

MINUTES OF THE CITIZENS' ASSESSMENT DISTRICT ADVISORY COMMITTEE
SUTTER BUTTE FLOOD CONTROL AGENCY
REGULAR MEETING OF
SEPTEMBER 25, 2012

The Citizens' Assessment District Advisory Committee (CADAC) of the Sutter Butte Flood Control Agency (SBFCA) conducted a regular meeting at 12 p.m. on September 25, 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	Steve Scriven
Lynette Filter, Vice Chair	Clint Moffitt
Elaine Miles	Sandy Watson
Roberta Fletcher	Sandi Fredrickson

SBFCA STAFF PRESENT: Kim Floyd, Public Outreach Manager
Seth Wurzel, Budget Manager
Michael Bessette, Director of Engineering
Mike Inamine, Executive Director

REGULAR MEETING

APPROVAL OF MAY 23, 2012 CADAC MEETING MINUTES

Sandy Watson motioned to approve the May 23, 2012 CADAC meeting minutes with the change of Mr. Barth's name to Mr. Scriven; the motion was seconded by Elaine Miles and approved by those present.

SBFCA ENGINEERING/ROW UPDATE &

INTRODUCTION OF SBFCA DIRECTOR OF ENGINEERING MICHAEL BESSETTE

Chair Jon Munger deferred to Executive Director Mike Inamine for an update on SBFCA activities. Mr. Inamine provided updates on engineering, right-of-way, budget, and the request for CADAC's assistance in securing approval of the USACE 408 permit. Mr. Inamine introduced SBFCA's new Director of Engineering Michael Bessette.

Mr. Bessette previously served as the Flood Protection/Engineering Services Manager for the City of West Sacramento. Mr. Bessette successfully handled tough permitting and policy issues in that role in order to get a levee project constructed; West Sacramento started at "ground zero" in a deep floodplain and developed a \$450 million project. Mr. Inamine stated that Mr. Bessette's work at West Sacramento was very similar to what SBFCA is doing, and Mr. Inamine is pleased to have Mr. Bessette on board. Mr. Bessette gave overview of his experience with West Sacramento (12 years total) and goals with SBFCA.

Mr. Bessette stated that the design and construction schedule has not changed since the last update. The 100 percent design will be completed in February 2013; construction documents will also be ready at that time. The first reach of levees will include 15 miles of construction (north of Live Oak to Star Bend) over two construction seasons. A contract will be awarded to a single contractor, and a separate contract will be awarded for a canal reach by Live Oak, and another contract to address any outstanding issues not included in the other two contracts. An independent panel of experts has reviewed all major design milestones throughout the process and have served as expert, third party reviewers.

Mr. Bessette stated that SBFCA is very involved in the US Army Corps of Engineers Feasibility Study which is a separate project implemented and led by the Corps. The process is a planning study that would, typically, lead to the authorization of a project. SBFCA is working on the design of the levee improvements and will begin construction in advance of the Feasibility Study implementation, which will hopefully result in federal credit. One of the state's funding requirements is that SBFCA must work to get credit for the work done in advance of the Corps. To date, the Corps study is lining up with SBFCA's work. The Sutter Basin Feasibility Study is used as a pilot project to expedite the study (to be completed by June 2013).

A separate part of the US Corps of Engineers is the regulatory side. The Corps regulates our project through a 408 process and permit. If major modifications are made to a levee, the lead agency must first obtain approval from Corps. SBFCA has asked Corps permission to work on federal levee (no harm, just improvement), but the process takes a very long time and timing is a problem. SBFCA began working on this permit process in December 2011, and felt that was a reasonable amount of time for approval. SBFCA has since been alerted that it will take a little more than two years for the approval. This schedule is unacceptable for SBFCA given the need to begin construction in 2013. The US Army Corps Sacramento and Division Office in San Francisco have been the Agency's advocates and they want to see progress. Our issues tend to be with headquarters in Washington, DC as they deal with policy. This 408 permit is the largest obstacle to project construction starting in 2013.

SBFCA is applying pressure in Washington DC with consultants and a trip to Washington DC to meet with our elected officials. Mr. Bessette and Mr. Inamine stated that it would be very helpful for the Corps to hear from the local community on the importance of issuing the necessary permits so construction work can begin in 2013.

The CADAC determined that it would like to take the lead in the development of a letter in support of SBFCA's 408 permit award. CADAC members decided to invite other community groups to sign onto the letter in support.

The CADAC also discussed how SBFCA handled the right-of-way purchases, who ultimately would hold the title to the property, and if the property would be sold for mitigation or access by the state. Mr. Inamine and Mr. Bessette responded that property on the land side of the levee would be used for operations and maintenance access, not mitigation land. Mr. Inamine stated that there is a legal requirement (Urban Levee Design Criteria) for 20 feet plus additional footage for operations and maintenance, but SBFCA was able to negotiate less land than originally requested by the state. Because approximately 70 percent of the project funding is from the state, SBFCA must follow requirements and conditions in order to construct the project. SBFCA must also follow the US Army Corps of Engineers requirements. To date, SBFCA's agreement with the state includes \$9 million for design funding.

CENTRAL VALLEY FLOOD PROTECTION PLAN UPDATE

SBFCA staff is closely following progress of the Central Valley Flood Protection Plan developments as the Plan is the vehicle for determining future construction funding.

SBFCA is the lead agency for the Feather River Regional Planning process, an offshoot of the CFVPP, which will determine the prioritization of projects in Sutter, Butte and Yuba Counties. SBFCA is working in partnership with Three Rivers Levee Improvement Authority and Yuba County Water Agency.

SBFCA BUDGET UPDATE

Budget Manager Seth Wurzel provided an update on SBFCA's budget and stated that SBFCA is in the process of finalizing FY11-12 budget numbers, and the Agency ended FY11-12 significantly below forecasted expenditures. The capital project costs were less than anticipated because right-of-way acquisition plans changed from acquiring properties during one year to instead acquiring over two years. Additionally, SBFCA planned to withdrawal \$25 million of debt from the short-term line of credit from Rabobank, but have only withdrew \$3.7 million. Once the Agency's audit is complete, it will be presented at the December 2012 SBFCA Board meeting.

The group discussed the recent news of Yuba College's bond and asked for additional information on SBFCA's plans for bonding. Mr. Wurzel responded that SBFCA is looking to a different bond that would not result in the same outcome as Yuba College. The CADAC requested a bond education presentation at its next meeting.

SET AGENDA FOR NEXT MEETING

- Approve 09.25.2012 CADAC meeting minutes
- Election of 2013 Chair and Vice Chair
- Set 2013 meeting schedule
- Bond 101 presentation

ADJOURNMENT

The meeting was adjourned at 1:05 p.m.