

MINUTES OF THE CITIZENS' ASSESSMENT DISTRICT ADVISORY COMMITTEE
SUTTER BUTTE FLOOD CONTROL AGENCY
REGULAR MEETING OF
April 18, 2012

The Citizens' Assessment District Advisory Committee (CADAC) of the Sutter Butte Flood Control Agency (SBFCA) conducted a regular meeting at 11:30 a.m. on January 18, 2012, in the conference room of the Yuba-Sutter Economic Development Center, 1227 Bridge Street, Suite C, Yuba City, California.

MEMBERS PRESENT:

Jon Munger, Chair	Clint Moffitt
Lynette Filter, Vice Chair	Sandi Fredrickson
Elaine Miles	Debbie Gaylord
Roberta Fletcher	Sam Nevis
Steve Scriven	

SBFCA STAFF PRESENT: Mike Inamine, Director of Engineering/Interim Executive Director; Sarah Modeste, Agency Administrator; Seth Wurzel, Agency Financial Officer

REGULAR MEETING

APPROVAL OF JANUARY 18, 2012 CADAC MEETING MINUTES

Steve Scriven motioned to approve the January 18, 2012 CADAC meeting minutes; the motion was seconded by Lynette Filter and approved by those present.

UPDATED FROM CADAC MEMBERS ON RECENT SBFCA BOARD MEETINGS

Jon Munger stated that he attended the April 11, 2012 SBFCA Board meeting, and provided an overview of the agenda. He mentioned that the SBFCA Board approved a line of credit with Rabobank for \$25 million and that the Board approved repayment of member agency loans with City of Yuba City, Sutter County, and Levee District 1. Jon reported to the Board that two members of the CADAC were to be replaced; to date one person, Sam Nevis, has been appointed by Levee District 1.

AUDIT UPDATE FROM SETH WURZEL

Seth Wurzel, the Agency's Budget Manager, provided an overview of the Agency's independent audit process and findings. The Agency's auditor is Moss Levy & Hartzheim LLP. Seth stated that the Agency received the best outcome possible with a "clean" report. Three recommendations were provided by Moss Levy & Hartzheim, and all have been addressed. The recommendations are as follows:

- Develop policies addressing: capital assets, fraud reporting, purchasing policy, computer use, disaster recovery plan, drug free workplace, labor regulation policies associated with grants. The Agency adopted several policies prior to hiring its first employee, and the others will be addressed at the May Board meeting.
- Lack of liability insurance from Agency inception to June 30, 2008. During that time, the Agency was in the process of obtaining liability insurance and undergoing underwriting. Since obtaining the initial policy the Agency has continued to maintain liability insurance.
- Lack of "paid" stamp on paid invoices – three invoices did not include a "paid" stamp, and one paid invoice lacked an approval signature. The Agency and the City of Yuba City, the Agency's treasurer, has reviewed and refined the payment process to ensure all invoices are stamped and signed.

Mike Inamine, Director of Engineering & Interim Executive Director, stated that the Agency is pleased that it has short term financing for the design and pre-construction work. He added that the Agency is developing a repayment plan for the money the City of Yuba City, Levee District 1 and Sutter County loaned the Agency.

RIGHT-OF-WAY/ENGINEERING UPDATE FROM MIKE INAMINE

Mike Inamine gave an update on the Agency's right-of-way process. He stated that the Central Valley Flood Protection Plan is a critical document for the Agency. Agency staff reviewed the Plan on behalf of the Board and discussed it with surrounding organizations, then prepared a document in response to the Plan. The Agency's document is posted on www.SutterButteFlood.org.

Mike informed the CADAC that a geotechnical workshop was held in late March in order to provide an overview and more details on the Agency's project so everyone is in agreement. On the major design issues, there was agreement that the Agency is headed on the right course.

In early March, the Agency began reviewing its internal EIR/EIS to start the Corps process for these important environmental disclosure documents. The public drafts will be available later this year. The Corps is in charge of many of the regulatory permits. It is important to start this process now so it does not impact the construction schedule.

The levee vegetation issue could potentially affect the Agency project, although the levees are relatively clean (limited vegetation on the levees). The Corps has established a very onerous process which could cost the Agency a lot of time and money. This will continue to evolve, and we anticipate that it will be played out through the court system.

Mike stated that the right-of-way process is critical and very complicated. To date, 20 appraisals/inspections have been conducted and inspections have been completed on 38 properties. Additionally, there are a lot of encroachments, including 160 pipes/penetrations in the levee which will all need to be handled individually.

Roberta Fletcher asked if landowners are cooperative or belligerent. Mike responded that the right-of-way process is very delicate and property owners have been helpful and are asking good questions and are not belligerent in any way. Roberta added that the CADAC help convince people that we need the levees fixed. Mike responded that the CADAC could be very helpful in working with property owners.

Lynette Filter stated that the communication to date has been more general than they would like. Mike responded that some issues are being worked out as the project progresses – like wells, ramps, penetrations that farmers need to continue their work. He added that the folks that are making initial contacts are appraisers and are not in the know about design and regulatory issues. Staff and consultants are working with the appraisers and the engineers so questions can be better answered. Each property seems to have its own unique issue.

Elaine Miles stated that she had heard complaints in Live Oak about those property owners that are required to replace or remove water pipes. She added that people were not sure who was asking or who to ask for help. Mike responded that the Agency is very familiar with this issue, and have been talking to landowners in that area. The letters are from the Central Valley Flood Protection Board and SBFCA staff have reached out to the CVFPB asking that staff coordinate with the Agency to ensure they are not duplicating efforts. Mike recommended that anyone who receives a letters reach out to SBFCA for clarification.

COMMITTEE DISCUSSION ABOUT CADAC BY-LAWS & CHARTER

Roberta Fletcher recommended that the discussion be tabled until a future CADAC meeting. The group agreed.

CHAIR T APPOINT A COMMITTEE TO DEVELOP THE ANNUAL REPORT TO THE SBFCA BOARD

Roberta Fletcher volunteered to serve on the committee. Jon Munger appointed Client Moffitt and himself to the committee. Roberta volunteered to start the document, and then email it to the committee members for their review. The document will be provided to the CADAC members as a draft prior to the special meeting on May 23.

PUBLIC OUTREACH STRATEGIES

Nothing additional to report at this time.

SET THE AGENDA FOR THE NEXT MEETING (MAY 23, 2012)

The committee agreed to include the following items on the May 23, 2012 meeting agenda:

- Approval of the April 18, 2012 CADAC minutes
- Report from Jonathan Barth, Yuba City Unified School District Assistant Superintendent of Business Services, on his review of the completed SBFCA annual audit
- Review annual CADAC report to the SBFCA Board
- Set the agenda for the next meeting (August 15, 2012)

ADJOURNMENT

The meeting was adjourned at 12:50 p.m.