

# Yolo County Flood Control & Water Conservation District

---

---

**Board Meeting**  
**34274 State Highway 16**  
**Woodland, CA 95695**  
**Tuesday, September 3, 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 Kristin Sicke at (530) 662-0265 or [ksicke@ycfcwcd.org](mailto:ksicke@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. Consideration: Adoption of the August 6, 2019 Regular Board Meeting Minutes
- 7:02 2. Open forum (Limited to five minutes): Guest introductions, unscheduled appearances, 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.
- 7:09 4. Consideration: Adoption of Resolution 19.08 Requesting Collection of Charges on Tax Roll
- 7:11 5. Consideration: Moore Siphon Failure Emergency Repair and Replacement Project Update
- 7:25 6. Directors' Reports: Report on meetings and conferences attended during the prior month on behalf of the District

- 7:30 7. Attorney's Report: Report on legal matters of concern to the District
- 7:35 8. 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
- 7:50 9. General Discussion: Opportunity for clarification or additional information request
- 7:55 10. Consideration: Consider the approval and the payment of bills
- 8:00 11. Closed Session: Conference with Legal Counsel – Anticipated Litigation (Government Code § 54954.5(c))
 

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 50 potential cases
- 8:35 12. Closed Session Report: Report action and vote, if any taken, in Closed Session
- 8:40 13. Closed Session: Public Employee Performance Evaluation (Government Code § 54954.5(e) and 54957)
 

Title: General Manager
- 8:55 14. Closed Session Report: Report action and vote, if any taken, in Closed Session
- 9:00 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 30, 2019.

By: \_\_\_\_\_  
 Kristin Sicke, Assistant General Manager

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT  
AGENDA REPORT

MEETING DATE: September 3, 2019

ITEM #: 1

SUBJECT: Consideration: Adoption of the August 6, 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 & 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, August 6, 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, August 6, 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

Max Stevenson, Assistant General Manager  
Kristin Sicke, Assistant General Manager  
Ryan Bezerra, Legal Counsel

Members of the Public

Jim Barrett  
Blake Harlan  
Brian Nash  
Dave Pratt

**1. CLOSED SESSION**

**2. CLOSED SESSION REPORT**

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

**3. CONSIDERATIONS: Temporary Delegation of General Manager Duties to Interim General Managers**

Chair Barth reported on General Manager Tim O'Halloran's indefinite medical leave and the need to temporarily delegate General Manager duties to Interim General Managers, Assistant General Managers Stevenson and Sicke. Barth requested Stevenson and Sicke provide a memorandum detailing District duties and management responsibilities.

Assistant General Managers Stevenson and Sicke reported that a general resolution delegating duties allows for District activities to continue in O'Halloran's absence, with the exception of a separate resolution for the existing Proposition 84 Integrated Regional Water Management (IRWM) Drought Grant Agreement between the District and California Department of Water Resources (DWR).

District staff recommended 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.

M/S/C adopted Resolutions 19.05 and 19.06 Designating a Temporary Delegation of General Manager Duties to the Interim General Managers and Designating an Authorized Representative for DWR's Proposition 84 IRWM Drought Grant Implementation Funds, respectively.

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

Noes: None

Absent: None

Abstain: None

**4. CONSIDERATION: Approval of Minutes**

Assistant General Manager Sicke reported that the minutes had been revised to include Tom Trexler as a meeting attendant.

M/S/C approved the minutes of the July 2, 2019 regular Board meeting as amended.

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

Noes: None

Absent: None

Abstain: None

**5. OPEN FORUM**

There were no comments.

**6. CONSIDERATION: Adding Items to the Posted Agenda**

There were no changes made to the agenda.

**7. CONSIDERATION: Review of 2018/2019 Independent Audit**

Assistant General Manager Stevenson introduced Brian Nash, partner of Richardson & Company, LLP. Nash reviewed the requirements for an independent audit and stated that the audit resulted in a clean unqualified report for the District. He then reviewed the highlights of Fiscal Year (FY) 2018/2019 Independent Audit, including significant changes from FY 2017/2018. Nash reported that the District's accounting is considered high quality; there were very few audit adjustments.

Nash discussed the District's current capital limit and reporting inconsistencies. Director Mayer asked whether the \$5,000 capital limit was the most appropriate. Nash indicated that it was an appropriate limit and should be consistently reported so that it's effective.

District staff recommended the Board accept the filing of the FY 2018/2019 Independent Audit.

M/S/C accepted the filing of the FY 2018/2019 Independent Audit.

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

Noes: None

Absent: None

Abstain: None

**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**

Assistant General Manager Sicke reviewed the last month of activities in replacing the Moore Siphon. All construction activities within the creek bed had been completed except removal of the existing Moore Siphon corrugated metal pipe. The project was temporarily on hold until the existing Moore Siphon could be shut off, which was expected to occur the beginning of September. Sicke reported that once the existing Moore Siphon was shut off, the canal system would dry out and construction activities could continue. The contractor's next phase of work would be tying the new pipes into the canal system with work occurring in the creek banks and up in the Alder and Moore Canals.

Sicke provided an update on the expected costs of the project and reported on potential financing options available to the District. Sicke reported that she had begun a preliminary review process with the California Infrastructure and Economic Development Bank (IBank) and was told that a Resolution was needed for financing costs in the preceding 60 days. Sicke continued to inform the Board that a Resolution was necessary for financing opportunities that included tax exempt bonds. Sicke reported that financing options would be discussed in more detail with the Finance Committee.

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

recommended the Board adopt Resolution 19.07 Authorizing the Submission of an Application to IBank for Financing the Moore Siphon Replacement Project, with the amended language to include other tax exempt bonds funded through an alternate entity, if the District desires.

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

**Motion:** Director Rominger moved approval of Resolution 19.07 as proposed by staff, with amendments to reflect the Board of Directors' stated intent to reimburse the District's Enterprise Fund with the proceeds of tax exempt bonds or securities from IBank or possibly an alternate entity, consistent with applicable tax laws and regulations, for expenditures incurred in connection with the Moore Siphon Repair and Replacement Project within the 60 days preceding this meeting. Director Vink seconded that motion.

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

Noes: None

Absent: None

Abstain: None

#### **9. CONSIDERATION: Adoption of 2019 Westside IRWM Plan Update**

Assistant General Manager Stevenson reported on the history of the Westside IRWM Plan and the District's participation to-date. The original Westside IRWM Plan was completed in 2013 and new legislation and DWR Guidelines required the Plan to be updated to include water quality constituents, climate change considerations, and stormwater resources plans. The Westside IRWM Coordinating Committee updated the Westside IRWM Plan to comply with DWR's new guidelines and to reflect current IRWM project status.

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

**M/S/C** adopted the 2019 Westside IRWM Plan Update.

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

Noes: None

Absent: None

Abstain: None

#### **10. DIRECTORS' REPORTS**

There was no report from the Directors.

#### **11. ATTORNEY'S REPORTS**

Legal Counsel Bezerra briefly updated the Board on Assembly Bill 658 (Arambula), which would require Groundwater Sustainability Plan compliance for authorizing groundwater recharge projects.

## **12. GENERAL MANAGER'S REPORT**

Assistant General Managers Stevenson and Sicke provided reports on the following:

- a) Operations, Maintenance, and Water Conditions
- b) Financial Report Summary – Highlights from the July 31, 2019 financial statements report were quickly reviewed and the actual FY 2019/2020 Budget was 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. August 7: ACWA's Agricultural and Groundwater Committee Meetings, Sacramento
  2. August 8: ACWA's Water Management Committee Meetings, Sacramento
  3. August 14: Gala Evening at the Yolo County Fair, Fairgrounds
  4. August 15: FloodSAFE Yolo 2.0: Yolo County Hazard Mitigation Plan 2019 Meeting, Woodland
  5. August 19: FloodSAFE Yolo 2.0: Meeting with Yolo County Farm Bureau and District/County Check-In, Woodland
  6. August 26: WRA/YSGA Executive Committee Meeting, District Boardroom
  7. September 8: Yolo Land Trust's A Day in the Country Event, River Garden Farms
  8. September 16: WRA/YSGA Board of Directors' Meeting, Woodland Senior and Community Center
  9. September 17: ACWA Region 4 Event – Habitat Restoration in the Yolo Bypass and Cache Slough Region, Liberty Island Duck Club
  10. October 25: Yolo Basin Foundation's "Buck for Ducks", UC Davis Arc Pavilion
  11. November 1: District Harvest BBQ, District Shop
  12. December 3-6: ACWA's 2019 Fall Conference & Exhibition, San Diego

## **13. GENERAL DISCUSSION**

Jim Barrett asked whether the District intended to fill the Environmental Resources Manager position that was previously occupied by Jon O'Brien. Assistant General Manager Stevenson reported that management intended to fill the position in the future.

## **14. CONSIDERATION: Payment of Bills**

M/S/C approved the following claims for payment – Yolo County Flood Control & Water Conservation District Checks # 057307–057330.

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

Noes: None

Absent: None

Abstain: None



**15. ADJOURNMENT**

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

---

Tom Barth, Chair

ATTEST:

---

Max Stevenson/Kristin Sicke, Secretary

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: September 3, 2019

ITEM #: 4

SUBJECT: Consideration: Adoption of Resolution 19.08 Requesting Collection of Charges on Tax Roll

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:**

The District places the following Regular Special Assessments on the County property tax roll annually:

1. East Adams Area Assessment District (Code 54620)
2. Hungry Hollow Area Assessment District (Code 54621)
3. 2012 Annexation Special Assessment District (Code 54623)

As part of the Special Assessments' process, the County is requesting the Board adopt a formal resolution that acknowledges the collection of these charges on the County's property tax roll.

**RECOMMENDATION:**

District staff recommend the Board adopt Resolution 19.08 Requesting Collection of Charges on Tax Roll.

**RESOLUTION NO. 19.08**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT REQUESTING COLLECTION OF CHARGES ON TAX ROLL**

**WHEREAS**, the Yolo County Flood Control and Water Conservation District (District) requests the County of Yolo collect on the County tax rolls certain charges which have been imposed pursuant to sections 28 and 29 of the District Act, found on the [District's website](#), and

**WHEREAS**, the County has required as a condition of the collection of said charges that the District warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Yolo County Flood Control and Water Conservation District that:

1. The Audit-Controller of Yolo County is requested to attach for collection on the County tax rolls those taxes, assessments, fees, and/or charges, attached hereto.
2. The District warrants and represents that the taxes, assessments, fees, and/or charges imposed by the District and being requested to be collected by Yolo County comply with all requirements of state law, including but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218).
3. The District releases and discharges County, and its officers, agents, and employees from any and all claims, demands, liabilities, costs, and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any taxes, assessments, fees, and/or charges on behalf of the District.
4. The District agrees to and shall defend, indemnify, and hold harmless the County, its officers, agents, and employees (the "Indemnified Parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of collection by County of any of the District's say taxes, assessments, fees, and/or charges requested to be collected by County for the District, or in any manner arising out of the District's establishment and imposition of said taxes, assessments, fees, and/or charges. The District agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of the District's taxes, assessments, fees, and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of the District, including property taxes.
5. The District agrees that its officers, agents, and employees will cooperate with the County in answering questions referred to the District by the County from any person concerning the District's taxes, assessments, fees, and/or charges, and that the District will not refer such persons to County officers and employees for response.
6. The District agrees to pay such reasonable and ordinary charges as the County may prescribe to recoup its costs in placing on the tax rolls and collecting the taxes, assessments, fees, and/or charges, as provided by Government Code sections 29304 and 51800.

**PASSED AND ADOPTED** by the Board of Directors of the Yolo County Flood Control and Water Conservation District on September 3, 2019 by the following vote:

AYES:

NOES:

ABSENT:

Signed by me after its passage this 3<sup>rd</sup> day of September 2019.

---

Tom Barth, Chair

ATTEST:

---

Max Stevenson/Kristin Sicke, Secretary

APN	Assessment (\$)	Code		
025260018000	150.14	54620		
025280021000	109.04	54620		
025280023000	113.04	54620		
025280024000	62.36	54620		
025280025000	61.52	54620		
025280026000	44.22	54620		
025280027000	39.14	54620		
025290002000	109.16	54620		
025300001000	12.18	54620		
025300002000	19.62	54620		
025300004000	66.50	54620		
025300008000	17.36	54620		
025300027000	21.36	54620		
025300030000	33.92	54620		
025350020000	13.02	54620		
025350032000	57.62	54620		
025350033000	25.10	54620		
025350035000	75.02	54620	<b>ESA</b>	<b>\$1,030.32</b>
054220013000	621.78	54621		
054220014000	157.28	54621	<b>HUH</b>	<b>\$779.06</b>
025010015000	331.74	54623		
025010018000	139.00	54623		
025010020000	50.70	54623		
025010043000	18.78	54623		
025010044000	161.30	54623		
025240027000	4.44	54623		
025240037000	83.34	54623		
025240038000	535.70	54623		
025260002000	42.00	54623		
025260021000	31.94	54623		
025280028000	169.10	54623		
025280029000	74.46	54623		
025280030000	97.70	54623		
025280031000	24.24	54623		
030030065000	75.66	54623		
030030066000	330.40	54623		
050150003000	18.26	54623		
050150004000	34.68	54623		
050150015000	70.72	54623		
050150016000	6.46	54623		
050200002000	48.44	54623		
050200004000	11.62	54623		

050200006000	80.32	54623		
050200009000	30.04	54623		
050200010000	35.40	54623		
050200013000	23.24	54623		
050200014000	65.40	54623		
050200015000	23.46	54623		
054050001000	35.46	54623		
054050002000	59.06	54623		
054060006000	189.10	54623		
054060007000	222.66	54623		
054100011000	148.36	54623		
054100012000	70.68	54623		
054110002000	1.02	54623		
054110010000	193.84	54623		
054110011000	190.18	54623		
054110012000	125.76	54623		
054110013000	36.28	54623		
054110014000	16.26	54623		
054120001000	1150.82	54623		
054120003000	193.64	54623		
054120004000	1.48	54623		
054120008000	201.26	54623		
054120009000	246.72	54623		
054120010000	104.66	54623		
054120011000	6.64	54623		
054120012000	136.56	54623		
054120013000	92.46	54623		
054120014000	103.38	54623		
054120015000	113.08	54623		
054120016000	24.84	54623		
054230009000	167.20	54623		
054230018000	536.72	54623		
054230019000	123.68	54623		
054230021000	158.24	54623		
054230022000	207.30	54623		
054230023000	135.08	54623		
054230024000	17.70	54623		
055210008000	30.44	54623		
055210009000	24.06	54623		
061060003000	376.18	54623	<b>2012 Annex</b>	<b>\$8,059.34</b>
	9,868.72			\$9,868.72

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: September 3, 2019

ITEM #: 5

SUBJECT: Consideration: Moore Siphon Failure Emergency Repair and Replacement Project

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. District staff notified all water customers of the disruption in service and immediately began working to determine the scope of the problem and to identify an interim patch repair and a long-term solution. 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 general replacement activities related to the Moore Siphon, and Tommy Ostrowski of Davids Engineering will provide an overview of the inlet structure design and his project management activities to-date.

**RECOMMENDATION:**

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