finds and certifies:

- a. The Project facilitates the effective and efficient use of existing and future public resources so as to promote both economic development and conservation of natural resources;
- b. The Project develops and enhances public infrastructure in a manner that will attract, create, and sustain long-term employment opportunities;
- c. That the Project is consistent with the General Plan of the County of Yolo;
- d. The proposed financing is appropriate for the Project;
- e. The Project is consistent with the Criteria; and
- f. It has considered (i) the impact of the Project on California’s land resources and the need to preserve such resources; (ii) whether the Project is economically or socially desirable; and (iii) whether the project is consistent with, and in furtherance of the State Environmental Goals and Policy Report (as defined in the Criteria).

Section 2. The Applicant hereby declares its official intent to use proceeds of the Obligation to reimburse itself for the Reimbursement Expenditures with the proceeds of tax exempt bonds or other tax exempt securities issued under the provisions of the Internal Revenue Code of 1986, as amended, and those Treasury Regulations implementing such provisions (collectively, “Federal Tax Law”). This declaration is made solely for purposes of establishing compliance with applicable requirements of Federal Tax Law and its date is controlling for purposes of reimbursement under Federal Tax Law. This declaration does not bind the Applicant to make any expenditure, incur any indebtedness, or proceed with the Project.

Section 3. All of the Reimbursement Expenditures were made no earlier than 60 days prior to the date of this Resolution. The Applicant will allocate proceeds of the Obligation to pay Reimbursement Expenditures within eighteen (18) months of the later of the date the original expenditure was paid or the date the Project was placed in service or abandoned, but in no event more than three (3) years after the original expenditure was paid.

Section 4. The General Manager and his designees – Assistant General Managers – are hereby authorized and directed to act on behalf of the Applicant in all matters pertaining to the Financing Application, and if IBank approves the Financing Application and the Obligation, the execution of related financial documents, including but not limited to the authority to: (i) pledge the revenues of the Enterprise Fund and all legally available amounts in the Enterprise Fund, on a parity basis with the Applicant’s obligations in connection with the existing debt, to the repayment of the Obligation, (ii) provide covenants relating to, among other things, maintaining the debt

service coverage ratio required by IBank, rates and charges to be pledged, and as to any other security or collateral securing the Obligation, and (iii) take any other action necessary or desirable to enable the Applicant to enter into the Financing Agreement and incur the Obligation.

Section 5. If the Financing Application and the Obligation is approved by IBank, the General Manager and his designees – Assistant General Managers – are authorized to negotiate, enter into and sign financing documents and any amendments thereto, including, but not limited to the Financing Agreement and the Replacement Agreement, with IBank for the purposes of financing the Obligation.

Section 6. This Resolution shall become effective immediately upon adoption.

* * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Board of Directors of the Yolo County Flood Control and Water Conservation District in a regular meeting assembled on the 6th day of August 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Tom Barth, Chair

IN WITNESS, WHEREOF, I have hereunto set my hand on behalf of the Yolo County Flood Control and Water Conservation District this 6th day of August 2019.

ATTEST:

Max Stevenson/Kristin Sicke, Secretary
Yolo County Flood Control and
Water Conservation District

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: August 6, 2019

ITEM #: 9

SUBJECT: Consideration: Adoption of 2019 Westside Integrated Regional Water Management (IRWM) Plan Update

INITIATED OR BOARD
REQUESTED BY: STAFF
 OTHER _____

COORDINATED OR
PREPARED BY: Kristin Sicke
APPROVED BY: Kristin Sicke

ATTACHMENT YES NO
 DIRECTION

INFORMATION
 ACTION: MOTION
 RESOLUTION

BACKGROUND:

In 2002, the California Legislature enacted Division 6, Part 2.2, of the California Water Code, known as the Integrated Regional Water Management Planning Act of 2002 (“Act”) for the purpose of encouraging local agencies to work together to manage their available water supplies and to improve the quality, quantity, and availability of those supplies. The Westside Sacramento Integrated Regional Water Management (Westside IRWM) formed in 2011, which the District is a member of through its subsidiary membership in the Water Resources Association of Yolo County (WRA).

The original Westside IRWM Plan completed in 2013 was based on DWR’s 2012 IRWM Guidelines. The District adopted the 2013 Westside IRWM Plan on May 13, 2014 via Resolution 14.03. Since then, new legislation created DWR’s 2016 IRWM Guidelines, which required incorporation of water quality constituents, climate change considerations, and stormwater resource plans into IRWM Plans. The Westside IRWM Coordinating Committee updated the Westside IRWM Plan to comply with DWR’s new guidelines and to reflect current project status. The 2019 Westside IRWM Plan Update is available at the following link: <http://westsideirwm.com/plan.html>.

The District has benefited from previous IRWM solicitations and is supportive of the region continuing to benefit from the financial assistance program.

RECOMMENDATION:

District staff recommend the Board adopt the 2019 Westside IRWM Plan Update.