

Yolo County Flood Control & Water Conservation District

AGENDA Board Meeting Tuesday, February 3, 2004 7:00 P.M.

In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, then please contact Christina Cobey at (530) 662-0265 or (530) 662-4982 fax. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

AGENDA

- 7:00 1. Board Consideration:
Minutes of January 6, 2004 Regular and January 5, 16 and 28 Special Board Meetings
- 7:02 2. Open forum; Guest Introductions and Unscheduled Appearances
Opportunity for public comment on non-agenda items.
Open forum will be limited to five minutes.
- 7:07 3. Board Consideration: Adding Items to the Posted Agenda.
Items 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 arose subsequent to the agenda being posted.
4. Board Consideration:
a) The Board will consider a resolution of District commitment to the AB 3616 (Efficient Water Management Practices) MOU.
5. Board Consideration:
a) The Board will consider authorizing the General Manager to initiate the process for the District to adopt a groundwater management plan under AB 3030, including the requirements of SB 1938.
- 7:30 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

- 7:45 7. Attorney's Report:
a) The Board will receive a report from the Attorney regarding current legal and legislative activities
- 7:55 8 General Manager's Report:
a) The Board will receive a report from the General Manager regarding selected general activities and projects of the District
9. Operations and Maintenance Report:
a) The Board will receive a status report of the previous month's operation and maintenance activities.
10. AB 303 Program Report
a) The Board will be updated on the status of its current and proposed programs.
11. Conjunctive Use Program Report:
a) The Board will be updated on the status of its ongoing conjunctive use program.
- 12 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.
- 8:59 13 Board Consideration: Approval and Payments of Bills
- 9:00 14 Adjourn

The public may address the Board concerning an agenda item either before or during the Board's consideration of that agenda item. Public comment on items within the Board's jurisdiction is welcome, subject to reasonable time limits for each speaker. Upon request, agenda items may be moved up to accommodate those in attendance wishing to address that item. Times listed for consideration of agenda items are approximate only. The Board may consider any agenda item at any time during the Board meeting.

I declare that the foregoing agenda was posted at the office of the Yolo County Flood Control and Water Conservation District, 34274 State Highway 16, Woodland, CA on January 29, 2004..

By: _____
Christina Cobey, Administrative Assistant

REGULAR BOARD MEETING MINUTES
FEBRUARY 3, 2004

The regular February meeting of the Board of Directors of the Yolo County Flood Control and Water Conservation District was held at 7:00 p.m. on Tuesday, February 3, 2004 at its regular place of business, 34274 State Highway 16, Woodland, California. Vice-Chair Brice convened the meeting with Directors Eoff and Scheuring present. Chairman Vink arrived later. Director Rominger was absent. Also in attendance were:

District Staff

Tim O'Halloran, General Manager
Christy Barton, Assistant General Manager
Mike Horgan, Engineer
Paul Bartkiewicz, Legal Counsel

District Consultant

Francis Borcalli, Engineering Consultant

Visitors

Don Rominger, Retired District Director

MINUTES

M/S/C approved the minutes of the January 6, 2004 regular Board as modified and the January 5, 16 and 28, 2004 Special Board meetings as mailed.

OPEN FORUM

No comments were made.

CHANGES TO THE POSTED AGENDA

Ms. Barton reported that an item, which required Board consideration prior to the next Regular Board meeting, had come to the District after the posting of the agenda. This is an item of potential litigation related to the State Water Resources Control Board's (SWRCB) new fee schedules and should be discussed further in Closed Session.

M/S/C by a 3/3 vote determined that the need to take action arose that subsequent to the agenda being posted and approved adding the following item to the agenda - Closed Session under Brown Act Section 54956.9 pending litigation.

AB 3616 (EFFICIENT WATER MANAGEMENT PRACTICES) MOU

Mr. O'Halloran reviewed the presentation given by Mike Wade at the Board's January meeting regarding the Agricultural Management Council created by AB 3616. He reported that the District's 2000 Water Management Plan (Plan) was not adopted as either an AB 3030 or an AB 3616 plan. However, the District reviewed and tracked the requirements for both plans when developing its Plan.

Mr. Bartkiewicz reviewed the background leading to the AB 3616 legislation and the District's prior discussion regarding joining the Council, if and when the Board determined that it was important to do so.

Mr. O'Halloran reported that this action would signify the District's desire to be part of the general agricultural water community process of looking to improve water management practices.

M/S/C adopted Resolution 04.03 Authorizing Execution of the MOU Developed Pursuant to the Terms of AB 3616 by the following roll call vote:

Ayes: Directors Brice, Eoff, Scheuring
Noes: None
Absent: Directors Rominger and Vink

AB 3030 GROUNDWATER MANAGEMENT ACT PROCESS

Mr. O'Halloran reported that this item is similar to the previous one in that the District's Plan was developed with the AB 3030 requirements in mind.

Mr. Bartkiewicz reviewed the history of AB 3030 and the District's decision to use its own authorities to develop its Plan rather than using authority granted in AB 3030. The decision was to be revisited if and when the situation was warranted.

Mr. O'Halloran reported that SB 1938 (Machado) tied the ability of water agencies to access State funding for groundwater projects to either having or being in the process of adopting an AB 3030 plan. He reported he did not want to formally start the AB 3030 process this time. However, he would like to meet with other local agencies to discuss the process.

M/S/C authorized staff to proceed to discuss the potential for a District AB 3030 plan with other agencies.

DIRECTORS' REPORTS

Director Eoff reported on a Northern California Water Associative (NCWA) meeting that he attended. At the meeting future water plans for NCWA and current issues of concern were discussed. He was favorably impressed by the meeting and invited other members of the Board to attend the upcoming annual meeting.

Director Scheuring deferred to Mr. O'Halloran for the report on the Water Resources Association of Yolo County. Mr. O'Halloran reported that Yolo County had made a presentation on the Integrated Water Management Program, and that elections had been held, re-electing the previous slate of officers.

Director Scheuring reported on a tour of the Imperial Irrigation District that he had recently taken

GENERAL MANAGER'S REPORT

Mr. O'Halloran reported on the following general activities:

- **Agricultural Waiver:** The Yolo County Agricultural Commissioner's office, the Yolo County Farm Bureau and the District are working together on developing a local Ag Waiver Discharge Monitoring Plan. He introduced Eric Paulsen, Yolo County Farm Bureau (Farm Bureau), who related concerns of the Farm Bureau in that although they are willing to participate in the monitoring of water quality, they do not intend to, nor do they have the authority to act as a regulator.
- **Potential Wild And Scenic Issues:** Representatives from NCWA and the District met regarding the potential State and/or Federal designation of portions of Cache Creek as Wild and Scenic (W&S). Assemblymember Wolk anticipates introducing W&S legislation and has requested input from the District. Prior to responding, Mr. O'Halloran will meet with Mr. Bartkiewicz and representatives from Yolo County and the Farm Bureau. As previously indicated to Ms. Wolk, the District would like to see the Cache Creek Watershed Forum (CCWF) process be allowed to mature. He distributed copies of the letter to Ms. Wolk from the Yolo County Resource Conservation District supporting the CCWF process and Ms. Wolk's AB1405.
- **Glide Ranch Foundation Meeting:** A meeting was held recently with John Meek and representatives of the Glide Ranch. The issues discussed were ownership and maintenance of the University Ditch. John Meek is trying to set up a meeting with representatives of the University of California, Davis.
- **Staff Meeting:** Mr. O'Halloran stated that the FY 2004/05 budget process will start on February 4, 2004, at a staff meeting.

- Ditchline LLC: As a follow to a question asked by Director Eoff at the January Board meeting. Mike Horgan reported that the statute of limitations for issues related to the failure of the Winter's Canal lining is four years.
- Golf Course Issues: The District is researching issues regarding the proposed golf course near Brooks. Mr. Horgan summarized the various agreements on the parcel to date and particular areas of concern.
- CalPoly Field Trip: The Board's field trip to CalPoly, San Luis Obispo, which was scheduled for February 5, 2004, was canceled. Mr. O'Halloran stated that he still feels that it is important for the Board to make that trip and visit the Irrigation Training and Research Center, so the trip will be rescheduled.

OPERATIONS AND MAINTENANCE REPORT

Mr. O'Halloran distributed copies of data and graphs comparing both Indian Valley and Clear Lake's present water conditions to the conditions last month and at this time during the prior year. He reported the District does have adequate water for a full irrigation delivery. Letters confirming this information and providing the water applications for 2004 will be mailed mid-February.

AB 303 REPORT

Mr. Borcalli reported on the AB 303 groundwater quality monitoring project and distributed a map indicating wells that landowners have agreed to test. The wells have yet to be analyzed for appropriateness to this project, and constituents still need to be selected. Confidentiality does not seem to be as large an issue as was feared.

CONJUNCTIVE USE PROGRAM

Mr. O'Halloran reported that a consulting firm, Concepts in Controls, from the Visalia area is investigating options for potential telemetry for the District. The District hosted a group of people from interested local agencies on a tour of District facilities similar to the tour provided for Lake County officials. Infrastructure improvements have been the topic of a number of meetings including one with Charles Burt and Stuart Styles of CalPoly, SLO, one with Grant Davids of Davids' Engineering, and numerous meetings with District field personnel.

GENERAL DISCUSSION

Director Eoff asked if there had been further communication from the Yolo County Grand Jury. Nothing further is expected until their report is ready to be submitted.

PAYMENT OF THE BILLS

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

Yolo Flood Control Checks: #31198, 31212, 31740-31748

CLOSED SESSION

The regular meeting was adjourned to Closed Session under Brown Act Section 54956.9 - pending litigation. Other than the Board, persons present were Mr. Bartkiewicz, Mr. O'Halloran and Ms. Barton.

CLOSED SESSION REPORT

The regular Board meeting was reconvened.

Mr. Bartkiewicz reported that during Closed Session, Director Scheuring disclosed that his son works for one of the attorneys that would be representing the District in the lawsuit, and elected to recuse himself. Director Scheuring did not participate in discuss or vote on the issues. Mr. Bartkiewicz reported that during Closed Session the Board took the following action:

M/S/C (with noes) authorized the District to be named plaintiff in a lawsuit filed by the Northern California Water Association against the SWRCB, concerning water right fees.

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

Erik Vink, Chairman

ATTEST:

Tim O'Halloran