



## Sutter Butte Flood Control Agency

Board of Directors Minutes Regular Meeting, June 13, 2018, 1 p.m.  
City of Yuba City Council Chambers - 1201 Civic Center Blvd., Yuba City, CA

The Sutter Butte Flood Control Agency (Agency) Board of Directors (Board), State of California, met on the above date at 2 p.m. at the City of Yuba City Council Chambers - 1201 Civic Center Boulevard, Yuba City, CA.

These minutes do not represent a transcript of the meeting and are intended to be a summary of the most important points. For a complete record, please refer to the video recording of the meeting, which is posted on SBFCA's website: <http://sutterbutteflood.org/board/meetings-agendas/>

### MEMBERS PRESENT

County of Sutter:	Mat Conant, Larry Munger
County of Butte:	Bill Connelly, Steve Lambert
City of Gridley:	Frank Hall
City of Yuba City:	Stan Cleveland, Manny Cardoza*
City of Live Oak:	Jason Banks
Levee District 9:	Mike Morris, Chris Schmidl
Levee District 1:	Francis Silva, Charlie Hoppin

**MEMBERS ABSENT:** John Buckland

**STAFF PRESENT:** Michael Bessette, Director of Engineering; Andrea Clark, Agency Counsel; Kim Floyd, Public Outreach Manager; Mike Inamine, Executive Director; Seth Wurzel, Budget Manager; and Terra Yaney, Board Clerk

### MEETING/CALL TO ORDER

At 1p.m., Director Steve Lambert opened the meeting and led the group in the pledge of allegiance.

### PUBLIC HEARING

1. **Approval of Final Amended 3-Year Budget Covering 2016-17 through 2018-19 and 2-Year Budget covering 2019-20 and 2020-21**

Budget Manager Seth Wurzel provided a power point presentation for the recommendation of the Final Amended 3-year budget covering the 2016-17 through 2018-19 and 2-year budget covering 2019-20 and 2020-21. He explained the process and purpose for budget amendments and expenditure details. The budget approval process is a two-step process with preliminary approval on May 9. He provided budget comparison summaries for the 3 and 2-year expenditures for all allocations of funds. He also provided a chart outlining the SBFCA Program Budget Organization.

Director Steve Lambert opened the public hearing and invited members of the public to provide comment.

**No public comment.**

The public hearing was closed.

The entire report, along with a PowerPoint presentation is available on the SBFCA website at: <http://sutterbutteflood.org/board/meetings-agendas/>

A motion to approve the Final Amended 3-Year Budget covering 2016-17 through 2018-19 and 2-Year Budget covering 2019-20 and 2020-21 was made by Director Larry Munger and seconded by Director Mike Morris. Motion passed with no objection. The item was approved as follows:

- Jason Banks - yes
- Manny Cardoza - yes
- Stan Cleveland- yes
- Mat Conant - yes
- Bill Connelly - yes
- Frank Hall- yes
- Charlie Hoppin - yes
- Steve Lambert - yes
- Mike Morris - yes
- Chris Schmidl -yes
- Bo Sheppard - yes
- Francis Silva - yes

#### CONSENT CALENDAR

2. Approval of the Minutes for the May 9, 2018 Board Meeting
3. Approval of Amendments to Consultant Agreement for Agency Support for Fiscal Year 2018-19
  - 3<sup>rd</sup> Amendment to the agreement between the Sutter Butte Flood Control Agency and NBS Government Finance Group.
  - 11<sup>th</sup> Amendment to the agreement between the Sutter Butte Flood Control Agency and Larsen Wurzel and Associates, Inc.
  - 14<sup>th</sup> Amendment to the agreement between the Sutter Butte Flood Control Agency and Downey Brand, LLP.
4. Approval of Task Orders 14 with PBI, Inc. for services related to the Tudor and Small Community Feasibility Studies
5. Authorize Purchase of Mitigation Credits for Impacts to Giant Garter Snake Habitat for the Oroville Wildlife Area Flood Stage Reduction Project

A motion to approve items two through five of the Consent Calendar was made by Director Jason Banks and seconded by Director Mike Morris, Director Bo Sheppard abstained. The motion passed with no objection. The Consent Calendar was approved as follows:

- Jason Banks - yes
- Manny Cardoza - yes
- Stan Cleveland- yes
- Mat Conant - yes
- Bill Connelly - yes
- Frank Hall- yes
- Charlie Hoppin - yes
- Steve Lamber - yes
- Mike Morris - yes
- Chris Schmidl -yes
- Bo Sheppard - abstained
- Francis Silva - yes

#### AGENDA ITEM 8

Director Steve Lambert announced that item 8 of the agenda was moved up.

#### \*Delegation of Authority to the Executive Director to execute a Project Partnership agreement with the Central Valley Flood Protection Board and the United States Army Corps of Engineers (USACE) for Construction of the Sutter Basin Project.

Executive Director Mike Inamine indicated that the following staff reported was amended due to recent changes in SBFCA staff's approach to the Federal Project. The amended staff report was provided to the board and public at the meeting. The changes were highlighted in bold. Mr. Inamine went on to explain since the drafting on the staff report, the Sutter Basin Project was included in the USACE 2018 workplan with federal funding of \$50 million. The workplan also noted that USACE and the non-Federal sponsors could consider executing a PPA under a provision of WRDA 2014 that allows non-Federal sponsors to lead the construction of USACE projects as a pilot project. This would not change the cost share percentages, which will require SBFCA to pay approximately 10.5 percent of project cost. This pilot is a potential opportunity to leverage SBFCA's recent experience, local relationships and construction management processes of previous project phases to deliver a timely and cost effective federal project. However, as this would be a pilot project, there are many unknowns which could delay construction. This staff report therefore recommends that the board's

delegation of authority to the Executive Director include the decision of whether it is in SBFCA's interest to use the traditional vehicle or the newly proposed pilot program. Staff will coordinate with the State and USACE to better understand the pilot project opportunity, including the relevant pros and cons, and would report back on the decision to the board once made.

Director Charlie Hoppin asked if staff anticipates having strings attached to this project since it is a pilot project, or a similar result as with the 408 project for the Yuba City emergency repairs.

Mr. Inamine explained that there will be strings associated with the project because SBFCA will be using Federal money. He said the cost share formula remains the same. The arrangements of project management still need to be worked out, since SBFCA will be doing work on behalf of the federal government. Mr. Inamine explained that the 408 project was a permissive process as opposed to the Civil Works project.

Director Hoppin inquired on our cost share obligations and how the percentage is determined.

Mr. Inamine explained that since the project was authorized in 2014 staff have been back-and-forth to Washington DC lobbying on behalf of the project and along the way the cost estimate has evolved.

Agency Counsel Scott Shapiro explained that the normal model will apply, that each will be agreeing to a certain percentage. He explained the Corps percentage is capped at \$50 million unless there are further appropriations and the State's percentage will also be capped unless DWR agrees to more money. Mr. Shapiro went on to explain that we still have more work to do and that is why staff are not recommending an action today-- only a Delegation of Authority. He further explained that meetings have been set up over the next few days with USACE Sacramento District and DWR to determine what further approvals will be required.

The entire discussion is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

**A motion to approve the Delegation of Authority to the Executive Director was made by Director Charlie Hoppin and seconded by Director Mike Morris. The motion passed with no objection. The item was approved as follows:**

- Jason Banks - yes
- Manny Cardoza - yes
- Stan Cleveland- yes
- Mat Conant - yes
- Bill Connelly - yes
- Frank Hall- yes
- Charlie Hoppin - yes
- Steve Lamber - yes
- Mike Morris - yes
- Chris Schmidl -yes
- Bo Sheppard - yes
- Francis Silva - yes

## **PRESENTATION, DISCUSSION & ACTION ITEMS**

### **6. Receive and File Monthly Financial Report**

Budget Manager Seth Wurzel presented the monthly financial reports for April and answered questions regarding operating revenue of advanced funding. The entire report, along with a PowerPoint presentation is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

**No public comment.**

## **INFORMATIONAL AND POSSIBLE APPROVAL ITEMS**

### **7. Laurel Avenue Roadway Repair for Damages Caused by 2017 Flood Fight Activities**

Director of Engineering Michael Bessette provided background regarding the emergency repair location on a section of levee on Laurel Avenue. He explained that due to the large amount of truck hauling the foundation and surface of Laurel Avenue was damaged. Sutter County, the owner of the roadway, applied for FEMA funding. After meeting with

FEMA representatives to review the roadway claim it was determined that the project would not be eligible for funding. As part of the Laurel Avenue Critical Repair Project funded by DWR and SBFCA, SBFCA completed limited roadway repairs. However, this work did not fully repair the damage. At the May 2018 SBFCA board meeting, a landowner with the private road and driveway spoke to the board and requested additional road repairs to the Laurel Avenue. The board subsequently directed staff to coordinate with Sutter County engineers to develop repair alternatives and the associated costs. Sutter County staff has since developed two separate road repair alternatives with associated cost estimates for the County maintained section of Laurel Avenue. Both road repair alternatives and the associated costs were presented to the board.

Director Charlie Hoppin asked if Laurel Avenue will be used for truck hauling during the construction of the Federal project. Mr. Bessette answered no. The contract documents do not allow use of Laurel Avenue as a haul route.

Director Jason Banks inquired as to which alternative replacement is of like kind of the road that was damaged. Mr. Bessette answered, alternative one.

Director Stan Cleveland ask what are our risks if the estimate is higher once the work begins. Mr. Bessette answered that Sutter County has built in contingencies.

Yuba City resident Pat Miller asked how long the section of road is that needs repair. Through the board chair, Mr. Bessette answered approximately 3,900 feet.

Sutter County resident Michael Batham thanked the Board and Sutter County.

The entire discussion is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

**A motion to authorize the Executive Director to enter into a reimbursement agreement with Sutter County to fund repairs to Laurel Avenue up to a maximum amount of \$475,701 to repair road damages caused by the 2017 Flood Fight Activities was made by Director Jason Banks and seconded by Director Manny Cardoza. Motion passed with no objection. The item was approved as follows:**

- Jason Banks - yes
- Manny Cardoza - yes
- Stan Cleveland- yes
- Mat Conant - yes
- Bill Connelly - yes
- Frank Hall- yes
- Charlie Hoppin - yes
- Steve Lamber - yes
- Mike Morris - yes
- Chris Schmidl -yes
- Bo Sheppard - yes
- Francis Silva - yes

**8. \*Agenda Item 8 was presented before Item 6: Receive and File Monthly Financial Report**

**INFORMATIONAL AND POSSIBLE APPROVAL ITEMS**

**9. Program/Project Update**

Director of Engineering Michael Bessette gave a presentation outlining recent and ongoing activities. He reported that the contractor has completed all levee improvements on the emergency levee repairs on Reaches 14-16. He reported we are coordinating with the City of Yuba City on the reopening of the Feather River Parkway. He reported that the levee fencing contract in Levee District 1 has been completed. In addition to the construction work, Mr. Bessette reported that surveyors are conducting survey monument installations in Project Area C.

Mr. Bessette provided an update on the UPRR Closure Structure agreement; as reported last month UPRR closed the at-grade crossing on their own and without notifying SBFCA or emergency response agencies. Staff is attempting to get information from UPRR on this issue and impacts on the pending, long-term agreement but have received no response. He reported that staff is in the process of finalizing the OMRR&R manuals, and hope to have drafts

completed by the end of the month for LD1 and 9 to review. Mr. Bessette also reported that Sutter County received the Small Communities Grant, and staff will start reporting t study progress in the near future.

Mr. Bessette reported that the OWA Flood State Reduction Project is out to bid. The mandatory pre-bid meeting for the contractors is tomorrow; fourteen contractors are holding plans. Staff is optimistic that multiple bids will be received and anticipate awarding the project in July.

The entire report, along with a PowerPoint presentation is available on the SBFCA website at:  
<http://sutterbutterflood.org/board/meetings-agendas/>

**10. Other Reports from Agency Staff and Consultants**

Agency Counsel Scott Shapiro provided an update on efforts SBFCA has made to improve the south Sutter/Butte Basin and specifically recent progress on LaMalfa/Garamendi sponsored legislation to reduce NFIP costs for residents of the south basin.

Director Steve Lambert presented a Proclamation from the Central Valley Flood Protection Board to Director Francis Silva for his dedication to flood control in Sutter County.

**11. Report by Member and Partner Agencies**

Nothing to report.

**CORRESPONDENCE**

**12. Report on Correspondence Sent by and Received by the Board**

Nothing to report.

**PUBLIC COMMENT**

None

**ADJOURNMENT**

With no further business coming before the Board, the meeting was adjourned at 2:11p.m.

ATTEST BY:

  
Terra Yaney, Board Clerk

  
Steve Lambert, Board Chair