



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: March 2, 2010

SUBJECT: Water Resources Association Board of Directors Meeting Minutes for
September 2009 and November 2009

Report in Brief

Attached are the September 21, 2009 and November 9, 2009 Water Resources Association Board of Directors Meeting Minutes. These minutes were approved at the January 11, 2010 meeting.

Background

The Water Resources Association meets bi-monthly and submits meeting minutes to all jurisdictions attending the meeting. Meeting Minutes are then shared with Council.

Recommendation for Action

No action required. For information only.

Prepared by: Johanna Currie
Management Analyst

Reviewed by: Gregor G. Meyer
Public Works Director

Mark G. Deven
City Manager

Attachments

**MINUTES OF SEPTEMBER 21, 2009
OF THE BOARD OF DIRECTORS
WATER RESOURCES ASSOCIATION OF YOLO COUNTY**

1. CALL TO ORDER & INTRODUCTIONS

The meeting was called to order at 3:00 p.m. by Chair, William Marble.

Board members present: William Marble – City of Woodland, WRA Chair
Duane Chamberlain – Yolo County
Ruth Asmundson – City of Davis
Regina Cherovsky – Reclamation District 2035
Jim Mayer - Yolo County Flood Control & WCD
Cecilia Aguiar-Curry – City of Winters
Don Peart – Colusa County Water District
Gary Schaad – Dunnigan Water District
Fritz Durst – Reclamation District 108

Alternate members present: Kurt Balasek – City of Winters, WRA Treasurer
Jacques DeBra – City of Davis, Technical Committee Chair
Matt Rexroad – Yolo County
Donita Hendrix, - Dunnigan Water District
Shelly Murphy – Colusa County Water District
Lewis Bair – Reclamation District 108

Members Agencies absent: City of West Sacramento
UC Davis

2. APPROVAL OF AGENDA – The Board motioned, seconded and unanimously approved the agenda. (Note: The agenda items were discussed in the following order due to the availability of the speakers: 7, 8, 10, 6, 9.)

3. PUBLIC FORUM – There were no comments from the public.

4. CONSENT ITEMS - The Board motioned, seconded and unanimously approved all consent items.

- a. Approve Minutes: June 15, 2009 Board meeting
- b. Approve proposed 2009-10 Budget Amendment #1
- c. Approve Nominating Committee for 2010 Officer Nominations
- d. Receive financial reports: FY 6/30/09 and July-August 2009
- e. Receive minutes of Executive Committee meeting: 7/28/09
- f. Receive minutes of Technical Committee meetings: 6/4/09, 8/6/09

5. INFORMATIONAL ITEMS

- a. Resolution No. 0902 – Chair Marble acknowledged Mark Cocke and commended him on receiving the Floodplain Manager of the Year award from the Floodplain Management Association. Greg Meyer, City of Woodland Public Works Director, informed the Board about Mark’s accomplishments that merited his receiving this award. The Board motioned, seconded and unanimously adopted the resolution.
- b. Administrative Coordinator’s Report: Auditing of fiscal years 6/30/08 and 6/30/09 will begin on September 22nd with a final report to the Board by January 2010.

6. YOLO COUNTY UPDATES

Dirk Brazil, Assistant County Administrator, reported on the September 10th facilitated meeting of the stakeholder water committee. Dirk reiterated that no specific end date is scheduled for these meetings. A smaller subcommittee of the larger group was tasked with developing a framework for a Yolo County water authority. The larger group reviewed the subcommittee's suggestions on September 10th, which was recommending an "enhanced" WRA organization/JPA tied into the YCFCWCD. Discussions included what the expanded powers would be for the new agency and the larger group was asked to comment on the draft framework. The subcommittee will meet again in September to flush out further details and questions raised on September 10th. Chair Marble requested the minutes of that meeting be distributed so the stakeholders can be assured their comments were assimilated. Dirk reassured there is still an opportunity to include anyone's missed comments in the draft meeting notes. Now that the water authority concept has been discussed, about ten stakeholders agreed to focus on groundwater issues as part of another subcommittee (facilitated by Jeff Loux). On September 10th the suggestion was raised that the proposed water authority JPA might have the authority to regulate groundwater and therefore publically vetting the process.

The question was raised what powers would the water authority have that the YCFCWCD or Yolo County doesn't already have? The water authority is not intended to usurp existing agency's authority, but to enhance a more formal collaborative, working arrangement between them. The understanding of Greg Meyers, City of Woodland Public Works Director, who has recently been involved with the establishment of the DWWSP JPA, a JPA could only have powers that are jointly held in common by its members and would not have all of the powers of each individual agency that formed the JPA.

7. WRA TECHNICAL COMMITTEE UPDATE

- a. The TC is formulating a process to update the status of Integrated Regional Water Management Plan (IRWMP) actions with each lead partner. A communication will be sent to the lead partners in October to facilitate this process.

Additionally, the Westside Regional Management Group (representing Yolo and four other counties) has been recommended for acceptance by DWR for the Proposition 84 Region Acceptance Process. This positions the Westside group to apply for funding when it is available. Chair Marble asked how the TC envisions the Yolo County IRWMP integrating with the proposed regional Westside IRWMP. Jacques informed that the State is requiring everyone to coordinate beyond county boundaries at a watershed level. Proposition 84 requires collaboration and consolidation of county interests into a regional county process. Creation of the Westside region was based on the Sacramento River, Putah and Cache Creek watersheds. The Westside MOU proposes that organizations that already have regional water planning responsibilities work together. There are a few governance issues to be worked out within the current structure, if funding is pursued.

- b. Fran Borcalli was unable to attend today's meeting and asked Jacques to inform the Board about the attached requested letter from the WRA to the Central Valley Flood Management Program (CVFMP). The letter is requesting WRA's participation in CVFMP's Interest-Based Group in preparation of the CVFMP Plan. This recommendation emerged from the floodSAFE Yolo Pilot Program. floodSAFE Yolo program participants felt that communication with DWR would be efficient and effective if it was organized through the WRA. It also provides an opportunity to show linkage between the Yolo County IRWMP Integrated Projects dealing with flood management and the state CVFMP Plan. It is beneficial for the community, as well as DWR, to be aware of this connection. Fran Borcalli, with his extensive knowledge and history of Yolo County, would be the designated representative to work on the CVFMP Plan. The Board motioned, seconded and unanimously approved the letter.

8. PRESENTATION: Davis-Woodland Water Supply Project (DWWSP)

A presentation to update the WRA Board on the DWWSP is pertinent now that a Joint Powers Authority (JPA) has been established for this project. Jacques DeBra, City of Davis and Dick Donnelly, Deputy

Director of Public Works for the City of Woodland, will present information about this regional project. The Cities of Davis and Woodland and UC Davis have been involved in project planning to provide a safe, reliable water supply for their communities for about 20 years. In mid-September, the Davis and Woodland city councils took action to establish a DWWSP JPA with the responsibility to implement this project over the next 5-10 years. The expert legal services of Richard Shanahan, Bartkiewicz, Kronick & Shanahan, were consulted to provide his experience for the best options to establish an organizational structure for the DWWSP. The best option was determined to be a JPA and Mr. Shanahan is assisting with the legalities of setting up the JPA. The WRA Board was informed that Donna Gentile has agreed to provide administrative support for the JPA on a limited basis through the end of the year. The DWWSP has an established website that is being updated with the assistance of a web designer: <http://www.daviswoodlandwatersupply.org/>. Anyone can sign-up to receive project updates and newsletters through the website once it is re-designed.

The JPA has the authority to secure water supplies and deliver it to their communities. A WRA Board member inquired whether there is a specific water source identified for the DWWSP. Dick Donnelly responded that the JPA does not limit where the water originates. Once the organizational structure is established, the JPA will further evaluate all potential water sources and options. The DWWSP Environmental Impact Report (EIR) identified water source options and selected a preferred project, but the JPA will make the ultimate decision to implement the best project option. All viable options will be evaluated and/or considered.

Chair Marble acknowledged the foresight of people who began the water rights application process in the 1980's. Without their vision, the current DWWSP would not even be a possibility given the current water rights climate. He also informed that the Regional Water Control Board's edict on discharge permit requirements is the reason why Woodland and Davis are being restricted on their use of well water supplies and not due to the ability of the wells or the aquifer to provide adequate water. The cities will not be allowed to take water out of the ground, untreated and discharge it back into the Sacramento River. The majority of City Council representatives support the DWWSP, because it presents the most viable, cost effective solution. Although the cost is substantial, the evaluated alternatives would be more expensive.

9. LEGISLATIVE WATER ISSUES UPDATE

- a) *Update on Delta Legislation* - Ryan Bezerra was delayed and unable to attend the meeting due to a prior commitment. The Board discussed Delta legislation with input from all the involved participants and an update Ryan gave to the Executive Committee last week. Chair Marble reiterated everyone is aware of the breakdown in Delta legislation negotiations. The WRA Board should reflect how and where it should posture itself in relation to the Delta legislation as it resolves. Julia encouraged the Board to review the final Delta bill – SB 68. The package did not pass because the assembly declined to vote on the policy package without the financing component solidified. Julia gave an overview of the proposed water bond and related financing challenges to be addressed by the legislature. She also emphasized that a list of Yolo County water projects needing funding would be beneficial to strengthen our local position, especially if the list was detailed by project status (e.g. design, environmental permitting, construction phase). Chair Marble agreed that the WRA wants to be sure that our voice is at the table on such issues. The WRA is at a disadvantage to respond quickly given its diversity, but a Board of Directors' conference call could always be arranged to facilitate a timely response. The Executive Committee discussed concerns that the proposed Delta legislation had areas of original water rights issues that could profoundly impact many in Yolo County. Concerns were also expressed regarding Metropolitan Water District's (MWD) last minute change in position relating to their commitments to Northern California (e.g. areas of origin and user water fees).
- b) *Update on the Five Delta Counties Coalition* – Julia McIver, Yolo County, reported that the 5-county coalition was formed with the thought that there is strength in numbers and to represent a unified voice in Delta issues. There is a supervisor designated from each county on the Coalition along with dedicated county staff and lobbyists. The Coalition has weekly calls scheduled with the supervisors that will be

ongoing. Julia felt that the Coalition has been effective in their efforts. The outcome of the legislative session remains unknown and ever-changing as the Governor and legislators try to reach an agreement. The Coalition worked very closely with Senator Wolk, as well as many assembly members, who are proponents of Delta interests. Many of the Delta interests that they lobbied for are included in the Delta bill package. Ultimately the Coalition formally opposed the entire package. Tracking the changes made to the bill and finance packages over the last 24 hours was challenging. The Coalition is working to build relationships with other counties and stakeholders within the Delta community.

Julia reported that at the recent hearing of the Assembly Committee on Water, Parks & Wildlife approximately 90% of the people testified their opposition to the Delta bill package. Those people represented a wide variety of interests, including smaller water agencies, environmental and local government. Also, Secretary of the Interior Ken Salazar is holding the 2nd Delta hearing in Washington, DC on October 30th. Supervisor McGowan will be attending to represent the 5-county Delta coalition along with other California delegates.

Julia added that the outcome of the Bay Delta Conservation Plan (BDCP) has the potential to have a large impact on Yolo County. The biological opinions from the BDCP will bring attention to Yolo and Solano County habitat. She mentioned this to make the WRA Board aware that there is more on the table than water rights or Delta governance. How any new Delta governance package addresses the BDCP is a concerning issue, particularly for Yolo County. Bob Schneider also mentioned that the Regional Board's TMDL plan will also be an underlying driver for the Delta and BDCP solutions. Chair Marble asked the Board whether they wanted a presentation on the BDCP, but there was general consensus that they receive sufficient information from other sources.

- c) *Other news* – Chair Marble invited Jim Mayer to give an informational presentation on California Forward. Jim is the executive director of California Forward (CF), which was founded by several major California foundations. CF is an action oriented, bi-partisan organization comprised of business and government groups. The organization's goal is to make changes in how California governs itself. CF is working in several arenas simultaneously - fiscal, revenue, budget and political systems. CF is also addressing how to begin modernizing the relationship between the State and local governments in a collaborative way. CF is planning an initiative package on revenue, budget and political system reforms for the 2010 ballot. Visit their website for more information or to be added to their mailing list. <http://www.caforward.org/>
- d) *Discuss and approve WRA letters acknowledging Delta legislation efforts*- The Executive Committee felt it appropriate to extend our formal appreciation to those who contributed to the Delta legislation effort on Yolo County's behalf. The September agenda packet includes letters of appreciation to several State representatives. Chair Marble asked if the Board would like the WRA to send a diplomatic letter to the MWD expressing our concern about the way the process evolved. The Board authorized the Executive Committee to research and craft a letter to MWD as appropriate. The Board motioned, seconded and unanimously approved the letters to Senator Wolk, Assembly members Yamada and Nielson, NCWA and ACWA.

10. MEMBERS' REPORTS & FUTURE AGENDA ITEMS

They following agencies gave brief member reports and shared their water conservation efforts: YCFCWCD, Colusa County Water District, Dunnigan Water District, RD 108, RD 2035, Yolo County and the cities of Winters, Davis & Woodland.

Cecilia informed that the City of Winters has been having difficulty sending a city representative to the WRA Technical Committee meetings and requested whether participation via conference call is an option. It would also accommodate other agencies who are unable to attend a meeting. Donna will research this possibility.

Gary Schaad, Dunnigan Water District and Tehama Colusa Canal Authority, extended an open invitation to anyone interested to tour the Tehama Colusa Canal and discuss its possible expansion to provide another quality water source for Yolo County.

11. NEXT MEETING DATE: November 9, 2009 from 3-5 pm, Woodland Community Center

12. ADJOURNMENT - The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Donna L. Gentile

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WRA Board Secretary & Administrative Coordinator

**MINUTES OF NOVEMBER 9, 2009
OF THE BOARD OF DIRECTORS
WATER RESOURCES ASSOCIATION OF YOLO COUNTY**

1. CALL TO ORDER & INTRODUCTIONS

The meeting was called to order at 3:00 p.m. by Chair, William Marble.

Board members present: William Marble – City of Woodland, WRA Chair
Regina Cherovsky – Reclamation District 2035
Cecilia Aguiar-Curry – City of Winters

Alternate members present: Kurt Balasek – City of Winters, WRA Treasurer
Donita Hendrix - Dunnigan Water District
Shelly Murphy – Colusa County Water District
Tim O’Halloran – Yolo County Flood Control & WCD

Members Agencies absent: City of Davis
City of West Sacramento
UC Davis
Reclamation District 108
Yolo County

2. APPROVAL OF AGENDA – The Board motioned, seconded and unanimously approved the agenda.

3. PUBLIC FORUM – There were no comments from the public.

4. CONSENT ITEMS - The Board motioned, seconded and unanimously approved all consent items.

- a. Approve Minutes: September 21, 2009 Board meeting
- b. Approve proposed 2009-10 Budget Amendment #2
- c. Receive financial reports: September-October 2009
- d. Receive update: Yolo County Groundwater Monitoring Program
- e. Receive minutes of Executive Committee meeting: 9/14/09
- f. Receive minutes of Technical Committee meetings: 9/3/09

5. INFORMATIONAL ITEMS

- a. Administrative Coordinator’s Report: Donna informed that the floodSAFE Yolo Pilot Program Annual Report was widely distributed to stakeholders. The Report was also available at the meeting.
- b. Op-Ed article by Bill Marble was distributed with the agenda. Tim O’Halloran mentioned an op-ed piece published in the Sacramento Bee yesterday by Mark Wilson regarding the recent Delta water deal. A link to the article will be emailed to the Board.
- c. Correspondence from Yolo Basin Foundation to the Delta Regional Conditions Work Group participants was distributed with the agenda.

6. RECEIVE AUDIT REPORT - Fiscal Years Ended 6/30/08 and 6/30/09

Rick Johnston from Perry, Bunch, Battaglia & Johnston, Inc. performed the two year audit. PBBJ conducts audits in accordance with standards accepted in the U.S. He discussed the reports findings in detail. PBBJ determined that the audit of the WRA’s procedures was free of material differences with no major corrections needed. The Management’s Discussion and Analysis information is prepared by the WRA and highlights notable financial WRA milestones during the audit period. Rick explained the notes to the financial

statements. He commented that the audited financial statements reflected “deferred project revenue” to properly account for a portion of income received for projects that were not completed by fiscal year end. The funds were carried over to the following year’s budget and designated as project funding. Rick complemented Donna on her accounting and record keeping procedures. He assured the Board that the WRA’s financials are being accurately presented. The Board motioned, seconded and unanimously received the audit report as presented.

7. YOLO COUNTY UPDATE

- a. Due to a conflicting special Board of Supervisors meeting representatives from the County were unable to attend today’s WRA meeting. Chair Marble’s understanding is that the water committee has discussed and agreed on suggesting the creation of an enhanced version of the WRA and groundwater monitoring procedures. Tim O’Halloran added that a written summary will be circulated to the water committee prior to a briefing by Jeff Loux to the Board of Supervisors on the conclusions reached by the committee. The anticipated timeline for this briefing is January 2010.
- b. Chair Marble asked the WRA Board to consider how and when they want to express their position on the potential creation of an enhanced WRA agency. Although many WRA members are individually participating in the water committee process, they are not representing a formal position for all the WRA members. In advance of adopting a position on the potential recommendations, the WRA Board requested a briefing on water committee’s conclusions by the facilitator and prior to the Board of Supervisors taking their recommendations under active consideration. Donna will contact Dirk Brazil and request a briefing for the January 11, 2010 WRA Board meeting.

8. LEGISLATIVE WATER ISSUES UPDATE

- a. *Delta Legislative Review* – Tim O’Halloran introduced Ryan Bezerra, Bartkiewicz, Kronick & Shanahan, who has been extensively involved in the recent Delta legislation proceedings on behalf of the YFCWCD and other clients. Ryan reported on the outcome of the five bill water package passed by the Legislature last week. He summarized the highlights of each bill and possible areas of concern for upstream water users depending on how legislation is implemented. Ryan answered questions as they were raised by the Board.

SB 1 – Delta Governance

- State Water Resources Control Board (SWRCB) to establish Delta stream flow criteria within 9 months of the legislation enactment. The flow criteria will serve as a planning function for BDCP. It is not clear how this will interrelate to water rights processes that affect upstream water right holders.
- SWRCB to complete in-stream flow studies for high priority rivers and streams in the Delta watershed by 2012. Their prioritized schedule with estimated study costs is due to the Legislature by 2010. The same study process is due by 2018 for all major rivers/streams outside of the Sacramento watershed. The funding source for these studies is not specified.
- SWRCB creation of a new position, a Delta Water Master, who will have authority that extends to Delta related terms and conditions.

SB 2 – Water Bond

- This is an \$11 billion dollar general obligation bond that will be on the November 2010 ballot.
- The bond includes potential funding for the construction of surface water storage projects. There is \$1 billion for statewide IRWMP projects including \$76 million for the Sacramento River region. A large portion of this regionally allocated funding goes to Southern California. Allocations for drought relief and water conservation projects are also included in the billion dollar bond.

SB 6 – Groundwater Monitoring

- Statewide collection of groundwater monitoring data performed primarily by local agencies. Currently many agencies are already doing this activity. The counties may have the final obligation to perform or determine who will perform this task and if not in compliance will be penalized by not being eligible for state grant funds.

SB 7 – Water Conservation

- Urban – target of reducing per capita consumption by 20% by 2020. Urban water supplier, defined as having a minimum of 3,000 connections, must have a plan by next year to reduce consumption. The municipality must meet one of four target criteria. If one of the targets is not met, the penalty is losing eligibility for state grant funds.
- Agricultural – There are two mandatory best management practices (BMP) for agricultural districts: requirement to measure the volume of water being delivered to customers and adoption of a price and structure that is related to the quality of water delivered. There is a list of other BMPs that agricultural water suppliers will be required to implement, if locally cost effective and technically feasible.

SB 8 – Water diversion and use reporting/funding

- All diverters will be required to report diversions to the SWRCB. Limited fines can be applied for non-reporting diverters. There are heavy fines for knowingly tampering with a diversion measuring device.
- Increase in SWRCB enforcement staff that will be funded entirely by water rights fees, therefore water rights fees will be significantly increased.

NCWA prepared a summary of the bills that Tim O’Halloran will forward to Donna for Board distribution. Bartkiewicz, Kronick & Shanahan will also be preparing a summary that can be shared with the WRA. Chair Marble acknowledged the recommendation that the WRA Technical Committee review the groundwater monitoring (SB6) and water conservation (SG7) bills to determine the extent of the impacts locally and bring this information back to the WRA Board. If feasible, the TC will give a cursory review of the other bills or forward summaries as other organizations analyze them, so that each WRA member can apply that information to their agency.

Tim O’Halloran wanted to emphasize that the Board should consider how the WRA can adapt and be able to respond quickly for future legislation. The Delta legislation process moved so quickly, which made it challenging for the WRA to respond in a timely manner.

9. WRA TECHNICAL COMMITTEE UPDATES

Jacques DeBra was unable to attend today’s meeting, but provided a TC update for Donna to share. The TC is coordinating a progress update on actions in the Yolo County Integrated Regional Water Management Plan (IRWMP) adopted in Spring 2007. Each of the Integrated Action lead partners was asked to complete an informational worksheet on the current status of their implementation efforts. The TC is scheduled to discuss this information at the December/January TC meetings. Donna distributed copies of the IRWMP Executive Summary to refresh everyone on the eight Integrated Actions listed on page 10 of the report. The value of this update is twofold: to keep the Board up-to-date on the status of IRWMP implementation efforts and to provide guidance to the WRA in how it might pursue Proposition 84 and other outside funding opportunities in 2010.

The Westside MOU group continues to coordinate and organize how to best approach the upcoming Proposition 84 funding process. The Westside group was recommended for acceptance for the Proposition 84 Region Acceptance Process (RAP), which is the first step to be eligible to apply for grant funds. DWR will finalize recommendations by the end of November.

10. PRESENTATION – Rich Marovich from the Lower Putah Creek Coordinating Committee was unable to attend today’s meeting. The presentation on the Winters Putah Creek Park Percolation Dam Removal will be rescheduled for a future meeting.

11. MEMBERS’ REPORTS

Dunnigan Water District, RD 2035, YCFCWCD, cities of Winters and Woodland gave brief reports on their activities. Tuleyome also shared news that they are engaged in a new campaign to purchase 72 acres of wildlands to protect the headwaters of Cold Canyon.

FUTURE AGENDA ITEMS

January Meeting

- Briefing to the WRA Board regarding the Yolo County Water Committee process (Yolo County)
- Update on floodSAFE Yolo and CVFMPP presentation (Fran Borcalli)
- Update on Proposition 84 Westside MOU process (TC)
- Update on IRWMP Integrated Actions implementation efforts (TC)

Future Meeting

- Update from the TC summarizing impacts of the Delta water bill package
- Putah Creek Integrated Project updates by Rich Marovich
- Update on Yolo County Groundwater Monitoring Program

12. NEXT MEETING DATE: January 11, 2010 from 3-5 pm, Woodland Community Center

13. ADJOURNMENT - The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Donna L. Gentile

Donna L. Gentile

WRA Board Secretary & Administrative Coordinator