



Sutter Butte Flood Control Agency

Board of Directors Agenda - Regular Meeting, July 13, 2022, 1 p.m.

MODIFIED BROWN ACT REQUIREMENTS IN LIGHT OF COVID-19

In Compliance with CA Executive Orders AB361 members of the Board of Directors and members of the public will participate in this meeting in person and by teleconference. The call in information for the Board of Directors and the public is as follows:

Meeting URL: https://us06web.zoom.us/webinar/register/WN_Kc8OGZMMTTyAFSs2xsXb_g

Any member of the public participating by teleconference may email public comments to admin@sutterbutteflood.org and comments will be read from each member of the public. During this period of modified Brown Act Requirements, Sutter Butte Flood Control Agency will use best efforts to swiftly resolve requests for reasonable modifications or accommodations with individuals with disabilities, consistent with the Americans with Disabilities Act, and resolving any doubt whatsoever in favor of accessibility.

County of Sutter

Mat Conant
Mike Ziegenmeyer
Alt. Karm Bains
Alt. Nicholas Micheli

County of Butte

Bill Connelly
Tod Kimmelshue

City of Yuba City

Shon Harris
Wade Kirchner
Alt. Dave Shaw
Alt. Marc Boomgaarden

City of Live Oak

Lakhvir Ghag
Alt. Jeramy Chapdelaine

City of Gridley

Bruce Johnson

City of Biggs

Bo Sheppard
Alt. Chuck Nuchols

Levee District 1

Charlie Hoppin
Al Montna
Alt. Gary Marler
Alt. Drew Stresser

Levee District 9

Mike Morris
Chris Schmidl

AGENDA SUMMARY

REGULAR MEETING/CALL TO ORDER

- Roll Call
- Pledge of Allegiance

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.

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 June 8, 2022 Regular Board Meeting
2. Approval of Amendment No. 4 to Professional Services Agreement with Sacramento Valley Conservancy related to the Star Bend Setback and Mathews Mitigation Areas
3. Approve a Memorandum of Understanding (MOU) between members of the Feather River Regional Flood Management Planning Group and grant authority to the Executive Director to execute the MOU on behalf of the Agency
4. Continuing Brown Act Resolution 2022-12

INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

5. Presentation and File Monthly Financial Report
6. Presentation and File Program/Project Update

ADJOURNMENT

The next regularly scheduled Board of Directors meeting will be held on Wednesday, August 10, 2022 at 1 p.m.



Sutter Butte Flood Control Agency

Board of Directors Regular Meeting Minutes, June 8, 2022, 1 p.m.

MODIFIED BROWN ACT REQUIREMENTS IN LIGHT OF COVID-19

The Sutter Butte Flood Control Agency (Agency) Board of Directors (Board), State of California, met on the above date at 1 p.m. in Compliance with CA Executive Orders AB361 members of the Board of Directors and members of the public participated in this meeting by teleconference.

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

MEMBERS PRESENT

County of Sutter:	Mat Conant
County of Butte:	Bill Connelly, Tod Kimmelshue
City of Yuba City:	Wade Kirchner
City of Biggs:	Bo Sheppard
City of Gridley:	Bruce Johnson
City of Live Oak:	Lakhvir Ghag
Levee District 9:	Mike Morris, Chris Schmidl
Levee District 1:	Charlie Hoppin, Drew Stresser

MEMBERS ABSENT: Shon Harris, Al Montna, Mike Ziegenmeyer

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

MEETING/CALL TO ORDER

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

BUDGET HEARING

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

Budget Manager Seth Wurzel provided a power point presentation for the recommendation of the Final amended 2020-24 Budget. He explained the process and purpose for the budget amendment and reported on revenue and expenditure details and operations contract amendments. The budget approval process is a two-step process with preliminary approval on May 11.

Director Wade Kirchner opened the public hearing and invited members of the public to provide comment.

No public Comment

The public hearing was closed.

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

- **Mat Conant– yes**
- **Tod Kimmelshue- yes**
- **Bill Connelly– yes**
- **Wade Kirchner– yes**

- Lakhvir Ghag– yes
- Charlie Hoppin- Yes
- Bruce Johnson- yes
- Mike Morris - yes
- Bo Sheppard - yes
- Chris Schmidl - yes
- Drew Stresser-yes

CONSENT CALENDAR

2. Approval of the Minutes for the May 11, 2022 Special Board Meeting
3. Augmentation to the Feather River West Levee Financing Authority services budget and Delegation of authority to the Executive Director to Execute a Task Order 2 Amendment 1 with HDR for Benefit Assessment District Formation Services
4. Continuing Brown Act Resolution 2022-09
5. Approval of Resolution 2022-10 for the levy and collection of 2022-23 Fiscal Year assessments for the Sutter Butte Flood Control Agency Assessment District in Sutter and Butte Counties
6. Approval of Amendments to Consultant Agreements for Agency Support for Fiscal Year 2022-23
7. Approve resolution 2022-11 for Section 125 Premium Only Plan (POP) for Fiscal Year 2022-23.

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

- Mat Conant– yes
- Bill Connelly– yes
- Lakhvir Ghag– yes
- Charlie Hoppin- Yes
- Bruce Johnson- yes
- Tod Kimmelshue- yes
- Wade Kirchner– yes
- Mike Morris - yes
- Bo Sheppard - yes
- Chris Schmidl - yes
- Drew Stresser-yes

No public Comment

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

INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

8. Presentation and File Monthly Financial Report

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

9. Presentation and File Program/Project Update

Executive Director Michael Bessette gave a presentation outlining the recent and ongoing activities of the agency. He reported that informational letters were sent out to the second street property owners regarding the planned vegetation removal and fence installation project. Bid documents will be completed this month and the project will then go out to bid in July and work is anticipated to begin in September.

He provided an update on the Feather River Regional Flood Management Planning (RFMP). He reported that that the team recently submitted the next funding request (\$316K) for phase 4 planning effort to DWR. SBFCA will be the lead agency for this next phase of work. We anticipate taking the funding agreement to the board in August.

Mr. Bessette went on to report onto report that staff continues to coordinate funding through DWR for Sutter Bypass Critical Repairs. A draft scope of work was sent to DWR for their review. We anticipate receiving a draft funding agreement this month.

Mr. Bessette reported that SBFCA staff continues to assist the FRWLFA with the development of a benefit assessment district. The ballots have been sent to all benefitting property owners and votes are due on June 22.

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

PUBLIC COMMENT

None

CLOSED SESSION

- 10. Conference with Legal Counsel Regarding Public Employment Pursuant to Govt. Code Section 54957. Title: Executive Director Evaluation**

OPEN SESSION

Item 8: Nothing to report

ADJOURNMENT

With no further business coming before the Board, the meeting was adjourned at 1:48 p.m.

ATTEST BY: _____

Terra Yaney, Board Clerk

Board Chair



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

July 13, 2022

TO: Board of Directors

FROM: Michael Bessette, Executive Director

SUBJECT: Approval of Amendment No. 4 to Professional Services Agreement with Sacramento Valley Conservancy related to the Star Bend Setback and Mathews Mitigation Areas

Recommendation

Approve Amendment No. 4 modifying the previously approved Professional Services Agreement with Sacramento Valley Conservancy (SVC) to increase the total compensation allowed to be paid by SBFCA to \$181,868.71, an increase of \$39,868.71.

Background

As part of the FRWLP, SBFCA is responsible for the implementation of several mitigation measures, including compensation for impacts to the valley elderberry longhorn beetle (VELB) and riparian habitat. A total of 91 elderberry shrubs/clusters were identified to be impacted by the FRWLP. In addition, 23.48 acres of riparian forest would also be impacted as a result of the FRWLP. All VELB mitigation and a portion of the riparian mitigation is being fulfilled between two sites – Star Bend (Phase 2) and Matthews. The remaining mitigation requirements for riparian habitat have been fulfilled at the Cosumnes Floodplain Mitigation Bank operated by Westervelt Ecological Services and approved by both the California Department of Fish and Wildlife and United States Department of Fish and Wildlife agencies

The U.S. Fish and Wildlife Service (USFWS) issued a Biological Opinion (BO) for the FRWLP on May 2, 2013 (Biological Opinion Reference No. 08ESMF00-2013-F-0342-1). Conservation measures for the VELB included transplanting elderberry shrubs to be impacted and planting replacement seedlings (1,470 elderberries and 1,470 associated native riparian plants at least 12.15 acres).

Elderberry shrubs to be impacted were relocated to both the Star Bend Phase 2 and Matthews sites in February 2014 and February 2015, respectively. A total of 50 (389 stems) shrubs were transplanted at Star Bend, resulting in 144 transplant locations (watering basins). A total of 28 (139 stems) shrubs were transplanted at Matthews, resulting in 47 watering basins at the site. Remaining shrubs that were not transplanted were either not salvageable or left in place during levee construction. To fulfill the replacement planting for VELB impacts, elderberry and associated native riparian seedlings were installed at the Star Bend and Matthews sites between 2014 and 2016. Monitoring is required annually over a period of 10 years. Collectively, 60% (882) of the elderberries and 60% (882) of the associated native plantings must be alive at the end of the 10-year monitoring period.

Mitigation for impacts to riparian habitat require the planting of native riparian trees and shrubs on 46.96 acres. In the process of creating habitat for the VELB, riparian habitat mitigation for the FRWLP is being partially fulfilled at the Star Bend Phase 2 and Matthews VELB Mitigation Sites. These include 13.8 acres at Star Bend Phase 2 and 8.1 acres at Matthews, totaling 21.9 acres. At each site, 80% of the mitigation plantings must be surviving at the end of a 20-year period. Monitoring is being completed during the first 10 years coinciding with the VELB mitigation monitoring requirements, followed by additional monitoring in Years 15 and 20 of the sites to complete all riparian mitigation monitoring obligations.

In June 2018, SBFCA identified SVC as the preferred entity to be the conservation easement holder and manager of the valley elderberry long horned beetle mitigation preserves. The mitigation preserves are required by the environmental permits related to the Feather River West Levee Project (FRWLP). In order to establish the mitigation preserves a series of documents needs to be prepared. SBFCA and SVC entered into a Professional Services Agreement to complete the required documents including conservation easements and a management plan. As SBFCA and SVC have advanced this effort, additional reviews by the resource agencies have extended the time frame expected for this effort, resulted in additional work and changes resulting in additional costs. The proposed contract amendment will provide the necessary resources to complete the contemplated transaction and comply with SBFCA permit requirements. The attached Amendment No. 4 to the previously approved Services Agreement between SBFCA and SVC increases to total contract amount up to a maximum of \$181,868.71, an increase of \$39,868.71.

Fiscal Impact

Approval of the proposed amendment will obligate SBFCA to pay for the services provided up to the limit of the agreement, \$181,868.71. The work described above is associated with SBFCA's requirements for mitigation as part of the regulatory approvals of the Feather River West Levee Project. The approved capital budget for FY's 2020/21 through 2022/23 include budget for Environment Mitigation within accounts 731-6740(0,1), 6840(0,1) and 6890(0,1) for Areas C, B and D respectively. The Board Approved budget for the accounts are sufficient to cover the mitigation obligations of the FRWLP which include this Services Agreement with SVC. As a result, there is no net budgetary impact from the Board's approval of the recommended action.

Attachment: Amendment 4 to the Sacramento Valley Conservancy Professional Services Agreement

Sacramento Valley Conservancy
Star Bend and Mathews Preserve Project Amendment No. 4
Feather River West Levee Project

This Contract Amendment No. 4 amends the Contract between the Sutter Butte Flood Control Agency and Sacramento Valley Conservancy dated June 1, 2018.

Scope of Work

Scope of Work remains as defined in original contract.

Schedule

The services under this Amendment shall continue until the project is completed or the Agreement is terminated per the conditions outlined in the original contract.

Budget

The budget for this amendment is not-to-exceed \$39,868.71, bringing the new total contract amount to \$181,868.71, and will be based upon actual costs incurred and invoiced on a monthly basis.

Special Provisions

None

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

SUTTER BUTTE FLOOD CONTROL
AGENCY

SACRAMENTO VALLEY
CONSERVANCY

By: _____

By: _____

Dated: _____

Dated: _____



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

July 13, 2022

TO: Board of Directors

FROM: Michael Bessette, Executive Director

SUBJECT: Approve a Memorandum of Understanding (MOU) between members of the Feather River Regional Flood Management Planning Group and grant authority to the Executive Director to execute the MOU on behalf of the Agency.

Recommendation

Approve a Memorandum of Understanding (MOU) between members of the Feather River Regional Flood Management Planning Group (FRRFMPG) related to the State of California Department of Water Resources' Feather River Regional Flood Management Planning (FRRFMP) Phases 4 and 5 grant and grant authority to the Executive Director to execute the MOU on behalf of the Agency.

Background

The partner agencies in the FRRFMPG now include: Sutter Butte Flood Control Agency (SBFCA), Yuba Water Agency, Marysville Levee Commission, Reclamation District 784, and Reclamation District 1001. In addition, representatives of several key local levee-maintaining agencies, including Levee District 1 in Sutter County, are involved. In June 2020, the Three Rivers Levee Improvement Authority (TRLIA) was identified as the lead agency for Phase 3 of the FRRFMP work and the grant recipient for the Phase 3 grant. TRLIA has been working in close conjunction with the partner agencies and other stakeholders to advance the flood management priorities of the Region while at the same time aligning with the Central Valley Flood Protection Plan (CVFPP) to the extent feasible. The Phase 3 regional planning work is scheduled to be completed at the end of 2022.

The new MOU covering the Phases 4 and 5 grants is proposed now that TRLIA will be replaced and represented by Reclamation District 784. The MOU also states that SBFCA will be the contracting agency with the State. It is expected that the new MOU will be in place alongside the current MOU for Phase 3 grant funding while the Phase 3 work winds down and is closed out.

With adoption of the CVFPP 2017 Update, regional flood management planning efforts will now shift to supporting Plan implementation. One key issue identified in the 2017 CVFPP update was the need for adequate operations, maintenance, repair, rehabilitation & replacement (OMRR&R) of State Plan of Flood Control (SPFC) facilities. The State has begun making significant investments in the SPFC with general funds and bond funding, including programs like the Deferred Maintenance (DMP) and Flood Maintenance Assistance (FMAP) programs. The active participation of the Region will be key in directing these investments to the Feather River Region and ensuring that these investments occur efficiently and maximize flood risk reduction benefits.

Additionally, the FRRFMPG has an opportunity to implement the Feather River Corridor Management Plan to support long-term OMRR&R of the channels in ways that improve and promote ecosystem benefits. The Region has also started developing a Corridor Management Plan for the Bear River and has an opportunity to complete similar plans for the Cherokee Canal and Yuba River. Additional efforts will include advancing options for more

efficient Regional flood management governance and improvements to emergency operations and response activities in the region. The following are the ten approved tasks that will be funded as part of the Phase 4 grant.

GRANT FUNDED TASKS

- Task 1 – Project Administration, Management, and Reporting
- Task 2 – Communication and Engagement
- Task 3 – RFMP Activity Updates and Participation in the 2022 CVFPP Update
- Task 4 – Financial planning and Funding Support
- Task 5 – Regional Governance
- Task 6 – Multi-Benefit Opportunities and Performance Tracking
- Task 7 – Regional Climate Resilience
- Task 8 – Institutional Barriers and Process Improvements
- Task 9 – NFIP Related Activities
- Task 10 - Region Specific Activities

At this time, Staff recommends the Board approve the attached MOU and authorize the Executive Director to execute the MOU on behalf of the Agency.

Fiscal Impact

The MOU is in relation to RFMP Phases 4 and 5. The Budget for Phases 4 and 5 are approximately \$660,000 for the Feather River Region. The grant funding agreement and the associated consultant agreements carrying out the scope of work will be administered by SBFCA (where feasible) on behalf of the FRRFMPG. The scope of work will be 100% funded by the grants. It is expected that staff time will be provided on a WIK basis, however consultant costs will be submitted directly to SBFCA and funded by the grants. The MOU indicates that if any activities are denied funding by DWR under the grant, the member Agencies will split the costs equally between the parties. SBFCA has included \$683,000 within the approved FY 2021 through 2024 board approved budget (under program 731-2001), \$343,000 for Phase 4 and \$340,000 for Phase 5. There is no net budgetary impact as a result of the Board’s approval of staff’s recommendation at this time.

Attachment:

- Memorandum of Understanding Regarding Feather River Regional Plan for Flood Protection

**MEMORANDUM OF UNDERSTANDING REGARDING FEATHER RIVER REGIONAL
PLANNING FOR FLOOD PROTECTION, FUNDING PHASES 4 AND 5**

This Memorandum of Understanding (MOU) is executed this _____ day of _____, 2022 between Reclamation District 784 (RD 784), Sutter Butte Flood Control Agency (SBFCA), Yuba County Water Agency (YWA), Marysville Levee Commission (MLC), and Reclamation District No. 1001 (RD1001). The parties to this MOU will be referred to herein, collectively, as the “Parties.”

RECITALS

WHEREAS, in 2008 the California Legislature enacted and the Governor signed the Central Valley Flood Protection Act, which directed the Department of Water Resources (DWR) to prepare and the Central Valley Flood Protection Board (CVFPB) to adopt a Central Valley Flood Protection Plan (CVFPP) by July 1, 2012; and

WHEREAS, on June 29, 2012 the CVFPB adopted a CVFPP which establishes a vision and process for reducing flood risk in the Sacramento and San Joaquin River basins; and

WHEREAS, the CVFPP calls for the creation of a regional working group representing the Feather River Region to collaborate and update flood management priorities for the region in the form of a Regional Flood Management Plan (RFMP); and

WHEREAS, DWR and CVFPB are preparing a recurring 5-year update to the CVFPP, which is scheduled for completion by July 1, 2022 and the Feather River Region RFMP is a required element of this update; and

WHEREAS, in 2020 most of the Parties, along with Three Rivers Levee Improvement Authority (TRLIA), entered into an initial MOU to establish a Coordinating Committee to collaborate on Phase 3 of funding for the RFMP, to set forth a governance structure for the Coordinating Committee, and to appoint TRLIA as a representative of the Coordinating Committee for purposes of administration of a directed funding agreement with DWR; and

WHEREAS, in 2021 the Parties modified the MOU to transfer day-to-day coordination of RFMP planning activities for the Feather River Region to SBFCA, in light of the TRLIA Executive Director’s retirement, but left intact TRLIA’s original role as administrator of the DWR funding agreement and consultant agreements; and

WHEREAS, the Parties wish to enter into a new MOU for purposes of Phases 4 and 5 of RFMP funding, that adds Reclamation District 784 and removes TRLIA from the Coordinating Committee established herein; and

WHEREAS, Reclamation District 784, SBFCA, YWA, MLC, and RD1001 acknowledge that this MOU does not replace the prior MOU for RFMP Phase 3 funding. The prior MOU will continue in force until all tasks and associated invoices under Phase 3 are complete.

AGREEMENT

1. The Parties hereby establish a Coordinating Committee comprised of one representative of each Party. Each Party may delegate no more than one representative. It is the intent that the representative will be active participant and ideally is a senior leader in their organization (i.e., General Manager or Assistant General Manager).
2. The purposes of the Coordinating Committee include, but are not limited to: (a) provide regional insights and options for the RFMP to consider; (b) help SBFCA and RFMP consultants develop insights, options, and recommendations in performing day-to-day coordination of the RFMP planning effort during Phases 4 and 5 of funding; (c) guide staff members and consultants of the Parties in the update to the RFMP for the Feather River Region; (d) help implement recommendations within the region; (e) assist SBFCA in the management of the funding agreement with DWR pursuant to Paragraph 5, below; (f) direct staff members and consultants of the Parties in scheduling and carrying out workshops or other informational briefings to other stakeholders and to the public.
3. The Coordinating Committee representatives shall keep their constituents informed in written and oral reports, which will be developed by staff members and consultants of RD 784, SBFCA, YWA, MLC, and/or RD1001.
4. It is expected that the Coordinating Committee will act by consensus; however, to the extent that a vote is required, no vote shall be effective unless supported by three of the five representatives of the Coordinating Committee.
5. Administration of the directed funding agreement with DWR and the selected consultants for regional planning will be performed by SBFCA. SBFCA agrees to provide regular reporting to the Coordinating Committee and staff of the Parties on the status of the expenses related to the regional planning effort and funding through the agreement with DWR.
6. Coordination of day-to-day planning and coordination with consultants for regional planning and implementation of the RFMP actions will be performed by SBFCA. This role will not give SBFCA any special rights or control over the regional planning effort not also shared with the other Parties.
7. The staff and consultants of SBFCA, RD 784, YWA, MLC, and RD1001 will provide periodic written reports to the Coordinating Committee and other interested agencies throughout the region related to the RFMP.
8. If any RFMP costs arise that are not covered by the anticipated funding agreement with DWR, the Parties will meet and confer regarding whether to approve such expenditures and, if so, whether and how the Parties will split such costs.

Agreed to this day by authorized representatives of the Parties:

RECLAMATION DISTRICT 784

By: _____

Date: _____

APPROVED AS TO FORM BY:

By: _____

Date: _____

YUBA WATER AGENCY

By: _____

Date: _____

APPROVED AS TO FORM BY:

By: _____

Date: _____

SUTTER BUTTE FLOOD CONTROL AGENCY

By: _____

Date: _____

APPROVED AS TO FORM BY:

By: _____

Date: _____

MARYSVILLE LEVEE COMMISSION

By: _____

Date: _____

APPROVED AS TO FORM BY:

By: _____

Date: _____

RECLAMATION DISTRICT NO. 1001

By: _____

Date: _____

APPROVED AS TO FORM BY:

By: _____

Date: _____

Sutter Butte Flood Control Agency

RESOLUTION NO. 2022-12

**AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF SUTTER BUTTE
FLOOD CONTROL AGENCY PURSUANT TO THE BROWN ACT**

WHEREAS, Sutter Butte Flood Control Agency (“Agency”) is committed to preserving public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Agency are open and public, as required by the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (“Brown Act”), so that any member of the public may attend, participate, and watch the Agency’s legislative body conduct its business; and

WHEREAS, Assembly Bill 361 added Government Code section 54953(e) to make provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District; and

WHEREAS, such conditions persist in the District, specifically, the March 4, 2020 State of Emergency Proclamation remains active in California due to the continued threat of COVID-19; and

WHEREAS, the Board of Directors does hereby find that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, the Board of Directors does hereby find that the Agency shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Board shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, all meeting agendas, meeting dates, times, and manner in which the public may participate in the public meetings of the Agency and offer public comment by telephone or internet-based service options including video conference are posted on the Agency website and physically outside of the Agency office.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF SUTTER BUTTE FLOOD CONTROL AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Risks to Health and Safety of Attendees. The Board hereby determines that meeting in person would present imminent risks to the health or safety of attendees.

Section 3. Remote Teleconference Meetings. Agency staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) June 8, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Agency may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Sutter Butte Flood Control Agency, this 13th day of July, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

July 13, 2022

TO: Board of Directors

FROM: Michael Bessette, Executive Director
Seth Wurzel, Budget Manager

SUBJECT: Receive and File Monthly Financial Reports (May 2022)

Recommendation

Staff recommends that the Board receive and file the May 2022 Financial Reports 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 May 2022. Staff's oral presentation will cover the financial activities of the Agency through May 2022.

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 reports prepared in coordination with Yuba City finance staff. The current and past months' financial reports reflects the financial information as of May 2022. The information presented is compared to the Final Amended Final Budget for 2021/22.

Fiscal Impact

This is an informational item with no fiscal impact.

Attachments

Yuba City Finance Department Memorandum, July 13, 2022 re: Monthly Financial Report: May 2022



**Yuba City
Finance Department
Memorandum**

Date: July 13, 2022

To: Board Members, Sutter Butte Flood Control Agency
Michael W. Bessette, P.E., Executive Director

From: Spencer Morrison *Sp Morrison*
Agency Treasurer / Yuba City Finance Director

Subject: Monthly Financial Report: May 2022

Attached is the Monthly Financial Report for the Sutter Butte Flood Control Agency for the month of May covering fiscal year 2021-22. This Monthly Financial Report includes the following information prepared by SBFCA:

- Total working capital reconciliation: A reconciliation of total working capital for fiscal year 2021-22 through May 2022 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 2021-22. The total preliminary working capital for the Agency as of May 31, 2022, is estimated to be \$17,106,710 (**Exhibit A**).

As of the date of this report, the estimated difference between invoiced expenditures and paid expenditures is approximately \$566,992.

For fiscal year 2021-22 to date, the total amount of revenue received through grants from the State of California and assessment collection included in the working capital totals \$8,924,974. This represents combined Assessment Revenue, 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 entire balance of its 2013 and 2015 Assessment Revenue Bond proceeds.

SBFCA Monthly Financial Report: May 2022
July 13, 2022

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 \$22,263,057.

- Summary statement of cumulative activities for fiscal year 2021-22 through May 2022: This statement shows the expenditures by fund and by the major expenditure category – Operations & Capital (USACE Study, EIP/UFRR, Stakeholder Management, Regional Planning, OWA, Sediment Removal, etc.). This statement also shows the amounts received and expended through May 2022, as compared to the Final Amended SBFCA Budget for fiscal year 2021-22. 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 May 2022 for fiscal year 2021-22 are included.

This correspondence is informational only. Please review and file.

Thank you.

Exhibit A

SBFCA BUDGET TOTAL WORKING CAPITAL RECONCILIATION

	FY 2021/22		
<u>Line Item Description</u>	<u>Amended 2021-22 Budget [1]</u>	<u>Month Ending May-22</u>	<u>Rec'd/Invoiced to Date</u>
Working Capital Beginning of Period			
Operational Fund 730	5,719,277	5,719,277	5,719,277
Capital Fund 731 - USACE Study	(9,648,545)	(9,648,545)	(9,648,545)
Capital Fund 731 - EIP/UFRR	36,311,487	36,311,487	36,311,487
Capital Fund 731 - Stakeholder	23,267	23,267	23,267
Capital Fund 731 - RFMP	(259,696)	(259,696)	(259,696)
Capital Fund 731 - OWA	(1,889,592)	(1,889,592)	(1,889,592)
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	(1,749,291)	(1,749,291)	(1,749,291)
Capital Fund 731 - FRWLP Phase II	-	-	-
Capital Fund 731- ULOP	(6,844)	(6,844)	(6,844)
Capital Fund 731 - Small Communities	(137,116)	(137,116)	(137,116)
Capital Fund 731 - Flood & Emergency	(604,097)	(604,097)	(604,097)
Capital Fund 731 - Sediment Removal	(8,472,344)	(8,472,344)	(8,472,344)
Capital Fund 731 - FRWLFA	(179,281)	(179,281)	(179,281)
Total Beginning of Period	18,964,135	18,964,135	18,964,135
Transfers			
Operational Fund 730			
Capital Fund 731			
Net Transfers			
Revenues			
Operational Fund 730	750,000	419,491	419,491
Capital Fund 731			
<i>Capital Fund 731 - USACE Study</i>		-	
<i>Capital Fund 731 - EIP/UFRR (Local)</i>	5,750,000	5,578,829	5,578,835
<i>Capital Fund 731 - EIP/UFRR (State)</i>	2,571,687	-	2,599,134
<i>Capital Fund 731 - Stakeholder</i>	-		
<i>Capital Fund 731 - RFMP</i>	-		
<i>Capital Fund 731 - OWA</i>	3,190,688	2,267,732	2,623,982
<i>Capital Fund 731- FSRP</i>	-		
<i>Capital Fund 731 - Small Communities</i>	200,000	-	153,805
<i>Capital Fund 731 - Flood & Emergency</i>	-		2,499,794
<i>Capital Fund 731 - Sediment Removal</i>	4,300,000	658,922	773,273
<i>Capital Fund 731 - FRWLFA</i>	-		
Subtotal Capital Fund	16,012,376	8,505,483	14,228,823
Total Revenues Operating & Capital	16,762,376	8,924,974	14,648,314

Exhibit A

SBFCA BUDGET TOTAL WORKING CAPITAL RECONCILIATION

	FY 2021/22		
<u>Line Item Description</u>	<u>Amended 2021-22 Budget [1]</u>	<u>Month Ending May-22</u>	<u>Rec'd/Invoiced to Date</u>
Expenses			
Operational Fund 730	1,005,282	314,128	344,123
Capital Fund 731			
<i>Capital Fund 731 - USACE Study</i>	60,000	18,579	18,759
<i>Capital Fund 731 - EIP/UFRR</i>	2,506,441	1,424,067	1,531,019
<i>Capital Fund 731 - Stakeholder</i>	10,000		
<i>Capital Fund 731 - RFMP</i>	10,000	423	423
<i>Capital Fund 731 - OWA</i>	2,780,000	453,263	453,949
<i>Capital Fund 731- FSRP</i>	-	21,330	21,330
<i>Capital Fund 731 - FRWLP Phase II</i>			
<i>Capital Fund 731 - Small Communities</i>	88,305	68,341	75,381
<i>Capital Fund 731 - Flood & Emergency</i>	-	-	-
<i>Capital Fund 731 - Sediment Removal</i>	3,931,745	2,954,543	3,201,182
<i>Capital Fund 731 - FRWLFA</i>	368,259	68,393	243,893
Subtotal Capital Fund	9,754,749	5,008,940	5,545,937
Total Expenses Operating & Capital	10,760,031	5,323,068	5,890,060
Financing Activities [2]			
Debt Service on Outstanding Debt	(5,459,331)	(5,459,331)	(5,459,331)
Net Financing Activities	(5,459,331)	(5,459,331)	(5,459,331)
Working Capital End of Period			
Operational Fund 730	5,463,995	5,824,640	5,794,645
Capital Fund 731 - USACE Study	(9,708,545)	(9,667,125)	(9,667,304)
Capital Fund 731 - EIP/UFRR	36,667,401	35,006,917	37,499,105
Capital Fund 731 - Stakeholder	13,267	23,267	23,267
Capital Fund 731 - RFMP	(269,696)	(260,119)	(260,119)
Capital Fund 731 - OWA	(1,478,903)	(75,123)	280,441
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	(1,749,291)	(1,770,621)	(1,770,621)
Capital Fund 731 - FRWLP Phase II	-	-	-
Capital Fund 731- ULOP	(6,844)	(6,844)	(6,844)
Capital Fund 731 - Small Communities	(25,421)	(205,457)	(58,692)
Capital Fund 731 - Flood & Emergency	(604,097)	(604,097)	1,895,697
Capital Fund 731 - Sediment Removal	(8,104,089)	(10,767,965)	(10,900,253)
Capital Fund 731 - FRWLFA	(547,539)	(247,674)	(423,174)
Total End of Period	19,507,148	17,106,710	22,263,057
Working Capital Net of Trustee Funds		\$17,106,710	\$22,263,057

[1] Reflects Board Proposed Budget May 11, 2022.

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

SUNGARD PENTAMATION, INC.
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SELECTION CRITERIA: transact.yr='22' and transact.period='11' and transact.fund between '730' and '733'
 ACCOUNTING PERIOD: 12/22

FUND - 730 - FLOOD CONTROL AGENCY

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	FUND/DEPT	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
10100	281341	05/05/22	308404 A&R JANITORIAL SERV	7350	62701	SBFCA/MARCH 22	0.00	18.75
10100	281393	05/05/22	307531 BADAWI & ASSOCIATES	7350	62701	SBFCA/APRIL 2022	0.00	56.33
10100	281446	05/05/22	306094 REEB GOVERNMENT REL	7350	62701	SBFCA/APRIL 2022	0.00	4,000.00
10100	281628	05/12/22	302252 U.S. BANK CORP PAYM	7350	62201	TY/SPRINT	0.00	3.24
10100	281628	05/12/22	302252 U.S. BANK CORP PAYM	7350	62201	TY/COMCAST INTERNET	0.00	13.93
10100	281628	05/12/22	302252 U.S. BANK CORP PAYM	7350	62201	TY/COMCAST MOBILE	0.00	5.22
10100	281628	05/12/22	302252 U.S. BANK CORP PAYM	7350	63201	TY/ALHAMBRA WATER	0.00	0.39
10100	281628	05/12/22	302252 U.S. BANK CORP PAYM	7350	66001	TY/BOARD LUNCH	0.00	101.89
10100	281628	05/12/22	302252 U.S. BANK CORP PAYM	7350	63201	TY/PGE	0.00	9.72
TOTAL CHECK							0.00	134.39
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	7350	62701	SBFCA/MARCH 2022	0.00	735.00
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	7350	62701	SBFCA/MARCH 2022	0.00	1,984.47
TOTAL CHECK							0.00	2,719.47
10100	281786	05/24/22	300739 ADVANCED DOCUMENT C	7350	62601	SBFCA/JANUARY 2022	0.00	0.80
10100	281839	05/24/22	301598 CITY OF YUBA CITY	7350	62701	SBFCA/3Q 21/22	0.00	15,972.00
10100	281860	05/24/22	304090 KIM FLOYD COMMUNICA	7350	62701	SBFCA/APRIL 2022	0.00	43.75
10100	281867	05/24/22	304991 MICHAEL BESSETTE	7350	62801	SBFCA/APRIL 2022	0.00	690.54
TOTAL CASH ACCOUNT							0.00	23,636.03
TOTAL FUND							0.00	23,636.03

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 ACCOUNTING PERIOD: 12/22

FUND - 731 - SBFCA CAPITAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	FUND/DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT	
10100	280122	03/03/22	OLD REPUBLIC TITLE	995001	67100	SBFCA/4211014990-AH	0.00	-8,888.96	
10100	280122	03/03/22	OLD REPUBLIC TITLE	996001	67100	SBFCA/4211014990-AH	0.00	-2,807.04	
TOTAL CHECK								0.00	-11,696.00
10100	281341	05/05/22	A&R JANITORIAL SERV	992004	65689	SBFCA/MARCH 22	0.00	37.50	
10100	281341	05/05/22	A&R JANITORIAL SERV	996001	67310	SBFCA/MARCH 22	0.00	76.50	
10100	281341	05/05/22	A&R JANITORIAL SERV	995001	67310	SBFCA/MARCH 22	0.00	242.25	
TOTAL CHECK								0.00	356.25
10100	281343	05/05/22	AECOM TECHNICAL SER	997011	65732	SBFCA/NOV 21-APRIL	0.00	422.88	
10100	281343	05/05/22	AECOM TECHNICAL SER	997011	65730	SBFCA/NOV 21-APRIL	0.00	8,894.24	
TOTAL CHECK								0.00	9,317.12
10100	281393	05/05/22	BADAWI & ASSOCIATES	992004	65689	SBFCA/APRIL 2022	0.00	112.67	
10100	281393	05/05/22	BADAWI & ASSOCIATES	996001	67310	SBFCA/APRIL 2022	0.00	229.84	
10100	281393	05/05/22	BADAWI & ASSOCIATES	995001	67310	SBFCA/APRIL 2022	0.00	727.83	
TOTAL CHECK								0.00	1,070.34
10100	281429	05/05/22	LEVEE DISTRICT 1	995001	68931	SBFCA/JAN-DEC 2021	0.00	9,271.99	
10100	281429	05/05/22	LEVEE DISTRICT 1	996001	68931	SBFCA/JAN-DEC 2021	0.00	2,928.01	
TOTAL CHECK								0.00	12,200.00
10100	281447	05/05/22	RIVER PARTNERS	997006	65725	SBFCA/MARCH 2022	0.00	21,754.10	
10100	281628	05/12/22	U.S. BANK CORP PAYM	992004	65689	TY/PGE	0.00	19.42	
10100	281628	05/12/22	U.S. BANK CORP PAYM	992004	65689	TY/COMCAST MOBILE	0.00	10.42	
10100	281628	05/12/22	U.S. BANK CORP PAYM	992004	65689	TY/SPRINT	0.00	6.45	
10100	281628	05/12/22	U.S. BANK CORP PAYM	992004	65689	TY/ALHAMBRA WATER	0.00	0.74	
10100	281628	05/12/22	U.S. BANK CORP PAYM	996001	67310	TY/SPRINT	0.00	13.17	
10100	281628	05/12/22	U.S. BANK CORP PAYM	995001	67310	TY/ALHAMBRA WATER	0.00	4.83	
10100	281628	05/12/22	U.S. BANK CORP PAYM	996001	67310	TY/COMCAST INTERNET	0.00	56.81	
10100	281628	05/12/22	U.S. BANK CORP PAYM	995001	67310	TY/SPRINT	0.00	41.69	
10100	281628	05/12/22	U.S. BANK CORP PAYM	995001	67310	TY/COMCAST MOBILE	0.00	67.32	
10100	281628	05/12/22	U.S. BANK CORP PAYM	995001	67310	TY/PGE	0.00	125.48	
10100	281628	05/12/22	U.S. BANK CORP PAYM	995001	67310	TY/COMCAST INTERNET	0.00	179.89	
10100	281628	05/12/22	U.S. BANK CORP PAYM	996001	67310	TY/PGE	0.00	39.63	
10100	281628	05/12/22	U.S. BANK CORP PAYM	996001	67310	TY/COMCAST MOBILE	0.00	21.26	
10100	281628	05/12/22	U.S. BANK CORP PAYM	996001	67310	TY/ALHAMBRA WATER	0.00	1.53	
10100	281628	05/12/22	U.S. BANK CORP PAYM	992004	65689	TY/COMCAST INTERNET	0.00	27.84	
TOTAL CHECK								0.00	616.48
10100	281662	05/19/22	BENDER ROSENTHAL, I	996001	68114	SBFCA/MARCH 2022	0.00	69.57	
10100	281662	05/19/22	BENDER ROSENTHAL, I	995001	68714	SBFCA/MARCH 2022	0.00	434.44	
10100	281662	05/19/22	BENDER ROSENTHAL, I	995001	68114	SBFCA/MARCH 2022	0.00	220.27	
10100	281662	05/19/22	BENDER ROSENTHAL, I	996001	68714	SBFCA/MARCH 2022	0.00	120.72	
TOTAL CHECK								0.00	845.00
10100	281680	05/19/22	ECORP CONSULTING, I	997003	65722	SBFCA/FEBRUARY 2022	0.00	12,856.16	
10100	281680	05/19/22	ECORP CONSULTING, I	997002	65782	SBFCA/FEBRUARY 2022	0.00	707.56	
10100	281680	05/19/22	ECORP CONSULTING, I	997010	65735	SBFCA/FEBRUARY 2022	0.00	1,587.52	
TOTAL CHECK								0.00	15,151.24

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 ACCOUNTING PERIOD: 12/22

FUND - 731 - SBFCA CAPITAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	FUND/DEPT	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
10100	281708	05/19/22	200071 HDR ENGINEERING INC	995001	67202	SBFCA/FEBRUARY 22	0.00	12,721.16
10100	281708	05/19/22	200071 HDR ENGINEERING INC	996001	68202	SBFCA/FEB 22	0.00	1,741.32
10100	281708	05/19/22	200071 HDR ENGINEERING INC	995001	68202	SBFCA/FEBRUARY 2022	0.00	2,343.87
10100	281708	05/19/22	200071 HDR ENGINEERING INC	995001	67202	SBFCA/FEB 22	0.00	309.25
10100	281708	05/19/22	200071 HDR ENGINEERING INC	996001	68802	SBFCA/FEB 22	0.00	2,184.87
10100	281708	05/19/22	200071 HDR ENGINEERING INC	996001	68202	SBFCA/FEBRUARY 2022	0.00	740.18
10100	281708	05/19/22	200071 HDR ENGINEERING INC	996001	68802	SBFCA/FEBRUARY 2022	0.00	1,094.04
10100	281708	05/19/22	200071 HDR ENGINEERING INC	996001	68802	SBFCA/FEB 22	0.00	53.11
10100	281708	05/19/22	200071 HDR ENGINEERING INC	996001	67202	SBFCA/FEB 22	0.00	97.66
10100	281708	05/19/22	200071 HDR ENGINEERING INC	996001	67202	SBFCA/FEBRUARY 2022	0.00	4,017.21
10100	281708	05/19/22	200071 HDR ENGINEERING INC	995001	68802	SBFCA/FEB 22	0.00	263.05
10100	281708	05/19/22	200071 HDR ENGINEERING INC	995001	68202	SBFCA/FEB 22	0.00	5,514.19
10100	281708	05/19/22	200071 HDR ENGINEERING INC	995001	68202	SBFCA/FEB 22	0.00	134.05
10100	281708	05/19/22	200071 HDR ENGINEERING INC	996001	68202	SBFCA/FEB 22	0.00	42.33
10100	281708	05/19/22	200071 HDR ENGINEERING INC	995001	68802	SBFCA/FEB 22	0.00	10,820.30
10100	281708	05/19/22	200071 HDR ENGINEERING INC	995001	68802	SBFCA/FEBRUARY 2022	0.00	3,937.84
TOTAL CHECK							0.00	46,014.43
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	996001	66521	SBFCA/MARCH 2022	0.00	5,215.36
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	995001	66521	SBFCA/MARCH 2022	0.00	16,515.32
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	996001	67311	SBFCA/MARCH 2022	0.00	4,312.86
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	997020	67603	SBFCA/MARCH 2022	0.00	122.50
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	941064	65648	SBFCA/MARCH 2022	0.00	980.00
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	997010	65730	SBFCA/MARCH 2022	0.00	1,419.50
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	997002	65780	SBFCA/MARCH 2022	0.00	83.50
10100	281722	05/19/22	305409 LARSEN WURZEL & ASS	995001	67311	SBFCA/MARCH 2022	0.00	13,657.39
TOTAL CHECK							0.00	42,306.43
10100	281786	05/24/22	300739 ADVANCED DOCUMENT C	995001	67310	SBFCA/JANUARY 2022	0.00	10.28
10100	281786	05/24/22	300739 ADVANCED DOCUMENT C	996001	67310	SBFCA/JANUARY 2022	0.00	3.25
10100	281786	05/24/22	300739 ADVANCED DOCUMENT C	992004	65689	SBFCA/JANUARY 2022	0.00	1.59
TOTAL CHECK							0.00	15.12
10100	281837	05/24/22	306923 CAPRI & CLAY, INC.	996001	66552	SBFCA/APRIL 2022	0.00	2,500.00
10100	281860	05/24/22	304090 KIM FLOYD COMMUNICA	996001	66331	SBFCA/APRIL 2022	0.00	199.50
10100	281860	05/24/22	304090 KIM FLOYD COMMUNICA	995001	66331	SBFCA/APRIL 2022	0.00	631.75
10100	281860	05/24/22	304090 KIM FLOYD COMMUNICA	997020	67604	SBFCA/APRIL 2022	0.00	840.00
TOTAL CHECK							0.00	1,671.25
10100	281867	05/24/22	304991 MICHAEL BESSETTE	995001	67310	SBFCA/APRIL 2022	0.00	122.36
10100	281867	05/24/22	304991 MICHAEL BESSETTE	997011	65730	SBFCA/APRIL 2022	0.00	3.86
10100	281867	05/24/22	304991 MICHAEL BESSETTE	992004	65689	SBFCA/APRIL 2022	0.00	18.94
10100	281867	05/24/22	304991 MICHAEL BESSETTE	997010	65730	SBFCA/APRIL 2022	0.00	3.86
10100	281867	05/24/22	304991 MICHAEL BESSETTE	996001	67310	SBFCA/APRIL 2022	0.00	38.64
10100	281867	05/24/22	304991 MICHAEL BESSETTE	941064	62798	SBFCA/APRIL 2022	0.00	82.25
TOTAL CHECK							0.00	269.91
10100	281911	05/24/22	309534 R&F ENGINEERING, IN	997010	65730	SBFCA/MARCH 2022	0.00	2,115.00
10100	281911	05/24/22	309534 R&F ENGINEERING, IN	997003	65724	SBFCA/MARCH 2022	0.00	170.00
10100	281911	05/24/22	309534 R&F ENGINEERING, IN	997003	65720	SBFCA/MARCH 2022	0.00	2,725.00
10100	281911	05/24/22	309534 R&F ENGINEERING, IN	995001	66341	SBFCA/MARCH 2022	0.00	19,650.25

SUNGARD PENTAMATION, INC.
DATE: 06/10/2022
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CITY OF YUBA CITY
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SELECTION CRITERIA: transact.yr='22' and transact.period='11' and transact.fund between '730' and '733'
ACCOUNTING PERIOD: 12/22

FUND - 731 - SBFCA CAPITAL FUND

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	FUND/DEPT	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
10100	281911	05/24/22	309534	R&F ENGINEERING, IN	996001	66341 SBFCA/MARCH 2022	0.00	6,205.35
10100	281911	05/24/22	309534	R&F ENGINEERING, IN	997006	65720 SBFCA/MARCH 2022	0.00	170.00
10100	281911	05/24/22	309534	R&F ENGINEERING, IN	997002	65780 SBFCA/MARCH 202	0.00	3,710.00
10100	281911	05/24/22	309534	R&F ENGINEERING, IN	997020	67602 SBFCA/MARCH 2022	0.00	750.00
TOTAL CHECK							0.00	35,495.60
TOTAL CASH ACCOUNT							0.00	177,887.27
TOTAL FUND							0.00	177,887.27
TOTAL REPORT							0.00	201,523.30



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

July 13, 2022

TO: Board of Directors

FROM: Michael Bessette – Executive Director

SUBJECT: Receive and File Program/Project Update Report

Recommendation

Receive and file the July 2022 Program/Project update report and receive staff's monthly Program/Project presentation.

Background

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

Feather River Regional Flood Management Planning

The RFMP team recently submitted the next funding request for the phase 4 planning effort to DWR. SBFCA will be the lead agency for the State contract for this next phase of work and we anticipate taking the funding agreement to the board in September. SBFCA's primary interests in the regional planning effort is; advance OMRR&R activities for Cherokee Canal, advance the multi-benefit OWA Robinson's Riffle project, advance critical repairs along the Sutter Bypass east levee, explore opportunities to fund construction of the Tudor Flood Risk Reduction Project, participate in FEMA National Flood Insurance Program reform, initiate the LAFCO process to facilitate the annexation of MA3 by LD1, and identify and implement other regional flood risk reduction projects. SBFCA has also been in coordination with member agency staff, such as City of Gridley, to help develop and identify funding for beneficial multi-benefit projects within the region.

Sutter Bypass Critical Repairs

Staff continues to coordinate funding through DWR for Sutter Bypass Critical Repairs. We recently received a draft Funding Agreement to initiate design and permitting work, which is under review. Our goal is to bring a funding agreement to the Board for approval in September. At the same time, we are utilizing the approved contract amendments to the Tudor Small Community Study and the Sutter Small Community study to advance our levee investigations (both geotechnical and environmental). Through this contract amendment staff is advancing the work needed to conduct additional geotechnical soil borings which we hope to complete this year pending Section 408 approval by the US Army Corps of Engineers.

Proposition 68 Sediment Management Project

Staff is pursuing additional funding opportunities in order to remove additional sediment from the confluence of the Feather and Yuba Rivers (phase 2 work) and submitted a grant application to CDFW in March. Unfortunately, we just received notice from CDFW that our grant application will not be funded. In addition, staff has coordinated with Senator Nielson and Assemblyman Gallagher to identify and secure \$10 million in directed state General Fund funding for the project. Staff also submitted a pre-application to the Wildlife Conservation Board (WCB) in June. Existing environmental permits acquired for the phase 1 work would cover this additional phase 2 work and

are valid through 2026. SBFCA staff also continues to coordinate with Yuba County staff to remove sediment at the Star Bend boat ramp on the east side of the Feather River.

Sutter Basin Flood Risk Management Project (federal project)

USACE's levee improvement contractor, Forgen, continues to close out their contract with USACE on the 5-mile Cypress to Tudor levee improvement project including as-built drawings and addressing punch-list items identified by the design team and Local Maintaining agencies (Levee District 1 and State MA3). Forgen recently completed their work installing additional levee berm embankment material to correct deficiencies identified by the final survey that showed this berm to be underbuilt. Ongoing coordination is taking place to ensure the contractor corrects all outstanding deficiency items, and a meeting with USACE management on this topic took place on May 31. SBFCA staff continues to participate in frequent USACE project management team and construction coordination meetings in order to advance the project and is working with USACE on project crediting reports and other remaining project closeout items. The crediting reports are needed to perfect the credit established by SBFCA by advancing the levee improvements before the federal government appropriated funds for the project.

Engineering Design

The design team continues to work on the documents for the Second Street vegetation removal and fence installation project. Draft plans were received at the end of June for staff review. The project is scheduled to go out to bid mid-July. The design team continues to process the encroachment permits for facilities (pipes, electrical, levee ramps, etc.) modified by the Feather River West Levee Project (FRWLP). Those permits are processed through the Central Valley Flood Protection Board after approval by the Corps of Engineers. SBFCA staff have also been coordinating with City of Yuba City staff in regard to the City's upcoming Resolution for Urban Level of Flood Protection (ULOP) compliance. Lastly, the design team is coordinating closely with USACE on the review and approval of the Operation and Maintenance manuals for the FRWLP levee improvements (3 separate manuals). We continue to hold monthly coordination meetings with USACE in order to advance this review and approval process.

Environmental Documentation/Permitting/Monitoring/Mitigation

Work on the Star Bend and Mathews Property environmental mitigation sites continues. SBFCA staff and the Sacramento Valley Conservancy team continue to work on completing all the associated land transfers, easement establishments, regulatory reviews, and other associated activities required to establish and manage the mitigation sites in perpetuity. The revised draft management plan and associated easement documents were sent to California Department of Fish and Wildlife (CDFW) and the US Fish & Wildlife Service for their respective reviews and staff continues to coordinate toward final approval. Coordination calls have been held with the agencies to help closeout this process. Staff continues to coordinate with Levee District 1 on the required land transfer and ongoing maintenance cost reimbursement at Star Bend.

Right of Way

The Right of Way team updated the closeout schedule for right of way transfer to the State. Coordination with PG&E on the easements SBFCA was required to acquire for their relocated facilities is also taking place. DWR will cost share in these property easement acquisitions through SBFCA's UFRR Funding Agreement. The SBFCA right-of-way team and DWR (real estate branch and geodetics group) continue to conduct monthly coordination meetings to streamline the real estate acquisition reimbursement process and ultimate transfer of property to the State by the end of this year. DWR is making good progress on reviewing and approving the Final Accounting Packages, which allow SBFCA to be reimbursed by DWR for land acquisitions.

Regional Development Impact Fee

At SBFCA's August 2021 Board meeting the board unanimously approved the development of a Regional Development Impact Fee (DIF) Program to help fund implementation of the SBFCA Strategic Plan and directed staff to proceed on completing an AB1600 compliant Nexus Study. The DIF would be imposed on new development within the Sutter-Butte Basin, collected by the land-use agency members and the funds would be remitted to SBFCA to construct flood risk reduction projects. Staff prepared drafts of the Nexus Study and Collection Agreement and is coordinating review of the draft documents with member agency staff prior to

presentation to SBFCA and the land-use agencies' Councils/Boards for approval. Next steps are to finalize the draft documents and continue outreach to member land-use agencies.

Feather River West Levee Financing Authority (FRWLFA)

The Feather River West Levee Financing Authority (FRWLFA) recently announced that property owners in Live Oak, Yuba City, and unincorporated Sutter County approved an annual levee operations and maintenance assessment. The assessment will bridge the revenue shortfall necessary to operate and maintain 27 miles of west Feather River levee in Sutter County. Property owners within the proposed assessment district boundary were mailed assessment ballots in early May. The 45-day balloting period closed on June 22, after which an independent, third-party consultant tabulated more than 6,300 returned ballots. Each ballot was weighted by the dollar amount of the proposed assessment (e.g., every \$1 of assessment is equal to 1 vote). Approximately 52.5 percent of returned weighted votes supported the proposed assessment.

As a next step, the FRWLFA Board will consider the assessment district formation during its regular meeting on July 13. Even if the FRWLFA Board approves the new assessment it won't appear on property tax bills until fall 2023. At that time, the assessment will replace existing Levee District 1 and Maintenance Area 3 assessments for those property owners who pay them.

Tudor Flood Risk Reduction Project (lower Feather River West Levee)

SBFCA staff has executed contract agreements with the design and environmental teams. A kickoff meeting was held with ECORP on May 31 and the design team kickoff meeting is currently being planned for some time in early July. It is anticipated that the design and permitting effort will take approximately 2 years to complete with construction scheduled to begin in 2025.

Oroville Wildlife Area (OWA) Flood Stage Reduction Project

The project team is coordinating closely with CDFW and WCB on the documentation for closing out this project, including work on post-construction monitoring activities. Closeout for both remaining WCB grants is expected to be completed soon. SBFCA staff also continues to coordinate with River Partners regarding their ongoing work on the invasive species removal and the new vegetation planting efforts.

With regards to funding, SBFCA staff has submitted three different grant applications for advancing the OWA Robinson's Riffle Restoration Project. The first grant application was submitted to the State Parks Department on January 20 which requested approximately \$3M in funding for improvements at the Thermalito Afterbay boat ramp and campground. A second grant application was submitted to DWR's Floodplain Management, Protection, and Risk Awareness Grant Program on February 9 which requested approximately \$1.4M in funding for the alternatives analysis, pre-design, and environmental work. The third application was submitted to CDFW's Watershed Restoration Program on March 4, which requested approximately \$1.7M in funding for the alternatives analysis, design and environmental work, unfortunately we just heard that this grant request won't be funded. SBFCA staff is expecting to hear something back on the submitted grant applications this summer and continues to monitor for other potential grant opportunities to advance this important project. A new opportunity with the Wildlife Conservation Board has just been announced and staff submitted a pre-application to WCB in June.

Sutter County FEMA Accreditation

SBFCA staff continues to coordinate with Sutter County and City of Yuba City staff regarding future FEMA accreditation and floodplain remapping. SBFCA has finished with incorporating the updates to the post-FRWLP 100-year floodplain maps and continues to coordinate with City and County staff. SBFCA's design team is actively preparing the Sutter County FEMA Accreditation Package and it is anticipated that SBFCA, in coordination with Sutter County and Yuba City, will submit the 100-year accreditation package for the southern Feather River west levee reaches to FEMA in late 2022 following the closeout of the Federal project. Following submittal, it is anticipated that the review and processing period with FEMA will take approximately 3 to 5 years before the proposed mapping changes become effective. SBFCA staff has also been in contact with Yuba County staff and their consultants to help coordinate the ongoing hydraulic modeling efforts and to maintain consistency with recent levee work performed by both SBFCA and Three Rivers Levee Improvement Authority.

State & Local Funding and Coordination

EIP / UFRR Agreement

SBFCA staff continues to work with DWR to process additional payments and reimbursement requests for various items of work. The last payment received and reported to the Board was in the amount of \$2,060,217 on June 18, 2022 for costs incurred during the 28th, 29th and 30th Quarters. SBFCA is currently requesting three payments totaling \$3.4 Million from DWR including a release of retention for Emergency Repair Work on Reaches 14-16, FAPS payments for ROW, and reimbursements of costs incurred during the 31st Quarter of the Project.

The table below presents the funding status of the Agency’s UFRR Grant.

FRWLP DWR EIP/UFRR Funding

	<u>Agreement</u>		
	<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
Amendment 6	\$0	\$0 [1]	\$0
Amendment 7	\$0	\$3,744,017 [6]	\$3,744,017
TOTAL FUNDING	\$21,339,829	\$234,748,777	\$252,344,589
Receipts			
Payments to Date	\$21,339,829	\$224,218,369	\$245,558,198
Pending	\$0	\$3,038,710	\$3,038,710
TOTAL PAYMENTS	\$21,339,829	\$224,218,369	\$245,558,198
GRANT BALANCE	\$0	\$10,530,408	\$10,530,408

- [1] Amendment 1 to the Design Agreement and Amendment 6 to the Construction Agreement amended the terms of the agreements (time extensions only).
- [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] Additional funding for other scope items (OWA) included in Amendment 7 are included in the above analysis.

OWA (CDFW & WCB) Grant Agreements

SBFCA staff is working with the WCB and CDFW to process payments for the ongoing OWA work. Recent payments were received for all of the WCB grants in the amount of \$7,358,542 to date and for the CDFW Berm, Canal & Bridges grant in the amount of \$5,453,161 through the 9th Quarter, with \$54,444 for the 10th Quarters submitted and pending payment. Payments on the CDFW Veg Planting grant for the first through fifth quarters were received in the sum amount of \$756,367 with \$301,805 currently pending for the 6th, 7th, and 8th Quarters. A 9th Quarter package is currently being formulated with submittal this coming month. SBFCA also presently has \$0 in pending payments due from all additional WCB packages that were recently resubmitted with modifications and updates at WCB’s request.

The tables below present the funding status of the Agency's WCB Grants and CDFW Grants, respectively.

OWA WCB Funding

Grant Agreement No.	<u>Agreement</u>				<u>Total</u>
	WC-1736BC	WC-1842AP	WC-1729SS	WC-1554MM	
Grant Amount	\$5,070,900	\$1,542,100	\$484,000	\$792,522	\$7,889,522
TOTAL FUNDING	\$5,070,900	\$1,542,100	\$484,000	\$792,522	\$7,889,522
<i>Payment Received</i>					
PMT 1	\$768,688	\$1,011,120	\$484,000		\$2,263,808
PMT 2	\$1,593,679				\$1,593,679
PMT 3	\$17,073				\$17,073
PMT 4	\$53,946				\$53,946
PMT 5	\$1,558,060				\$1,558,060
PMT 6	\$139,225				\$139,225
PMT 7	\$12,169				\$12,169
PMT 8	\$9,228				\$9,228
PMT 9	\$23,227				\$23,227
PMT 10	\$23,143				\$23,143
PMT 11	\$10,840			\$101,525	\$112,365
PMT 12	\$354,531				
Retention Release	\$507,090				
Previous Amounts Sum [1]				\$690,997	\$690,997
TOTAL PAYMENTS	\$5,070,900	\$1,011,120	\$484,000	\$792,522	\$7,358,542
GRANT BALANCE	\$0	\$530,980	\$0	\$0	\$530,980

[1] Amount includes payments 1 thru 10 for WC-1554MM grant.

OWA CDFW Funding

Grant Agreement No.	<u>Agreement</u>		<u>Total</u>
	P1796010	Q1996015	
Grant Amount	\$5,648,836	\$1,716,847	\$7,365,683
TOTAL FUNDING	\$5,648,836	\$1,716,847	\$7,365,683
<i>Receipts</i>			
<i>Received</i>			
PMT 1	\$22,457	\$404,324	\$426,781
PMT 2	\$29,825	\$113,379	\$143,205
PMT 3a	\$3,253,250	\$56,180	\$3,309,430
PMT 3b	\$1,458,029		\$1,458,029
PMT 4	\$303,191	\$42,759	\$345,950
PMT 5	\$164,122	\$139,725	\$303,847
PMT 6	\$114,971		\$114,971
PMT 7	\$27,302		\$27,302
PMT 8	\$13,837		\$13,837
PMT 9	\$66,177		\$66,177
<i>Pending</i>			
PMT 6		\$102,987	\$102,987
PMT 7		\$112,641	\$112,641
PMT 8		\$86,177	\$86,177
PMT 10	\$54,444		\$54,444

TOTAL PAYMENTS	\$5,507,606	\$1,058,172	\$6,565,778
GRANT BALANCE	\$141,230	\$658,675	\$799,905

CNRA Proposition 68 Sediment Management Project

SBFCA staff finalized a grant with California Natural Resources Agency (CNRA) for Sediment Management along the Feather River in February 2020 for \$5,000,000. The first four invoice packages cover costs through March 31, 2021. All five packages have been submitted to CNRA for payment, with the first quarter through fourth quarter payments of \$658,922 received and the remaining three package for the 5th Quarter pending. Sixth and seventh invoice packages are being formulated and will be submitted in near time. Additional invoices for subsequent quarters will proceed in coming months. SBFCA has been in close contact with CNRA to process payments.

CNR Sediment Removal Funding

	<u>Agreement</u>	<u>Total</u>
Grant Agreement No.	R31866-0	
Grant Amount	\$5,000,000	\$5,000,000
TOTAL FUNDING	\$5,000,000	\$5,000,000
Receipts		
Received		
PMT 1	\$15,477	\$15,477
PMT 2	\$233,338	\$233,338
PMT 3	\$151,111	\$151,111
PMT 4	\$258,997	\$258,997
Pending		
PMT 5	\$114,351	\$114,351
TOTAL PAYMENTS	\$773,273	\$773,273
GRANT BALANCE	\$4,226,727	\$4,226,727

Fiscal Impact

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