

Board of Directors Agenda - Regular Meeting, October 11, 2023, 1 p.m. City of Yuba City Council Chambers – 1201 Civic Center Blvd., Yuba City

The agenda is posted in the building of the Sutter Butte Flood Control Agency at 1445 Butte House Road. Suite B, Yuba City. The agenda summary, backup materials, and approved minutes are also posted on the Sutter Butte Flood Control Agency website at 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 1445 Butte House Road, 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. Requests must be made one full business day before the start of the meeting.

County of Sutter	County of Butte	City of Yuba City	City of Live Oak
Mat Conant	Bill Connelly	Marc Boomgaarden	Lakhvir Ghag
Nicholas Micheli	Tod Kimmelshue	Wade Kirchner	Alt. Ashley Hernandez
Alt. Karm Bains		Alt. Dave Shaw	
Alt. Mike Ziegenmeyer		Alt. Michael Pasquale	
City of Gridley	City of Biggs	Levee District 1	Levee District 9
Bruce Johnson	Bo Sheppard	Charlie Hoppin	Mike Morris
	Alt. Chuck Nuchols	Al Montna	Chris Schmidl
		Alt. Gary Marler	
		Alt. Drew Stresser	

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

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 September 13, 2023 Regular Board Meeting
- 2. Approval of Task Order 3 Amendment No. 1 with R&F Engineering, Inc. for Project Management and Engineering Design Services for the Feather River Sediment Removal Project

INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

- 3. Authorization of the Executive Director to Execute Task Order No. 1 with the City of Oroville to provide planning support for improvements to the levee along the south bank of the Feather River
- 4. Presentation and File Monthly Financial Report
- 5. Presentation and File Program/Project Update

ADJOURNMENT

The next regularly scheduled Board of Directors meeting will be held on Wednesday, November 8, 2023 at 1 p.m.



Board of Directors Regular Meeting Minutes, September 13, 2023, 1 p.m. City of Yuba City Council Chambers - 1201 Civic Center Blvd., Yuba City, CA

The Sutter Butte Flood Control Agency (Agency) Board of Directors (Board), State of California, met on the above date at 1 p.m. at the City of Yuba City Council Chambers - 1201 Civic Center Boulevard, Yuba City, CA.

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

MEMBERS PRESENT

County of Sutter: Mat Conant

County of Butte: Bill Connelly, Tod Kimmelshue
City of Yuba City: Wade Kirchner, Dave Shaw

City of Gridley: Bruce Johnson City of Biggs: Bo Sheppard

Levee District 9: Mike Morris, Chris Schmidl

Levee District 1: Andrew Stresser

MEMBERS ABSENT: Marc Boomgaarden, Al Montna, Nicolas Micheli, Charlie Hoppin

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

MEETING/CALL TO ORDER

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

CONSENT CALENDAR

1. Approval of the Minutes for the August 9, 2023 Regular Board Meeting

A motion to approve the Consent Calendar was made by Director Chris Schmidl and seconded by Dave Shaw. The motion passed with no objection. The Consent Calendar was approved as follows:

- Mat Conant

 yes
- Bill Connelly-yes
- Lakhvir Ghag

 yes
- Bruce Johnson- yes
- Tod Kimmelshue yes
- Wade Kirchner yes

- Mike Morris- yes
- Dave Shaw- 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

2. Consider approval of Resolution No. 2023-07 Certifying the Tudor Flood Risk Reduction Project Final Environmental Impact Report and Mitigation Monitoring and Reporting Program and Approving the Tudor Flood Risk Reduction Project

Director of Engineering Chris Fritz gave a PowerPoint presentation outlining the project. He presented the Environmental Impact Report (EIR) and gave a description of the project. He explained that the Tudor Flood Risk Reduction Project (Project) involves improvements to an approximately 1.65-mile segment of the Feather River West Levee (FRWL) in Sutter County near where the Feather River meets the Sutter Bypass. The Proposed Project would make several improvements to the existing levee, primarily to address under seepage deficiencies.

He went on to report that SBFCA posted the draft EIR on May 9th for a 45-day public review period and received three minor comments. The Final EIR updates the Draft EIR to address comments and includes the Mitigation Monitoring and Reporting Plan (MMRP), which lists all required mitigation measures for the Project.

A motion to approve the Resolution No. 2023-07 Certifying the Tudor Flood Risk Reduction Project Final Environmental Impact Report and Mitigation Monitoring and Reporting Program and Approving the Tudor Flood Risk Reduction Project was made by Director Chris Schmidl and seconded by Bo Sheppard. The motion passed with no objection. The item was approved as follows:

- Mat Conant

 yes
- Bill Connelly—yes
- Lakhvir Ghag

 yes
- Bruce Johnson- yes
- Tod Kimmelshue yes
- Wade Kirchner yes

- Mike Morris- yes
- Dave Shaw- yes
- Bo Sheppard- yes
- Chris Schmidl yes
- Drew Stresser yes

3. Presentation and File Monthly Financial Report

Budget Manager Seth Wurzel presented the monthly financial reports for July 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/

4. Presentation and File Program/Project Update

Executive Director Michael Bessette gave a presentation outlining the recent and ongoing activities of the agency. He reported that staff continues to coordinate closely with USACE and DWR to finalize the long outstanding punch list items on the Federal Project. Mainly the leaking meter and valve vaults on the Feather Water District facilities. USACE has indicated that they would like SBFCA to take the lead on the repair.

Mr. Bessette reported that SBFCA's design and environmental teams continue their work on the Tudor Flood Risk Reduction Project. He reported that the USACE 404 and RWQCB 401 permit applications were submitted. Weekly design and environmental team meetings continue to be held to advance the project.

It was reported that the funding agreement with Wildlife Conservation Board (WCB) for the Oroville Wildlife Area Thermalito Afterbay Outlet Boat Ramp and Campground Project became effective July 1. This funding agreement is for \$4.4M. Additional grant funding from CDFW will soon be received bringing the total project funding to \$7.7M.

Mr. Bessette went onto report that staff is coordinating with the staff from the City of Oroville to assist the City in advancing a levee repair project with the city limits. A Scope of Services agreement was approved by both the City of Oroville and SBFCA. The next step is to develop a first Task Order and to begin the project.

Agency Council Andrea Clark gave a brief presentation of the recent FMA Conference. She reported that the legal panel for setback areas discussed the Star Bend/Mathews Mitigation Area.

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

PUBLIC COMMENT None	
ADJOURNMENT With no further business coming before the Board, t	he meeting was adjourned at 1:37 p.m.
ATTEST BY:	
Terra Yaney, Board Clerk	Board Chair

TOOD COATROL IN

Sutter Butte Flood Control Agency

A Partnership for Flood Safety

October 11, 2023

TO: Board of Directors

FROM: Michael Bessette, Executive Director

SUBJECT: Approval of Task Order 3 Amendment No. 1 with R&F Engineering, Inc. for Project Management

and Engineering Design Services for the Feather River Sediment Removal Project

Recommendation

It is recommended that the Board of Directors approve and authorize the Executive Director to execute Task Order 3 Amendment No. 1 with R&F Engineering, Inc. (R&F) in the amount of \$338,992 to provide project management and engineering design services for the Feather River Sediment Removal Project under the Master Services Agreement subject to legal counsel's final review and approval.

Background

In February of 2020, Sutter Butte Flood Control Agency (SBFCA) received a grant from the California Natural Resources Agency (CNRA) under the California River Parkways Grant Program — Proposition 68 to restore access at three boat ramps located along the Feather River. The work includes the removal of sediment at the Yuba City and Star Bend boat ramp locations, and removal of sediment and invasive species at the Live Oak boat ramp location. SBFCA is the lead on the project work at the Yuba City and Live Oak sites, and Yuba County is the lead on the project at Star Bend.

The intent of Task Order 3 Amendment No. 1 is to continue to provide SBFCA with project management and engineering design services for the Feather River Sediment Removal Project. R&F will continue to perform the project management duties and lead the project with direction from SBFCA's Executive Director. R&F will also perform the engineering design and develop the bid package for the Phase II construction of the Yuba City Project.

R&F's scope of work for Task Order 3 Amendment No. 1 includes the following:

- Overall Project Management from pre-design through construction closeout
- Management of scope, schedule and budget
- Grant administration and preparation of grant funding applications
- Coordinate Project Team meetings and ensure communication amongst the team
- Yuba City Boat Ramp Phase II Sediment Removal Design (30%, 65%, 100%, and Bid Set Package)
- Coordination with Yuba County on the Sediment Removal Project at Star Bend
- Coordination with Sutter County and City of Marysville on site access and construction logistics
- Environmental and permitting oversight and support
- Engineering services during construction

Fiscal Impact

The recommended action requests the approval of R&F Task Order 3 Amendment No. 1. This action will obligate SBFCA to pay for the associated services delivered on a time and materials basis up to the Task Order 3

Amendment No. 1 budget limitation of \$338,992. Budget for the Sediment Removal Project is included with the Board Approved FY 2023-24 budget and costs associated with the project management and design of the project are included in this budget (SBFCA Expenditure Account 731-99-7002-65780). As a result, there is expected to be no net budgetary impact from the Board's approval of the recommended action.

Attachments: R&F Engineering Task Order 3 Amendment No. 1 Scope and Fee

R&F Engineering Inc.

Sutter Butte Flood Control Agency Task Order 3 Amendment No. 1

Project Management and Engineering Services for the Feather River Sediment Removal Project

This Task Order 3 Amendment No. 1 is associated with the Professional Services Agreement between Sutter Butte Flood Control Agency and R&F Engineering Inc. dated February 9, 2022.

I. Scope of Work

The intent of this Amendment is to provide SBFCA with engineering design and engineering services during construction for the Feather River Sediment Removal Project, while continuing to provide SBFCA with overall project management services for the California Nature Resources Agency (CNRA) grant.

R&F's scope of work shall consist of the following:

<u>Project Management:</u> This includes the continued overall management of the project and administration of the CNRA grant, including preparation of monthly progress reports, pursuance of funding sources for construction, preparation of grant applications, and coordination with Yuba County on the Star Bend Sediment Removal Project. It is understood that the project team will consist of other consultants contracted by SBFCA who will be independently responsible for other respective specialty roles (e.g., environmental, legal, construction management, etc.). Meetings and correspondence between SBFCA, R&F, and the other project team consultants will be held as necessary to ensure proper communication amongst the team.

<u>Design:</u> This includes preparation of the design drawings, specifications, and cost estimates for the Yuba City Phase II sediment removal efforts. The task includes the preparation of 30%, 65%, 100%, and bid package deliverables. The design will utilize bathymetric and topographic survey data to show the existing riverbed profile and to identify the areas for sediment removal and disposal.

It is anticipated that approximately 250,000 cubic yards of sediment will be removed at the confluence of the Feather and Yuba Rivers using both mechanical and hydraulic methods. Mechanical removal consists of the use of an excavator and a barge to remove and haul material from the river bottom to a location adjacent to the river for dewatering and disposal. Hydraulic removal consists of using a suction dredge to remove sediment from the river bottom and pump the material to a location adjacent to the river where it is dewatered and disposed of.

<u>Permitting Support:</u> This includes an assumed number of hours for providing support to address any design-related questions arising out of the environmental and permitting efforts being completed and managed by others.

<u>Engineering During Construction</u>: Engineering services during construction include response to requests for information, review of submittals, attendance at construction meetings, and preparation of as-built drawings.

Deliverables:

- Monthly Invoices and Progress Reports
- Quarterly Reports as required for the CNRA grant
- Project Closeout Reports as required by the CNRA grant
- Grant Applications
- 30% design plans and engineers estimate
- 65% design plans, specifications, and engineers estimate
- 100 % design plans, specifications, and engineers estimate
- Bid package design plans, specifications, and engineers estimate

Assumptions:

- Project management is by its nature an assignment with an indefinite scope of
 work that varies day by day. This task order amendment is intended to continue to
 cover project management efforts on a time and materials basis using an assumed
 level of effort for required staff and duration. However, an amendment to this task
 order will be required if efforts exceed these assumptions.
- For engineering services during construction, R&F will review twenty-two (22) submittals and eight (8) RFI's. R&F will also attend twenty-six (26) weekly construction meetings, four (4) site visits, and conduct up to three (3) drone flights.

II. Budget

Compensation will be paid for services on a time and materials basis in accordance with R&F's standard rate schedule. The budget for this amendment is not-to-exceed \$338,992 based on the provisions of the Professional Services Agreement. An assumed breakdown of work effort is provided in the attached cost table dated September 28, 2023.

III. Schedule

Services associated with this Task Order will begin immediately. All services carried out under this agreement will be rendered by March 2025, which is consistent with the closeout of the CNRA grant.

CONTROL AGENCY	R&F ENGINEERING INC.					
By: MICHAEL BESSETTE Executive Director	By:CHRIS FRITZ President					
Datade	Datade					

SUTTER BUTTE FLOOD CONTROL AGENCY

R&F TASK ORDER 3 AMENDMENT NO. 1- FEATHER RIVER SEDIMENT REMOVAL PROJECT

ESTIMATED WORK EFFORT AND COST

September 28, 2023

	Principal	Associate	Engineer III	Admin/	R&F	Total R&F	R&F	R&F	Total Subconsultant	Subconsultant	Subconsultant	Total	
Description		Engineer II		Clerical	Labor Hours	Labor (\$)	Expenses (\$)	Cost (\$)	Labor (\$)	Markup (\$)	Cost (\$)	Cost (\$))
Rates	\$ 257.00	\$ 189.00	\$ 162.00	\$115.00									
Project Management													
Monthly Progress Reports, Meetings and Correspondance	72	72	36	36	216	\$ 42,084	\$ 2,104						44,188
Grant Pursuance	72	72	72		216	\$ 43,776	\$ 2,189	45,965					45,965
Yuba County Coordination	18	18			36	\$ 8,028	\$ 401 5	8,429					8,429
CNRA Grant Administration	36	72			108	\$ 22,860	\$ 1,143					\$ 2	24,003
Subtotal for Project Management	198	234	108	36	576	\$ 116,748	\$ 5,837	\$ 122,585				\$ 12	22,585
Design													
Meetings & Correspondence	24	24	24		72	\$ 14,592	\$ 730 \$	15,322				\$ 1	15,322
Project Schedule	6	6	6		18	\$ 3,648	\$ 182	3,830				\$	3,830
Topographic and Bathymetric Survey	6	6	18		30	\$ 5,592	\$ 280 \$	5,872	\$ 24,000	\$ 1,200	\$ 25,200	\$ 3	31,072
30% Design Plans and Cost Estimate	6	20	52		78	\$ 13,746	\$ 687	14,433				\$ 1	14,433
65% Plans, Specifications, and Cost Estimate	10	36	110		156	\$ 27,194	\$ 1,360	28,554				\$ 2	28,554
100% Plans, Specifications, and Cost Estimate	18	51	108		177	\$ 31,761	\$ 1,588	33,349				\$ 3	33,349
Prepare Bid Package	6	17	46		69	\$ 12,207	\$ 610	12,817				\$ 1	12,817
Subtotal for Design	76	160	364	0	600	\$ 108,740	\$ 5,437	\$ 114,177				\$ 13	39,377
Permitting Support													
Permitting/Environmental Support	36	36	36		108	\$ 21,888	\$ 1,094	22,982				\$ 2	22,982
Subtotal for Permitting Support	36	36	36	0	108	\$ 21,888	\$ 1,094	\$ 22,982				\$ 2	22,982
Engineering Services During Construction													
Submittal Review	22	11	44		77	\$ 14,861	\$ 743	15,604				\$ 1	15,604
RFI Review	8	8	16		32	\$ 6,160	\$ 308 5	6,468				\$	6,468
Construction Meetings	42	12	42		96	\$ 19,866	\$ 993	20,859				\$ 2	20,859
As-Built Drawings	8	4	48		60	\$ 10,588	\$ 529	11,117				\$ 1	11,117
Subtotal for Engineering Services During Construction	80	35	150	0	265	\$ 51,475	\$ 2,573	\$ 54,048				\$ 5	54,048
TOTALS	390	465	658	36	1,549	\$ 298,851	\$ 14,941	\$ 313,792				\$ 3?	38,992

GRAND TOTAL \$ 338,992

TOOD CONTROL AGE

Sutter Butte Flood Control Agency

A Partnership for Flood Safety

October 11, 2023

TO: Board of Directors

FROM: Michael Bessette, Executive Director

SUBJECT: Authorization of the Executive Director to Execute Task Order No. 1 with the City of Oroville to

provide planning support for improvements to the levee along the south bank of the Feather River

Recommendation

It is recommended that the Board of Directors review, approve and delegate authority to the Executive Director to:

- 1. Execute Task Order No. 1 with the City of Oroville to provide planning support for improvements to the levee along the south bank of the Feather River, subject to legal counsel's final review and approval.
- 2. Execute the associated staff support contracts with SBFCA consultants (e.g., R&F Engineering, Inc., Larsen Wurzel & Associates, etc.) as necessary for carrying out the work, subject to legal counsel's final review and approval.

Background

The City of Oroville (City) is located on the left bank of the Feather River in Butte County, California. The City was established as the head of navigation to supply gold miners during the Gold Rush. The City experienced flooding in 1907, and as a response, constructed a 1.25-mile levee (some of it concrete-faced) to protect the downtown area. The City of Oroville levee is located on the left (south) bank of the Feather River between Table Mountain Boulevard and Highway 70. The upstream end of the levee ties into high ground about 500 feet downstream of Table Mountain Boulevard at approximately river mile (RM) 66.17. The downstream end of the levee ties into Highway 70 at RM 65.0. Upstream of the levee the Feather River is confined by high ground. During the 1930s, dredger operations narrowed and deepened the river channel and placed spoils on and against the waterside concrete face of the levee. No substantial improvements of the levee have been undertaken since the 1930s.

In 1951, the California State Legislature authorized construction of the Oroville Dam. Construction of the earth-fill dam began in 1961 and was completed in 1968. It has a storage capacity of 3,537,577 acre feet with a reserved flood pool of 20% of capacity used to control peak flow releases to the Feather River. The dam is located approximately five miles upstream of the City of Oroville.

Since completion of the Oroville Dam, two flood events have occurred in the City of Oroville. In 1986, a release from the dam of 150,000 cubic feet per second (cfs) caused minimal flooding downstream of the Oroville levee west of Highway 70. In 1997, a peak release of approximately 160,000 cfs caused similar flooding and also resulted in a significant boil on the landside of the levee in the downtown area immediately upstream of Bedrock Park. Evacuations of the City were ordered in 1997 due to the threat of uncontrolled releases at Oroville Dam, which never occurred. Both of these events were within the design capacity of the Oroville Dam.

Upon initial evaluation, the levee protecting the City of Oroville has several issues of concern related to its ability to meet current engineering standards including: the presence of a boil during the 1997 flood event, seepage and stability concerns as a result of construction using dredge spoils and mine tailings, and the presence of encroachments on or within the levee prism.

To address the issues of concern, the City has requested that Sutter Butte Flood Control Agency (SBFCA) provide assistance with managing the City's flood risk management efforts on an on-call Task Order basis. The federal and state criteria for flood management are evolving and complex, potential sources of funding require tracking and an understanding of those criteria, and the requirements are numerous and difficult to competently meet without an individual whose primary charge is flood risk management.

In June of 2023, the Board approved a Services Agreement between SBFCA and the City of Oroville where SBFCA staff will provide assistance in two general areas of expertise:

- 1) Assistance with managing the City's flood program priorities, including assistance with strategic planning, financial planning, and identifying potential sources of funding for flood risk reduction projects.
- 2) Assistance with managing and implementing specific flood risk reduction or levee repair projects, where SBFCA staff will manage contractors and other specialized consultants contracted by the City (i.e. civil design, geotechnical, environmental, etc.) in order to advance and complete the projects.

The specific services provided by SBFCA are determined by individual Task Orders issued by the City and accepted by SBFCA. Each Task Order is to have a defined scope of work, budget, and schedule. SBFCA will keep an accounting of the costs it incurs in carrying out any Services pursuant to this Agreement and will submit invoices and supporting documentation of said costs to the City for reimbursement. In performing the Services, SBFCA shall act in an independent capacity and not as an officer, employee, or agent of the City.

The intent of Task Order No. 1 is to provide the City of Oroville with financial planning support and to identify a framework for the evaluation of the City's funding opportunities to support improvements to the levee along the left bank of the Feather River. SBFCA will support the City with advancing funding opportunities through a two-phased approach. The first phase would be to work with City staff to help identify possible opportunities for generating new revenues, including advocacy, outreach, and technical planning activities to pursue and secure additional external funding for advancing improvements to the levee system. The external funds would be used to fully assess the levee pursuant to the recommendations made in the engineering report which was completed by the City in 2015 in order to attain 100-year flood certification. Phase 2 tasks (to be completed in the future as part of a separate Task Order) would be initiated after the full levee assessment was completed and would focus on advancing the design, environmental, and permitting work.

Fiscal Impact

The recommended action requests the approval of Task Order No. 1 with the City of Oroville. SBFCA will keep an accounting of the costs it incurs and will submit invoices to the City for reimbursement. This work has not yet been incorporated into the recently approved budget due to the fact that the scope of work and available funding for that work from the City of Oroville had not yet been identified. <<Need LWA input on how to present the associated budget adjustments>>

Attachments:

1. SBFCA-City of Oroville Task Order No. 1

City of Oroville Services Agreement Task Order 1 Financial Planning Support

September 25, 2023

This Task Order No. 1 is associated with the Services Agreement between the Sutter Butte Flood Control Agency ("SBFCA") and the City of Oroville ("City") dated August 1, 2023.

I. Scope of Work

This Scope of Work (SOW) identifies a framework for the evaluation of the City's funding opportunities to support improvements to the levee along the east bank of the Feather River. SBFCA proposes supporting the City in advancing funding opportunities through a two-phased approach. The first phase would be to work with City staff to identify all records/material need in order to help identify possible opportunities for generating new revenues, including the outreach and technical planning activities to pursue and secure additional external funding for advancing improvements to the levee system. These funds would be used to fully assess the levee pursuant to the recommendations made in the report which was completed in 2015 in order to attain 100-year flood certification.

Phase 2 tasks (to be completed in the future as part of a separate Task Order) would be initiated after the full levee assessment was completed and would focus on advancing the design, environmental, and permitting work. Phase 2 tasks would also include the efforts needed to identify possible new revenue sources, the evaluation and screening of those options, and feasibility testing of the options against any legal limitations and practicable implementation. Phase 2 work would conclude with recommended actions and the development of a scope of work for implementation of the recommended new funding mechanism(s).

PHASE 1 - TASK 1 - Data Gathering

As noted above, this first effort entails a series of tasks to gather needed data from the City and to identify potential new funding mechanisms.

- Working with the project team, identify existing funding options outside and within the City, which may include State flood-related grants, the City's supplemental benefits fund (SBF), etc.
- Develop conceptual goals and objectives and identify parameters with criteria for evaluating new potential funding mechanisms alongside existing revenue streams.

• Identify who receives a benefit from current City services associated with the levee, future increased levels of service and identified capital project(s).

<u>Deliverables:</u> Technical Memorandum – Sections to include Background, Problem Identification and Quantification, Funding Opportunities (existing and new mechanisms), and Identification of Beneficiaries.

TASK 2 – Advocacy and External Funding Support

This task includes the outreach and technical planning activities to pursue and secure additional external funding for advancing improvements to the levee system, including obtaining State or Federal grant funding for technical studies, project development, design, environmental, permitting, and/or implementation (as needed/requested). SBFCA will coordinate with City staff on potential external funding opportunities (as identified in Task 1) and will assist the City in the preparation of funding applications. The proposed budget for this task includes the estimated efforts for preparation of two (2) grant funding applications based on recent SBFCA experience. However, the nature of this work can vary greatly depending upon the complexity of each particular application.

<u>Deliverables:</u> Assistance with preparation of two (2) grant funding applications. The intent of the grant applications will be to acquire funding for the technical assistance that's needed to assess the current levee conditions and to begin the engineering design, environmental, and permitting work.

II. Budget

Compensation will be paid for services on a time and materials basis in accordance with the provisions of the Services Agreement and the proposed budget breakdown included as Attachment A. The total budget associated with this Task Order 1 is not-to-exceed \$52,525 without prior written approval from the City.

III. Schedule

Services associated with this Task Order 1 will begin immediately. It is assumed that the services will be completed within a period of 6 months.

SUTTER BUTTE FLOOD CONTROL AGENCY	CITY OF OROVILLE				
By: MICHAEL BESSETTE Executive Director	By: BRIAN RING City Administrator				
Dated:	Dated:				

ATTACHMENT A
SBFCA-City of Oroville Task Order 1 - Financial Planning Support

	SBF	CA			F	&F Staff Supp	ort						LWA Staff	Support		
	Exec. D	irector	Principal	Associate			R&F Staff	Direct	R&F				Clerical	LWA Staff	Direct	LWA
Task/Description	Hours	Cost	Engineer	Engineer II	Engineer III	Admin IV	Cost Subtotal	Costs [1]	Cost Subtotal	Principal 1	Principal 2	Associate I	Staff	Cost Subtotal	Costs [1]	Cost Subtotal
Task 1: Problem Identification & Data Gathering																
Goals, criteria and parameters (1 Meeting)	1		1							4	2	4	0			
Research - budget, shortfalls, etc. (1 Meeting)	1		1							6	2	8	0			
Beneficiary Identification	1		1							6	2	8	0			
Technical Memo Preparation	2		2							8	4	10	3			
Subtotal Task 1	5	\$730	5	0	0	0	\$1,285	\$0	\$1,285	24	10	30	3	\$14,642	\$400	\$15,042
Task 2: Advocacy and External Funding Support																
Advocacy Efforts (6 Months)	30		8													
Grant Application Development	8		24	60 60	40	12						12				
Subtotal Task 2	38	\$5,548	32	60	40	12	\$27,424	\$300	\$27,724	0	0	12	0	\$2,196	\$0	\$2,196
Billing Rates (2023)	\$146		\$257	\$189	\$162	\$115				\$260	\$260	\$183	\$104			
Subtotals	43	\$6,278	37	60	40	12	\$28,709	\$1,400	\$29,009	24	10	42	3	\$16,838	\$1,400	\$17,238
															TOTAL COST	\$52,525

^[1] Direct Costs include subconsultant expenses, travel mileage (at IRS reimbursement rate), reproduction / printing expenses, and other miscellaneous direct expenses.



A Partnership for Flood Safety

October 11, 2023

TO: Board of Directors

FROM: Michael Bessette, Executive Director

Seth Wurzel, Budget Manager

SUBJECT: Receive and File Monthly Financial Reports (June and August 2023)

Recommendation

Staff recommends that the Board receive and file the June & August 2023 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 June & August 2023. Staff's oral presentation will cover the financial activities of the Agency through August 2023.

The monthly financial reports include the following information:

<u>Current Working Capital Position</u>: 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 reflect the financial information as of August 2023. The information presented is compared to the Final Amended Final Budget for 2022/23 and 2023/24.

Fiscal Impact

This is an informational item with no fiscal impact.

Attachments

(Note – The Monthly Financial Report is not available prior to finalization of the Agenda Packet – the Monthly Financial Report will be provided and made available prior to the start of the Board Meeting.)

Yuba City Finance Department Memorandum, October 11, 2023 re: Monthly Financial Report: August 2023



A Partnership for Flood Safety

October 11, 2023

TO: Board of Directors

FROM: Michael Bessette – Executive Director

SUBJECT: Receive and File Program/Project Update Report

Recommendation

Receive and file the October 2023 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 consultant team submitted a new \$2.3M grant application with the Governor's office under the Integrated Climate Adaption Resiliency Program (ICARP). This grant would partially fund ongoing design work for the Tudor Flood Risk Reduction Project, and fully fund an analysis of the lower Feather River corridor to advance select projects that have been identified in the planning process, identify synergies between restoration projects being advanced in the region by other agencies, develop a native seed stock that is uniquely adapted to the lower Feather River ecotype and able to withstand California's changing climate and hydrology, and to develop a framework for broader and deeper engagement from the community in these actions for climate resilience going forward. The grant application was submitted last month and we expect to hear results in the next several months.

The planning team is also advancing SBFCA's primary interests in the regional planning effort including; 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 and the Yuba City Sediment Removal Projects, participate in FEMA National Flood Insurance Program reform, participate in efforts related to the Oroville Citizen's Advisory Committee, and identify and implement other regional flood risk reduction projects. A presentation to the Central Valley Flood Protection Board's Coordinating Committee will take place on October 23 in which each region will provide updates on planning efforts and past achievements.

Oroville Wildlife Area (OWA) Project

We are still waiting on our second funding source for the *Oroville Wildlife Area Thermalito Afterbay Outlet Boat Ramp and Campground Project* from CA Department of Fish & Wildlife. This second grant will bring the total funding for the project at \$7.7M. The work on this project has begun and a concept design plan will be submitted for review this month. SBFCA also continues to make progress on the Oroville Wildlife Area Robinson's Riffle planning grant project. Work has begun on the project including; scheduling and conducting stakeholder outreach meetings, hydraulic modeling, and project features scoping. The first workshop to review the conceptual alternatives is scheduled for October 10. In addition, SBFCA submitted an amendment to the agreement in order to conduct floodplain inundation mapping within the City of Oroville and this amendment was approved and work has begun. Lastly, staff is coordinating with staff from the City of Oroville to assist the City in advancing a levee

repair project within the city limits. A Scope of Services agreement was approved by both the SBFCA Board and the Oroville City Council and the first task order is being brought to both bodies in October.

Sutter Bypass Critical Repairs

The project team continues to advance the design and permitting work funded by the \$4M funding agreement from DWR. The design team lead, HDR Engineering, Inc., has finalized the Design Criteria Memo and submitted the draft Alternatives Analysis report to DWR for review. A coordination meeting with DWR was held on September 22nd in order to receive input on the Alternatives Analysis. Staff received the 408-approval from USACE which is needed to perform geotechnical explorations. This work occurred in late September. Due to the extensive amount of data collection needed and the anticipated timeframe for acquiring regulatory approvals and permits the project is scheduled for construction in 2026.

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

SBFCA's design and environmental teams continue their work on the levee repair project. The design team completed and submitted the 65% level plans and specifications package and is now actively working on preparing the 90% design package for SBFCA review. The 65% design package has been submitted to the Central Valley Flood Protection Board for an encroachment permit, which initiates the USACE Section 408 review and approval process. The final EIR was approved by the SBFCA Board in September. The SBFCA environmental team is working on acquiring the needed USACE 404 and RWQCB 401 permits. Design and environmental team meetings continue to be held weekly, or as needed, to advance the project. It is anticipated that the design and permitting effort will take approximately 2 years to complete with construction scheduled to begin in 2025.

Proposition 68 Sediment Management Project

Staff continues to pursue additional funding opportunities in order to remove additional sediment from the confluence of the Feather and Yuba Rivers (Phase 2 work). Existing environmental permits acquired for the phase 1 work would cover this additional Phase 2 work and are valid through 2026. A funding meeting was held with NOAA fisheries on July 18 and the Notice of Funding Opportunity (NOFO) for their upcoming grant opportunity was recently released. SBFCA is in the process of preparing an application which is due November 17. 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)

Staff continues to coordinate closely with USACE and DWR to finalize the long outstanding punch list items. Most particularly are the leaking meter and valve vaults on the Feather Water District facilities. USACE has indicated they would like SBFCA to take the lead on repairing the District's facilities and will direct project funding to SBFCA. The timing of this work is still yet to be determined. Staff also continues to work with USACE and DWR 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 prior to the federal government appropriated funds for the project. SBFCA's Executive Director has held numerous meetings with the Executive Director of the San Joaquin Area Flood Control Agency (SJAFCA) and his team to advance discussions regarding the potential purchase (by SJAFCA) of excess credits that SBFCA currently holds. Negotiation meetings will continue until an agreement is reached.

Engineering Design

The design team is coordinating with Levee District 1 to determine what caused the Reach 7 relief wells to plugup with sediment, and to determine how to rectify the situation. 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.

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. Numerous 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 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. SBFCA's Executive Director signed multiple property transfer documents in early May to transfer properties to the State, and is expected to sign more later this month.

Regional Development Impact Fee

Staff continues to advance the board approved Regional Development Impact Fee (DIF) Program to help fund implementation of the SBFCA Strategic Plan. 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 and taking these documents to the land-use agency Boards/Councils for adoption. To date the Cities of Biggs and Gridley, and Sutter and Butte Counties have approved the DIF. The schedule for the two remaining members is: Live Oak and Yuba City in October.

Sutter County FEMA Accreditation

SBFCA has finished with incorporating the updates to the post-FRWLP 100-year floodplain maps and continues to coordinate with City and County staff on the upcoming FEMA accreditation package submittal. SBFCA's design team has prepared an initial draft of the FEMA accreditation package and SBFCA's Independent Panel of Experts (IPE) provided their final approval letter in March. 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-2023 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. SBFCA has since received \$2,499,794 for the Emergency Work Retention Release. 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. An \$308,156 payment for 31st Quarter was received in December. In February, SBFCA received one FAPS payment totaling \$1,989,855 from DWR for ROW request for a Partial Closeout Retention Release of \$2,668,485. Additional final closeout work is also underway.

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

FRWLP DWR EIP/UFRR Funding

Agreement

	<u>Design</u>		Construction		<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		\$229,274,198		\$252,045,996
Pending	\$0		\$4,658,341		\$4,658,341
TOTAL PAYMENTS	\$21,339,829		\$224,615,858		\$247,387,656
GRANT BALANCE	\$0		\$4,042,610		\$4,042,610

- [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. For the CDFW Box Culvert grant in the amount of \$5,620,244 through the 14th Quarter. Both of these grants are closed and all payments received.

Payments on the CDFW Veg Planting grant for the first through eighth quarters were received in the sum amount of \$1,058,172 with \$466,977 currently pending for the 9th through 12th Quarters. A 13th Quarter package is currently being formulated.

SBFCA will formulate a reimbursement package for the first quarter of the WCB Thermalito Afterbay grant in the near future.

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

OWA WCB Funding

	<u>Agreement</u>			
Box Culvert	Phase II	Public Access	Thermo Afterbay	<u>Total</u>
WC-1736BC	WC-1842AP	WC-1729SS	WC-2334CA	
\$5,070,900	\$1,542,100	\$484,000	\$4,415,000	\$12,304,522
\$5,070,900	\$1,542,100	\$484,000	\$4,415,000	\$12,304,522
	WC-1736BC \$5,070,900	Box Culvert Phase II WC-1736BC WC-1842AP \$5,070,900 \$1,542,100	Box Culvert Phase II Public Access WC-1736BC WC-1842AP WC-1729SS \$5,070,900 \$1,542,100 \$484,000	Box Culvert Phase II Public Access Thermo Afterbay WC-1736BC WC-1842AP WC-1729SS WC-2334CA \$5,070,900 \$1,542,100 \$484,000 \$4,415,000

GRANT BALANCE	\$0	\$530,980	\$0	\$4,415,000	\$4,945,980
TOTAL PAYMENTS	\$5,070,900	\$1,011,120	\$484,000	\$0	\$7,358,542
Previous Amounts Sum [1]					\$690,997
Retention Release	\$507,090				\$507,090
PMT 12	\$354,531				\$354,531
PMT 11	\$10,840				\$112,365
PMT 10	\$23,143				\$23,143
PMT 9	\$23,227				\$23,227
PMT 8	\$9,228				\$9,228
PMT 7	\$12,169				\$12,169
PMT 6	\$139,225				\$139,225
PMT 5	\$1,558,060				\$1,558,060
PMT 4	\$53,946				\$53,946
PMT 3	\$17,073				\$17,073
PMT 2	\$1,593,679				\$1,593,679
PMT 1	\$768,688	\$1,011,120	\$484,000		\$2,263,808
Payment Received					

OWA CDFW Funding

OWA CDFW Funding				
	<u>Agree</u>	<u>ement</u>		
	Berm, etc.	Veg Restoration	Robinson's Riffle	<u>Total</u>
Grant Agreement No.	P1796010	Q1996015	Q2296026	
Grant Amount	\$5,648,836	\$1,716,847	\$2,115,000	\$9,480,683
TOTAL FUNDING	\$5,648,836	\$1,716,847	\$2,115,000	\$9,480,683
Receipts				
Received				
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	\$102,987		\$217,958
PMT 7	\$27,302	\$112,641		\$139,943
PMT 8	\$13,837	\$86,177		\$100,015
PMT 9	\$66,177			\$66,177
PMT 10	\$54,444			\$54,444
PMT 11	\$1,319			\$1,319
PMT 12	\$6,548			\$6,548
PMT 13	\$17,977			\$17,977
PMT 14	\$86,795			\$86,795
Pending				
PMT 9		\$111,059		\$111,059
PMT 10		\$300,653		\$300,653
PMT 11		\$27,633		\$27,633
PMT 12		\$27,633		\$27,633

TOTAL PAYMENTS	\$5,620,244	\$1,525,150	\$0	\$7,145,394
GRANT BALANCE	\$28.592	\$191.697	\$2.115.000	\$2.335.289

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. Payments on all packages through the 7th have been received, totaling \$4,015,235. Additional invoices for subsequent quarters will proceed in the coming months once work commences on the last stages of the project. SBFCA has been in close contact with CNRA to process payments.

CNR Sediment Removal Funding

om comment of an analog		
	<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
PMT 5	\$209,605	\$209,605
PMT 6	\$2,916,496	\$2,916,496
PMT 7	\$230,211	\$230,211
- ···		
Pending		
TOTAL PAYMENTS	\$4,015,235	\$4,015,235
GRANT BALANCE	\$984,765	\$984,765

Additional State Funded Grants

SBFCA has secured and executed work on additional state-funded grants: The Floodplain Management, Protection and Risk Awareness (FMPRA) Robinson's Riffle; Regional Flood Management Planning Phase IV (RFMP IV); and Sutter Bypass East Levee (SBEL) projects.

The first reimbursement package for FMPRA Robinson's Riffle was submitted to DWR in August for \$13,545. A second reimbursement package will be formulated in October.

The first reimbursement package for RFMP IV was submitted to DWR in August and requested \$99,307. An additional package will be formulated in October.

The first reimbursement request package for SBEL is currently being formulated. A first and second package are expected to be submitted to DWR in September.

State Funding

Agreemen [*]	<u>Total</u>
-----------------------	--------------

	FMPRA Robinson's Riffle	RFMP IV	Sutter Bypass East Levee	
Grant Agreement No.	4600015071	4600015037	4600014883	
Grant Amount	\$1,144,800	\$260,000	\$4,000,000	\$5,404,800
TOTAL FUNDING	\$1,144,800	\$260,000	\$4,000,000	\$5,404,800
Receipts				
Received				
PMT 1	\$0	\$0	\$0	\$0
Pending				
PMT 1	\$99,307	\$13,545	\$0	\$112,852
TOTAL PAYMENTS	\$99,307	\$13,545	\$0	\$112,852
GRANT BALANCE	\$1,045,493	\$246,455	\$4,000,000	\$5,291,948

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