



**Board of Directors Minutes Version 2 – Regular Meeting, February 8, 2017, 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, Dan Flores
County of Butte:	Steve Lambert
City of Yuba City:	John Buckland, Stan Cleveland
City of Live Oak:	Jason Banks
City of Biggs:	Bo Sheppard
City of Gridley:	Frank Hall
Levee District 9:	Chris Schmidl, Mike Morris
Levee District 1:	Charlie Hoppin, Francis Silva

**MEMBERS ABSENT:** Bill Connelly

**STAFF PRESENT:** Mike Inamine, Executive Director; Michael Bessette, Director of Engineering; Scott Shapiro, Agency Counsel; Kim Floyd, Public Outreach Manager; and Terra Yaney, Board Clerk

**MEETING/CALL TO ORDER**

At 1 p.m., Chair Larry Munger opened the meeting and led the group in the pledge of allegiance. Before going into Closed Session, he announced that an additional item for discussion will be added to Closed Session. As advised by Counsel, due to significant exposure to litigation in one potential case under Section 54956.9(d)(4) this is appropriate for discussion under closed session and was not on the agenda because it was not known at the time the agenda was published.

Under Government Code section 54954.2(b)(3), in order to discuss this item in closed session, the Board will need to make a motion that there is a need for immediate action which cannot reasonably wait until the next regularly scheduled meeting and this need did not come to the attention of the agency until after the agenda was published.

**A motion to discuss additional item in closed session under Government Code 54954.2(b)(3) was made by Director Stan Cleveland and seconded by Director Chris Schmidl. Motion passed with no objection. The motion was approved as follows:**

- |                        |                       |
|------------------------|-----------------------|
| • Jason Banks - yes    | • Steve Lambert - yes |
| • John Buckland - yes  | • Mike Morris - yes   |
| • Stan Cleveland- yes  | • Larry Munger- yes   |
| • Dan Flores - yes     | • Chris Schmidl - yes |
| • Frank Hall - yes     | • Bo Sheppard - yes   |
| • Charlie Hoppin - yes | • Francis Silva - yes |

## **CLOSED SESSION**

Conference with real property negotiators pursuant to Govt. Code section 54956.8.

Agency negotiator(s): McElhern/O'Regan

Properties and negotiating parties:

- Robert Banes Land Leveling and Heavy Equipment Rental, Inc. (Sutter County APN 51-580-020)
- Housing Authority of the County of Butte (Butte County APN 024-220-030)
- JoAnn Dietrich, individually and as the Trustee of JoAnn's Trust (Butte County APN 025-130-025)
- Carrdi, LLC (Butte County APN 025-050-017 & 018)
- Sierra Gold Land Inc. (Sutter County APNs 23-234-003, 23-253-016, 23-300-084, -085, & -086)
- Walter A. Berg Trustee and Ellen C. Berg Trustee, of the Walter and Ellen Berg Family Trust (APN 23-234-008)
- Ellen C. Berg, Trustee of the Ellen C. Berg revocable Trust created under the Walter and Ellen Berg Family Trust (as to ½ interest) and Ellen C. Berg, Trustee of the Walter A. Berg Residual Trust created under the Walter and Ellen Berg Family Trust (as to a ½ interest), as Tenants in common (APN 23-234-014)
- Ellen C. Berg, Trustee of the Ellen C. Berg revocable Trust created under the Walter and Ellen Berg Family Trust (as to ½ interest) and Ellen C. Berg, Trustee of the Walter A. Berg Residual Trust created under the Walter and Ellen Berg Family Trust (as to a ½ interest), as Tenants in common (APN 23-253-023)

Nothing to report.

## **CONSENT CALENDAR**

1. Approval of the Minutes for the December 5, 2016 Board Meeting
2. Approval of Amendment 7 to the Professional Services Agreement with MBK Engineers amending the Scope and Budget for Feather River Regional Flood Management Planning (FRRFMP) Phase II FY 2016/17 Activities
3. Amendment 4 to the Construction Management Contract for Project Areas B&D with Parsons Brinckerhoff for Additional Work Required for Project Closeout Services
4. Approval of Plans and Specifications and Consideration of Award of the Construction Contract for the Tree Removal and Disposal Project, Contract No. 01-2017-T to the Lowest Responsive and Responsible Bidder W.C. Maloney, Inc.
5. Approval of a Professional Services Agreement with the Sutter Buttes Regional Land Trust to develop the required conservation easement and other instruments needed to convey the Star Bend Setback Levee Elderberry Mitigation Area to the Trust

No public comment.

Items one through five of the Consent Calendar were approved in one motion. A motion to approve was made by Director Dan Flores and seconded by Director Bo Sheppard. Motion passed with no objection. The Consent Calendar was approved as follows:

- |                        |                       |
|------------------------|-----------------------|
| • Jason Banks - yes    | • Steve Lambert - yes |
| • John Buckland - yes  | • Mike Morris - yes   |
| • Stan Cleveland- yes  | • Larry Munger- yes   |
| • Dan Flores - yes     | • Chris Schmidl - yes |
| • Frank Hall - yes     | • Bo Sheppard - yes   |
| • Charlie Hoppin - yes | • Francis Silva - yes |

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

6. Presentation of Agency Audited Financial Statements and Related Reports for Fiscal Year Ending June 30, 2016  
Craig Hartzheim with Moss Levy & Hartzheim, LLP presented the audited financial statements for fiscal year ending June 30, 2016. Mr. Hartzheim reported the audited financial statements received an unqualified opinion, otherwise



known as a clean audit and there are no adverse audit findings to report. The entire report, along with a PowerPoint presentation, is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

**No public comment.**

**No action required.**

**7. Receive and File Monthly Financial Reports (October, November, and December 2016)**

Budget Manager Seth Wurzel presented the monthly financial reports for October, 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.**

**INFORMATIONAL AND POSSIBLE APPROVAL ITEMS**

**8. Storm Related Recent Actions Report**

Director of Engineering Michael Bessette gave a presentation highlighting actions related to the recent storm events. He reported that SBFCA and its consultant team, along with LD 1's General Manager, performed field inspections during the high water event and identified seven critical repair sites along both the Feather River west levee, south of Star Bend, and the Sutter Bypass east levee. These areas of distress and follow up actions by LD1 staff were communicated to DWR.

The discussion related to this item can be viewed in its entirety on the SBFCA website:  
<http://sutterbutteflood.org/board/meetings-agendas/>.

**No public comment.**

**No action required.**

**9. Program/Project Update**

Director of Engineering Michael Bessette gave a presentation outlining the recent completion of the 5<sup>th</sup> Street Bridge Gap Closure project. He reported that SBFCA was able to successfully work through the winter months to complete the project on schedule and on-time.

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

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

Executive Director Mike Inamine introduced Administrative Analyst Terry Yaney, who was recently hired by the Agency.

Executive Director Mike Inamine gave a presentation outlining both current and upcoming projects, as well as the 2016 highlights. Highlights included FRWLP Construction, Laurel Avenue Critical Repair Project, Oroville Wildlife Area Flood Stage Reduction Project, Sutter Basin Flood Risk Management Project, Feather River Regional Flood Management Plan and the adoption of SBFCA's first Strategic Plan.

Director Bo Sheppard inquired about the FEMA remapping for Butte County. Mr. Inamine replied that SBFCA will support the floodplain manager to support the remapping.

Director Steve Lambert inquired about the timeframe to complete the remapping. Mr. Inamine replied that it will take a couple of years.

Agency Counsel Scott Shapiro and Executive Director Mike Inamine summarized the recent Federal Advocacy trip to Washington D.C.

The entire report, along with a PowerPoint presentation, is available on the SBFCA website at:  
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**11. Report by the Citizens' Assessment District Advisory Committee (CADAC)**

Nothing to report.

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

Nothing to report.

**CORRESPONDENCE**

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

Nothing to report.

**PUBLIC COMMENT**

No public comment.

**ADJOURNMENT**

Board Chair Larry Munger adjourned the meeting at 2:54 p.m.

ATTEST BY:

  
Terra Yaney, Board Clerk  
Larry Munger, Board Chair