



# Sutter Butte Flood Control Agency

Board of Directors Regular Meeting Minutes, March 13, 2024, 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 1 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
County of Butte:	Tod Kimmelshue, Bill Connelly
City of Yuba City:	Marc Boomgaarden, Wade Kirchner
City of Gridley:	Bruce Johnson
City of Biggs:	Bo Sheppard
Levee District 9:	Mike Morris
Levee District 1:	Andrew Stresser, Charlie Hoppin

**MEMBERS ABSENT:** Nicolas Micheli, Lakvhir Ghag, Chris Schmidl, Al Montna

**STAFF PRESENT:** Michael Bessette, Executive Director; Chris Fritz, Director of Engineering, Agency Counsel; Andrea Clark; Seth Wurzel, Budget Manager, Sean Meyers, Budget Manager; 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.

## CONSENT CALENDAR

1. Approval of the Minutes for the February 14, 2023 Regular Board Meeting
2. Approval of Amendment No. 18 to the contract with Larsen Wurzel & Associates, Inc. for ongoing Financial Support Services
3. Approval of Amendment No. 8 to the contract with RiverSmith Engineering for Independent Panel of Experts Services
4. Approval of Amendment No. 7 to Professional Services Agreement with Sacramento Valley Conservancy related to the Star Bend Setback and Mathews Mitigation Areas

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

- Marc Boomgaarden– yes
- Mat Conant - yes
- Charlie Hoppin– yes
- Bruce Johnson - yes
- Tod Kimmelshue– yes
- Wade Kirchner- yes
- Mike Morris- yes
- Bo Sheppard - yes
- Andrew Stresser – yes
- Bill Connelly - yes

## No public Comment

The entire discussion and presentation is available on the SBFCA website at:

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

## INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

### 5. **Delegation of authority to the Executive Director to execute Project Partnership Agreement Amendment No. 1 with the Central Valley Flood Protection Board and the United States Army Corps of Engineers (USACE) and associated documents for the Sutter Basin Project**

Executive Director Michael Bessette gave a presentation and provided background on the Project Partnership Agreement. He reported that SBFCA, in partnership with the DWR, executed the PPA in June 2018 for the construction of the Sutter Basin Project. The Sutter Basin Project has been completed, and due to construction advanced by SBFCA and the State for which the Federal government did not pay a cost share, SBFCA and the State have accumulated excess Federal Credits. SBFCA is in the process of finalizing negotiations on a Credit Transfer Agreement with the San Joaquin Area Flood Control Agency (SJAFC) to sell excess Federal credits to SJAFC.

Mr. Bessette explained that a Term Sheet to memorialize the negotiation and the Credit Transfer Agreement will be brought to both Agency Board of Directors for approval in the coming months. The PPA Amendment No 1 will not be executed and returned to USACE until both credit transfer agreements (Term Sheet and Credit Transfer Agreement) are approved by both agencies. However, USACE is requesting that the associated Certification forms be signed and returned as soon as possible as a matter of procedure.

It is recommended that the board delegate authority to the Executive Director, subject to review by legal counsel, to execute a three-party PPA Amendment No. 1 with the Central Valley Flood Protection Board and the United States Army Corps of Engineers (USACE) and associated documents for the Sutter Basin Project.

**A motion to Delegate Authority to the Executive Director to execute Project Partnership Agreement Amendment No. 1 with the CVFPB and the USACE and associated documents for the Sutter Basin Project was made by Director Mat Conant and seconded by Mike Morris. The motion passed with no objection. The Consent Calendar was approved as follows:**

- Marc Boomgaarden– yes
- Mat Conant - yes
- Charlie Hoppin– yes
- Bruce Johnson - yes
- Tod Kimmelshue– yes
- Wade Kirchner- yes
- Mike Morris- yes
- Bo Sheppard - yes
- Andrew Stresser – yes
- Bill Connelly - yes

### 6. **Consideration of Agency Dental & Vision Insurance Benefit policy**

Budget Manager Seth Wurzel presented, he reported that in June 2023, the board took action to modify a portion of its health benefits that it provides its employees to adjust the amount of Medical insurance premiums it covers for employees and their dependents. He reported that prior to June, SBFCA provided a flat dollar amount of coverage each month to its employees to be utilized to subsidize the cost of all Health insurance benefit premiums. This amount had not been adjusted since the execution of the original agreement in 2019. As the cost of health insurance premiums rose overtime, employees bore 100% of the cost of all premium increase each year.

In 2023, the board adopted to provide a Medical Insurance benefit that covered 100% of the employee's premiums and 85% of any dependent premiums. Mr. Wurzel went on to report that the approach for Dental and Vision Health Benefits was not addressed.

To ensure consistency with the previously provided benefits it is recommended that the Board of Directors direct staff to work with SBFCA's medical insurance broker and provider to adjust the employer share of benefits related to Dental and Vision insurance benefits to reflect that the Agency cover of 100% of the employee's premiums and 85% of dependent premiums.

**A motion to approve to adjust the employer share of benefits related to Dental and Vision insurance benefits to reflect that the Agency cover of 100% of the employee's premiums and 85% of dependent premiums was made by Director Mat Conant and seconded by Bo Sheppard. The motion passed with no objection. The Consent Calendar was approved as follows:**

- Marc Boomgaarden– yes
- Mat Conant - yes
- Charlie Hoppin– yes
- Bruce Johnson - yes
- Tod Kimmelshue– yes
- Wade Kirchner- yes
- Mike Morris- yes
- Bo Sheppard - yes
- Andrew Stresser – yes
- Bill Connelly - yes

**7. Presentation of Agency Audited Financial Statements and Related Reports for Fiscal Year Ending June 30, 2023**

Budget Manager Seth Wurzel presented the Agency Audited Financial Statements and Related Reports for Fiscal Year Ending June 30, 2023. He reported that it was a clean audit with no significant findings/weakness. It was reported that the Audited Financial Report will be incorporated into the Agency's Continuing Disclosure report filed as part of our ongoing obligations associated with our outstanding Assessment Bonds. Staff will be posting the Continuing Disclosure Report to the Electronic Municipal Market Access website (<https://emma.msrb.org/>). The entire report, along with a PowerPoint presentation is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

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

Budget Manager Sean Myers presented the monthly financial reports for January 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/>

**9. Presentation and File 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 advance the punch-list repairs to the Feather Water District. A field meeting was held with the design team. The repair work will start in late summer or early fall.

It was reported that the project team continues to advance the design and permitting work for the Sutter Bypass East Levee repairs. The design team has finalized the 30% design plans to SBFCA, the IPE/SAR and our state partners for review. Staff is coordinating with DWR to pursue federal funding, through FEMA grants, for the construction of the 5-mile levee improvement project. Grant applications for BRIC and FMA were submitted to FEMA by CalOES in February.

He went onto report that staff continues to coordinate with staff from the City of Oroville to assist the City in advancing a levee repair project within the city limits. An application on behalf of the City was submitted in October to USACE.

Mr. Bessette went onto report that the OWA Thermalito Afterbay Boat Ramp and Campground project has achieved the 65% design submittal milestone. It is being reviewed by our agency partners and grantors. The project is on schedule to produce final bid documents by the end of 2024 with construction planned for summer 2025.

It was reported that staff continues to make progress on the OWA Robinson's Riffle project. A second project scoping workshop with our state partners will be held next week.

SBFCA's design and environmental teams continue their work on the Tudor Flood Risk Reduction Project. The design team recently submitted the 90% design package and is in review with the IPE/SAR. The design package has been submitted to CVFPB for an encroachment permit, which initiates the USACE 408 review and approval process. Design and environmental team meetings continue to be held weekly to advance the project. It is anticipated that construction will begin in 2025.

Mr. Bessette went onto report that staff continues to pursue additional funding opportunities in order to remove additional sediment from the confluence of the Feather and Yuba Rivers (Phase 2 work). SBFCA prepared a grant application which was submitted to NOAA and we are expecting to hear results later this summer.

It was reported that staff continues to advance the board approved Regional Development Impact Fee (DIF) Program to help fund implementation of the SBFCA Strategic Plan. The DIF will become effective April 8<sup>th</sup>.

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

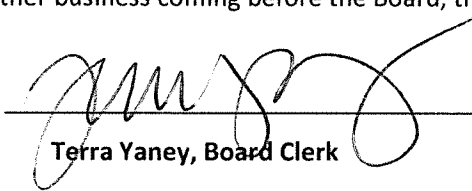
**PUBLIC COMMENT**

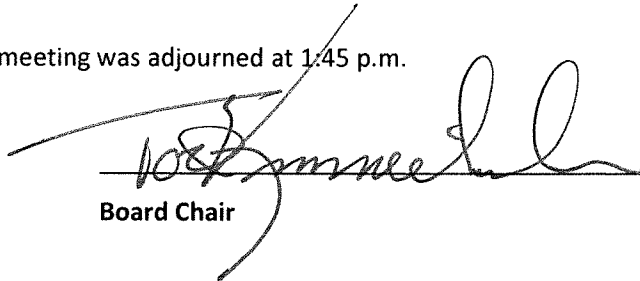
None

**ADJOURNMENT**

With no further business coming before the Board, the meeting was adjourned at 1:45 p.m.

ATTEST BY:

  
Terra Yaney, Board Clerk

  
Board Chair