

# RECLAMATION DISTRICT NO. 108

## Minutes of the Regular Meeting Of the Board of Trustees

February 16, 2017

President Durst called the Regular Meeting of the Board of Trustees to order at 8:32 a.m. on Thursday, February 16, 2017 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

**Trustees Present:** Fritz Durst, Roger Cornwell, Jon Leonard and Hilary Reinhard

**Trustees Absent:** Sean Doherty

**Others Present:**

Lewis Bair, General Manager	Tom Charter, Landowner
Meegan Nagy, Deputy Manager	Jamie Traynham, T & P Farms Rep
Bill Vanderwaal, Deputy Manager	Candy Dormer, Landowner
Gary Marler, Superintendent	Deke Dormer, Landowner
Cathy Busch, Executive Secretary	Starr West, Landowner
Beverly Walls, Bookkeeper	Derek Strain, Landowner
Kevin O'Brien, Legal Counsel	Rob Meyer, Landowner
Don Huff III, Landowner	Matt Wallace, Water User
John Louden, Colusa Supervisor	Don Huff Jr, Landowner
David Alves, Poundstone Representative	

### Open Forum

President Durst welcomed the public to the meeting. Manager Bair reported on the River flows. He said that the District has been inspecting levees due to high River levels since the first of the year. The District is monitoring several boils along the River and levee slips on the Back Levee. The District continues to coordinate with other flood control agencies, Yolo and Colusa Counties, City of Colusa and the State during the high River flows within a unified command structure using regular phone calls. 2017 is looking to be one of the wettest years on record. There is some concern that the River levels will continue to be high for several more weeks or longer testing our levees in a way that has not happened for a very long time.

The District held a flood fighting training for District volunteers. The Mid-Upper Sacramento Valley Regional Flood Response Program has provided flood fighting training films that can be accessed online. The District will set a link on our Web-page to these training films.

Deputy Manager Nagy reported that the District has heard false information regarding levee breaks in the District, she stressed that landowners and water users should contact the District

office directly if they have any concerns or questions regarding flood conditions in the District. President Durst commended District staff on a job well done during the high River flows.

Deputy Bill Vanderwaal gave an update on the SGMA process in both Yolo and Colusa Counties. Yolo County is moving forward and should be ready for the June 30 deadline to form governance. Colusa County is still working on their JPA, but Mr. Vanderwaal felt they should also be ready on time. There was discussion regarding how this process would be funded, since it could take up to five years to develop a plan at an estimated cost of approximately \$1.5 million for each County.

Manager Bair reported on the Washington DC trip. Issues that were discussed during the WDC trip included the Settlement Contractors, NCWA, Sites and other water issues. It is very important that Northern California has a presence with our federal government during this period of uncertainty with the new administration.

The Public Forum ended at 9:25 a.m.

## **ADMINISTRATION**

**Public Participation:** There were no further comments from the Public at this time.

**Consent Agenda** – It was moved by Trustee Cornwell to approve the consent agenda, including the Minutes of the Board Meeting held on January 19, 2017 as submitted. Trustee Reinhard seconded. Vote: Approved 4 - 0.

**Accounts Payable** – It was moved by Trustee Leonard to approve the accounts payable: Maintenance Fund in the amount of \$525,253 and on-line payments issued in February to be ratified in the amount of \$69,538; and Irrigation Fund payments in February to be ratified in the amount of \$5,470. Trustee Cornwell seconded. Vote: Approved 4 – 0.

## **BUSINESS ITEMS**

**1. Operations Report** – Superintendent Marler reported that most of the District's staff efforts during the month have been on levee patrol and drainage of storm water from the District. We had two levee slips on the Back Levee, approximately two-miles south of County Line Road that District staff applied a raincoat to prevent water from penetrating the area and causing further progression of the levee slip. There has also been a large amount of woody debris building up along the water-side of the levee that will have to be cleared once the water levels recede. He

also reported that the Number 6 pump at Rough & Ready Pumping Plant is having a balance issue and will need to be pulled at some point this year for repair.

Deputy Manager Vanderwaal reported that Colusa County contacted the District regarding replacing the timber bridge on County Line Road over the District's drain. The Plan is to replace the bridge with a multiple culvert and earthen filled system spanning the drain. Mr. Vanderwaal reviewed the plans and felt that the design was adequate for the maximum cfs that the District would run through the drain. After further discussion, it was moved by Trustee Cornwell to accept staff recommendations on Colusa County design for the drain crossing. Trustee Reinhard seconded. Approved 4 – 0.

## **2. Flood Control Issues**

- **Adopt Resolution No. 17-03 Declaring a Flood Emergency** – It was moved by Trustee Cornwell to Adopt Resolution No. 17-03 calling for a District Emergency due to the impacts of the winter storms. Trustee Leonard seconded. Approve 4 – 0.

- **Amend the Purchasing Policy to Include Spending Authority during a Flood Emergency** – Manager Bair reviewed the Purchasing Policy and the limits that were set for purchasing emergency supplies by the General Manager and the Board President. It was moved by Trustee Cornwell to amend the Purchasing Policy to authorize an appointed Incident Commander (General Manager; or individual designated by Board President or General Manager) to authorize purchases up to \$200,000 and by the Board President up to \$500,000. The Board will set these caps annually prior to the flood season. Trustee Reinhard seconded. Approved 4 – 0. Manager Bair reported that the Board needed to review the Fund Balance Report to designate funds for operations, flood control and other District Projects. After discussion, it was moved by Trustee Leonard to authorize the Finance Committee to update the designated reserve funds. Trustee Reinhard seconded. Approved 4 – 0.

- **Yolo County Flood Response Funding Coordination** – Ms. Nagy reviewed the costs to date of the 2017 Flood Event. She reported that she has been submitting cost summaries to Yolo County OES who has been collecting costs throughout the County for possible State or federal reimbursement.

- **Upper-Mid Sac River Flood Response II Project** – The District is currently ordering the supplies for the Flood Control containers.

- **Upper-Mid Sac River Flood Plan Project** – Ms. Nagy reviewed the White Paper for the Sacramento River Planning Regions CVFPP 2017 Update. The Plan identifies the policy issues that we want to focus on with the Central Valley Flood Protection Board (CVFPB) and Department of Resources during the Central Valley Flood Protection Plan 2017 Update, particularly the State Flood Insurance Program and Funding Plan. A workshop is being setup on March 9 in Woodland

regarding the Flood Plan update. A group of three regions have been holding weekly conference calls so that we all take a unified message and approach to the CVFPB meetings expressing our concern on the funding and how the funding proposals will work. Manager Bair reported that we were working with the Feather River on a Management Plan for the Sutter Bypass. The Plan will come up with possible programs that can help improve fish populations and help keep the channel clean. Currently they are working on a White Paper that can be passed around.

- **SWIF** – The SWIF has been submitted to the Central Valley Flood Protection Board. The District should receive some feedback before the process precedes forward.

**3. SGMA** – Deputy Manager Vanderwaal distributed a schedule for both Yolo and Colusa County SGMA process. Included is the total cost estimate for each County. These costs are currently being discussed so that each entity pays their costs. A fixed fee weighted schedule was suggested that might better cover costs fairly. This would be a better way to evaluate costs and proportion based on work and share of general costs. Another area of concern is the voting power for each entity and how to determine how votes are allocated.

**4. Confidentiality Agreement for Voluntary Agreement Process** – Attorney O'Brien reported that negotiations have begun for the Water Quality Plan Update. In order to keep the confidentiality of the documents it was recommended that participating agencies sign a Confidentiality Agreement. After discussion, it was moved by Trustee Cornwell to authorize Manager Bair to sign a Confidentiality Agreement for the Voluntary Agreement Process with legal review and approval. Trustee Reinhard seconded. Approved 4 – 0.

**5. Adopt Resolution No. 17-02 Authorizing State Water Use Efficiency Grant** – After discussion, it was moved by Trustee Cornwell to Adopt RESOLUTION NO. 17-02 accepting DWR Grant Funds for the State Water Use Efficiency Grant and designating Manager Bair to enter into a funding agreement with DWR and designating Deputy Manager Vanderwaal as the District's representative to sign progress reports and approve reimbursement claims. Trustee Reinhard seconded. Approved 4 – 0.

**6. Standing Committees 2017** – President Durst reviewed the Standing Committees with the Board and asked if any Trustee had an interest in any of the Committees. There was one change to the Standing Committees, the Ad Hoc Groundwater Committee was changed from Ad Hoc to a Standing Committee. It was also noted that Trustee Reinhard was the NCWA alternate. Attorney O'Brien reported that all Committee meetings are noticed and minutes taken.

**7. Closed Session** – The Board went into Closed Session at 11:00 a.m. to discuss anticipated litigation “El Dorado Bend Pumping Plant Maintenance Project with Attorney Diepenbrock. Attorney O’Brien and Trustee Cornwell left the meeting at 11:00 a.m. due to a conflict of interest. Ms. Diepenbrock was contacted by phone at 11:05 a.m. The Board came out of Closed Session at 11:17 a.m. and President Durst announced that no action was taken. Ms. Diepenbrock disconnected her phone call at 11:17 a.m.

**8. Closed Session** – The Board went into Closed Session at 11:23 a.m. a.m. to discuss with Legal Counsel one matter of negotiated lease pursuant to subdivision (b) of Section 54956. The Board came out of Closed Session at 11:30 a.m. and President Durst reported that no action was taken.

President Durst reviewed discussions during closed session and that the Board determined that the Tract 6 leases would be renewed at the current base price with an adjustment to the sliding scale from \$8 to \$10 over loan rate before additional rent would be due. If any lessees did not want to renew their lease, action to determine a process to lease the vacated unit(s) would be taken at the March Board meeting.

## **INFORMATION REPORTS**

**NCWA Report** – Trustee Cornwell reported on current NCWA activities. The NCWA Annual Meeting is scheduled for March 3 in Chico. NCWA is working on setting up a meeting with Northern California and South of Delta growers to see how we can help each other. NCWA is currently working on a 2017 Water Leader Group.

**Sites JPA** – President Durst gave a status report on Sites JPA issues. He reported that elections for the JPA officers will be the first week of March.

**Communications Consultant** – Mr. Steve Beckley was not at the meeting; his written report was in the Board packet.

### **Deputy Managers’ Report** – Nagy & Vanderwaal

Mr. Vanderwaal reported on the construction schedule for the office remodel. He said that he has contacted a contractor for a cost estimate for the remodel and it was \$206 per square-foot or a cost of \$842,000 without the septic system. After further discussion, it was moved by Trustee Cornwell to amend 2017 Budget for the office remodel from \$750,000 to \$950,000. Trustee Reinhard seconded. Approved 4 – 0.

Ms. Nagy reported that the District will be able to amend the Flood System Repair Project Grant to do additional gravel sites along the Back Levee. She also reported that she met with RD2035's engineer to discuss the vegetation growth in the Yolo Bypass. She had obtained a hydraulic study of the Bypass completed by MBK Engineers that was completed through the Regional Flood Plan and all agreed that something needs to be done.

**Manager's Report** – Manager Bair reviewed the agenda for the Landowner meeting to be held on February 23. He asked the Board to review the agenda and to send any changes to him. ACWA Conference will be held May 9 through May 12 in Monterey, California, if any Board members are interested in attending please contact Cathy.

Manager Bair gave a status report of the funding for KLOG. The Settlement Contractors will be issuing payment during their February meeting for the balance of \$75,000 cost-share. We are currently waiting to see if DWR will pay for the host structure repair.

Manager Bair gave a presentation to Colusa County Water District and Dunnigan Water District regarding the in-lieu groundwater recharge program.

**Attorney's Report – CLOSED SESSION** – The Board went into Closed Session to confer with legal counsel regarding anticipated litigation pursuant to Subdivision (b) Section 54956.9 (CalWaterFix Comments, Settlement Contract) at 12:07 p.m. The Board came out of Closed Session at 12:25 p.m. and President Durst announced no action was taken.

The Board recessed at 12:25 p.m. for lunch.

### **ADJOURNMENT**

There being no comments from the public and no further business to come before the board, the meeting was adjourned at approximately 12:45 p.m.

Respectfully Submitted

Lewis Bair  
Manager