



Sutter Butte Flood Control Agency

Board of Directors Minutes Regular Meeting, June 9, 2021, 1 p.m.

MODIFIED BROWN ACT REQUIREMENTS IN LIGHT OF COVID-19

The Sutter Butte Flood Control Agency (Agency) Board of Directors (Board), State of California, met on the above date at 1 p.m. in Compliance with CA Executive Orders N-25-20 and N-29-20 members of the Board of Directors and members of the public participated in this meeting by teleconference.

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, Mike Ziegenmeyer
County of Butte:	Bill Connelly, Tod Kimmelshue
City of Yuba City:	Grace Espindola, Shon Harris
City of Biggs:	Bo Sheppard
City of Gridley:	Bruce Johnson
City of Live Oak:	Lakhvir Ghag
Levee District 9:	Mike Morris, Chris Schmidl
Levee District 1:	Drew Stresser

MEMBERS ABSENT: Charlie Hoppin, Francis Silva

STAFF PRESENT: Michael Bessette, Executive Director; Agency Counsel; Andrea Clark; Seth Wurzel, Budget Manager; Kim Floyd, Public Outreach; Chris Fritz; and Terra Yaney, Board Clerk

MEETING/CALL TO ORDER

At 1:00 p.m., Director Tod Kimmelshue opened the meeting and led the group in the pledge of allegiance.

PUBLIC COMMENT

No public Comment

BUDGET HEARING

1. Hearing and approval of the Final Amended 2020-24 Budget

Budget Manager Seth Wurzel provided a power point presentation for the recommendation of the Final amended 2020-24 Budget. He explained the process and purpose for budget amendment and expenditure details. The budget approval process is a two-step process with preliminary approval on May 12.

Director Tod Kimmelshue opened the public hearing and invited members of the public to provide comment.

No public Comment

The public hearing was closed.

A motion to approve the Final Amended 2020-24 Budget was made by Director Mat Conant and seconded by Director Mike Morris. The motion passed with no objection. The item was approved as follows:

- Mat Conant– yes
- Bill Connelly– yes
- Grace Espindola– yes
- Lakvhir Ghag- Yes
- Shon Harris - yes
- Bruce Johnson- yes
- Tod Kimmelshue- yes
- Mke Morris– yes
- Bo Sheppard - yes
- Drew Stresser - yes
- Chris Schmidl - yes
- Mike Ziegenmeyer -yes

CONSENT CALENDAR

2. Approval of the Minutes for the May 12, 2021 Board Meeting
3. Approval of Amendments to Consultant Agreements for Agency Support for Fiscal Year 2021-22
4. Sutter Butte Flood Control Agency - Section 125 Premium Only Plan (POP) for Fiscal Year 2021-22

A motion to approve the Consent Calendar was made by Director Lakhvir Ghag and seconded by Director Bo Sheppard. The motion passed with no objection. The Consent Calendar was approved as follows:

- Mat Conant– yes
- Bill Connelly– yes
- Grace Espindola– yes
- Lakvhir Ghag- Yes
- Shon Harris - yes
- Bruce Johnson- yes
- Tod Kimmelshue- yes
- Mke Morris– yes
- Bo Sheppard - yes
- Drew Stresser - yes
- Chris Schmidl - yes
- Mike Ziegenmeyer -yes

No public Comment

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

PRESENTATION, DISCUSSION & ACTION ITEMS

5. Approval of Resolution for the levy and collection of 2021-22 Fiscal Year assessments for the Sutter Butte Flood Control Agency Assessment District in Sutter and Butte Counties

Budget Manager Seth Wurzel reported that the resolution authorizes the assessment roll of all parcels subject to the SBFCA Assessment District assessments to be filed with the Sutter County Auditor Controller and Butte County Auditor Controller for Fiscal Year 2021-22. Approval of the resolution is consistent with covenants made within the outstanding bond agreements related to SBFCA’s outstanding debt obligations, there is no budgetary impact as a result of the board’s approval of the recommended action.

A motion to approve the resolution for the levy and collection of 2021-22 Fiscal Year assessment for SBFCA Assessment District was made by Director Mike Morris and seconded by Director Bo Sheppard. The motion passed with no objection. The Consent Calendar was approved as follows:

- Mat Conant– yes
- Bill Connelly– yes
- Grace Espindola– yes
- Lakvhir Ghag- Yes
- Shon Harris - yes
- Bruce Johnson- yes
- Tod Kimmelshue- yes
- Mke Morris– yes
- Bo Sheppard - yes
- Drew Stresser - yes
- Chris Schmidl - yes
- Mike Ziegenmeyer -yes

6. Augmentation to the Feather River West Levee Financing Authority services budget and delegation of authority to the Executive Director to Execute a Task Order 2 with HDR for Benefit Assessment District Formation Services

Executive Director Michael Bessette gave presentation and provided background outlining the JPA formation of the Feather River West Levee Financing Authority. He explained that shortly after the formation of FRWLFA, the SBFCA Board approved a services agreement that transitioned the services being provided to the LD's to FRWLFA. These services, among other things, include SBFCA's support for the formation of the new levee operations and maintenance assessment district. In addition to direct support for the proposed Assessment Formation, SBFCA's services also include all necessary staff support for the administration of the agency. An initial rough estimated budget developed in 2018 for the support effort for JPA formation and Assessment District formation support was \$250,000.

Since 2018, the work associated with the JPA, establishing the regular administrative processes with running the JPA, consultant selection for the assessment formation and initial feasibility level evaluation of the proposed assessment has taken place. SBFCA supported FRWLFA's selection of a consultant team lead by HDR for the formation of the Assessment District and authorized SBFCA's execution of an initial Task Order for the preliminary evaluation work. All of this work has been completed at a cost to SBFCA of approximately \$170,000.

At this time, FRWLFA is looking to advance the assessment district formation process and is in the process of evaluating a second Task Order with the HDR team for those services. Ultimately, the costs will exceed the original estimate of \$250,000 for all of the required services.

HDR has developed a proposal for a Task Order 2. HDR's budget for a proposed Task Order 2 is \$314,000. In order to accommodate FRWLFA's approval of Task Order 2 consistent with the services agreement, the SBFCA Board will need to increase the previously approved budget authority for this effort and authorize the Executive Director to execute the Task Order subject to FRWLFA's approval. SBFCA staff recommends a budget augmentation of \$350,000 in order to accommodate HDR Task Order 2 as well as any other unforeseen additional expenses to complete the assessment district formation effort. This will bring the total authorization for the FRWLFA effort to \$600,000. The main driver of the costs of HDR's Task Order 2 is the Public Outreach effort.

Staff recommends that the Board augment the authorized budget for this effort and delegate authority to the Executive Director to execute a Task Order 2 with HDR subject to FRWLFA's authorization of the Task Order.

A motion to approve the augmentation of Task Order 2 for FRWLFA and delegate authority to the Executive Director to execute TO2 with HDR was made by Director Bill Connelly and seconded by Director Bo Sheppard. The motion passed with no objection. The Consent Calendar was approved as follows:

- Mat Conant– yes
- Bill Connelly– yes
- Grace Espindola– yes
- Lakvhir Ghag- Yes
- Shon Harris - yes
- Bruce Johnson- yes
- Tod Kimmelshue- yes
- Mke Morris– yes
- Bo Sheppard - yes
- Drew Stresser - yes
- Chris Schmidl - yes
- Mike Ziegenmeyer -yes

7. Presentation and File Monthly Financial Report

Executive Director Michael Bessette presented the monthly financial reports for April. The entire report, along with a PowerPoint presentation is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

8. Program/Project Update

Executive Director Michael Bessette gave a presentation outlining the recent and ongoing activities of the agency. He reported that staff continues to work with the California Natural Resources Agency (CNRA) and local stakeholders on the CNRA funded project for sediment removal at both the Yuba City and Star Bend boat launch locations, and removal of aquatic invasive species at the Live Oak boat launch location. He reported that the Live Oak Boat Ramp project contract was awarded in April, staff has issued a Notice to Proceed and schedule the pre-construction coordination meeting. The Live Oak project will begin construction in late July.

Mr. Bessette provided an update on the Sutter Bypass. He reported that staff continues to actively pursue funding through DWR for Sutter Bypass Critical Repairs. Board member Hoppin and staff met with DWR on April 29th to continue the dialogue on identifying state funding for implementing the required critical levee repairs. Another follow-up meeting will be scheduled soon.

He went on to report that the design team continues to work on the Urban Level of Protection EVD-1 findings report. We anticipate bringing it to the board for approval in August/September 2021. SBFCA would be the first Flood Control Agency to complete the 200-year certification.

Mr. Bessette provided an update on the Feather River Regional Flood Management Planning (RFMP). He reported Monthly coordination meetings organized by the Department of Water Resources are taking place along with team focused meetings. The team is working in close conjunction with partner agencies and other stakeholders to advance the flood management priorities of the Region while at the same time collaborating with the State as they develop the 2022 Central Valley Flood Protection Plan (CVFPP) update.

He also reported that he will present at the National Waterways conference on June 2.

The entire report, along with a PowerPoint presentation is available on the SBFCA website at:

<http://sutterbutterflood.org/board/meetings-agendas/>

CLOSED SESSION

1. Conference with Legal Counsel Regarding Public Employment Pursuant to Government Code Section 54957 Title: Executive Director Evaluation

OPEN SESSION


Item 1: Following the Closed Session, Agency Counsel Andrea Clark reported that the Board recognized the excellent work of Michael Bessette as Executive Director, and approved a 5% raise, which includes 3.81% COLA increase.

ADJOURNMENT

With no further business coming before the Board, the meeting was adjourned in memory of Sally Serger at 2:44 p.m.

ATTEST BY:


Terra Yaney, Board Clerk


Board Chair