



Sutter Butte Flood Control Agency

Board of Directors Minutes Regular Meeting, August 11, 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:	Tod Kimmelshue
City of Yuba City:	Grace Espindola, Shon Harris
City of Biggs:	Bo Sheppard
City of Gridley:	Bruce Johnson
Levee District 9:	Mike Morris
Levee District 1:	Charlie Hoppin, Drew Stresser

MEMBERS ABSENT: Francis Silva, Bill Connelly, Chris Schmidl

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

CONSENT CALENDAR

1. Approval of the Minutes for the June 9, 2021 Board Meeting
2. Approval of Task Order 15 Amendment 1 with Peterson Brustad, Inc. for Engineering Services during Construction for the Live Oak and Yuba City Sediment Removal Projects
3. Approval of the Resolution Amending the Distribution Provisions of SBFCA's Defined Benefit Retirement Plan

A motion to approve the Consent Calendar was made by Director Mat Conant and seconded by Director Mike Morris. The motion passed with no objection. The Consent Calendar was approved as follows:

- Mat Conant– yes
- Grace Espindola– yes
- Shon Harris– yes
- Charile Hoppin- Yes
- Bruce Johnson - yes
- Tod Kimmelshure- yes
- Mike Morris– yes
- Bo Sheppard - yes
- Drew Stresser - yes
- Mike Ziegenmeyer - yes

No public Comment

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

INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

4. **Review of a proposed Sutter Butte Basin Regional Levee Improvement Development Impact Fee Program**

Executive Director Michael Bessette provided background on the flood protection development impact fee collected by the City of Yuba City. He explained that from October 2007-June 2021 the City collected the fee as part of its comprehensive capital facilities fee program, this fee was supported by a Nexus study prepared by the City in 2007. It has been determined that the current funding is not adequate, additional funding is needed. The City has reached out to SBFCA for assistance in updating the fee program. SBFCA would support the implementation of a comprehensive updated development impact fee program for the entire region because the facts and circumstances supporting the 2007 Nexus Study have changed. Mr. Bessette explained that the proposed SBFCA Nexus Study would include the following updates relative to the City's 2007 Nexus Study:

- A detailed update of planned development in all jurisdictions within the boundaries of SBFCA;
- The full scope of SBFCA's levee improvement program; and,
- Recognition of SBFCA's current Assessment District and the funding provided through this mechanism.

The Regional DIF, when coupled with SBFCA's Assessment District and grant funds would generate the funding necessary to implement the remaining flood risk reduction measures identified in SBFCA's adopted Strategic Plan.

SBFCA staff recommends that the fee be approved and implemented by each land use agency after the SBFCA Board's approval of a Nexus Study and Fee Collection Agreement. The SBFCA Board would approve a Nexus Study that conforms to the requirements of AB 1600, the Mitigation Fee Act, which the land use agencies would be able to rely on and utilize to ensure compliance with the law.

He asked for direction from the board and explained that this is an informational item and there is no Fiscal Impact from the Board's approval of the recommended action.

A motion to direct staff to complete a Nexus study was made by Director Mike Morris and seconded by Director Grace Espindola. The motion passed with no objection. The Consent Calendar was approved as follows:

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| • Mat Conant– yes | • Tod Kimmelshure- yes |
| • Grace Espindola– yes | • Mike Morris– yes |
| • Shon Harris– yes | • Bo Sheppard - yes |
| • Charile Hoppin- Yes | • Drew Stresser - yes |
| • Bruce Johnson - yes | • Mike Ziegenmeyer - yes |

5. **Presentation and File Monthly Financial Report**

Budget Manager Seth Wurzel presented the monthly financial reports for May. 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

6. **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 Live Oak boat launch

locations, and removal of aquatic invasive species at the Live Oak boat launch location. He reported that the contractor, Dixon Marine Services, Inc., has successfully processed all required submittals to begin construction and all necessary permits are in place. The Live Oak construction began on July 18 and is scheduled to be completed in the next two weeks. The Yuba City Boat Ramp construction began in water work on July 23rd and is schedule to be completed in mid-October.

Mr. Bessette provided an update on the Feather River Regional Flood Management Planning (RFMP). He reported that the team provided a briefing to the Central Valley Flood Protection Board on July 23rd. 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.

Mr. Bessette provided an update on the Butte County FEMA remapping. It was reported that SBFCA staff have recently been in contact with FEMA representatives and the accreditation and remapping package is now in the final stages of review.


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

ADJOURNMENT

With no further business coming before the Board, the meeting was adjourned 1:55 p.m.

ATTEST BY:


Terra Yaney, Board Clerk


Board Chair