



# Sutter Butte Flood Control Agency

Board of Directors Agenda – Regular Meeting, March 14, 2018, 1 p.m.

City of Yuba City Council Chambers - 1201 Civic Center Blvd., Yuba City, CA

The agenda is posted in the building of the Sutter Butte Flood Control Agency at 1130 Civic Center Blvd. Suite B, Yuba City, and at the Sutter County Library, 750 Forbes Avenue, Yuba City. The agenda summary, backup materials, and approved minutes are also posted on the Sutter Butte Flood Control Agency website at [sutterbutteflood.org](http://sutterbutteflood.org). Materials related to an item on this agenda and submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the office of the Board Clerk at 1130 Civic Center Blvd, Suite B, Yuba City, during normal business hours. In compliance with the American with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need, disability related modifications or accommodations to participate in this meeting, please contact the SBFCA office at 530-755-9859 or [admin@sutterbutteflood.org](mailto:admin@sutterbutteflood.org). Requests must be made one full business day before the start of the meeting.

## County of Sutter

Mat Conant  
Larry Munger  
Alt. Ron Sullenger  
Alt. Jim Whiteaker

## County of Butte

Bill Connelly  
Steve Lambert

## City of Yuba City

John Buckland  
Stan Cleveland  
Alt. Manny Cardoza  
Alt. Shon Harris

## City of Live Oak

Jason Banks  
Alt. Lakhvir Ghag

## City of Gridley

Frank Hall  
Alt. Gary Davidson

## City of Biggs

Bo Sheppard  
Alt. Roger Firth

## Levee District 1

Francis Silva  
Charlie Hoppin  
Alt. Sally Serger  
Alt. Drew Stresser

## Levee District 9

Mike Morris  
Chris Schmidl  
Alt. David Schmidl

Persons wishing to address the Board during consideration of matters listed on the agenda will be allowed to do so. Testimony should always begin with the speaker giving his or her name and place of residence. Requests for assistive listening devices or other accommodations, such as interpretive services, should be made through the Sutter Butte Flood Control Agency office at 530-755-9859. Requests should be made at least 72 hours prior to the meeting. Later requests will be accommodated to the extent feasible.

## AGENDA SUMMARY

### **REGULAR MEETING/CALL TO ORDER**

- Roll Call
- Pledge of Allegiance

### **CONSENT CALENDAR**

The Consent Calendar groups together those items which are considered noncontroversial or for which prior policy direction has been given to staff and that require only routine action by the Board. The Chair will advise the audience that the matters may be adopted in total by one motion; however, the Board may, at its option or upon request of a member of the public, consider any matter separately.

1. Approval of the Minutes for the February 14, 2017 Board Meeting

2. Approval of an agreement with the Sacramento Valley Conservancy to Develop the Required Conservation Easement and Other Instruments Needed to Convey the Star Bend Setback Levee Elderberry Mitigation Area and the Matthews Preserve to the Conservancy
3. Approval of Plans and Specifications and Consideration of Award of the Construction Contract for the LD1 Access Control Project, Contract No. 01-2018-F to the Lowest Responsive and Responsible Bidder - Crusader Fence Co., Inc.
4. Delegation of authority to the Executive Director to execute Amendment No. 1 to the Design Agreement with the United States Army Corps of Engineers (USACE) for Sutter Basin Pre-Construction Engineering and Design (PED)

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

5. Approval of Term Sheet and authorization of the Executive Director to negotiate a final agreement to provide assistance to LD1 and LD9 associated with the establishment of a Special Benefit Assessment District for Operations, Maintenance, Repair, Rehabilitation & Replacement (OMRR&R) of the locally maintained levees in the Sutter-Butte Basin
6. Receive and File Monthly Financial Report

#### **INFORMATIONAL AND POSSIBLE APPROVAL ITEMS**

7. Receive and File Program/Project Update
8. Other Reports from Agency Staff and Consultants
9. Report by Member and Partner Agencies

#### **CORRESPONDENCE**

10. Report on Correspondence Sent by and Received by the Board

#### **PUBLIC COMMENT**

Members of the public will be allowed to address the Sutter Butte Flood Control Agency's Board of Directors on items of interest to the public that are within the subject matter jurisdiction of the Board. Any member of the audience who may wish to bring a matter before the Board that has not been placed on the agenda may do so at this time; however, State law provides that no action may be taken on any item not appearing on the posted Agenda.

#### **ADJOURNMENT**

The next regularly scheduled Board of Directors meeting will be held on Wednesday, April 11, 2018 at 1 p.m., Yuba City Council Chambers – 1201 Civic Center Blvd., Yuba City, CA 95993



## Sutter Butte Flood Control Agency

Board of Directors Minutes Regular Meeting, February 14, 2018, 1p.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:	Larry Munger, Mat Conant
County of Butte:	Steve Lambert
City of Yuba City:	Stan Cleveland, Manny Cardoza
City of Live Oak:	Jason Banks
City of Biggs:	Bo Sheppard
Levee District 9:	Mike Morris, Chris Schmidl
Levee District 1:	Francis Silva, Charlie Hoppin

**MEMBERS ABSENT:** John Buckland, Bill Connelly and Frank Hall

**STAFF PRESENT:** Mike Inamine, Executive Director; Michael Bessette, Director of Engineering; Andrea Clark, Agency Counsel; and Terra Yaney, Board Clerk

### MEETING/CALL TO ORDER

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

### CONSENT CALENDAR

1. Approval of the Minutes for the December 13, 2017 Board Meeting
2. Approve and Authorize the Executive Director to execute Amendment 9 to the Master Services Agreement with HDR Engineering to extend the term of the agreement to December 31, 2018
3. Authorize the Executive Director to execute a contract with Strategic Value Solutions (SVS Consultants) to a Value Engineering Analysis for the Federal Sutter Basin Flood Risk Management Project (Cypress to Tudor Road)
4. Approval of Task Order Amendments to Task Orders 4, 6, 7, and 8, under the Master Services Agreement with WSP (formally Parsons Brinkerhoff, Inc.) to provide construction management services.

A motion to approve items one through four of the Consent Calendar was made by Director Larry Munger and seconded by Director Mat Conant. 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
- Charlie Hoppin – yes
- Steve Lambert – yes
- Mike Morris - yes
- Larry Munger - yes
- Chris Schmidl - yes
- Bo Sheppard – yes
- Francis Silva - Yes

## PRESENTATION, DISCUSSION & ACTION ITEMS

### 5. Presentation of Agency audited financial statements and related reports for fiscal year ending June 30, 2017

Budget Manager Seth Wurzel presented audited financial statements and related reports for fiscal year ending June 30, 2017. The entire report, along with a PowerPoint presentation is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

No public comment.

### 6. Receive and File Monthly Financial Report

Budget Manager Seth Wurzel presented the monthly financial reports for November and December 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.

### 7. Native American Burial and Participation Cost Policy

Executive Director Mike Inamine provided background on the formal Tribal Consultation Policy adopted by SBFCA board in May 2015 as well as the April 2016 adopted addendum to the Tribal Consultation Policy. He explained that it has been our policy and practice to do what the tribe tells us to do. He explained that the current policy is strictly a cost policy to determine as a public agency our budget going forward, post settlement agreement. Mr. Inamine reported that SBFCA has attempted to address this with tribal leadership at United Auburn and have been unsuccessful in getting a response; these attempts are documented and will be entered into the record for the purpose of this meeting. We will continue to reach out to the affected tribes.

Yuba City Resident Elaine Miles provided public comment in support of the cost policy.

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

**A motion to approve the Native American Burial and Participation Cost Policy was made by Director Larry Munger and seconded by Director Mike Morris. The motion passed with no objection. The policy was approved as follows:**

- Jason Banks - yes
- Manny Cardoza - yes
- Stan Cleveland - yes
- Mat Conant- yes
- Charlie Hoppin – yes
- Steve Lambert - yes
- Mike Morris - yes
- Larry Munger - yes
- Chris Schmidl - yes
- Bo Sheppard – yes
- Francis Silva - Yes

## INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

### 8. Program/Project Update

Director of Engineering Michael Bessette gave a presentation outlining the recent and ongoing activities. He reported that closeout work on the Completion Projects continues. The construction work is mostly complete with minor punch list items ongoing. He reported that the Laurel Avenue slurry wall placement and levee embankment reconstruction is complete. He reported that we are working with PG&E to provide power to the new underground service irrigation pump, which we anticipate to be completed soon. Mr. Bessette provided an update on the emergency levee repairs on Reaches 14-16 in Yuba City. He reported that the contractor has completed all levee improvements except for the Gilsizer pipe replacements, and we are in the processes of finishing up that work as well as the stair replacement near the 5<sup>th</sup> Street Bridge. In addition to the active construction work, Mr. Bessette reported on the additional project activities, DWR Small Communities Grant and FEMA Reimbursement Coordination.

Executive Director Mike Inamine provided an update on the Federal Project between Tudor and Cypress Roads. He discussed that there have been recent developments with regard to the Federal Budget. He reported on a disaster supplemental bill for up to five billion dollars nationwide. This is for authorized projects who have had two emergency declarations and in which construction is lined up. He explained that we could be a candidate for that if we are not successful in getting a new start construction. He went on to explain that we continue to support the USACE and advocate for a new start construction in 2018.

Mr. Inamine provided an update on the Oroville Wildlife Area (OWA) Flood Stage Reduction Project and the FERC permitting issues. He explained that DWR was concerned that the FERC permitting process would delay the 50-year relicense for Oroville. The Oroville Coalition (including Executive Director Mike Inamine) met with DWR Director Karla Nemeth regarding DWR's reluctance to submit a FERC request to start construction this year. Ms. Nemeth confirmed her support for the project and shortly thereafter DWR staff and a FERC legal consultant reached out to SBFCA to arrange a call/meeting with FERC and SBFCA.

Mr. Inamine provided an update on the Resource Conservation Investment Strategy (RCIS). He explained that the new State Law, Assembly Bill (AB) 207, establishes a conservation planning tool. He reported that SBFCA staff and consultants were requested to participate on the RCIS steering committee given the Agency's interest in the federal project, repairing and improving O&M of the Sutter Bypass, and providing flood protection for small communities in the southern Sutter Basin.

Mr. Inamine reported on the OMRR&R status. He provided background on past board direction in December and activities since December, which include his presentation to the Central Valley Flood Protection Board Coordinating Committee meeting, preparation of draft Levee District 1 (LD1) and Levee District 9 (LD9) Operation and Maintenance (O&M) manual supplement addressing OMRR&R, LD refinement of OMRR&R budget needs and SBFCA evaluation of funding options. He reported the next step, following LD concurrence is to provide a proposal to the Board for scope, schedule and budget on how we are going to assist LD1 and LD9. He explained that SBFCA's only role is to facilitate scoping of OMRR&R and to facilitate, if necessary an assessment district for OMRR&R.

Director Charlie Hoppin commented that as a representative of LD1, he feels that when we have an agreement it needs to go out with our signatures on it to the flood control agency and not as a draft for others to comment on.

Director Mat Conant agreed.

Director Jason Banks agreed with both directors and expressed that the board and community needs to support the levee districts.

Budget Manager Seth Wurzel presented the funding evaluation.

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

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

**Nothing to report.**

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

Director Stan Cleveland reported on the Oroville Dam rally.

**CORRESPONDENCE**

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

Received letters from United Auburn Indian Community of the Auburn Rancheria and the Native American Heritage Commission.

**PUBLIC COMMENT**

Matt Bozzo from Golden Gate Hop Ranch provided public comment.

Yuba City resident Elaine Miles provided public comment.

**ADJOURNMENT**

With no further business coming before the Board, the meeting was adjourned at 2:08 p.m.

ATTEST BY: \_\_\_\_\_

**Terra Yaney, Board Clerk**

\_\_\_\_\_  
**Steve Lambert, Board Chair**

## Listing of SBFCA's Attempts to Meet with UAIC Leadership – February 14, 2018

SBFCA's last leadership meeting was July 13, 2017.

- July 25, 2017: Lisa Westwood emailed Brian Guth, Danny Rey, Alison Harvey, and Matt Moore the Escrow Agreement for Land Acquisition. No response.
- August 17, 2017: Lisa Westwood followed up with Brian Guth by email, after no response on the Settlement Agreement items (land acquisition and back-check of ethnographer scope). No response.
- September 14, 2017: Lisa Westwood followed up with Brian Guth by email, after no response on the Settlement Agreement items that SBFCA is trying to fulfil (land acquisition and ethnographer). No response.
- October 3, 2017: Mike Inamine left Brian Guth a voicemail. No response.
- October 3, 2017: Mike Inamine emailed Brian Guth, asking to set up a leadership meeting. No response.
- October 10, 2017: Lisa Westwood emailed Brian Guth to request a meeting and offered dates. No response.
- October 20, 2017: Mike Inamine left Brian Guth a voicemail. No response.
- October 20, 2017: Mike Inamine sent Brian Guth an email. No response.
- December 13, 2017: Lisa Westwood emailed Brian Guth, Danny Rey, Alison Harvey, and Matt Moore, requesting a meeting. No response.
- December 18, 2017: Mike Inamine sent Brian Guth an email. No response. December 19, 2017: Mike Inamine emailed Melodi McAdams and Matt Moore, indicating that he has been leaving messages for Brian and Danny and asked them to have them call him back. No response.
- February 7, 2018: Lisa Westwood emailed Matt Moore and copied Danny Rey, noting that we have been trying for months to schedule a meeting but that Brian Guth is unresponsive. No response.
- February 13, 2018: Mike Inamine sent Brian Guth an email. No response.
- February 13, 2018: Mike Inamine left Brian Guth a voicemail. No response.



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

March 14, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director

**SUBJECT:** Approval of an agreement with the Sacramento Valley Conservancy to Develop the Required Conservation Easement and Other Instruments Needed to Convey the Star Bend Setback Levee Elderberry Mitigation Area and the Matthews Preserve to the Conservancy

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## Recommendation

Approval of an agreement the Sacramento Valley Conservancy (SVC) to assist with the development of the required documentation including a conservation easement to transfer interim and long-term management responsibilities for the Star Bend Setback Levee Elderberry Mitigation Area (Area) and Matthews Preserve.

## Background

As part of the Feather River West Levee Project's permitting requirements, SBFCA transplanted elderberry shrubs and planted associated vegetation in the Star Bend Setback Levee Elderberry Mitigation Area and Matthews Preserve. The transplanting and associated plantings conformed to requirements of USFWS regulatory guidelines, and USACE 404 Clean Water Act mitigation requirements for impacts to Waters of the U.S. As part of these permitting requirements, once all plantings have been installed, SBFCA is to transfer the property along with long term management responsibilities and maintenance to a third party and record conservation easements that ensure certain requirements will be met in perpetuity.

In February 2017, the SBFCA Board approved an agreement with the Sutter Buttes Regional Land Trust (SBRLT) to assist with the development of the required documentation including the conservation easement to transfer interim and long-term management responsibilities for the Star Bend Setback Area. After several months of coordination with SBRLT and further evaluation of the scope of services required for long term management of the property, it was determined that SBRLT would not be the preferred conservation manager for the property. Through coordination with other parties, SBFCA identified Sacramento Valley Conservancy (SVC) as an entity with the requisite experience and capabilities to perform this role in the Star Bend Setback Area as well as the Matthews Preserve. It is now the recommendation of staff that SBFCA transfer the scope of services that were previously being provided by SBRLT to SVC and continue the ongoing efforts with SVC.

The initial budget for the professional services to be provided by SBRLT totaled \$79,600 for the Star Bend Setback Area alone. Prior to ceasing additional efforts on the project, SBRLT had completed \$28,033 of work, of which SBFCA staff does not dispute. This amount has been paid and work product has been delivered. (It is worth noting that a sizable portion of this work consisted of legal services, and preparation of documentation, completed by SBRLT's counsel, which is the same counsel as SVC's.) The remaining budget under the agreement is \$51,567.

As part of initial coordination with SVC, the SBFCA Executive Director issued a letter agreement that allowed SVC to initiate their due diligence related to both properties and this agreement represents an initial budget of \$22,500, less than the remaining budget of the agreement with SBRLT.

Ultimately, as part of the arrangement between SVC and SBFCA, documentation needs to be prepared for the conservation easement and time needs to be spent by SVC to coordinate with the resource agencies and other stakeholders. The attached agreement will allow for these activities to take place and allow for SBFCA to meet requirements of regulatory permits and the funding agreement with DWR. In addition, as part of the development of the long-term management plans, funding for the long-term management will need to be provided in the form of endowments. This budget and endowment amount will be developed with SVC and become part of the costs of this transaction. The endowment for the Star Bend Setback Area was initially estimated to be approximately \$280,000.

Staff recommends that the Board approve the agreement with SVC by ratifying the direction provided by Executive Director to SVC.

**Fiscal Impact**

This action will obligate SBFCA to pay for the services delivered by SVC up to \$22,500. Because of termination of the agreement with SBRLT, the remaining \$51,567 of contract authority is de-obligated. By transferring these services to SVC, currently a net \$29,067 savings is realized. This savings can be applied within the approved Final Amended 5-Year Budget for Environmental Mitigation related to Project Areas B, C, & D (731-5001/6001 – 67401, 68401 & 68901 respectively). The Board’s approval of the recommended action results in a positive budgetary impact of \$29,067.

**Attachment**

1. Letter Agreement dated February 20, 2018 re: Agreement for Initial Funding for Due Diligence Work on the Star Bend & Matthews Preserve



**Sutter Butte Flood Control Agency**

Post Office Box M  
Yuba City, CA 95991  
(530) 755-9859

sutterbutteflood.org

**COUNTIES**

Butte County  
Sutter County

**CITIES**

City of Biggs  
City of Gridley  
City of Live Oak  
City of Yuba City

**LEVEE DISTRICTS**

Levee District 1  
Levee District 9

February 20, 2018

Ms. Aimee Rutledge  
Acquisition Director  
SACRAMENTO VALLEY CONSERVANCY  
P.O. Box 163351  
Sacramento, CA 95816

RE: Agreement for Initial Funding for Due Diligence Work on the  
Star Bend & Matthews Preserve

Dear Aimee,

Listed below are costs necessary for Sacramento Valley Conservancy to perform due diligence work on the Star Bend & Matthews Property Preserves, consult with agencies, as needed, and to produce documents (drafting the Agreement for Conveyance and Endowment Management Agreement, one conservation easement for both contiguous preserves, and title "Property Assessment and Warranty", reviewing a management plan and budget, and producing an easement baseline report). Sutter Butte Flood Control Agency (SBFCA) recognizes that SVC is not endorsing this preserve design, since we know SVC does not take positions on development projects. SBFCA also recognizes that SVC will only agree to assume ownership and management of the preserves upon execution of a management agreement the substantial terms and conditions of which would be in substantial conformance to the attached review draft. SBFCA and SVC will continue their mutual efforts to finalize this agreement. SVC will provide cost reports during the due diligence period and will present a final report at close of escrow. If during the due diligence process, the costs exceed the amount paid, SBFCA agrees to reasonably fund additional needed costs. If at close of escrow, the costs are less than the amount paid, then SVC agrees to take the difference off the required funding at close of escrow.

Following is a cost summary of initial estimated costs.

<u>TASK</u>	<u>COST</u>
SVC Administrative Costs (site visits, document review, coordination meetings and endowment budgets)	\$6,500.00 DUE NOW
Ecological Consultant (review existing OMP & endowment budget, draft new and/or revise OMP)	\$3,000 DUE NOW

Legal Costs (Document drafting/review, coordination meetings) \$10,000 DUE NOW

Conservation Easement Baselines \$3,000 DUE NOW

Conservation Easement & Preserve Manager Endowments \$ TBD

**TOTAL DUE** \$22,500.00

We look forward to working with you to finalize the documents and endowment PAR budgets.

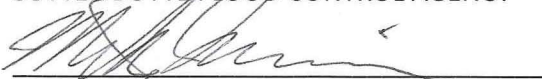
• The following documents (if they are relevant to the site), including but not limited to the BEI, the conservation easement, the title report (current within 30 days of recordation of the conservation easement) and the Property Assessment and Warranty, the approved wetland delineation, rare plant and animal locations, any monitoring data, population census data, biological opinion, 404 permit (when available), management plan and endowment budget, preliminary title report and most recent property tax bill, any restoration plans and maps, biological assessments and maps, improvement maps, water quality permits and reports, EIR/NEPA documents, Phase I environmental assessment (current within 6 months of the recording of the conservation easement and with SVC as an authorized party that can rely on the report), any state endangered species take permits or stream alteration permits, an aerial photograph/GIS image of the site, and any other relevant documents currently available in electronic and/or GIS format will be produced and handed over to SVC as soon as possible for due diligence purposes and for future management and analysis purposes. If any of the above mentioned layers are not in GIS and/or electronic format, then we will need to convert them as a part of the due diligence process. Hunting policies of the surrounding CA Department of Fish and Wildlife area (including any management plan or other relevant information) must also be provided.

Note also that the following items must be constructed/completed to standards approved by both SVC and the regulatory agencies prior to SVC taking on ownership and management of the site, if that is desired in the future.

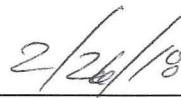
- Construction of an exterior fence of five-strand barbed wire with hog wire on the bottom around the entire perimeter of any preserve required to be grazed for management purposes. A gate and facilities in the fence adequate to load and unload cattle/livestock must be placed near an appropriate access point.
- A water system must be determined and funded (and/or installed, if appropriate) to provide adequate (to encourage movement of cattle to meet residual dry matter standards) water locations for cattle within each preserve area/fenced pasture required to be grazed. These water stations are necessary to encourage movement of the livestock for even grazing, and to allow grazing to be managed for weeds and different grazing conditions, year-to-year.
- Any existing major infestations of invasive exotics or debris would need to be removed.

Sincerely,

SUTTER BUTTE FLOOD CONTROL AGENCY



Mike Inamine, Executive Director



Date

AGREED:

SACRAMENTO VALLEY CONSERVANCY

\_\_\_\_\_  
Aimee Rutledge, Executive Director

\_\_\_\_\_  
Date



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

March 14, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director  
Michael Bessette, Director of Engineering

**SUBJECT:** Approval of Plans and Specifications and Consideration of Award of the Construction Contract for the LD1 Access Control Project, Contract No. 01-2018-F to the Lowest Responsive and Responsible Bidder - Crusader Fence Co., Inc.

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## Recommendations

1. Approve the Plans and Specifications for the LD1 Access Control Project, Contract No. 01-2018-F.
2. Authorize the Executive Director to award and execute a contract for the LD1 Access Control Project, Contract No. 01-2018-F to the lowest responsive and responsible bidder, Crusader Fence Co., Inc. in the amount of \$148,985.49.
3. Authorize the Executive Director to take any and all actions reasonably necessary to complete the work described in the contract, including the approval of minor contract amendments that, in the judgment of the Executive Director, will not materially alter the purpose of the contract or increase the total compensation due under the contract by more than \$14,899 (10%), and to issue monthly progress payments to the contractor.

## Background

To protect human health and safety, and prevent adverse effects on property and the regional economy, the Sutter Butte Flood Control Agency (SBFCA) was formed as a Joint Powers Authority in 2007 through a Joint Exercise of Powers Agreement by the Counties of Sutter and Butte; the Cities of Yuba City, Gridley, Live Oak, and Biggs; and Levee Districts 1 and 9 (LD 1, LD 9). SBFCA was established to coordinate the planning and construction of flood protection facilities and to finance the local share of flood management projects. SBFCA is constructing the Feather River West Levee Project to rehabilitate Feather River levees to achieve the Agency's goals. The LD1 Access Control Project is an important flood protection and compliance feature of the FRWLP.

SBFCA prepared an Environmental Impact Report (EIR) under CEQA, and an Environmental Impact Statement (EIS) under NEPA for the Feather River West Levee Project, which includes evaluation of the project specific impacts of this access control project. The SBFCA Board certified the subject CEQA document on April 10, 2013.

## Discussion

The Feather River West Levee Project – LD1 Access Control Project - Contract No. 01-2018-F is consistent with SBFCA's Strategic Plan.

Sealed bids for the LD1 Access Control Project - Contract No. 01-2018-F were received and opened on February 26, 2018 at 2 p.m. SBFCA staff opened and reviewed the bids and determined the lowest responsive, responsible bidder was Crusader Fence Co., Inc. in the amount of \$148,985.49. There was only one bid received for the project.

The Engineer's Estimate for the project was \$158,371. Staff has confirmed with the Contractor's State License Board that the low bidder holds a current and proper license to legally perform the work and is in good standing.

**Fiscal Impact**

The Approved 3-Year capital budget includes sufficient budget authority to execute the contract consistent with staff's recommendation. The budget includes sufficient funding (within expenditure accounts 731-5001/6001-67500- EIP Construction Contract Project Area C & Completion Work) for the Engineer's Estimate and recommended 10% contingency. Finally, the proposed services are included within the current planned cost estimates for the Feather River West Levee Project. There is no net impact to the approved budget as a result of Board's approval of the recommended action.

**AGREEMENT**

THIS AGREEMENT made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, between Sutter Butte Flood Control Agency, a joint exercise of powers agency established pursuant to the laws of the State of California, hereinafter referred to as SBFCA, and \_\_\_\_\_, hereinafter referred to as "Contractor."

**WITNESSETH:**

WHEREAS, the Governing Board of said SBFCA heretofore caused plans and specifications for the work hereinafter mentioned to be prepared, and did approve and adopt said plans and specifications; and

WHEREAS, the Governing Board of SBFCA did cause to be published for the time and in the manner required by law, a Notice inviting sealed bids for the performance of said work; and

WHEREAS, the Contractor, in response to such Notice, submitted to the Governing Board of said SBFCA within the time specified in said Notice, and in the manner provided for therein, a sealed bid for the performance of the work specified in said plans and specifications, which said bid and proposal, and the other bids and proposals submitted in response to said Notice, the Governing Board of SBFCA publicly opened and canvassed in the manner provided by law; and

WHEREAS, the Contractor was the lowest responsible bidder for the performance of said work, and said Governing Board of SBFCA, as a result of the canvass of said bids, did determine and declare Contractor to be the lowest responsible bidder for said work and award to a contract therefor.

NOW, THEREFORE, in consideration of the promises herein, it is mutually agreed between the parties hereto as follows:

**1. CONTRACT DOCUMENTS**

The following documents are by this reference incorporated in and made a part of this Agreement: the Agreement Form; the Plans; the General Specifications; the Special Provisions; the Technical Provisions; the Standard Forms; Supplemental Drawings; all addenda; the Notice to Contractors; the Proposal; all required bonds; and all supplemental Agreements covering alterations, amendments, or extensions to the Contract. The documents which describe the work to be performed are sometimes collectively referred to herein as the Plans and Specifications.

**2. SCOPE OF WORK**

The Contractor will furnish all labor, materials, services, transportation, appliances, and mechanical workmanship required for Contract No. 01-2018-F, LD1 Access Control Project, as provided for and set forth in the Contract Documents.

All of the said work done under this Agreement shall be under the supervision of and performed to the satisfaction of the Engineer of SBFCA, or the Engineer's authorized agent or assistant, who shall have the right to reject any and all materials and supplies furnished by the Contractor which do not comply with the Contract Documents, together with the right to require the Contractor to replace any and all work furnished by the Contractor which shall not either in workmanship or material be in strict accordance with the Contract Documents.

**3. DEFINITIONS**

Unless otherwise specifically provided herein, all words and phrases defined in the General Specifications shall have the same meaning and intent in this Agreement.

**4. COMPLETION**

Said work shall be completed and ready for acceptance by June 1, 2018.

Time is of the essence in this Agreement and the Contract Documents. Failure of Contractor to complete the Work by the completion date and in the manner provided for by the Contract Documents shall subject Contractor to liquidated damages as provided in the Contract Documents.

**5. PAYMENT**

Attached hereto as Exhibit "A" and by reference made a part hereof, is the bid and proposal of Contractor. Said bid and proposal containing, as required by the terms of said specifications, the full and complete schedule of the different items with the lump sums or unit prices as so specified.

SBFCA agrees, in consideration of the work to be performed herein and subject to the terms and conditions hereof, to pay Contractor all sums of money which may become due to Contractor in accordance with the terms of the aforesaid bid and proposal, and this Agreement, to wit: \_\_\_\_\_

Said sum shall be paid in accordance with Section 8 of these Specifications. With respect to that portion of the above sum as is based upon the estimated quantities specified for the general scope of the work to be performed herein, actual payment will be based upon the quantities as measured upon completion. No payment made under this Agreement shall be construed to be an acceptance of defective work or improper materials.

**6. RETENTION OF SUMS CHARGED AGAINST CONTRACTOR**

When, under this provisions of the Contract Documents, SBFCA shall charge any sum of money against Contractor, SBFCA shall deduct and retain the amount of such charge from the amount of the next succeeding progress payment, or from any other monies due or that may become due to Contractor from SBFCA. If, on completion or termination of the Contract, sums due Contractor are insufficient to pay SBFCA's charges against Contractor, SBFCA shall have the right to recover the balance from Contractor or its sureties.

**7. PREVAILING WAGES**

Pursuant to the provisions of Articles 1 and 2 of Chapter 1, Part 7, Division II, of the Labor Code of the State of California, not less than the general prevailing rate of per diem wages, and not less than the general prevailing rate of per diem wages for holidays and overtime work, for each craft, classification or type of worker needed to execute the work contemplated under this Agreement shall be paid to all workers, laborers, and mechanics employed in the execution of said work by Contractor, or by any subcontractor doing or contracting to do any part of said work. The appropriate determination of the Director of the California Department of Industrial Relations is filed with, and available for inspection, at the office of the Clerk of the Governing Board.

This is a construction project in accordance with Section 1771.5 of the California Labor Code. This Contract is subject to: (1) Federal Labor Standards Provisions as required by the Davis-Bacon Act and other applicable Federal requirements, (2) Equal Employment Opportunity requirements pursuant to Executive Order 11246, and (3) Minority Business Enterprise (MBE) development pursuant to Executive Order 12432.

All labor on the project shall be paid no less than the minimum wage rates as established by the U.S. Secretary of Labor or as determined by the Director of the California Department of Industrial Relations. The higher of the two rates will be paid in accordance with the following acts and codes:

- (1) The Davis-Bacon Act, and
- (2) Section 1770, and following, of the California Labor Code.

A copy of the minimum wage rates, as established by the U.S. Secretary of Labor, and copies of the prevailing rate of per diem wages, as determined by the Director of the California Department of Industrial Relations, are on file at the office of the Clerk of the Sutter County and Butte County Boards of Supervisors, at the addresses provided in the Notice to Contractors or on the internet at <http://www.dir.ca.gov/OPRL/PWD>.

Contractor shall post, at each job site, a copy of such prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations and by the U.S. Secretary of Labor.

**8. INSURANCE**

The Contractor shall carry and maintain at all required times such public liability, property damage and contractual liability, auto, Workers' Compensation, Builders' Risk Insurance, and such other insurance as required by the General Specifications and Special Provisions, including in the specified coverages, amounts and durations.

**9. WORKERS' COMPENSATION CERTIFICATION**

By execution of this Agreement, the Contractor certifies as follows: "I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract."

**10. INDEMNIFICATION**

The Contractor shall defend, indemnify, and save harmless SBFCA and the Engineer (including their officers, agents, members, employees, affiliates, and representatives) as set forth in Section 6 of the General Specifications.

**11. NO WAIVER OF REMEDIES**

Neither the inspection by SBFCA or its agents, nor any order or certificate for payment of money, nor any payment for, nor acceptance of the whole or any part of the Work by SBFCA, nor any extensions of time, nor any position taken by SBFCA or its agents shall operate as a waiver of any provision of this Agreement or the Contract Documents or of any power herein reserved to SBFCA or any right to damages herein provided, nor shall any waiver of any breach of this Agreement or of the Contract Documents be held to be a waiver of any other or subsequent breach. All remedies provided in this Agreement and in the Contract Documents shall be taken and construed as cumulative; that is, in addition to each and every other remedy provided in this Agreement and/or the Contract Documents, and SBFCA shall have any and all equitable and legal remedies, which it would in any case have.

**12. NON-DISCRIMINATION IN EMPLOYMENT**

A. CONTRACTOR shall not discriminate against any employee, applicant for employment, or volunteer because of race, color, creed, religion, national origin, sex, age, or physical or mental handicap. CONTRACTOR shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, national origin, age, or physical or mental handicap. Such action shall include, but not be limited to,

the following: employment, promotion, demotion or transfer; recruitment or advertising; layoff or termination; rates of pay or other forms of compensation; or selection for training, including apprenticeship. CONTRACTOR agrees to post, in conspicuous places, available to employees and applicants for employment, notices that CONTRACTOR shall provide an atmosphere free of sexual harassment for employees, clients, volunteers and the general public.

B. CONTRACTOR shall, in all solicitations or advertisements for employees placed by or on behalf of CONTRACTOR, state that all qualified applicants will receive consideration for employment without regard to race, color, creed, religion, sex, national origin, ancestry, age, or physical or mental handicap.

### **13. CERTIFICATION OF NON-DEBARMENT**

Reference Government Debarment and Suspension (49 CFR Part 29)

The Contractor certifies, by acceptance of this contract, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in a Federally funded contract by any Federal department or agency. It further agrees by executing this contract that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts.

### **14. UNFAIR COMPETITION**

The following provision is included in this Agreement pursuant to California Public Contract Code section 7103.5.

“In entering into a public works contract or subcontract to supply goods, services, or materials pursuant to a public works contract, the contractor or subcontractor offers and agrees to assign to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700 of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or subcontract. This assignment shall be made and become effective at the time the awarding body tenders final payment to the contractor, without further acknowledgment by the parties.”

### **15. CHILD AND FAMILY SUPPORT OBLIGATIONS**

It is the policy of the State of California, as stated in Public Contract Code Section 7110, that anyone who enters into a contract with a state agency shall recognize the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with Section 5200) of Part 5 of Division 9 of the Family Code. In compliance with Section 7110, the Contractor,

by his or her signature on this Agreement: 1) acknowledges that the Contractor is aware of the state policy identified herein; and 2) the Contractor, to the best of his or her knowledge, is fully complying with, and will continue to fully comply with, the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the State Employment Development Department.

**16. ASSIGNMENT**

Neither this Agreement nor any rights herein of Contractor shall be assigned without the written consent of SBFCA first obtained.

**17. NO THIRD PARTY BENEFICIARIES**

This Agreement is entered into solely between SBFCA and Contractor. There are no third party beneficiaries, intended, unintended, or otherwise to this Agreement.

**18. MISCELLANEOUS PROVISIONS**

This Agreement shall bind and inure to the heirs, devisees, assignees, and successors in interest of Contractor and to the successors in interest of SBFCA in the same manner as if such parties had been expressly named herein.

As used in this instrument the singular includes the plural, and the masculine includes the feminine and the neuter.

This Agreement may create a possessory interest subject to property taxation, and Contractor may be subject to the payment of property taxes levied on such interest.

IN WITNESS WHEREOF, SBFCA and Contractor have caused this Agreement to be executed as of the day and year first above written.

Sutter Butte Flood Control Agency  
a Joint Powers Agency of the  
State of California

By: \_\_\_\_\_  
Executive Director

Forms Approved by SBFCA Counsel

\_\_\_\_\_  
Scott Shapiro  
Agency Counsel  
Contract Management Services

CONTRACTOR

By: \_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Print

\_\_\_\_\_  
Title



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

March 14, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director

**SUBJECT:** Delegation of authority to the Executive Director to execute Amendment No. 1 to the Design Agreement with the United States Army Corps of Engineers (USACE) for Sutter Basin Pre-Construction Engineering and Design (PED)

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## Recommendation

Delegate authority to the Executive Director, subject to review by legal counsel, to execute Amendment No. 1 to the Design Agreement with the USACE for PED of the Feather River west levee between the Star Bend setback and Laurel Avenue projects.

## Background

The Sutter Basin Feasibility Study was authorized by the Water Resources Reform and Development Act (WRRDA) of 2014. The study recommended a plan to improve the Feather River West Levee from Thermalito Afterbay to 2,200 feet south of Laurel Avenue (SBFCA levee station 180+00), the Sutter Basin Flood Risk Management Project (Project). SBFCA has completed most of the improvements that comprise the Project as. However, a five-mile reach remains between the Star Bend setback levee and the Laurel Avenue FSRP project.

After Federal funding was secured for the initiation of design of the Project under the USACE Civil Works FY2015 Work Plan, in April 2016 the SBFCA Board of Directors authorized the Executive Director to enter into an Agreement with the USACE for PED of this five-mile reach. The agreement became effective in August 2016 and since that time, the Project has been advancing. Currently limited funds remain in the current PED Agreement to allow the USACE to continue to complete the remaining work needed until a three part Project Partnership Agreement is entered into covering construction of the 5-mile reach. In order to ensure that the USACE can still advance the remaining PED work, an Amendment increasing funding for the Project is needed.

A draft Amendment No 1 has been prepared (Attachment 1). This amendment will increase funding for the project by \$692,114.15 to \$1,800,000. This increase is split 65% Federal (\$449,874.20), 35% SBFCA (\$242,239.95). Federal appropriations are available to cover the USACE portion however, timing is sensitive for those appropriations to be utilized. SBFCA's share will be covered from a combination of remaining funds from the previously completed feasibility study and creditable in-kind services. These services include design work being completed by HDR, environmental review and permitting services being provided by ECORP, project management services being provided by LWA, and other related professional services that have been previously been authorized by the SBFCA Board.

## Fiscal Impact

As a result of the use of remaining feasibility study funding and the use of in-kind services, this Amended Agreement will not obligate SBFCA to pay any additional funds for the non-Federal share of the increased budget, \$242,239.95. As a result, there is no net budgetary impact to the approved 3-Year Budget covering Fiscal Year 2017/18 for the Board's approval of the recommended action.

## **Attachments**

**Attachment 1** AMENDMENT NUMBER 1 TO THE AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE SUTTER BUTTE FLOOD CONTROL AGENCY FOR DESIGN FOR THE SUTTER BASIN, CALIFORNIA

AMENDMENT NUMBER 1  
TO THE AGREEMENT  
BETWEEN  
THE DEPARTMENT OF THE ARMY  
AND  
THE SUTTER BUTTE FLOOD CONTROL AGENCY  
FOR  
DESIGN  
FOR THE  
SUTTER BASIN, CALIFORNIA

THIS AMENDMENT NUMBER 1 is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between the Department of the Army (hereinafter the “Government”), represented by the District Commander, Sacramento District, U.S. Army Corps of Engineers, and the Sutter Butte Flood Control Agency (hereinafter the “Non-Federal Sponsor”, represented by the Executive Director.

WITNESSETH that:

WHEREAS, the Government and the Non-Federal Sponsor entered into a Design Agreement on August 2, 2016 (hereinafter referred to as the “Agreement”) for cost sharing of the Sutter Basin Pre-Construction Engineering and Design (PED)(hereinafter “Project”);

WHEREAS, the Government and the Non-Federal Sponsor desire to amend the Agreement to revise the *total design costs* related to performance of the Project;

NOW, THEREFORE, the Government and the Non-Federal Sponsor amend the Agreement as follows:

1. ARTICLE III – METHOD OF PAYMENT

Article III is amended as follows:

The first sentence of Paragraph A. is stricken in its entirety and replaced with:

“A. As of the effective date of this Agreement, total design costs are projected to be up to \$1,800,000 with the Government’s share of such costs projected to be up to \$1,170,000 and the Non-Federal Sponsor’s share of such costs projected to be up to \$630,000; and the costs for betterments are projected to be \$0.”

2. All other terms and conditions contained in the Agreement, as amended, are unchanged and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment Number 1, which shall become effective upon the date of signature by the District Commander.

<p>DEPARTMENT OF THE ARMY</p> <p>BY: _____ David G. Ray, P.E. Colonel, U.S. Army District Commander</p> <p>Date: _____</p>	<p>SUTTER BUTTE FLOOD CONTROL AGENCY</p> <p>BY: _____ Mike Inamine Executive Director</p> <p>Date: _____</p>
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DRAFT



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

March 14, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director  
Andrea Clark, General Counsel  
Seth Wurzel, Budget Manager

**SUBJECT:** Approval of Term Sheet and authorization of the Executive Director to negotiate a final agreement to provide assistance to LD1 and LD9 associated with the establishment of a Special Benefit Assessment District for Operations, Maintenance, Repair, Rehabilitation & Replacement (OMRR&R) of the locally maintained levees in the Sutter-Butte Basin

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## **Recommendation**

The Board of Directors review and approve a Term Sheet that outlines the basic obligations of SBFCA, Levee District 1 and Levee District 9 as related to the establishment of a new Special Benefit Assessment District to fund Operations, Maintenance, Repair, Rehabilitation and Replacement (OMRR&R) of the locally maintained levees in the Sutter-Butte Basin. Delegate authority to the Executive Director to negotiate a final agreement for associated services.

## **Discussion**

In November 2017, Levee Districts 1 and 9 (LD1 and LD9) each independently requested that SBFCA assist the Districts to define Operations, Maintenance, Repair, Rehabilitation and Replacement (OMRR&R) of the improved levee system and develop a strategy to address long-term funding needs. In response to these requests, in December 2017, the Board directed staff to coordinate with the LDs to provide the requested assistance and develop a strategy for funding. SBFCA staff reported back to the Board at its February meeting regarding the status of the efforts. At that time, SBFCA had started the process of coordinating the LDs' reviews of the O&M Manual supplements addressing OMRR&R and helped evaluate funding approaches. Staff reported to the Board in February that the next step would be to return in March with a scope of work for providing assistance and a term sheet that defines how assistance would be provided, how it would be funded, and what the obligations of each party would be.

## **Evaluation of the Funding Approaches**

Staff has evaluated various approaches for funding that include the following:

- A. The establishment of two independent assessment districts—one for each LD;
- B. The establishment of two new larger assessment districts that could be formed by two separate joint powers authorities (JPAs), each made up of one LD and Sutter County; and,
- C. The establishment of one new larger assessment district that could be formed by one JPA made up of the two LDs and Sutter County.

At the Board's February meeting, staff explained the constraints associated with the establishment of smaller assessment districts by the LDs independently or separately in coordination with Sutter County. These constraints primarily stem from the requirements of Proposition 218 and can be summarized as follows:

- Option A - Due to the difference between the jurisdictional boundaries of the LDs and their associated area of benefit, there is a significant loss of assessment revenues due to the inability to assess properties outside of each LD's boundary;

- Option B – Due to the south trending slope of the basin, properties within LD1 (downslope) benefit from services provided to LD9 levees (upslope), thus properties within the southernmost portion of the basin would end up with two assessments. This creates an inefficient, redundant assessment process that would result in significantly more costs, public confusion and administrative burden for little, if any, marginal benefit;
- Option C – This option presents the most efficient process given the current organization and structure of the LDs.

For all options, the actual O&M work being funded by the JPA would remain with the existing LD.

In summary, staff has concluded that a combined funding approach, Option C, results in the most efficient method of collecting needed funding at a lower cost to individual properties, while preserving the existing LD organizations.

### **Recommendation**

Staff recommends that SBFCA assist the LDs with the establishment of a new benefit assessment district. Based on the evaluation described above, **staff has structured the recommendation around Option C above. However, this approach would be subject to concurrence by LD 1, LD 9 and Sutter County.** The following scope of services describes the efforts associated with advancing Option C.

SBFCA staff would help establish a new Levee Operations & Maintenance (O&M) agency – separate from SBFCA – that would take on the funding responsibility for the locally maintained and operated reaches of the Feather River west levee in the Sutter-Butte Basin. This approach would ensure that the current O&M management, responsibility and activities of the LDs would remain the same as they exist today. The LDs, with upfront financial and technical support from SBFCA, would coordinate the establishment of a new funding mechanism to allow the local maintaining agencies to take on the added responsibility for Repair, Replacement & Rehabilitation (RR&R) of the reaches recently improved by SBFCA. The strategy described herein would allow SBFCA to comply with the OMRR&R obligations of its funding agreements with the Department of Water Resources (DWR) in a timely manner, ensure that SBFCA receives all funding due from DWR, and keep SBFCA out of the levee operations and maintenance business.

SBFCA proposes the following scope of work for establishing a long-term funding mechanism for OMRR&R.

- SBFCA would assist with the establishment of a new JPA (the New JPA) whose sole purpose would be to levy a special benefit assessment on **all properties** benefiting from levee OMRR&R services provided by LDs 1 and 9. The New JPA would **not have a role with respect to how those services would be provided; it would only be a vehicle for providing funding.**
- SBFCA’s assistance with the establishment effort would consist of providing legal support, as needed, to prepare documents needed to establish the New JPA, including a Joint Exercise of Powers Agreement, bylaws, legal filings and other required legal JPA formation documents. SBFCA could perform as little or as much of this legal legwork as desired by the LDs and Sutter County and their respective counsels.
- The membership of the New JPA is proposed to consist of LD1, LD9 and Sutter County. The proposed Board would consist of 5 directors -- 2 trustees from each LD and 1 County Supervisor. (Because the proposed boundary of the New JPA’s assessment district would extend beyond the jurisdictional boundaries of the LDs, it is necessary for the County to be a member of the New JPA so that the proposed assessment can be levied from benefiting properties that lie within the County but not within the LDs’ boundaries.)
- SBFCA would assist with the establishment of the proposed special benefit assessment by the New JPA.
  - Assistance could include qualifying, selecting, contracting and managing an assessment engineering, legal and outreach consultant team to complete the required Proposition 218 special benefit assessment and ballot proceeding processes.
  - The New JPA would establish a budget for levee OMRR&R which would be made up of the combined costs associated with the OMRR&R of facilities for which each LD has responsibility. This total annual cost would be the basis for the new special assessment. It is proposed that this annual cost annually escalate to keep pace with inflation over time. Annual revenues from the

proposed assessment would be split and provided directly to each LD based upon its proportionate share of the total initial budget. This revenue apportionment process/policy should be established and adopted by the New JPA at the outset of its formation and assessment process.

- SBFCA could assist with near-term administrative management of the New JPA until the New JPA was established and self-sustaining. This start-up assistance could include;
  - Providing initial seed funding for the New JPA (to be repaid from future assessments over time.)
  - Providing legal and New JPA management & staff support.
  - Establishing an operating budget and supporting associated accounting/financial functions.
  - Conducting board meetings including setting agendas, handling required noticing, and Brown Act compliance.
  - Establishing needed policies and procedures for general operations.

### **Funding and Support Agreement**

SBFCA's effort to further the above approach and assistance would be memorialized in an agreement between SBFCA and the future members of the New JPA (a Funding and Support Agreement - FSA). **Attachment 1** presents the general terms of the parties intending to establish a long term sustainable funding mechanism for the locally maintained levees in the basin. In its final form, the FSA would identify the approach and assistance, both in terms of in-kind services and funding, that SBFCA would provide to further this intent. Further, the FSA would detail the schedule of the services to be provided by SBFCA as well as the timeframe of the LDs' respective execution of the required OMRR&R agreements. SBFCA expects that it would advance the formation of the proposed New JPA and the establishment of a new assessment district in time for the 2019/20 Fiscal Year property tax role. The timeframe for the LDs' respective executions of OMRR&R agreements would be the latter of the following;

- At the time of (or within a brief time of) the execution of the FSA; or,
- At the time of the LDs' respective approvals of OMRR&R manual supplements defining the scope of OMRR&R.

This latter key term is important for SBFCA as the execution of the OMRR&R agreements by the LDs is needed irrespective of the outcome of a Proposition 218 special assessment process. SBFCA's timing for compliance with the terms its DWR funding agreement, as it relates to the required execution of OMRR&R agreements, does not align with the schedule for the establishment of a new funding mechanism. Along with other requirements, DWR's release of retention is contingent on the execution of the OMRR&R agreements. In turn, release of retention funding is necessary for the advancement of the Sutter Basin federal project, construction the Oroville Wildlife Flood Stage Reduction Project and other efforts.

Attachment 1 also presents, along with the scope of services, a schedule and budget for the efforts. As noted above, SBFCA has presented a draft schedule that establishes the new JPA by June and completes the assessment formation process before August 2019. The rough budget estimate for all of the described services is \$228,000.

### **Next Steps & Schedule**

SBFCA staff would coordinate with Levee District staff and boards to present the proposed term sheet. Staff would work with the respective counsels of the LDs and Sutter County and finalize a FSA. SBFCA staff would present the finalized FSA to the SBFCA Board at its April meeting for execution. Once the agreement is finalized, SBFCA staff would commence the approved scope of work.

### **Fiscal Impact Analysis**

Costs to prepare to participate in meetings, prepare a strategy and scope of work are within the 3-year budget. There is no net budgetary impact from the Board's approval of Staff's recommendation at this time. A finalized Fiscal Impact analysis of a proposed Funding Services Agreement would be prepared for approval at the April Board meeting.

**Attachments**

1. Proposed Terms for Funding and Services Agreement including Exhibit A – Scope of Work, Exhibit B – Schedule, Exhibit C – Budget

## **Proposed Terms for Funding and Services Agreement**

Parties: Sutter Butte Flood Control Agency, Levee District 1, Levee District 9

Purpose: Outline the obligations of the parties with respect to establishment of long-term sustainable funding mechanism for locally-maintained levees.

### SBFCA Obligations:

1. Assist LD 1 and LD 9 with the following:

(a) Establishment of a new joint powers authority formed to levy a special benefit assessment on all properties benefiting from levee OMRR&R services by LD 1 and LD 9. Assistance includes technical, administrative and legal services associated with formation and administration of joint powers authority.

(b) Formation of special benefit assessment by the new joint powers authority, including consultant contracting, management, and associated ballot proceeding and public hearing processes.

(c) Short-term management (up to one year) of the joint powers authority, unless a longer term is agreed to by the parties, until that entity is self-sustaining. This assistance includes initial seed funding (to be repaid from future assessments); legal and staff support; establishment of budget/financial functions; conducting board meetings; establishment of operational policies and procedures.

The activities described in Paragraphs 1 (a) through 1 (c) are further detailed within the Scope of Work attached as Exhibit 'A'. SBFCA proposes to complete the Scope of Work within the Schedule attached as Exhibit 'B'.

All SBFCA costs associated with the activities described in Paragraphs 1 (a) through 1 (c) are referred to herein as "SBFCA Costs." The budget for SBFCA Costs is shown within Exhibit 'C'.

### LD 1 and LD 9 Obligations:

1. LD 1 and LD 9 separately execute OMRR&R agreement with Central Valley Flood Protection Board simultaneously with execution of this Funding Services Agreement.

2. Joint and several obligations to repay SBFCA, over a mutually agreed to timeframe, for SBFCA Costs, which obligation is only triggered upon successful formation of assessment district.

## **Funding and Service Agreement Exhibit 'A' - Scope of Work**

### **New Levee Operations and Maintenance Authority Formation and Administration**

- Develop draft Joint Exercise of Powers Agreement for New Levee Operations and Maintenance Authority. Coordinate review and finalize legal document based on input from LDs and Sutter County counsels. Conduct presentations at LD and Sutter County Board meetings.
- Assist with initial organizational meeting of New Levee Operations and Maintenance Authority – develop agenda and supporting materials, develop operational documents including by-laws, budget, meeting schedule and other required policies (including procurement) for Board approval.
- Assist with regular meetings including – development of agendas, noticing, preparation of staff reports and supporting materials, and other items as required for the regular operation of the agency.

### **New Levee Operations and Maintenance Assessment District Formation**

- Benefit Area Hydraulic Modeling - Develop benefit area floodplains for individual and consolidated O&M assessment areas, needed to support finalized Assessment Engineering process.
- Finalize Assessment Budget Model – Assist with consolidating independent budgets for levee operations and maintenance. Coordination on policies for budget development to support associated apportionment of revenues to member agencies. Incorporate repayment of formation process into budget.
- Develop Scope of Work and Request for Qualifications for Assessment District Formation – Finalize a scope of work for assessment engineering, public outreach, legal and legislative process support that would be included within a Request for Qualifications and proposal solicitation.
- Issue Request for Qualifications and Proposals and assist with consultant selection - help advertise and issue RFQs, receive review and evaluate statements of qualifications and proposals, conduct interviews and finalize a recommendation and formal selection of consultant / team.
- Administer Contract with the Assessment Engineering Team – provide consultant management support during Assessment District formation process, provide staff support to LD's during assessment engineering process and public outreach process.
- Support Board Engagement during Proposition 218 process - Assist with Public Hearing processes, development of required resolutions to support the formation process and facilitate the assessment ballot proceeding and public hearing.
- Coordinate with the Assessment Contractor – Coordinate the submission of the initial assessment roll to the Sutter County Auditor Controller.
- Coordinate Funding to LDs – Assist as needed with the apportionment of assessment funding to the respective LDs.

**Funding and Service Agreement  
Exhibit 'B' – Schedule**

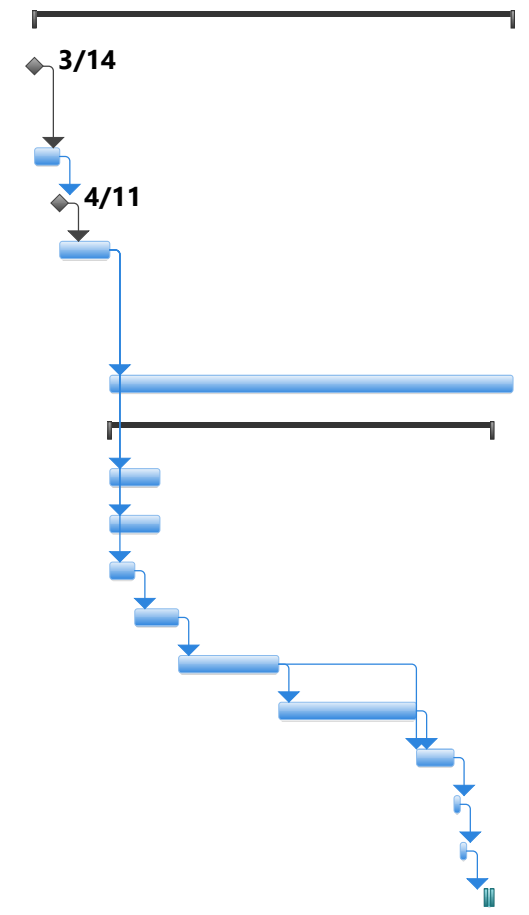
**Funding and Service Agreement  
Exhibit 'C' - Budget**



Long-Term OMRR&R Funding Implementation Schedule

Sutter Butte Flood Control Agency

ID	Task Name	Duration	Start	Finish	January 1/14	April 3/11	July 5/6	July 7/1	October 8/26	October 10/21	January 12/16	January 2/10	April 4/7	April 6/2	July 7/28
1	<b>O&amp;M JPA Establishment &amp; OMRR&amp;R Execution</b>	<b>76.6 wks</b>	<b>Wed 3/14/18</b>	<b>Fri 8/30/19</b>											
2	SBFCA Board Consideration / Authorization to Move Forward with Approach	0 days	Wed 3/14/18	Wed 3/14/18											
3	LDs Consideration of Funding Services Agreement	4 wks	Wed 3/14/18	Tue 4/10/18											
4	SBFCA Approval of FSA	0 days	Wed 4/11/18	Wed 4/11/18											
5	Finalize Organizational Documents, LD 1, LD 9 & Sutter County Approve and Form JPA and LDs sign OMRR&R Agreement	8 wks	Wed 4/11/18	Tue 6/5/18											
6	Administer JPA	64.6 wks	Wed 6/6/18	Fri 8/30/19											
7	<b>O&amp;M Benefit Assessment Formation</b>	<b>61.2 wks</b>	<b>Wed 6/6/18</b>	<b>Wed 8/7/19</b>											
8	Benefit Area Hydraulic Modeling	8 wks	Wed 6/6/18	Tue 7/31/18											
9	Finalize Budget Model	8 wks	Wed 6/6/18	Tue 7/31/18											
10	Scope / RFP Development	4 wks	Wed 6/6/18	Tue 7/3/18											
11	Issue RFP / Consultant Selection	7 wks	Wed 7/4/18	Tue 8/21/18											
12	Benefit Allocation & ER Prep	16 wks	Wed 8/22/18	Tue 12/11/18											
13	Public Outreach / Implementation	22 wks	Wed 12/12/18	Tue 5/14/19											
14	Balloting Period / Continued Outreach	6 wks	Wed 5/15/19	Tue 6/25/19											
15	Public Hearing / Ballot Tabulation	1 wk	Wed 6/26/19	Tue 7/2/19											
16	O&M Assessment Formation (if approved)	1 wk	Wed 7/3/19	Tue 7/9/19											
17	Prepare & submit roll / Coordination with Sutter County	1 wk	Thu 8/1/19	Wed 8/7/19											



**LD1 / LD 9 Consolidated O&M JPA Approach Budget**

ID	Task	Description	Budget
<b>Effort - Long-Term OMRR&amp;R Agreement / O&amp;M JPA Formation</b>			
2	SBFCA Board Consider / Authorization to Move Forward with Approach	SBFCA Board meetings where OMRR&R Strategy is discussed and direction and ultimately authorization is provided to engage consultant efforts to facilitate an LD1 & LD9 coordinated strategy for adequately funding O&M.	N/A
3,4	Prepare Documents Finalize Funding Approach / SBFCA Board Action	Development of a new JPA Agreement for O&M and finalize approach based on input from RD's. Board approves approach.	N/A
5, 6	Finalize Organizational & Funding Documents, LD 1, LD 9 & Sutter County Approve Funding Approach Form JPA and Sign OMRR&R Agreement, Form JPA. Interim administration of JPA	Assist with initial organizational meeting of New Levee Operations and Maintenance Authority – develop agenda and supporting materials, develop operational documents including by-laws, budget, meeting schedule and other required policies (including procurement) for Board approval. Assist with regular meetings including – development of agendas, noticing, preparation of staff reports and supporting materials, and other items as required for the regular operation of the agency.	\$ 15,000
<b>O&amp;M Assessment Formation</b>			
8	Benefit Area Hydraulic Modeling	Benefit Area Hydraulic Modeling - Develop benefit area floodplains for individual and consolidated O&M assessment areas, needed to support finalized Assessment Engineering process.	\$ 10,000
9	Finalize Budget Model	Finalize Assessment Budget Model – Assist with consolidating independent budgets for levee operations and maintenance. Coordination on policies for budget development to support associated apportionment of revenues to member agencies. Incorporate repayment of formation process into budget.	\$ 2,000
10, 11	Scope / Issue RFP / Consultant Selection	Develop Scope of Work and Request for Qualifications for Assessment District Formation – Finalize a scope of work for assessment engineering, public outreach, legal and legislative process support that would be included within a Request for Qualifications and proposal solicitation. Issue Request for Qualifications and Proposals and assist with consultant selection - help advertise and issue RFQ's, receive review and evaluate statements of qualifications and proposals, conduct interviews and finalize a recommendation and formal selection of consultant / team.	\$ 8,000
12	Benefit Allocation & ER Prep	Detailed data gathering, financial modeling for rates, benefit assessment and apportionment modeling, preparation of Engineer's Report.	\$ 80,000
13	Public Outreach / Implementation	Key message development, stakeholder outreach, public meetings, development of outreach materials / mailers etc., legislative process up until mailing of ballots.	\$ 100,000
14	Balloting Period	Ongoing outreach, ballot processing, public meetings, development of tabulation process, respond to inquiries.	\$ 8,000
15 - 17	Public Hearing / Ballot Tabulation / Formation / Submit Roll	Milestone event, tabulation could possibly take more than one day.	\$ 5,000
<b>Total Estimated Budget</b>			<b>\$ 228,000</b>



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

March 14, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director  
Seth Wurzel, Budget Manager

**SUBJECT:** Receive and File Monthly Financial Reports (January 2018)

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## **Recommendation**

Staff recommends that the Board receive and file the January 2018 Financial Report and receive staff's monthly financial report update.

## **Background**

Staff will provide a brief presentation of SBFCA's current financial position and financial activities at the Board meeting and will be prepared to answer any questions. For this report, staff is presenting financial information for January 2018. Staff's oral presentation will cover the financial activities of the Agency through January 2018.

The monthly financial reports include the following information:

- Current Working Capital Position: The reports provide an update as to the liquidity of the Agency and ability to cover current obligations. This information is presented within the monthly financial report prepared in coordination with Yuba City finance staff. The current and past months' financial reports reflects the financial information as of January 2018. The information presented is compared to the Final Amended Final Budgets for FY 2017/18.

## **Fiscal Impact**

This is an informational item with no fiscal impact.

## **Attachments**

Yuba City Finance Department Memorandum, March 14, 2018 re: Monthly Financial Report: January 2018



**Yuba City  
Finance Department  
Memorandum**

**Date:** March 14, 2018

**To:** Board Members, Sutter Butte Flood Control Agency  
Mike Inamine, Executive Director

**From:** Robin Bertagna, CPA *MAB*  
Agency Treasurer / Yuba City Finance Director

**Subject:** Monthly Financial Report: January 2018

Attached is the Monthly Financial Report for the Sutter Butte Flood Control Agency for the month of January covering fiscal year 2017-2018. This Monthly Financial Report includes the following information prepared by SBFCA:

- Total working capital reconciliation: A reconciliation of total working capital for fiscal year 2017-2018 through January 2018 as compared to the amended SBFCA Budget is shown. The statement also shows an estimated amount of invoiced expenditures and revenues received to date for fiscal year 2017-2018. The total preliminary working capital for the Agency as of January 31, 2018 is estimated to be \$24,859,083 (**Exhibit A**).

As of the date of this report, the estimated difference between invoiced expenditures and paid expenditures is approximately \$2,914,416.

For fiscal year 2017-18 to date, the total amount of revenue received through grants from the State of California and assessment collection included in the working capital totals \$37,995,255. This represents combined Proposition 1E revenue for the EIP, LC FSRP, Regional Planning, and Emergency Response projects and Proposition 13 revenue for the Feasibility Study.

SBFCA has drawn the balance of its 2013 Assessment Revenue Bond proceeds. The balance of the Project Fund as of January 31, 2018, is \$0. The balance of the 2015 Assessment Revenue Bond proceeds remaining with the Trustee is \$4,327.70 as of January 31, 2018.

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**SBFCA Monthly Financial Report: January 2018**  
**March 14, 2018**

Taking into consideration payable expenses, assessment revenues received, State funding received, financing draws, and the repayment of debt, the Total Preliminary Working Capital for the Agency is approximately \$37,201,353.

- Summary statement of cumulative activities for fiscal year 2017-18 through January 2018: This statement shows the expenditures by fund and by the major expenditure category – Operations & Capital (USACE Study, EIP, Stakeholder Management, Regional Planning, Emergency Response Planning, etc.). This statement also shows the amounts received and expended through January 2018, as compared to the Final Amended SBFCA Budget for fiscal year 2017-18. This statement has been reconciled by SBFCA staff to the City of Yuba City's financial system (**Exhibit B**).

Check registers reflecting all checks issued on behalf of the Agency for January 2018 for fiscal year 2017-18 are included.

This correspondence is informational only. Please review and file.

Thank you.

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## SBFCA BUDGET TOTAL WORKING CAPITAL RECONCILIATION

FY 2017/18			
<u>Line Item Description</u>	<u>Amended 2017-18 Budget [1]</u>	<u>Month Ending January-18</u>	<u>Rec'd/Invoiced to Date</u>
<b>Working Capital Beginning of Period</b>			
Operational Fund 730	3,430,285	3,684,969	3,684,969
Capital Fund 731 - USACE Study	(521,618)	(881,424)	(881,424)
Capital Fund 731 - EIP	12,999,590	23,963,961	23,963,961
Capital Fund 731 - Stakeholder	(19,570)	2,196	2,196
Capital Fund 731 - RFMP	(231,363)	(191,178)	(191,178)
Capital Fund 731 - OWA	(2,399)	(221,976)	(221,976)
Capital Fund 731 - ER Planning	(69,991)	(69,991)	(69,991)
Capital Fund 731 - Gridley Bridge	(73,099)	(73,099)	(73,099)
Capital Fund 731 - FSRP	(492,337)	1,310,008	1,310,008
Capital Fund 731- ULOP	(66,000)	(6,133)	(6,133)
Capital Fund 731 - Flood & Emergency	(5,500,000)	(3,716,254)	(3,716,254)
Capital Fund 731 - Emergency Repair	-	-	-
<b>Total Beginning of Period</b>	<b>9,453,497</b>	<b>23,801,079</b>	<b>23,801,079</b>
<b>Transfers</b>			
Operational Fund 730		-	-
Capital Fund 731			
<i>Capital Fund 731 - USACE Study</i>			
<i>Capital Fund 731 - EIP</i>		-	-
<i>Capital Fund 731 - Stakeholder</i>			
<i>Capital Fund 731 - RFMP</i>			
<i>Capital Fund 731 - OWA</i>			
<i>Capital Fund 731 - ER Planning</i>			
<i>Capital Fund 731 - Gridley Bridge</i>			
<i>Capital Fund 731- FSRP</i>			
<i>Capital Fund 731- ULOP</i>			
<i>Capital Fund 731 - Flood &amp; Emergency</i>			
<i>Capital Fund 731 - Emergency Repair</i>			
Subtotal Capital Fund	-	-	-
<b>Net Transfers</b>	-	-	-
<b>Revenues</b>			
Operational Fund 730	750,000	750,000	750,000
Capital Fund 731			
<i>Capital Fund 731 - USACE Study</i>			
<i>Capital Fund 731 - EIP (Local)</i>	5,750,000	3,317,811	3,317,811
<i>Capital Fund 731 - EIP (State)</i>	24,782,039	31,144,381	44,531,396
<i>Capital Fund 731 - Stakeholder</i>	-	-	-
<i>Capital Fund 731 - RFMP</i>	543,584	39,213	-
<i>Capital Fund 731 - OWA</i>	2,960,933	213,264	270,113
<i>Capital Fund 731 - ER Planning</i>	-	-	-
<i>Capital Fund 731 - Gridley Bridge</i>	-	-	-
<i>Capital Fund 731- FSRP</i>	1,579,716	2,530,586	4,382,621
<i>Capital Fund 731- ULOP</i>	-	-	-
<i>Capital Fund 731 - Flood &amp; Emergency</i>	5,500,000	-	-
<i>Capital Fund 731 - Emergency Repair</i>	25,000,000	-	-
Subtotal Capital Fund	66,116,272	37,245,255	52,501,940
<b>Total Revenues Operating &amp; Capital</b>	<b>66,866,272</b>	<b>37,995,255</b>	<b>53,251,940</b>

## SBFCA BUDGET TOTAL WORKING CAPITAL RECONCILIATION

<u>Line Item Description</u>	FY 2017/18		
	Amended 2017-18 Budget [1]	Month Ending January-18	Rec'd/Invoiced to Date
<b>Expenses</b>			
Operational Fund 730	1,115,254	144,061	215,301
Capital Fund 731			
<i>Capital Fund 731 - USACE Study</i>	2,257,761	760,630	1,802,908
<i>Capital Fund 731 - EIP</i>	16,149,479	3,584,443	4,241,239
<i>Capital Fund 731 - Stakeholder</i>	-	301	946
<i>Capital Fund 731 - RFMP</i>	90,687	7,856	9,996
<i>Capital Fund 731 - OWA</i>	3,059,700	121,985	195,436
<i>Capital Fund 731 - ER Planning</i>	-	-	-
<i>Capital Fund 731 - Gridley Bridge</i>	-	-	-
<i>Capital Fund 731- FSRP</i>	6,537,901	6,726,267	6,617,882
<i>Capital Fund 731- ULOP</i>	269,814	712	1,424
<i>Capital Fund 731 - Flood &amp; Emergency</i>	-	32,860	397,061
<i>Capital Fund 731 - Emergency Repair</i>	28,283,293	23,338,567	24,149,905
Subtotal Capital Fund	56,648,634	34,573,621	37,416,797
<b>Total Expenses Operating &amp; Capital</b>	<b>57,763,888</b>	<b>34,717,682</b>	<b>37,632,098</b>
<b>Financing Activities [2]</b>			
Gross Proceeds from New Debt <i>[Trustee]</i>	-	-	-
Proceeds from of New Debt <i>[SBFCA]</i>	-	-	-
Short/Long Term Debt Repayment	-		
Costs of Financing			
Debt Service on Outstanding Debt	(4,104,081)	(2,215,241)	(2,215,241)
<b>Net Financing Activities</b>	<b>(4,104,081)</b>	<b>(2,215,241)</b>	<b>(2,215,241)</b>
<b>Working Capital End of Period</b>			
Operational Fund 730	3,065,031	4,290,908	4,219,668
Capital Fund 731 - USACE Study	(2,779,379)	(1,642,054)	(2,684,332)
Capital Fund 731 - EIP	23,278,068	52,626,469	65,356,688
Capital Fund 731 - Stakeholder	(19,570)	1,895	1,250
Capital Fund 731 - RFMP	221,534	(159,822)	(201,175)
Capital Fund 731 - OWA	(101,166)	(130,696)	(147,299)
Capital Fund 731 - ER Planning	(69,991)	(69,991)	(69,991)
Capital Fund 731 - Gridley Bridge	(73,099)	(73,099)	(73,099)
Capital Fund 731 - FSRP	(5,450,521)	(2,885,673)	(925,253)
Capital Fund 731- ULOP	(335,814)	(6,844)	(7,556)
Capital Fund 731 - Flood & Emergency	-	(3,749,114)	(4,113,315)
Capital Fund 731 - Emergency Repair	(3,283,293)	(23,338,567)	(24,149,905)
<b>Total End of Period</b>	<b>14,451,800</b>	<b>24,863,411</b>	<b>37,205,681</b>
<b>Working Capital Net of Trustee Funds</b>		<b>\$24,859,083</b>	<b>\$37,201,353</b>

[1] Reflects Approved Budget presented to the Board May 10, 2017.

[2] Financing Activities are reflected in the Capital Fund EIP Ending Working Capital Balance.



SUNGARD PENTAMATION, INC.  
 DATE: 02/20/2018  
 TIME: 10:11:05

CITY OF YUBA CITY  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 1  
 ACCTPA21

SELECTION CRITERIA: transact.yr='18' and transact.period='7' and transact.fund between '730' and '731'  
 ACCOUNTING PERIOD: 8/18

FUND - 730 - FLOOD CONTROL AGENCY

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	FUND/DEPT	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
10100	224339	01/04/18	300739 ADVANCED DOCUMENT C	7350	62601	SBFCA/NOV QJC010353	0.00	16.97
10100	224389	01/04/18	301938 NBS	7350	62701	SBFCA/FY 17/18 SERV	0.00	9,805.61
10100	224409	01/04/18	201761 SPRINT	7350	62201	SBFCA/10-28 TO 11-2	0.00	17.08
10100	224423	01/11/18	307531 BADAWI & ASSOCIATES	7350	62701		0.00	238.95
10100	224454	01/12/18	201828 COMCAST CABLE	7350	62201	SBFCA/11-30 TO 12-2	0.00	19.60
10100	224482	01/12/18	304991 MICHAEL BESSETTE	7350	62801	SBFCA/DEC 17 REIMB	0.00	10.87
10100	224575	01/19/18	304090 KIM FLOYD COMMUNICA	7350	62701	SBFCA/DEC 2018 SERV	0.00	206.71
10100	224585	01/19/18	304481 MICHAEL INAMINE	7350	62801	SBFCA/SEPT 2017 REI	0.00	66.51
10100	224613	01/19/18	201761 SPRINT	7350	62201	SBFCA/11-28 TO 12-2	0.00	13.14
10100	224624	01/19/18	307507 TERRA YANEY	7350	62801	SBFCA/DEC 2017 REIM	0.00	133.13
10100	224626	01/19/18	306259 THE SIGN SHOP	7350	62701	SBFCA/ENTRY LETTERI	0.00	4.84
10100	224635	01/19/18	302252 U.S. BANK CORP PAYM	7350	65101	TY/CALCARD CHARGES	0.00	3,963.84
TOTAL CASH ACCOUNT							0.00	14,497.25
TOTAL FUND							0.00	14,497.25

SUNGARD PENTAMATION, INC.  
 DATE: 02/20/2018  
 TIME: 10:11:05

CITY OF YUBA CITY  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 2  
 ACCTPA21

SELECTION CRITERIA: transact.yr='18' and transact.period='7' and transact.fund between '730' and '731'  
 ACCOUNTING PERIOD: 8/18

FUND - 731 - SBFCA CAPITAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	FUND/DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
10100	224339	01/04/18	300739	ADVANCED DOCUMENT C	995001	67310 SBFCA/NOV QJC010353	0.00	219.28
10100	224339	01/04/18	300739	ADVANCED DOCUMENT C	992004	65689 SBFCA/NOV QJC010353	0.00	33.95
10100	224339	01/04/18	300739	ADVANCED DOCUMENT C	996001	67310 SBFCA/NOV QJC010353	0.00	69.25
TOTAL CHECK							0.00	322.48
10100	224349	01/04/18	302416	BENDER ROSENTHAL, I	995001	66716 SBFCA/OCT 2017 SERV	0.00	12.96
10100	224349	01/04/18	302416	BENDER ROSENTHAL, I	995001	66714 SBFCA/OCT 2017 SERV	0.00	962.13
10100	224349	01/04/18	302416	BENDER ROSENTHAL, I	996001	66717 SBFCA/OCT 2017 SERV	0.00	257.98
10100	224349	01/04/18	302416	BENDER ROSENTHAL, I	996001	66716 SBFCA/OCT 2017 SERV	0.00	4.10
10100	224349	01/04/18	302416	BENDER ROSENTHAL, I	996001	66714 SBFCA/OCT 2017 SERV	0.00	303.84
10100	224349	01/04/18	302416	BENDER ROSENTHAL, I	995001	66717 SBFCA/OCT 2017 SERV	0.00	928.52
TOTAL CHECK							0.00	2,469.53
10100	224373	01/04/18	200071	HDR ENGINEERING INC	996001	68945 SBFCA/JULY 2017 SER	0.00	1,456.32
10100	224373	01/04/18	200071	HDR ENGINEERING INC	996001	68202 SBFCA/MAY 2017 SERV	0.00	20,654.19
10100	224373	01/04/18	200071	HDR ENGINEERING INC	995001	68945 SBFCA/JULY 2017 SER	0.00	6,208.47
10100	224373	01/04/18	200071	HDR ENGINEERING INC	996001	68802 SBFCA/MAY 2017 SERV	0.00	30,528.29
10100	224373	01/04/18	200071	HDR ENGINEERING INC	995001	68802 SBFCA/MAY 2017 SERV	0.00	109,883.97
10100	224373	01/04/18	200071	HDR ENGINEERING INC	995001	68202 SBFCA/MAY 2017 SERV	0.00	65,404.94
TOTAL CHECK							0.00	234,136.18
10100	224374	01/04/18	302687	ICF JONES & STOKES,	996001	68804 SBFCA/AUG AREA D	0.00	7,706.38
10100	224374	01/04/18	302687	ICF JONES & STOKES,	996001	68804 SBFCA/NOV AREA D	0.00	7,056.33
10100	224374	01/04/18	302687	ICF JONES & STOKES,	995001	68804 SBFCA/NOV AREA D	0.00	23,566.87
10100	224374	01/04/18	302687	ICF JONES & STOKES,	995001	68804 SBFCA/AUG AREA D	0.00	25,737.94
TOTAL CHECK							0.00	64,067.52
10100	224382	01/04/18	201493	MBK ENGINEERS	992001	65641 SBFCA/NOV 2017 SERV	0.00	795.93
10100	224409	01/04/18	201761	SPRINT	992004	65689 SBFCA/10-28 TO 11-2	0.00	34.15
10100	224409	01/04/18	201761	SPRINT	996001	67310 SBFCA/10-28 TO 11-2	0.00	69.67
10100	224409	01/04/18	201761	SPRINT	995001	67310 SBFCA/10-28 TO 11-2	0.00	220.62
TOTAL CHECK							0.00	324.44
10100	224423	01/11/18	307531	BADAWI & ASSOCIATES	996001	67310	0.00	974.92
10100	224423	01/11/18	307531	BADAWI & ASSOCIATES	995001	67310	0.00	3,087.23
10100	224423	01/11/18	307531	BADAWI & ASSOCIATES	992004	65689	0.00	477.90
TOTAL CHECK							0.00	4,540.05
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	66716 SBFCA/OCT 17 SERVIC	0.00	80.96
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	68114 SBFCA/NOV 17 SERVIC	0.00	112.51
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	66714 SBFCA/OCT 17 SERVIC	0.00	205.24
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	68114 SBFCA/OCT 17 SERVIC	0.00	130.23
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	995001	67114 SBFCA/OCT 17 SERVIC	0.00	1,835.26
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	995001	68714 SBFCA/OCT 17 SERVIC	0.00	813.33
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	68714 SBFCA/NOV 17 SERVIC	0.00	195.24
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	67114 SBFCA/OCT 17 SERVIC	0.00	579.55
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	67114 SBFCA/NOV 17 SERVIC	0.00	76.29
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	66717 SBFCA/OCT 17 SERVIC	0.00	148.97
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	995001	68114 SBFCA/NOV 17 SERVIC	0.00	356.25
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	996001	68714 SBFCA/OCT 17 SERVIC	0.00	226.00
10100	224450	01/12/18	302416	BENDER ROSENTHAL, I	995001	68114 SBFCA/OCT 17 SERVIC	0.00	412.38

SUNGARD PENTAMATION, INC.  
 DATE: 02/20/2018  
 TIME: 10:11:05

CITY OF YUBA CITY  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 3  
 ACCTPA21

SELECTION CRITERIA: transact.yr='18' and transact.period='7' and transact.fund between '730' and '731'  
 ACCOUNTING PERIOD: 8/18

FUND - 731 - SBFCA CAPITAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	FUND/DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
10100	224450	01/12/18	302416 BENDER ROSENTHAL, I	995001	68714	SBFCA/NOV 17 SERVIC	0.00	702.63
10100	224450	01/12/18	302416 BENDER ROSENTHAL, I	995001	66714	SBFCA/OCT 17 SERVIC	0.00	649.89
10100	224450	01/12/18	302416 BENDER ROSENTHAL, I	941064	65635	SBFCA/OCT 17 SERVIC	0.00	24,313.35
10100	224450	01/12/18	302416 BENDER ROSENTHAL, I	995001	66716	SBFCA/OCT 17 SERVIC	0.00	256.35
10100	224450	01/12/18	302416 BENDER ROSENTHAL, I	941064	65635	SBFCA/NOV 17 SERVIC	0.00	22,809.67
10100	224450	01/12/18	302416 BENDER ROSENTHAL, I	995001	66717	SBFCA/OCT 17 SERVIC	0.00	536.15
10100	224450	01/12/18	302416 BENDER ROSENTHAL, I	995001	67114	SBFCA/NOV 17 SERVIC	0.00	241.58
TOTAL CHECK							0.00	54,681.83
10100	224454	01/12/18	201828 COMCAST CABLE	995001	67310	SBFCA/11-30 TO 12-2	0.00	253.19
10100	224454	01/12/18	201828 COMCAST CABLE	992004	65689	SBFCA/11-30 TO 12-2	0.00	39.19
10100	224454	01/12/18	201828 COMCAST CABLE	996001	67310	SBFCA/11-30 TO 12-2	0.00	79.96
TOTAL CHECK							0.00	372.34
10100	224459	01/12/18	306396 ECorp CONSULTING, I	941064	65648	SBFCA/NOV 17 SERVIC	0.00	11,455.00
10100	224459	01/12/18	306396 ECorp CONSULTING, I	992004	65684	SBFCA/NOV LAURAL AV	0.00	83,479.85
10100	224459	01/12/18	306396 ECorp CONSULTING, I	997002	65674	SBFCA/NOV REACHES	0.00	108,063.17
10100	224459	01/12/18	306396 ECorp CONSULTING, I	941064	65635	SBFCA/DEC CYPRSS BR	0.00	76,129.56
TOTAL CHECK							0.00	279,127.58
10100	224473	01/12/18	302687 ICF JONES & STOKES,	995001	68946	SBFCA/NOV 17 SERVIC	0.00	504.50
10100	224473	01/12/18	302687 ICF JONES & STOKES,	996001	68946	SBFCA/NOV 17 SERVIC	0.00	118.35
10100	224473	01/12/18	302687 ICF JONES & STOKES,	996001	68946	SBFCA/SEP 17 SERVIC	0.00	127.98
10100	224473	01/12/18	302687 ICF JONES & STOKES,	992004	65684	SBFCA/NOV 17 SERVIC	0.00	4,020.57
10100	224473	01/12/18	302687 ICF JONES & STOKES,	995001	68946	SBFCA/SEP 17 SERVIC	0.00	545.58
TOTAL CHECK							0.00	5,316.98
10100	224482	01/12/18	304991 MICHAEL BESSETTE	941064	62798	SBFCA/DEC 17 REIMB	0.00	51.32
10100	224482	01/12/18	304991 MICHAEL BESSETTE	992004	65689	SBFCA/DEC 17 REIMB	0.00	21.73
10100	224482	01/12/18	304991 MICHAEL BESSETTE	997002	65670	SBFCA/DEC 17 REIMB	0.00	208.64
10100	224482	01/12/18	304991 MICHAEL BESSETTE	995001	67310	SBFCA/DEC 17 REIMB	0.00	140.39
10100	224482	01/12/18	304991 MICHAEL BESSETTE	996001	67310	SBFCA/DEC 17 REIMB	0.00	44.33
TOTAL CHECK							0.00	466.41
10100	224488	01/12/18	301312 PARSONS BRINCKERHOF	995001	68931	SBFCA/NOV 17 SERVIC	0.00	19,928.77
10100	224488	01/12/18	301312 PARSONS BRINCKERHOF	992004	65687	SBFCA/NOV 17 SERVIC	0.00	60,116.66
10100	224488	01/12/18	301312 PARSONS BRINCKERHOF	997002	65672	SBFCA/NOV 17 SERVIC	0.00	234,763.49
10100	224488	01/12/18	301312 PARSONS BRINCKERHOF	996001	68931	SBFCA/NOV 17 SERVIC	0.00	6,293.30
TOTAL CHECK							0.00	321,102.22
10100	224495	01/12/18	83430 TEICHERT CONSTRUCTI	991066	65615	SBFCA/DEC 17 SERVIC	0.00	1,433.30
10100	224499	01/12/18	307582 WSP USA, INC.	991066	65614	SBFCA/NOV 17 SERVIC	0.00	521.33
10100	224525	01/19/18	306923 CARPI & CLAY, INC.	996001	66552	SBFCA/DEC 2017 SERV	0.00	8,000.00
10100	224544	01/19/18	305571 DEPARTMENT OF WATER	996001	68946	SBFCA/ENCROACH 1811	0.00	799.90
10100	224544	01/19/18	305571 DEPARTMENT OF WATER	995001	68946	SBFCA/ENCROACH 1811	0.00	3,410.10
TOTAL CHECK							0.00	4,210.00
10100	224567	01/19/18	200071 HDR ENGINEERING INC	995001	68945	SBFCA/AUG 2017 SERV	0.00	10,291.43
10100	224567	01/19/18	200071 HDR ENGINEERING INC	995001	68945	SBFCA/SEPT 2017 SER	0.00	12,365.88

SUNGARD PENTAMATION, INC.  
 DATE: 02/20/2018  
 TIME: 10:11:05

CITY OF YUBA CITY  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 4  
 ACCTPA21

SELECTION CRITERIA: transact.yr='18' and transact.period='7' and transact.fund between '730' and '731'  
 ACCOUNTING PERIOD: 8/18

FUND - 731 - SBFCA CAPITAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	FUND/DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
10100	224567	01/19/18	200071	HDR ENGINEERING INC	996001	68202 SBFCA/AUG AREA BD	0.00	10,920.68
10100	224567	01/19/18	200071	HDR ENGINEERING INC	996001	68202 SBFCA/JUL AREA BD	0.00	9,307.75
10100	224567	01/19/18	200071	HDR ENGINEERING INC	997002	65673 SBFCA/JULY 2017 SER	0.00	230,608.82
10100	224567	01/19/18	200071	HDR ENGINEERING INC	992001	65641 SBFCA/SEPT 2017 SER	0.00	541.37
10100	224567	01/19/18	200071	HDR ENGINEERING INC	996001	68945 SBFCA/AUG 2017 SERV	0.00	2,414.05
10100	224567	01/19/18	200071	HDR ENGINEERING INC	992007	68944 SBFCA/AUG 2017 SERV	0.00	21,401.29
10100	224567	01/19/18	200071	HDR ENGINEERING INC	995001	68802 SBFCA/AUG AREA BD	0.00	58,099.93
10100	224567	01/19/18	200071	HDR ENGINEERING INC	995001	68802 SBFCA/JUL AREA BD	0.00	49,518.84
10100	224567	01/19/18	200071	HDR ENGINEERING INC	992007	68944 SBFCA/SEPT 2017 SER	0.00	17,250.99
10100	224567	01/19/18	200071	HDR ENGINEERING INC	992007	68944 SBFCA/JUL 2017 SERV	0.00	13,330.83
10100	224567	01/19/18	200071	HDR ENGINEERING INC	995001	67202 SBFCA/AUG AREA E	0.00	28,107.45
10100	224567	01/19/18	200071	HDR ENGINEERING INC	995001	67202 SBFCA/JULY AREA E	0.00	31,871.67
10100	224567	01/19/18	200071	HDR ENGINEERING INC	996001	68945 SBFCA/SEPT 2017 SER	0.00	2,900.64
10100	224567	01/19/18	200071	HDR ENGINEERING INC	996001	68802 SBFCA/AUG AREA BD	0.00	16,141.50
10100	224567	01/19/18	200071	HDR ENGINEERING INC	996001	68802 SBFCA/JUL AREA BD	0.00	13,757.49
10100	224567	01/19/18	200071	HDR ENGINEERING INC	941064	65635 SBFCA/JULY 2017 SER	0.00	113,174.45
10100	224567	01/19/18	200071	HDR ENGINEERING INC	995001	68202 SBFCA/AUG AREA BD	0.00	34,582.12
10100	224567	01/19/18	200071	HDR ENGINEERING INC	995001	68202 SBFCA/JUL AREA BD	0.00	29,474.51
10100	224567	01/19/18	200071	HDR ENGINEERING INC	996001	67202 SBFCA/AUG AREA E	0.00	8,876.04
10100	224567	01/19/18	200071	HDR ENGINEERING INC	996001	67202 SBFCA/JULY AREA E	0.00	10,323.40
10100	224567	01/19/18	200071	HDR ENGINEERING INC	992004	65687 SBFCA/JUL 2017 SERV	0.00	55,873.14
TOTAL CHECK							0.00	781,134.27
10100	224570	01/19/18	302687	ICF JONES & STOKES,	996001	68204 SBFCA/OCT AREA B	0.00	1,185.49
10100	224570	01/19/18	302687	ICF JONES & STOKES,	995001	68204 SBFCA/OCT AREA B	0.00	3,754.05
TOTAL CHECK							0.00	4,939.54
10100	224575	01/19/18	304090	KIM FLOYD COMMUNICA	996001	66331 SBFCA/DEC 2018 SERV	0.00	942.61
10100	224575	01/19/18	304090	KIM FLOYD COMMUNICA	995001	66331 SBFCA/DEC 2018 SERV	0.00	2,984.93
TOTAL CHECK							0.00	3,927.54
10100	224585	01/19/18	304481	MICHAEL INAMINE	996001	67310 SBFCA/SEPT 2017 REI	0.00	2.45
10100	224585	01/19/18	304481	MICHAEL INAMINE	992004	65689 SBFCA/SEPT 2017 REI	0.00	1.20
10100	224585	01/19/18	304481	MICHAEL INAMINE	997002	65670 SBFCA/SEPT 2017 REI	0.00	2.25
10100	224585	01/19/18	304481	MICHAEL INAMINE	995001	67310 SBFCA/SEPT 2017 REI	0.00	7.75
TOTAL CHECK							0.00	13.65
10100	224601	01/19/18	301931	PETERSON, BRUSTAD,	992007	68944 SBFCA/DEC 2017 SERV	0.00	4,422.59
10100	224601	01/19/18	301931	PETERSON, BRUSTAD,	995001	68941 SBFCA/DEC 2017 SERV	0.00	8,651.29
10100	224601	01/19/18	301931	PETERSON, BRUSTAD,	996001	68941 SBFCA/DEC 2017 SERV	0.00	2,029.31
10100	224601	01/19/18	301931	PETERSON, BRUSTAD,	992007	68942 SBFCA/DEC 2017 SERV	0.00	96.60
TOTAL CHECK							0.00	15,199.79
10100	224613	01/19/18	201761	SPRINT	996001	67310 SBFCA/11-28 TO 12-2	0.00	53.60
10100	224613	01/19/18	201761	SPRINT	992004	65689 SBFCA/11-28 TO 12-2	0.00	26.28
10100	224613	01/19/18	201761	SPRINT	995001	67310 SBFCA/11-28 TO 12-2	0.00	169.75
TOTAL CHECK							0.00	249.63
10100	224622	01/19/18	300487	SWRCB ACCOUNTING OF	992004	65684 SBFCA/ANNUAL PERMIT	0.00	1,500.00
10100	224626	01/19/18	306259	THE SIGN SHOP	995001	67310 SBFCA/ENTRY LETTERI	0.00	62.50
10100	224626	01/19/18	306259	THE SIGN SHOP	996001	67310 SBFCA/ENTRY LETTERI	0.00	19.73

SUNGARD PENTAMATION, INC.  
 DATE: 02/20/2018  
 TIME: 10:11:05

CITY OF YUBA CITY  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 5  
 ACCTPA21

SELECTION CRITERIA: transact.yr='18' and transact.period='7' and transact.fund between '730' and '731'  
 ACCOUNTING PERIOD: 8/18

FUND - 731 - SBFCA CAPITAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	FUND/DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
10100	224626	01/19/18	306259 THE SIGN SHOP	992004	65689	SBFCA/ENTRY LETTERI	0.00	9.68
TOTAL CHECK							0.00	91.91
10100	224738	01/25/18	307284 FIDELITY NATIONAL T	996001	68100	SBFCA/SIERRA GOLD	0.00	95,519.28
10100	224738	01/25/18	307284 FIDELITY NATIONAL T	995001	68100	SBFCA/SIERRA GOLD	0.00	302,477.72
TOTAL CHECK							0.00	397,997.00
10100	224749	01/25/18	200071 HDR ENGINEERING INC	941064	65635	SBFCA/SEPT 2017 SER	0.00	19,126.36
10100	224749	01/25/18	200071 HDR ENGINEERING INC	995001	68202	SBFCA/SEPT AREA BD	0.00	16,378.08
10100	224749	01/25/18	200071 HDR ENGINEERING INC	997002	65673	SBFCA/AUG 2017 SERV	0.00	255,354.41
10100	224749	01/25/18	200071 HDR ENGINEERING INC	992004	65687	SBFCA/AUG 2017 SERV	0.00	91,355.26
10100	224749	01/25/18	200071 HDR ENGINEERING INC	941064	65635	SBFCA/AUG 2017 SERV	0.00	78,777.91
10100	224749	01/25/18	200071 HDR ENGINEERING INC	996001	68202	SBFCA/SEPT AREA BD	0.00	5,172.03
10100	224749	01/25/18	200071 HDR ENGINEERING INC	996001	68802	SBFCA/SEPT AREA BD	0.00	7,644.62
10100	224749	01/25/18	200071 HDR ENGINEERING INC	995001	68802	SBFCA/SEPT AREA BD	0.00	27,516.11
TOTAL CHECK							0.00	501,324.78
10100	224779	01/25/18	305300 NORDIC-MAGNUS PACIF	731	20195	SBFCA/11-21/12-20 R	0.00	-49,072.85
10100	224779	01/25/18	305300 NORDIC-MAGNUS PACIF	997002	65671	SBFCA/11-21/12-20-1	0.00	981,457.00
TOTAL CHECK							0.00	932,384.15
10100	224792	01/25/18	301931 PETERSON, BRUSTAD,	991067	65621	SBFCA/DEC 2017 SERV	0.00	2,497.95
10100	224792	01/25/18	301931 PETERSON, BRUSTAD,	996001	66341	SBFCA/DEC 2017 SERV	0.00	1,803.32
10100	224792	01/25/18	301931 PETERSON, BRUSTAD,	995001	66531	SBFCA/DEC 2017 SERV	0.00	1,738.04
10100	224792	01/25/18	301931 PETERSON, BRUSTAD,	995001	66341	SBFCA/DEC 2017 SERV	0.00	5,710.53
10100	224792	01/25/18	301931 PETERSON, BRUSTAD,	996001	66513	SBFCA/DEC 2017 SERV	0.00	1,434.84
10100	224792	01/25/18	301931 PETERSON, BRUSTAD,	996001	66531	SBFCA/DEC 2017 SERV	0.00	548.86
10100	224792	01/25/18	301931 PETERSON, BRUSTAD,	995001	66513	SBFCA/DEC 2017 SERV	0.00	4,747.99
TOTAL CHECK							0.00	18,481.53
10100	224812	01/25/18	307489 SUTTER BUTTES REGIO	995001	67401	SBFCA/OCT & NOV SER	0.00	1,035.24
10100	224812	01/25/18	307489 SUTTER BUTTES REGIO	996001	68401	SBFCA/OCT & NOV SER	0.00	108.98
10100	224812	01/25/18	307489 SUTTER BUTTES REGIO	995001	68921	SBFCA/OCT & NOV SER	0.00	355.31
10100	224812	01/25/18	307489 SUTTER BUTTES REGIO	996001	68921	SBFCA/OCT & NOV SER	0.00	98.74
10100	224812	01/25/18	307489 SUTTER BUTTES REGIO	995001	68401	SBFCA/OCT & NOV SER	0.00	345.08
10100	224812	01/25/18	307489 SUTTER BUTTES REGIO	996001	67401	SBFCA/OCT & NOV SER	0.00	326.93
TOTAL CHECK							0.00	2,270.28
TOTAL CASH ACCOUNT							0.00	3,641,402.19
TOTAL FUND							0.00	3,641,402.19
TOTAL REPORT							0.00	3,655,899.44



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

March 14, 2018

## **Item 7**

**TO:** Board of Directors  
**FROM:** Mike Inamine, Executive Director  
Michael Bessette, Director of Engineering  
**SUBJECT:** Program/Project Update

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This time has been set aside on the agenda for a report and discussion (if necessary) by member and partner agency representatives.

## **Item 8**

**TO:** Board of Directors  
**FROM:** Mike Inamine, Executive Director  
**SUBJECT:** Other Reports by Agency Staff and Consultants

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This time has been set aside on the agenda for Board discussion and staff response regarding correspondence received by the Agency.

## **Item 9**

**TO:** Board of Directors  
**FROM:** Mike Inamine, Executive Director  
**SUBJECT:** Report by Member Partner Agencies

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This time has been set aside on the agenda for Board discussion and staff response regarding correspondence received by the Agency.

## **Item 10**

**TO:** Board of Directors  
**FROM:** Mike Inamine, Executive Director  
**SUBJECT:** Report on Correspondence Sent by and Received by the Board

## **Fiscal Impact**

The above items are informational only with no fiscal impact to the Agency.



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

March 14, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine - Executive Director  
Michael Bessette - Director of Engineering

**SUBJECT:** Receive and File Program/Project Update Report

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## **Recommendation**

Receive and file the March 2018 Program/Project update report.

## **Background**

The purpose of this report is to provide a regular, monthly update on SBFCA program and project activities:

### *Engineering Design*

The design team's efforts on the Feather River West Levee Project include closing out the Gaps project, Laurel Avenue project, and Reaches 14-16. The construction of all these projects has been substantially completed. Close out efforts include performing final quality assurance surveys, reviewing all contractor final submittals, and completing as-built drawings and construction documentation reports. Design efforts for the federal project are covered later in this report.

The design team continues to support right-of-way acquisition efforts, provide appraisal exhibits, plats and legal descriptions, real estate plan geodetics information, and coordinating with landowners on utility crossings and relocations. The survey team completed the installation of survey monuments in Project Area D (Butte County) intended to physically identify the property acquisition areas which will assist the levee maintenance agency with regard to property rights and boundaries. This work is required by the State. Now that Project Area D is completed, monuments are starting to be installed in Project Area C (Sutter County).

### *Construction Management (Project Areas B, C & D, and Completion Projects)*

Close-out work on the Completion Projects has concluded. The construction project was substantially completed in December and the project completion report, along with record drawings, will be completed in March. The same project closeout activities are also taking place for the Laurel Avenue project.

Over the past month, the CM team continued construction management and administrative duties related to schedule evaluation, pay estimates, requests for pricing, and reviewed and negotiated costs submitted for changed work. The CM team has now concluded the weekly coordination meetings with the contractors and affected tribes since actual construction work in the field has largely concluded.

### *Environmental Documentation/Permitting*

Biological and cultural monitoring has substantially completed due to the completion of construction work. However, monitoring will continue in active sites when required for Reaches 14-16 in Yuba City. Permitting for the Oroville Wildlife Area Project is ongoing (see below). The coordination with the Sutter Buttes Regional Land Trust regarding the Star Bend setback area mitigation site and associated conservation easement has been mutually suspended. SBFCA is now working with the Sacramento Valley Conservancy on this project. The Sacramento Valley Conservancy has great expertise in this type of project and we will now pursue working out an agreement with this group. The elderberry mitigation plantings damaged at the Star Bend site by the high water events last winter are planned to be restored this winter/spring. SBFCA staff is including the restoration

of this site in the CalOES/FEMA funding request authorized under the President’s emergency declaration DR-4308. Staff continues to coordinate with FEMA representatives to advance the reimbursement requests and complete the application.

*Right of Way*

The SBFCA right-of-way team and DWR continue to conduct monthly coordination meetings to streamline the real estate acquisition reimbursement process and ultimate transfer of property to the State. The right-of-way team continues to work on the land acquisition necessary for the federal project (between Tudor Road and Cypress Avenue). Meetings have been held with property owners (22 property owners) individually to discuss the project and the land acquisition process. The first offers to purchase property have been made and the real estate agents continue to coordinate with the affected property owners to conclude the purchase agreements.

*State & Local Funding and Coordination*

EIP / UFRR Agreement

As previously reported, the final funding agreement amendment (Amendment No. 5) has been approved by DWR and the California Department of General Services. This final amendment is fully effective, and the authorized funding is already flowing as further detailed below. The approval of the 5<sup>th</sup> Amendment, provides funding for the emergency work: 1) up to \$25 million for the emergency work in Reaches 14-16 and, 2) and up to \$4.201 million reimbursement for any previously completed emergency work that is not funded by FEMA through the Public Assistance Program. SBFCA continues to coordinate with LD1 and LD9 for eventual OMRR&R turnover and to demonstrate financial capability for the long-term; this is required for DWR to release FRWLP retention and to fulfill Corps 408 permitting requirements.

SBFCA staff has been working with, and pushing DWR to process several payment and reimbursement requests for various items of work. These payment requests and their status are summarized in the following table. The table below reflects recent payments received and pending payments/recent requests submitted by SBFCA. There is no change to this information as previously reported to the board in February.

<b>Payment Item (UFRR Agreement)</b>	<b>Amount</b>	<b>Status</b>
Pmt #14A - True-Up for work through 3/31/17	\$3,593,536.46	Payment received November 3, 2017
Pmt #14B – True-Up for work through 6/30/17	\$3,844,026.37	Payment received November 3, 2017
Pmt #15 - Advance for work through 12/31/17	\$23,700,719.00	Payment received November 29, 2017
Area C ROW Payments (various)	\$251,595.24	Payment received February 1, 2018
<b>Total Payments Received November, 2017</b>	<b>\$31,389,877.10</b>	
Pmt #16 – Partial Retention Release for B & D	\$9,064,199.79	Payment Request Submitted to DWR
Pmt #17 – True-Up through 9/30/2017	\$1,215,179.24	Revised & pending re-submittal to DWR
Pmt #18 – Advance through 3/31/2018	\$3,107,635.81	Payment Request Submitted to DWR
<b>Total Pending Payments</b>	<b>\$13,387,015.84</b>	

The following table summarizes SBFCA's EIP/UFRR grant funding committed, in process and received to date.

**FRWLP DWR EIP/UFRR Funding**

**Agreement**

	<u>Design</u>		<u>Construction</u>		<u>Total</u>
Agreement No.	#4600009480		#4600010296		
Capital Outlay Amount	\$9,000,000		\$56,780,000		\$65,780,000
Amendment 1	\$0 [1]		\$0 [2]		\$0
Amendment 2	\$14,869,280 [3]		\$57,803,791 [4]		\$72,673,071
Amendment 3	\$0		\$43,861,587		\$43,861,587
Amendment 4	\$0		\$40,828,931		\$40,828,931
Amendment 5	-\$2,529,451 [5]		\$31,730,451 [5]		\$29,201,000
<b>TOTAL FUNDING</b>	<b>\$21,339,829</b>		<b>\$231,004,760</b>		<b>\$252,344,589</b>
<b>Receipts</b>					
PMT 1	\$2,328,141		\$14,103,457		\$16,431,597
PMT 2	\$1,160,580		\$18,447,722		\$19,608,302
PMT 3	\$4,842,366		\$19,469,632		\$24,311,998
PMT 4	\$8,704,665		\$15,358,844		\$24,063,509
PMT 5	\$2,709,411		\$13,846,991		\$16,556,402
PMT 6	\$0		\$14,479,664		\$14,479,664
PMT 7	\$0		\$13,168,126		\$13,168,126
PMT 8	\$0		\$26,429,866		\$26,429,866
PMT 9	\$0		\$181,266		\$181,266
PMT 10	\$0		\$2,928,803		\$2,928,803
PMT 11	\$0		\$7,898,917		\$7,898,917
PMT 12	\$0		\$4,448,651		\$4,448,651
PMT 13	\$0		\$10,874,296		\$10,874,296
PMT 14	\$0		\$7,437,563		\$7,437,563
PMT 15	\$0		\$23,700,719		\$23,700,719
RET. & FINAL PMT	\$1,594,667		\$0		\$1,594,667
ROW Payment	\$0		\$251,595		\$251,595
Pending	\$0		\$13,387,015 [6]		\$13,387,015
<b>TOTAL PAYMENTS</b>	<b>\$21,339,829</b>		<b>\$206,413,126</b>		<b>\$227,752,955</b>
<b>GRANT BALANCE</b>	<b>\$0</b>		<b>\$24,591,634</b>		<b>\$24,591,634</b>

*Notes on following Page*

- [1] Amendment 1 to the Design Agreement amended the term of the agreement.
- [2] Amendment 1 to the Construction Agreement amended the scope agreement to include the closure of gaps (at reaches 13 and 24) in Area C.
- [3] Amendment 2 to the Design Agreement increased the cost share from 50% to 76% State Cost Share and increased the State funding limit.
- [4] Amendment 2 to the Construction Agreement increased the scope to include Areas B & D2A and increased the State funding limit. It also incorporated many of the guideline provisions of the UFRR Program.
- [5] Reflects pending transfer of remaining design funding to the CFA and additional funding from DWR for emergency work (\$25,000,000 for R 14 – 16 and \$4,201,000 for emergency storm response).
- [6] Pending Payments per above listing.

Laurel Avenue Agreement

SBFCA is currently working to amend the State funding limit for its Laurel Avenue FSRP Agreement with DWR. This amendment would add an additional \$2.7 million to the agreement to cover additional costs of the Project. The following table summarizes SBFCA’s FSRP grant funding committed, in process and received to date for the Laurel Avenue Project. SBFCA has a pending payment of \$1,135,013 currently under review by DWR.

**LAUREL AVE DWR FSRP Funding**

Agreement No.	<u>#4600011319</u>
Agreement Amount	\$7,225,000
Amendment 1	\$2,695,000 [1]
<b>TOTAL FUNDING</b>	<b>\$9,920,000</b>
Receipts	
PMT 1 - Advance	\$4,188,375
PMT 2 - Q4 Reim. & Retention	\$1,395,573
RET. & FINAL PMT	\$0
Pending [2]	\$1,135,013
<b>TOTAL PAYMENTS</b>	<b>\$6,718,961</b>
<b>GRANT BALANCE</b>	<b>\$3,201,039</b>

[1] Amendment 1 to the Agreement pending approval by DWR.

[2] Pending Payments for work through 9/31/2017

*Laurel Avenue Repair Project (DWR Flood System Repair Program Grant)*

The contractor has completed all construction related activities and punch-list work items including the installation of the fence for the Audubon property. The design team continues to coordinate with PG&E to provide power to the new underground service for the Shen irrigation pump. Installation of the power service is anticipated to be completed soon. Lastly, DWR is processing an amendment to increase the funding to cover additional construction related expenses as noted above.

*Emergency Levee Repair of Reaches 14-16 in Yuba City*

The contractor has completed all levee improvements except for replacement of two Gilsizer drainage pipes and a portion of levee crown paving, which are both weather dependent activities. Once that work is completed the construction project will be complete and project closeout documentation activities will be conducted.

#### *FEMA/Cal OES Public Assistance Request for 2017 Storm Damage*

SBFCA staff submitted a request for funding from FEMA under the FEMA Public Assistance Program administered by CalOES in coordination with Sutter County OES. SBFCA would be a sub-grantee to CalOES. The submission of the request for funding is the start of the process. SBFCA staff has met with CalOES and FEMA to finalize the list of projects for FEMA's approval, submit technical and financial information, and conducted a site visit to all damage locations. SBFCA continues to coordinate with CalOES and FEMA on their review and approval for funding although the process has been protracted due to changes of State and Federal project managers. SBFCA is also working with DWR to fund the remaining non-federal share of the costs (reference *State & Local Funding and Coordination* above). The timing of CalOES & FEMA review of the work is critical due to the fact that the State's funding commitment is subject to expiration of general fund appropriations. Staff has conveyed this urgency to CalOES officials and received a commitment that the assigned staff will see the project through completion.

#### *Oroville Wildlife Area (OWA) Flood Stage Reduction Project*

The project team continues to work on the design and permitting efforts. Design efforts and bid documents for the flood control improvements are complete with construction planned for summer 2018. The design efforts for the restoration improvements are ongoing and the 30% design plans were submitted at the end of January. A meeting was held with DWR and CDFW to review the 30% plans on February 27<sup>th</sup>. Work continues on obtaining the USACE Section 404, Section 408, and FERC approvals. SBFCA staff has met with and teleconferenced with DWR and FERC regarding a DWR request to FERC to start construction this year; it is anticipated this request will be submitted in March. The Oroville Coalition has supported this effort in meetings with DWR management. Separately, the Corps review for the 408 is scheduled to be complete in March as well. In regards to funding, SBFCA was formally awarded a grant from the Wildlife Conservation Board on February 22<sup>nd</sup> for an amount of \$484k to fund construction of the recreation related improvements. The team is still waiting to hear back on one more grant application submitted to the Wildlife Conservation Board in 2017. SBFCA staff continues to coordinate with both American Rivers and River Partners to implement the recent grants which they received from the Wildlife Conservation Board and CDFW. The team also continues to research additional opportunities to fund the construction of the remaining restoration related work, including recent bond proposals.

#### *Sutter Basin Flood Risk Management Project (federal project)*

The design team submitted the 95% design package to USACE on December 15<sup>th</sup>. Multiple review groups at USACE are preparing comments which are due on March 2. Staff continues to meet frequently with Corps Project Management staff regarding engineering (including cost engineering), economics, Right-of-Way, cultural and environmental issues with the goal of securing federal appropriations through the 2018 Corps' Workplan.. At the request of the Corps, SBFCA contracted with a Value Engineering Analysis firm and the workshop was held the week of January 29. A draft report from the Value Engineering team was received on February 28 and is currently under review by both USACE and SBFCA. SBFCA is also assisting with Section 106 Compliance Documentation, Environmental Compliance and Permitting, and real estate acquisition. Real estate acquisition offers for property required for the project were made in November, December, and January. One acquisition has been completed and other negotiations are moving forward.

#### *Federal Advocacy*

Staff is supporting the USACE in quantifying the difference between As-Built FRWLP/Laurel Avenue costs and the federal project estimate: this was a follow-up action from Executive Director Mike Inamine's House T&I testimony in January. Staff continues to advocate for the Sutter Basin federal project in anticipation of the release of the federal budget and 2018 Corps Workplan that will hopefully include appropriations and a new start for construction. SBFCA lobbyist Julie Minerva has been key in coordinating this work. Staff met with the Sacramento Valley Cap-to-Cap Flood team to incorporate SBFCA initiatives and projects in the larger group's lobbying efforts this April.

#### *State Advocacy*

Staff continues to meet with DWR management, State legislators (Senator Jim Nielsen and Assemblyman James Gallagher) and the Oroville Coalition regarding damages due to last year's Oroville Spillway incident and consequences for ongoing SBFCA projects (including the Oroville Wildlife Area Flood Stage Reduction Project).

Staff is also collaborating with the Central Valley Flood Control Association and Senator Nielsen and Assemblyman Gallagher to secure State funding for deferred flood maintenance and levee repairs on a regular basis.

*Mid-Sacramento Valley Resource Conservation Investment Strategy*

As described in last month's update, a new State law, Assembly Bill (AB) 2087, establishes a conservation planning tool called a Regional Conservation Investment Strategy (RCIS) that potentially reduces time and cost of environmental mitigation requirements for the federal project as well as other future projects in Sutter County. Staff and consultants participate as member of the RCIS steering committee for the Mid-Sacramento Valley region.

**Fiscal Impact**

This is an informational item only with no fiscal impact to SBFCA.