

# Yolo County Flood Control & Water Conservation District

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**Board Meeting**  
**Tuesday, April 7, 2020**  
**7:00 P.M.**

NOTE: This meeting is being agendized to allow Board Members, staff, and the public to participate in the meeting via teleconference, pursuant to the [Governor's Executive Order N-29-20 \(March 17, 2020\)](#).

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Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of COVID-19, please consider the following:

1. You are strongly encouraged to observe the live stream of the Yolo County Flood Control & Water Conservation District Board of Directors meeting (see details above).
2. If you are joining the meeting via GoToMeeting and wish to make a comment on an item, press the "raise a hand" button. You will be called by name or phone number when it is your turn to comment.
3. If you choose not to observe the Board of Directors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on Monday, April 6, 2020. Please submit your comment to Christina Cobey at [ccobey@ycfcwcd.org](mailto:ccobey@ycfcwcd.org) to place your comment into the Board meeting record.
4. If you are watching/listening to the live stream of the Board meeting and wish to make either a general public comment or to comment on a specific agenda item as it is being heard, you may submit your comment to Kristin Sicke at [ksicke@ycfcwcd.org](mailto:ksicke@ycfcwcd.org). Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

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 by scheduling an appointment with Christina Cobey at (530) 662-0265 or [ccobey@ycfewcd.org](mailto:ccobey@ycfewcd.org).

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. Requests should be made as early as possible, and at least one full business day before the start of the meeting.

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## AGENDA

- 7:00 1. Consideration: Adoption of the March 3, 2020 Regular and March 17, 2020 Special Board Meetings' 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.
- 7:10 4. Presentation: COVID-19 Response
- 7:25 5. Presentation: Comments Regarding the Proposed Realignment of the Moore Canal
- 7:40 6. Presentation: 2020 Irrigation Season Operations Update
- 7:55 7. Directors' Reports: Report on meetings and conferences attended during the prior month on behalf of the District
- 8:00 8. Attorney's Report: Report on legal matters of concern to the District
- 8:05 9. 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
- 8:20 10. General Discussion: Opportunity for clarification or additional information request

- 8:25      11.      Consideration: Consider the approval and the payment of bills
- 8:30      12.      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 April 3, 2020.

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

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT  
AGENDA REPORT

MEETING DATE: April 7, 2020

ITEM #: 1

SUBJECT: Consideration: Adoption of the March 3, 2020 Regular and March 17, 2020 Special Board Meetings' Minutes

INITIATED OR  BOARD  
REQUESTED BY:  STAFF  
 OTHER \_\_\_\_\_

COORDINATED OR  
APPROVED BY: Tim O'Halloran

ATTACHMENT  YES  NO  
 DIRECTION

INFORMATION  
 ACTION:  MOTION  
 RESOLUTION

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**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.



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## **BOARD MEETING MINUTES**

**Tuesday, March 3, 2020, 7:00 PM**

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

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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, March 3, 2020, at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Mayer convened the meeting. The following people were in attendance:

District Board

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

District Staff

Tim O'Halloran, General Manager  
Max Stevenson, Assistant General Manager  
Kristin Sicke, Assistant General Manager  
Andrew Ramos, Legal Counsel

Members of the Public

Jim Barrett  
John McKean  
Tommy Ostrowski  
Joe Young

**1. CONSIDERATION: Approval of Minutes**

M/S/C approved the minutes of the February 4, 2020 regular Board meeting as submitted.

Ayes: Directors Barth, Kimball, Mayer, and Rominger

Noes: None

Absent: Director Vink

Abstain: None

**2. OPEN FORUM**

Chair Mayer introduced Andrew Ramos as District's legal counsel for assisting with the Moore Siphon change order process.

On behalf of the Cache Creek Conservancy Board, Jim Barrett invited District Board members and staff to participate in Cache Creek Conservancy's 20<sup>th</sup> Anniversary on April 25, 2020.

**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 Update**

Assistant General Manager Sicke and Tommy Ostrowski of Davids Engineering provided the Board with an update on construction activities related to the replacement of the Moore Siphon. The remaining work included completing the siphon inlet structure and gate installation, along with completing the bank and creek restoration. Assistant General Manager Sicke reported on the unforeseen conditions experienced at the project site due to subsurface debris and groundwater flows. Sicke also provided an overview of the additional work items requested by the District, which resulted in a change order request. Sicke provided the change order proposal for the Board to review. Legal Counsel Ramos discussed his involvement in drafting the change order and reviewed the process related to non-binding review by the District and Contractor prior to formal approval of binding change order.

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 approve the proposed change order.

M/S/C declared continuation of the emergency conditions related to the Moore Siphon Failure Emergency Repair and Replacement Project, and authorized the General Manager, or designee, to approve of the change order.

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

Noes: None

Absent: None

Abstain: None

## **5. DIRECTORS' REPORTS**

Chair Mayer reported that he planned to attend the NCWA Board of Directors' meeting at the District Boardroom on March 4, 2020. Directors Kimball and Rominger reported that they had participated in the Infrastructure Committee Meeting on February 26, 2020.

## **6. ATTORNEY'S REPORTS**

Legal Counsel Ramos did not have anything additional to report.

## **7. 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 February 29, 2020 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. March 6: NCWA Annual Meeting, Chico
  2. March 9: WRA/YSGA Executive Committee Meetings, YCFC&WCD Boardroom
  3. March 11: GRA/CGC 2020 Groundwater Law and Legislation Forum, Sacramento
  4. March 11: Westside IRWM Coordinating Committee Meeting, Solano County Water Agency
  5. March 16: WRA/YSGA Board of Directors' Meetings, Woodland Senior and Community Center
  6. March 19: Sacramento Valley Landowners Association Annual Meeting, Williams
  7. March 26: ACWA Regions 2 and 4 Tour and Program, Shasta Dam
  8. April 22-23: GRA's Groundwater Shortcourse Event, UC Davis
  9. April 25: Cache Creek Conservancy's 25<sup>th</sup> Anniversary Event, Cache Creek Conservancy
  10. May 5-8: ACWA 2020 Spring Conference, Monterey

## **8. GENERAL DISCUSSION**

There was no general discussion.

**9. CONSIDERATION: Payment of Bills**

M/S/C approved the following claims for payment – Yolo County Flood Control & Water Conservation District Checks # 058094–058114.

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

Noes: None

Absent: None

Abstain: None

**10. CLOSED SESSION**

**11. CLOSED SESSION REPORT**

Chair Mayer 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.

**12. ADJOURNMENT**

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

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Jim Mayer, Chair

ATTEST:

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Tim O'Halloran, Secretary





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## **SPECIAL BOARD MEETING MINUTES**

**Tuesday, March 17, 2020, 7:00 PM**

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

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A special 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, March 17, 2020, at its regular place of business, 34274 State Highway 16, Woodland, California. Chair Mayer convened the meeting. The following people were in attendance:

District Board

Jim Mayer, Chair

Tom Barth

Mary Kimball

Bruce Rominger

Erik Vink

District Staff

Tim O'Halloran, General Manager

Max Stevenson, Assistant General Manager

Kristin Sicke, Assistant General Manager

**1. OPEN FORUM**

There were no comments.

**2. CLOSED SESSION**

**3. CLOSED SESSION**

**4. CLOSED SESSION REPORT**

Chair Mayer reported that the Board of Directors and General Manager were in attendance during the closed session item and that the following was decided: 1) the General Manager and Assistant General Managers were to provide a report to the Board on the internal delegation of partial General Manager duties; and 2) the Board of Directors were to solicit the assistance of a strategic consultant to identify the key, long-term policy priorities of the District.

**5. ADJOURNMENT**

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

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Jim Mayer, Chair

ATTEST:

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Tim O'Halloran, Secretary

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: April 7, 2020

ITEM #: 4

SUBJECT: Presentation: COVID-19 Response

INITIATED OR  BOARD  
REQUESTED BY:  STAFF  
 OTHER \_\_\_\_\_

COORDINATED OR  
PREPARED BY: Jennifer Reed  
APPROVED BY: Tim O'Halloran

ATTACHMENT  YES  NO  INFORMATION  
 DIRECTION  ACTION:  MOTION  
 RESOLUTION

**BACKGROUND:**

The District has been closely monitoring the threat of COVID-19 and has followed guidance from the Yolo County Department of Health and Human Services and the California Governor’s Office. The District’s goal is to offer maximum protection to employees while minimizing impacts to water customers.

A COVID-19 Response Team (Team) has been formed to deal with the dynamic situation. The Team is monitoring how other agencies are responding, while trying to follow the general guidance of Yolo County.

We have taken the important first steps of a) increasing the frequency and area of disinfection by providing more sanitation materials at strategic locations in our headquarters building and in operational vehicles, b) reviewing and categorizing what we consider essential functions (delivering water) and essential personnel, c) providing appropriate staff with the required software to telework as much as possible, d) providing training on COVID-19 symptoms, transmission, and best practices, e) minimizing access of both the public and staff to our headquarters building, and f) providing written guidance and information to employees regarding access to healthcare and District policies.

Project Manager Jennifer Reed drafted the attached memorandum discussing COVID-19 management, which includes a summary of the recent paid sick leave and expanded family and medical leave under the Families First Coronavirus Response Act.

**RECOMMENDATION:**

This agenda item is for informational purposes only. No Board action is required.

# MEMO

To: District Staff  
From: Tim O'Halloran  
Date: March 16, 2020  
Updated April 2, 2020  
Re: COVID-19 Management

As you are all aware, the country is currently dealing with growing concerns regarding the spread and impacts of COVID-19. The District's role of providing water to growers is an essential service that is vital to maintaining our food supply and a primary economic driver within Yolo County. As such, the District will maintain normal business hours for the foreseeable future. However, District management realizes that some employees may be dealing with challenges such as providing childcare due to school and daycare closures and protecting older family members. To help determine how management can best work with staff to provide District services while meeting the needs of employees, there are a few questions at the end of this memo that I am asking you to complete.

Please return the questionnaire to Jennifer Reed by the end of the day so we can quickly respond to our employees' needs. **This is a situation that is changing rapidly. I will continue to monitor conditions and make changes as necessary in order to keep employees safe and continue to provide essential services.**

In order to protect everyone's health, the District is looking to increase the frequency of cleaning surfaces such as countertops and doorknobs. We ask that you take the following precautions to protect your health:

- Wash your hands frequently for 20 seconds
- Maintain six feet of separation between colleagues
- Increase communication via email, phone and text
- Avoid touching your face

During the COVID-19 State of Emergency:

- Employees may use sick leave to stay home due to childcare demands, to protect the elderly, or if they are uncomfortable reporting to the District office.
- Employees who are ill will stay home and will stay home for an additional 72 hours or days after symptoms subside.
- Sick employees do not need a doctor's note to return to work.

*Update: April 2, 2020*

This update to the previous memo is being distributed to inform District employees of newly passed Federal legislation and newly adopted temporary District policy.

### **Family First Corona Virus Response Act (FFCRA)**

Congress has enacted the FFCRA to help people of the United States weather the COVID-19 health crisis. There are two provisions in the act that will help District employees stay home in the event of illness and to provide childcare due to school closures and otherwise unavailability of childcare providers. The paid emergency leave described below is available for employees to use from April 1 to December 31, 2020.

#### **A. Paid Emergency Sick Leave**

Congress has passed a law that mandates employers grant full-time employees 80 hours of emergency sick leave. Employees may use this emergency sick leave for the following purposes:

1. When an employee is subject to quarantine or isolation order under federal, state or local orders related to COVID-19. (Since the District is considered an essential service at this time, the blanket stay-at-home Executive Order does not qualify for this leave.)
2. When an employee has been advised by a qualified healthcare worker to self-quarantine due to COVID-19.
3. When an employee is experiencing COVID-19 symptoms and seeking medical diagnosis.

Part-time employees will be given the equivalent of their average hours in a two-week period. When an employee is using the emergency sick leave for purposes #1-3 listed above, they will be paid their regular hourly rate up to \$511 per day and \$5,110 in the aggregate.

#### **B. Additional Uses of Emergency Sick Leave**

Employees may also use their emergency sick leave for the following purposes:

4. When an employee is providing care to someone under conditions (1) or (2) listed above .
5. When an employee is providing care to children under the age of 18 whose school or childcare is closed or is unavailable due to COVID-19.
6. When an employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.

When an employee is using the emergency sick leave for purposes #4-6 listed above, they will be paid 2/3 of their regular hourly rate up to \$200 per day and \$2000 in the aggregate.

#### **C. Paid Emergency Family Leave**

FFCRA also provides paid leave for parents to take care of children under 18 whose childcare has closed or has otherwise become unavailable due to COVID-19, subject to the rules below.

1. Only to be used to provide childcare with a maximum benefit period of 10 weeks for a maximum combined benefit period of 12 weeks: 2 weeks of paid emergency sick leave and 10 weeks of paid emergency family leave.
2. The first 10 days are unpaid, but employees can use the 10 days of emergency sick leave for this purpose.

3. Employees using this benefit will be paid 2/3 of their regular hourly rate up to \$200 per day.

#### D. Documentation for FFCRA Leave

Employees who wish to use FFCRA benefits will need to provide the District with documentation. Documentation for school or childcare closures can be as simple as providing a copy of a notification on a school website or other communication from a school or childcare center. If a childcare provider, such as a relative or babysitter is unavailable due to COVID-19 illness or symptoms, an employee must provide a note or some other communication from the childcare provider's doctor.

Employees using FFCRA paid sick leave as described above must provide a doctor's note or other communication which prescribes the leave. District management realizes that due to impacts on the healthcare system that it may be difficult to obtain the required documentation and will work with employees to obtain the necessary documentation.

#### E. Combining FFCRA Leave and District Paid Leave

Employees who use FFCRA leave may combine it with any other form of paid leave (sick leave, vacation or comp time) to bring their total pay up to, but not to exceed, 100% of their normal rate of pay.

#### Intermittent Use of Paid Leave

Intermittent use of paid FFCRA leave is permitted in some, but not all circumstances. In general, intermittent use is allowed when employees are providing care for children whose regular childcare is not available, but is not allowed when employees are working on-site and are ill due to COVID-19. Requests for intermittent use for paid FFCRA Leave due to illness will be reviewed by management on an individual basis.

#### **District Sick Leave Advance Temporary Policy**

In response to the COVID-19 pandemic the District is making a temporary modification to our sick leave policy. If an employee becomes ill for any reason and has exhausted all other forms of paid leave, then they may "borrow" up to 80 hours of sick leave from future accrual in order to encourage employees remain at home and to keep the workplace safe. No additional sick leave will be accrued until the employee's sick leave balance is no longer in arrears. Employees who wish to take advantage of this policy modification must fill out an Advance of Sick Leave form which is to be signed by their supervisor.

In addition, the District is following guidance from the Yolo County Health and Human Services Department which instructs that employees should wait three days after COVID-19 symptoms subside before returning to work. These symptoms include fever, cough and fatigue; an employee who is unable to work due to these symptoms will be subject to the three-day waiting period. Employees are allowed use borrowed sick leave for this purpose according to the conditions stated above. Borrowed sick leave hours may be used if an employee is sent home due to exhibiting signs of illness.

This modification will automatically expire on June 1, 2020 but may be extended or modified as conditions evolve.

#### **Additional Message from the General Manager**

I would like to remind employees of the importance of practicing social distancing to the greatest extent feasible. Social distancing is one way that we can all work together to keep each other, and our families, safe. If an employee has an idea that would improve safety and social distancing practices, I encourage them to offer suggestions to their supervisor, or to the management team. Lastly, it is imperative that employees who are feeling ill **STAY HOME**. The well-being of your fellow coworkers and your community depend on each of our individual actions to protect one another.

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: April 7, 2020

ITEM #: 5

SUBJECT: Presentation: Comments Regarding the Proposed Realignment of the Moore Canal

INITIATED OR  BOARD  
REQUESTED BY:  STAFF  
 OTHER \_\_\_\_\_

COORDINATED OR  
PREPARED BY: Tim O'Halloran  
APPROVED BY: Tim O'Halloran

ATTACHMENT  YES  NO  
 DIRECTION

INFORMATION  
 ACTION:  MOTION  
 RESOLUTION

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**BACKGROUND:**

Since 2013, representatives of Teichert Aggregates have had discussions with the District regarding a proposed realignment of a portion of the Moore Canal on what is commonly referred to as the Shifler property (located east of County Road 94B and south of Cache Creek).

Yolo County is now in the process of preparing a Draft Environmental Impact Report (EIR) as the next step in moving the project forward. As one of the primary stakeholders and impacted parties, the District has been working with Teichert to make sure our needs are met. As has been discussed in past meetings, the District is considering the project with the following principles in mind: that any changes to the Moore canal system not a) negatively impact water delivery operations, b) increase ongoing maintenance costs, and c) increase either short- or long-term liability exposure.

Specifically, District staff will be raising the following issues:

- 1) whether a southern canal alignment would offer more long-term security,
- 2) if a northern canal alignment is used, a buffer of an adequate and agreed upon distance between the canal and Cache Creek must be maintained,
- 3) an automatic gate meeting District's specification should be installed at the new Magnolia heading,
- 4) construction of a new canal must maintain or increase the existing flow capacity,
- 5) the ability to deliver water downstream of the construction zone should not be negatively impacted during construction, and
- 6) Teichert should provide a mechanism (such as a long-term security bond) to keep the District whole if meandering from Cache Creek threatens the integrity of the canal.



District staff are looking for feedback from the Board on these or any other issues that may be of concern to them. In 2013, the District Board visited the site in order to familiarize themselves with the existing conditions. Given that there have been several changes to the Board membership since 2013, staff would be happy to arrange another site visit if so desired. The Draft EIR is expected to be posted on [Yolo County's website](#) by April 30, 2020.

The Initial Study is currently available for review at the following link: <https://www.yolocounty.org/home/showdocument?id=59980>.

**RECOMMENDATION:**

This agenda item is for informational purposes only. No Board action is required.

YOLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

AGENDA REPORT

MEETING DATE: April 7, 2020

ITEM #: 6

SUBJECT: Presentation: 2020 Irrigation Season Operations Update

INITIATED OR  BOARD  
REQUESTED BY:  STAFF  
 OTHER \_\_\_\_\_

COORDINATED OR  
PREPARED BY: Tim O'Halloran  
APPROVED BY: Tim O'Halloran

ATTACHMENT  YES  NO  INFORMATION  
 DIRECTION  ACTION:  MOTION  
 RESOLUTION

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**BACKGROUND:**

Staff will provide the Board with an update on the status of the irrigation season preparations, including available water supply, capital projects, acreage signups, staffing, and the April 1, 2020 water rate.

**RECOMMENDATION:**

This agenda item is for informational purposes only. No Board action is required.