



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

Board of Directors Agenda Summary January 12, 2011

1:30 PM Regular Meeting

Meeting Location:

**Sutter County Superintendent of Schools Training Center
1699 Sierra Avenue, Suite A
Yuba City, CA**

The agenda is posted in the building of the Sutter County Superintendent of Schools Training Center, 1699 Sierra Avenue, Suite A, Yuba City, CA 95993, and at the Sutter County Library, 750 Forbes Avenue, Yuba City. The Agenda Summary and backup materials, and Approved Minutes are also posted on the Sutter Butte Flood Control Agency web site at www.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 1160 Civic Center Blvd., 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 Sarah Modeste at the Sutter Butte Flood Control Office, 1227 Bridge Street, Suite C, Yuba City, CA 95993 or 530-755-9859. Requests must be made one full business day before the start of the meeting.

<u>County of Sutter</u> 1. Larry Montna 2. Stan Cleveland Alt. James Gallagher	<u>County of Butte</u> 1. Bill Connelly 2. Steve Lambert
<u>City of Yuba City</u> 1. John Miller 2. John Dukes Alts. John Buckland, Tej Maan	<u>City of Gridley</u> 1. Owen Stiles Alt. Jerry Anne Fichter
<u>City of Live Oak</u> 1. Gary Baland Alt. Felicity Clark	<u>City of Biggs</u> 1. Mike Bottorff Alt. Bo Sheppard
<u>Levee District 1</u> 1. Francis Silva 2. Al Montna Alt. Barbara LeVake	<u>Levee District 9</u> 1. David Lamon 2. David Schmidl Alt. Chris Schmidl

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

1:30 P.M. REGULAR MEETING/CALL TO ORDER

Roll Call

Pledge of Allegiance

CONSENT CALENDAR

The Consent Calendar groups together those items which are considered non-controversial or for which prior policy direction has been given to staff and that require only routine action by the Board. The Chairman 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 Regular Board Meeting of December 8, 2010.
- 2) Approval of the resolution establishing the regular meetings for the Sutter Butte Flood Control Agency for the 2011 calendar year.

SELECTION OF THE VICE-CHAIR FOR THE 2011 YEAR

- 3) The selection of the Vice-Chair of the Sutter Butte Flood Control Agency Board of Directors for the 2011 year. (Selection should be from representatives from Yuba City in accordance with the Board's policy on the rotation of officers).

PRESENTATION, DISCUSSION AND ACTION ITEMS

- 4) Review and discussion of SBFCA's current organization and management, comparison to other regional agencies, and the plan for the future.
- 5) Approval of one consultant agreement between SBFCA and PB Americas, Inc. for ongoing assessment engineering services related to continuous update of county assessment rolls and assessment engineering analysis of appeals.
- 6) Approval of Operations amendments to consultant agreements for general Agency operations for the last 6 months of the 2010-11 Fiscal Year:
 - a. Approval of the Fifth Amendment to the Agreement between SBFCA and Downey Brand LLP for comprehensive legal services for the Agency.
 - b. Approval of the First Amendment to the Agreement between SBFCA and Kennedy Modeste Communications for general administrative services such as Agency administration, finance, public contact, and serving as the Board Secretary.

- c. Approval of the First Amendment to the Agreement between SBFCA and KNN Public Finance for serving as Financial Advisor (debt financing advice).
- d. Approval of the First Amendment to the Agreement between SBFCA and Capital Public Finance Group as Financial Advisor (advice pertaining to State required financial planning projections, budgeting, and accounting).

INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

- 7) Other reports from Agency Staff regarding current Sutter Butte Flood Control Agency activities.
- 8) Report (if necessary) by the Citizens' Assessment District Advisory Committee (CADAC).
- 9) Report (if necessary) by Levee District No. 1 regarding setback levee project at Star Bend (an early implementation project).
- 10) Report (if necessary) by the USACE Project Manager regarding current status of the Feasibility Study for the Sutter Basin.
- 11) Report (if necessary) by the DWR Senior Project Manager regarding current DWR activities.

CORRESPONDENCE

- 12) Report on correspondence sent by and received by the Board.

PUBLIC COMMENT

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

ADJOURNMENT



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

January 12, 2011

TO: Board of Directors

FROM: William H. Edgar, Executive Director

SUBJECT: Approval of the Minutes for the Regular Board Meeting of December 8, 2010

We have attached the proposed minutes for the Board of Director's Regular meeting of December 8, 2010 for your review, modification, and/or approval.

Recommendation

We recommend that your Board approve the minutes and authorize the Chairman to sign the minutes.

Thank you.

**MINUTES OF THE BOARD OF DIRECTORS OF THE
SUTTER BUTTE FLOOD CONTROL AGENCY
REGULAR MEETING OF
December 8, 2010**

The Sutter Butte Flood Control Agency (Agency) Board of Directors (Board), State of California, met on the above date in Regular Session at 1:30 p.m. in the Superintendent of Schools, Training Center, Suite C, 1699 Sierra Avenue, Yuba City, California.

MEMBERS PRESENT: County of Sutter: Larry Montna, Stan Cleveland
County of Butte: Steve Lambert
City of Yuba City: John Miller, John Dukes
City of Gridley: Owen Stiles
City of Live Oak: Gary Baland
City of Biggs: Mike Bottorff
Levee District 1: Francis Silva, Barbara LaVake
Levee District 9: David Schmidl, David Lamon

MEMBERS ABSENT: Directors Kash Gill, Malcolm Weston, Bill Connelly, Al Montna

STAFF PRESENT: Bill Edgar, Interim Executive Director; Scott Shapiro, Agency Counsel; David Peterson, Agency Engineer, Kim Floyd, Agency Public Information Officer, and Sarah Modeste, Staff Analyst

REGULAR SESSION

Chairman Larry Montna called the meeting to order and asked the Clerk to call the roll. Chairman Larry Montna asked Director John Miller to lead the Board and the audience in the pledge of Allegiance to the Flag.

CONSENT CALENDAR

On motion of Director Steve Lambert, seconded by Director John Dukes, and carried by those present, the Board approved the Consent Calendar as follows:

- 1) Approval of the minutes for the Regular Board Meeting of November 10, 2010.
- 2) Approval of attached resolution (Exhibit A) approving recommendation to name the Executive Director, or Interim Executive Director, as designated representative for the Agency's CSAC Excess Insurance Authority coverage.

A motion was made by Director Steve Lambert to approve the items on the consent calendar. The motion was seconded by Director John Dukes and was carried by those present.

NOTICED PUBLIC HEARING

- 3) **Receipt of public testimony, Board discussion, consideration, and Board adoption of resolution to re-state the approved Budget for the first six months for the 2010-11 Fiscal Year with the approval of the Proposed Two-Year Budget for the 2010-11 and 2011-12 Fiscal Years with the approval of the final Two-Year Budget.**

Executive Director Bill Edgar provided an overview of the budget documents, including the transmittal letter, the budget resolution that outlines the process and the procedure for the implementation of the budget, and the document which includes the budget message and the actual budget including the line of credit and actual amounts from July, August and September.

Mr. Edgar explained the two funds (Operating and Capital), and the related revenue and the expenditure sections. The expenditure section includes four activities: general operations, work that's necessary for the feasibility study with the Corps, EIP funds to complete the final design, the environmental design, and permits, and the funds that will be transmitted to LD1 to complete Star Bend.

The Agency's cash flow requirements include operations, the USACE feasibility study, the EIP, and the Star bend payments to LD 1, and the cash flow schedule that shows planned monthly expenditures. Mr. Edgar explained that the cash flow schedule will be updated with actual numbers each month so that available fund balances can be closely monitored.

Mr. Edgar explained that that he reviewed the budget with the CADAC prior to the Board of Directors' meeting in order to maintain transparency. CADAC members expressed interest in becoming more acquainted with the forms and processes of the budget.

Chairman Larry Montna opened the public hearing to comments at 1:50 p.m.

There was no public comment.

Chairman Larry Montna closed the public hearing at 1:51 p.m.

Director LaVake asked for clarification on the line item dues and subscriptions. Mr. Edgar responded that the funds are primarily used for membership in the Central Valley Flood Protection Board; because SBFCA member agencies are not members of the CVFPB, it is important that the region is represented and SBFCA is able to do that. Mr. Edgar added that he attends the meetings on behalf of SBFCA and serves on the Legislative Committee, and Agency Counsel Scott Shapiro is the Agency counsel. Director LaVake requested that Bill provide a regular update to the Board.

Director John Dukes asked if SBFCA was planning for a dues increase, and Mr. Edgar explained that SBFCA joined mid-year this year and received a prorated amount. The actual fee for coming years is \$22,000 per year.

A motion was made by Director John Miller to approve the resolution to re-state the approved Budget for the first six months for the 2010-11 Fiscal Year with the approval of the Proposed Two-Year Budget for the 2010-11 and 2011-12 Fiscal Years with the approval of the final Two-Year Budget. The motion was seconded by Director David Lamon and was carried by those present.

PRESENTATION, DISCUSSION, AND ACTION ITEMS

- 4) **Presentation by the Agency Engineer re: current activities of the Agency.**
- a. **Status of Federal and State Flood Mapping Efforts**
 - i. **Federal Emergency Management Agency (FEMA)**
 - ii. **Department of Water Resources (DWR)**
 - b. **Progress Report Regarding USACE Sutter Basin Feasibility Study**
 - c. **Status reports regarding Early Implementation Projects**
 - i. **Close out of set back levee project at Star Bend**
 - ii. **Feather River West Levee Rehabilitation Project Area Plan submittal**
 - d. **Progress Report Regarding Feather River West Levee Rehabilitation Project**
 - i. **Status of 30% design**

ii. Status of environmental work
e. Status of permitting work

Agency Engineer David Peterson, Karl Brustad, and Barry O'Regan provided an overview of SBFCA's recent and upcoming activities. A presentation handout was provided at the meeting. Levee District 1 General Manager Bill Hampton explained that although the Star Bend project is completed, there are a few problems that need to be resolved prior to the project close out.

Director Mike Bottorff asked the age of the hydrology used by PBI. Mr. Peterson responded that the data originated with a Corps comp study about 20 years ago and then included the 1997 flood data. Mr. Peterson explained at the Corps is having trouble completing updated hydrology because the computer program used. He continued to explain that there will always be updated hydrology, but the Agency's levees will be designed and built to be robust.

Mr. Edgar explained that some Board members had expressed concern that the Corps may require the Agency to raise existing levees, but it's would not be possible to anticipate that.

Mr. Peterson responded that issues may be located primarily downstream from Yuba City, and that's where the Agency could receive recommended changes from the Corps because the freeboard is minimal.

Director Stan Cleveland asked if AB 32 being applied and Mr. Peterson responded that it isn't at this time, but it may be in the future.

No Action Taken on this Item

5) **Report from Chairman Montna and Board approval re: approval of the Ad Hoc Committee's Board rotation plan to rotate the Chair and Vice-Chair position among the three largest member agencies.**

Bill Edgar explained that Levee District 1 should have been included in the list of largest member agencies as LD1 has 18,000 of the 34,000 SBFCA parcels. Further, he explained that LD1 did not wish to be included in the rotation of Board Chair and Vice-Chair.

The Ad Hoc members, including Directors Larry Montna, Gary Baland, Barbara LaVake, and John Miller, reviewed a number of options and recommended the rotation of the Chair and Vice-Chair position to be among Yuba City, Sutter County, and Butte County. Additionally, the committee recommended the appointment of Director Steve Lambert as the Chair for 2011, a Yuba City representative in 2012, and a Sutter County representative in 2013.

A motion was made by Director Barbara LaVake to approve the Ad Hoc Committee's Board rotation plan to rotate the Chair and Vice Chair position among the largest municipal agencies and to appoint Director Steve Lambert as the 2011 Chair. The motion was seconded by Director John Miller and was carried by those present with the exception of Director Owen Stiles who voted no.

6) **Report from Chairman Montna and Board approval re: approval of the Ad Hoc Committee's staffing plan recommendations to maintain the current Agency staff for a longer period of time; to review the current staffing arrangement in the spring of 2012; and in connection with the preparation of the 2012-13 Agency Budget prepare a revised staffing plan for consideration by the Board of Directors.**

Mr. Edgar explained the committee's recommendation to maintain the current Agency staff for a longer period of time and then review the staffing in connection with the preparation of the 2012-13 Agency Budget.

Director David Lamon commented that the Agency would know more about the project in the next 6-12 months, and he recommended in the Agency maintain current staffing for consistency in the

meantime. Mr. Edgar added that there are many changes at the State and Federal level, so stabilizing the Agency's staff would allow the Agency to focus on the project.

Director Barbara LaVake added that the Committee expressed the desire to phase in a director when the time is appropriate in order to provide overlap between the outgoing and incoming executive director. Director John Miller agreed and said that is why the Committee recommended revisiting the staffing in conjunction with the preparation of the 2012-13 budget.

A motion was made by Director John Miller to approve the Ad Hoc Committee's staffing plan recommendations to maintain the current Agency staff for a longer period of time; to review the current staffing arrangement in spring of 2012; and in connection with the preparation of the 2012-13 Agency Budget prepare a revised staffing plan for consideration by the Board of Directors. The motion was seconded by Director Owen Stiles and was carried by those present.

7) **Approval of recommendation to execute Task Order 7 for Peterson Brustad, Inc. for Feather River West Levee Rehabilitation Project (FRWLRP) project management.**

Mr. Edgar explained that Peterson Brustad, Inc.'s Task Order 7 for Feather River West Levee Rehabilitation Project (FRWLRP) project management exceeds the Executive Director's authority. The Task Order is needed so Peterson Brustad, Inc. (PBI) can continue managing the design and environmental work. PBI ensures that Jones & Stokes and HDR are completing work in the most efficient manner, and reviews invoices and provides recommendation for monthly payment. PBI also ensures the consultant team is communicating, and that all State and Federal requirements are met.

Mr. Edgar added that the contract amount was included in the previously adopted Two-Year Budget, and is fully funded.

Director Barbara LaVake asked if this Task Order is essentially a project manager position and asked for clarification on the timeframe for the Task Order. Mr. Edgar responded that it is for project management, and that the management will continue until the design work is complete, but Task Order 7 is through June, 2011. Director John Miller asked if Task Order 7 should be extended through the end of design in 2012.

Director Barbara LaVake added that she didn't have a comparison to know if the Task Order amount was comparable to others, or the work required. Director John Miller asked how many hours were included in the Task Order.

David Peterson, Peterson Brustad, Inc., responded that the Task Order covers an amount less than two full-time equivalent employees and that because of the project complexities, it involves the work of senior-level employees. He explained that Karl Brustad manages the day-to-day operations and funding, and Barry O'Regan is overseeing the environmental and right-of-way work. He added that his time is charged to the EIP project, or to his Task Order for Agency Engineer work depending upon the work involved.

Agency Counsel Scott Shapiro explained that MBK Engineers completed a peer review during the Assessment District formation processes and noted that the project management costs were in the range of similar size projects, and even less than what MBK thought the Agency would need.

Director Barbara LaVake commented that she was not prepared to vote on the Task Order 7 because it was for a portion of the time needed, and because she did not feel that she had appropriate background information. Mr. Peterson responded that measurements against other agencies, like SAFCA, were challenging because they have full time staff that are assigned to the project in addition to project management consultant staff.

Director John Dukes asked if the charges were front-loaded, and if they would decrease after time. Mr. Peterson responded that the costs are anticipated to remain steady throughout the project, but only the hours worked will be billed.

Director John Miller requested that the Chairman table the discussion until the January, 2011 meeting. Director Barbara LaVake agreed and added that she needed to be able to respond to

constituents about the costs and why other companies didn't have the opportunity for participation.

A motion was made by Director John Miller to table the Task Order 7 discussion until the January, 2011 meeting. The motion was seconded by Director Barbara LaVake and was carried by those present.

INFORMATIONAL AND POSSIBLE APPROVAL ITEMS

- 8) Other reports from the Agency Staff regarding current Sutter Butte Flood Control Agency activities.

There are no reports at this time.

No Action Taken on this Item

- 9) Report (if necessary) by the Citizens' Assessment District Advisory Committee (CADAC).

Ray Rogers introduced himself as the newly elected CADAC chair and stated that the CADAC had its first official meeting today. He added that he plans to provide updates at the regular Board meetings.

No Action Taken on this Item

- 10) Report by Levee District No. 1 regarding setback levee project at Star Bend (an early implementation project).

No report at this time.

No Action Taken on this Item

- 11) Report by the United States Army Corps of Engineers' (USACE) project manager re: current status of the Feasibility Study for the Sutter Basin.

No report at this time.

No Action Taken on this Item

- 12) Report (if necessary) by the Dept. of Water Resources (DWR) Senior Project Manager regarding DWR activities.

No report at this time.

No Action Taken on this item

CORRESPONDENCE

- 13) Response to Correspondence Received

Interim Executive Director Bill Edgar stated that there was no correspondence to be considered at this meeting.

No Action Taken on this item

PUBLIC COMMENT

No public comment at this time.

ADJOURNMENT

With no further business coming before the Board, the meeting was adjourned at 2:57 p.m.

LARRY MONTNA, CHAIRMAN

ATTEST:

BY _____

SARAH MODESTE, STAFF ANALYST



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

January 12, 2011

TO: Board of Directors

FROM: Bill Edgar, Executive Director

SUBJECT: Approval of the resolution establishing the regular meetings for the Sutter Butte Flood Control Agency for the 2011 calendar year.

Recommendation

It is recommended that your Board confirm the recommendations made by SBFCA staff establishing the 2011 regular Board of Directors meeting dates.

Background

The following are the recommended dates for the regular meetings of the Sutter Butte Flood Control Agency. All meetings are open to the public and held at 1:30 p.m. at the Sutter County Superintendent of Schools Training Room, 1699 Sierra Avenue, Yuba City, CA.

January 12, 2011
February 9, 2011
March 9, 2011
April 13, 2011
May 18, 2011
June 8, 2011

July 13, 2011
August 10, 2011
September 14, 2011
October 12, 2011
November 9, 2011
December 14, 2011

Thank you.

BEFORE THE BOARD OF DIRECTORS
SUTTER BUTTE FLOOD CONTROL AGENCY

RESOLUTION MODIFYING)
THE TIME AND LOCATION OF) RESOLUTION NO.
REGULAR BOARD MEETINGS)

WHEREAS, the Sutter Butte Flood Control Agency is a public agency pursuant to a Joint Powers Agreement; and

WHEREAS, the Board of Directors wishes to modify the regular meeting time and place of the Agency.

NOW, THEREFORE, BE IT RESOLVED, the Sutter Butte Flood Control Agency Board of Directors sets the regular meetings of the Agency monthly at 1:30 p.m. on the second Wednesday of the month and the meetings shall be open to the public and held at 1:30 p.m. at the Sutter County Superintendent of Schools Training Room, 1699 Sierra Avenue, Yuba City, CA.

The monthly meeting schedule for 2011 will be as follows:

- | | |
|------------------|--------------------|
| January 12, 2011 | July 13, 2011 |
| February 9, 2011 | August 10, 2011 |
| March 9, 2011 | September 14, 2011 |
| April 13, 2011 | October 12, 2011 |
| May 18, 2011 | November 9, 2011 |
| June 8, 2011 | December 14, 2011 |

PASSED AND ADOPTED this _____.

STEVE LAMBERT, CHAIRMAN

ATTEST:

By _____
SBFCA STAFF ANALYST



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

January 12, 2011

TO: Board of Directors

FROM: William H. Edgar, Executive Director

SUBJECT: The selection of the Vice-Chair of the Sutter Butte Flood Control Agency Board of Directors for the 2011 year (selection should be from representatives from Yuba City in accordance with the Board's policy on the rotation of officers).

Recommendation

We recommend that your Board of Directors select a Vice-Chair from representatives from Yuba City for the 2011 calendar year in accordance with the Board's adopted policy on the rotation of officers.

Background

Each year the Board of Directors is required to select a Chairman and Vice-Chairman. At the December 8, 2010 Board meeting, your Board selected Director Steve Lambert to serve as the Chair for 2011, and named a City of Yuba City representative, to be named later, as the 2011 Vice-Chair.

Thank you.



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

January 12, 2011

TO: Board of Directors

FROM: William H. Edgar, Executive Director

SUBJECT: Review and discussion of the Sutter-Butte Flood Control Agency's (SBFCA's) current organization and management, comparison to other regional agencies, and the plan for the future.

Summary and Recommendation

With the commencement of the second phase of SBFCA's activities which include the start of the required technical work, the adoption of the Two-Year Budget for the 2010-11 and 2011-12 Fiscal Years, and the approval of the Board Ad Hoc Committee's recommendations regarding staffing, and prior to the approval of the required consultant agreements and/or amendments implementing the Two-Year Budget and Staffing Plan, it is recommended that:

1. The Board of Directors formally review and discuss SBFCA's current organizational structure and management plan in additional detail, and
2. Review and discuss the organizational and staffing plans of other regional flood control agencies, and
3. Review and discuss the costs to date of all of the consultant contracts as well as the total Agency costs to date, and
4. Review, discuss, and approve the recommendations of the Board Ad Hoc Committee modifying the current staffing plan which was approved by the Board at their meeting on December 8, 2010. In summary, the Board's Ad Hoc Committee is recommending the following modification to the staffing plan be adopted by the Board and that the staff be directed to provide additional information to the Board in subsequent meetings as follows:

- a. Convert the “Director of Engineering” position in the Agency’s organizational structure from a position filled by a consultant to an Agency employee position which should result in a substantial cost savings to SBFCA, and
- b. That the staff is directed to report back to the Board at their February 9, 2011 meeting with a job description and a proposed process for the recruitment and selection of the person to fill the position of “Director of Engineering”, and
- c. That as consultant contracts come up for renewal in the future more detailed information and material be provided to the Board regarding duties, responsibilities, tasks performed, and total cost, and
- d. That the Agency’s Project Design Team (HDR) be asked to periodically report directly to the Board with periodic reports regarding the status of the design effort to date, and
- e. That the Agency’s staff provide more detail during their oral reports to the Board to allow the Board to more fully understand staff’s activities and the value of those activities to the Agency, and
- f. In order to keep the Project moving forward, the Executive Director and the Agency General Counsel be tasked with the responsibility of negotiating a transitional consultant contract with the current consultant (Peterson Brustad) for “Agency Engineer” services for three (3) to four (4) months during the recruitment and selection process required to select an employee for this position. In addition, the Executive Director and General Counsel be directed to negotiate a new Task Order 7 for the required technical support tasks that are required as part of work of the design team. It is understood that this transitional contract and new Task Order 7 will be provided to the Board at their February 9th meeting.

Background

Now that the SBFCA Assessment District has been formed and the first phase of SBFCA’s activities have been completed, work has begun on the second phase of SBFCA’s work which includes completing the final engineering design for the project, performing the required environmental work, and securing the necessary permit approvals for the project which is all required prior to the start of construction.

Since the SBFCA Assessment District was formed on July 14, 2010, the 30% final engineering design is proceeding with the HDR Team working on the tasks set forth in their Task Order 1. This Task Order was approved by the Board on July 14th. In addition, Jones & Stokes has worked to clear the way for the Team to perform additional geotechnical work contemplated by the Task Order as well

as starting the work on the EIS/EIR. This work was authorized by the Board on November 11th. Finally, Bender Rosenthal, pursuant to Board approval of their contract on September 8th is proceeding to provide right-of-way support services for the design team.

At this point, the early 30% design concepts and cost estimates are being assembled and will be available for Board review and member agency technical staff shortly. In addition, the formal submittals for the Early Implementation Project have been provided to the State staff and we are expecting comments in the next few weeks. Also, the Chair of the Board (at that time Larry Montna), the Executive Director, the Agency General Counsel, and the Agency Engineer appeared before the United States Army Corps of Engineers' (USACE's) Project Review Board for an informational meeting in December, 2010. The meeting went well, and the State was very supportive of our efforts and the USACE is now recommending that we be nominated for a headquarters' pilot project to "fast track" feasibility studies. In that meeting the State indicated that SBFCA was on track to receive a design grant soon, and subsequent to that meeting we learned that the USACE staff for the Section 408 permit process became energized to begin a serious analysis of our project. We believe that to be a positive circumstance.

In addition, at your meeting of December 8, 2010 your Board adopted the Final Two-Year Budget for the 2010-11 and 2011-12 Fiscal Years as well as the recommendations of the SBFCA Board's Ad Hoc Committee regarding staffing. In this regard, the Ad Hoc Committee's recommendations were to maintain the current Agency structure, as well as the current Agency staff, for a longer period of time given the many changes and uncertainties at the State and Federal levels and to review the current staffing arrangement again in the spring of 2012 in connection with the preparation of the 2012-13 Fiscal Year Agency Budget.

Obviously, SBFCA's Two-Year Budget provides the technical, financial, and administrative infrastructure for the flood control Project. KNN Public Finance, which was selected by the Board as the Agency's Financial Advisor on July 14th, has advised that until a track record of assessment receipts has occurred, and a State design grant has been approved, we ought to proceed on a pay as you go basis. This has been a challenge, but the City of Yuba City has provided a line of credit to mitigate the uneven receipt of revenue until such time as the Agency is able to issue debt for the project. Finally, Capitol Public Finance Group, also selected as Financial Advisor by the Board on July 14th, is assisting SBFCA and the Yuba City Finance staff in a major change in the City's accounting structure for the Agency in order to conform to the detailed requirements applicable to State Department of Water Resources Early Implementation Projects.

As you are probably aware, the assessments have now been levied by both Sutter and Butte counties, and the local tax bills that we are required to send out directly have been sent (the counties would not bill public agencies or utilities).

As we brought forward some of the necessary implementing contracts and specific task orders in December, some Board members asked questions and

raised concerns regarding some specific duties and responsibilities as well as about consulting costs and total costs for the Agency. Following the raising of those concerns, staff initiated a further meeting of the Board's Ad Hoc Committee to better understand the concerns. As a result, the purpose of this report is to review (1) the current organization of SBFCA, (2) how it compares with that of other agencies, (3) the specific duties and responsibilities and workplans of the major positions within the Agency, (4) the consultant costs since the Agency's inception as well as the total costs for the Agency since it was formed in 2007, and (5) the results of the Board's Ad Hoc Committee's review and discussions as well as their recommendations to the full Board.

Overview of the Current SBFCA Organization:

We have attached a chart of the Agency's current organization as well as charts for the other regional flood control agencies in the area which we will review with the Board in more detail at the January 12th Board meeting. (While the Board has not formally adopted this organization chart, this chart is a depiction of the structure of the organization based upon the various contracted previously authorized by the Board.) Suffice to say, direct comparisons between organizations are difficult and can be misleading because every agency handles its work differently. SBFCA has operated to this point with minimal staff with all positions being filled by consultants. The other comparable agencies use a model wherein in-house staff as well as consultants support and carry out the program.

As stated above, SBFCA has operated with consultants only to this point. More specifically, the engineering has been handled primarily through an Agency Engineer Operations Budget with a contract with Peterson Brustad. And, specific deliverables related to the USACE Feasibility Study and the development of the Early Implementation Project (EIP) have been handled by approved task orders and charged to a Capital Budget for soft costs. We are at a point now where it is appropriate to evaluate the SBFCA management structure and make appropriate changes.

We believe that as a practical matter the engineering leadership has been consolidated under a functional role entitled "Director of Engineering". This replaces the former "Agency Engineer" role, and includes primary oversight of the EIP, SBFCA's activities related to the USACE Feasibility Study, and other engineering and technical tasks assigned to this function. As part of its consideration of staffing issues, we want to ensure that the Board is in agreement with this change.

In addition, over the time that SBFCA has been in existence there have been a number of technical work products produced for the reviewing agencies. Such work products include a report on the Feather River Hydraulics and water surface profiles, the production of an "Area Plan" for the EIP, a cost benefit analysis to support program funding, a report on a relief weir analysis, a wind/wave analysis, etc. Obviously, the costs for these technical support tasks vary in scale and frequency and it is proposed to treat them individually with task orders, which

would require approval by the Board and/or Executive Director, under Board approved contracts.

Explanation of Current Staff Duties and Workplans

We have attached to this report a summary description of the current duties and responsibilities for each one of the major positions within the agency together with a three (3) month snapshot of the hours spent for Agency business. We are prepared to explain and/or elaborate on these job descriptions in more detail at the Board meeting if so desired.

Consultant Costs and Total Costs

We have attached a spreadsheet for Agency operations which shows the total consultant costs expended for each Fiscal Year since the inception of the agency as well as the detail regarding approval and amendment dates for each contract, and the “not to exceed” amounts as well as the totals for each by Fiscal Year.

With regard to the Capital contracts for capital soft costs, we have also included a spreadsheet which shows approval and amendment dates for each contract and task order as well as the “not to exceed” amounts as well as the totals for each by Fiscal Year.

Finally, the last two (2) spreadsheets show the total Agency costs, including all of the miscellaneous expenses, since the inception of SBFCA for both operating and capital soft costs.

We will be prepared to review this information with the Board in as much detail as you wish.

Ad Hoc Committee’s Review, Discussion, and Recommendations

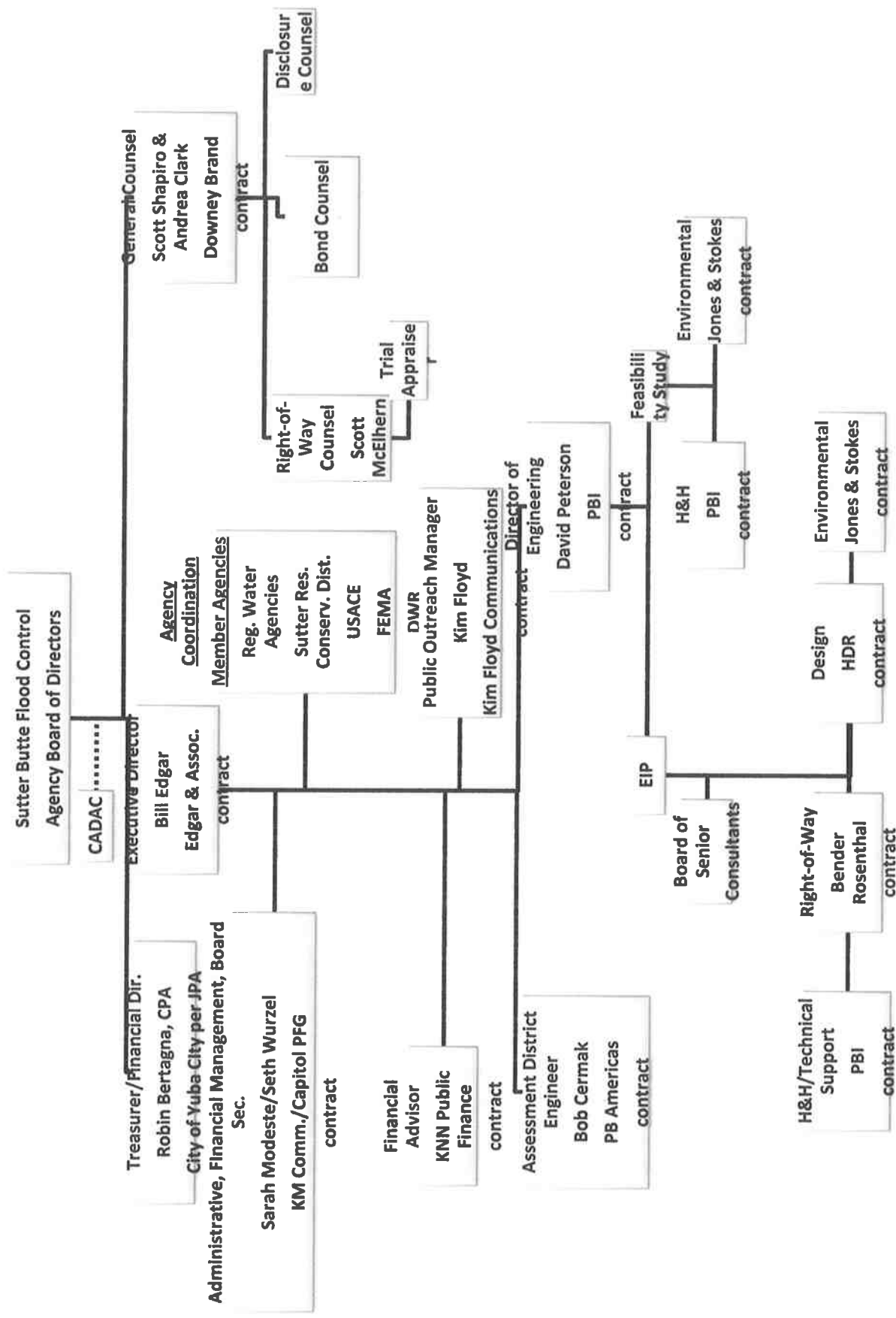
The Board’s Ad Hoc Committee on Agency staffing met at the SBFCA offices on Tuesday, January 4th at 3:00 p.m. to review and discuss the current organization of SBFCA, the specific duties and responsibilities of the staff positions and the total consultant costs and total Agency costs to date. Members of that Committee include Steve Lambert (SBFCA Board Chair), Dave Lamon, Barbara LeVake, John Miller, Al Montna, and Larry Montna. After considerable discussion among the members the following recommendations and staff direction were unanimously approved to be sent to the full Board for their approval at their January 12th Board meeting:

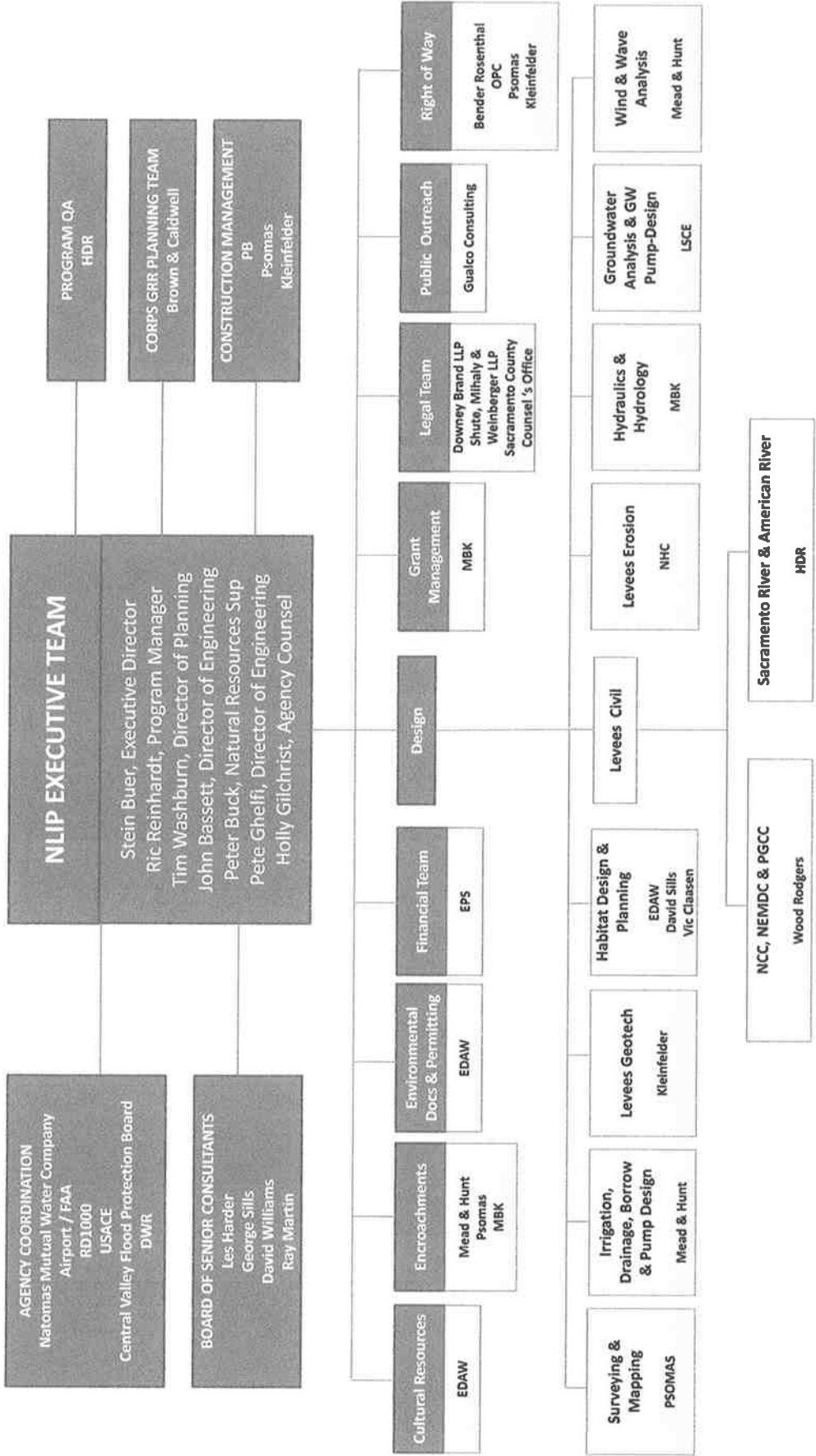
1. Convert the “Director of Engineering” position in the Agency’s organizational structure from a position filled by a consultant to an Agency employee position which should result in a substantial cost savings to SBFCA, and
2. Direct the staff to report back to the Board at their February 9, 2011 meeting with a job description and a proposed process for the recruitment

and selection of the person to fill the position of “Director of Engineering”, and

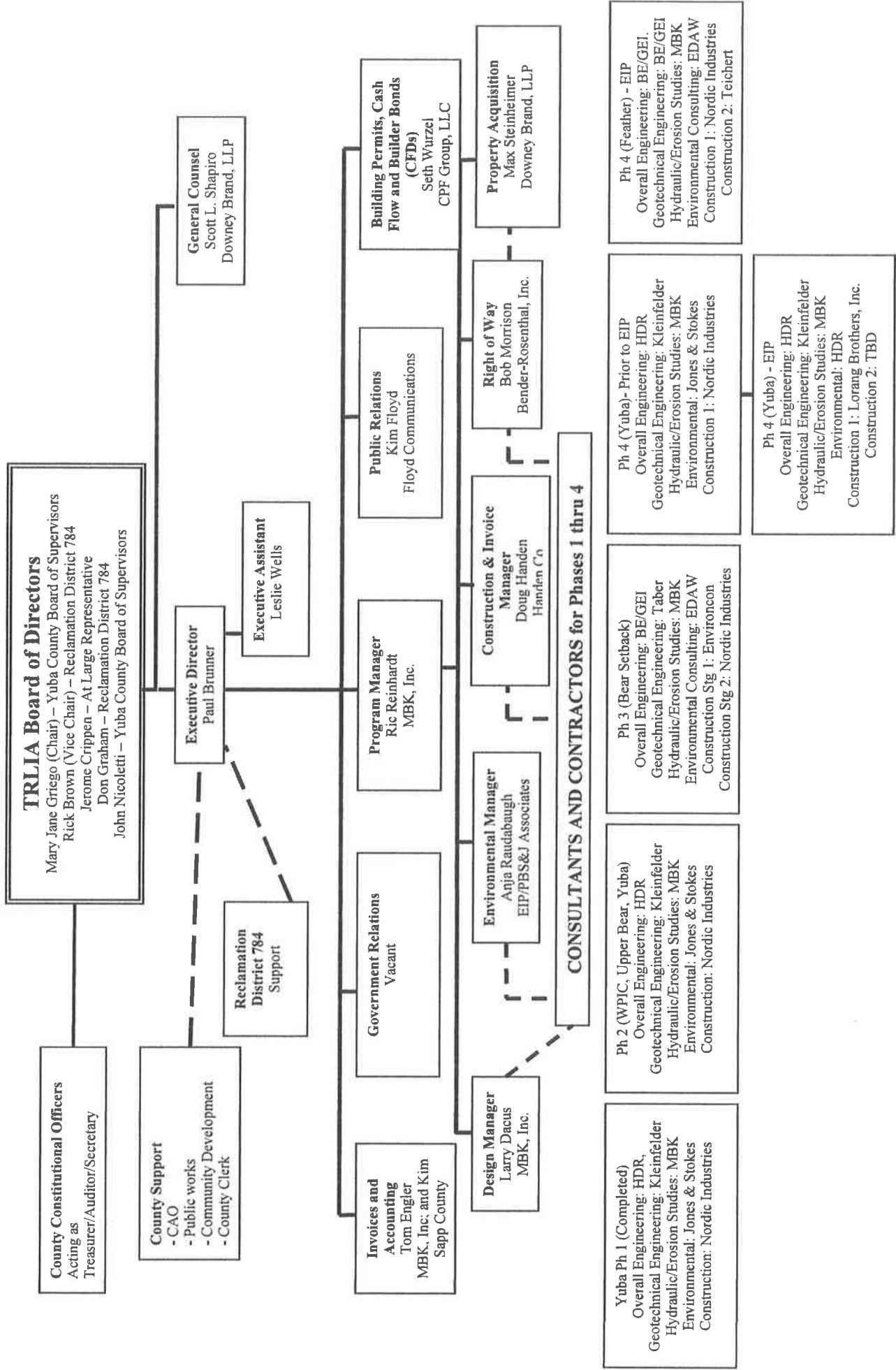
3. Direct the staff, as consultant contracts come up for renewal in the future, to provide more detailed information and material to the Board regarding duties, responsibilities, tasks performed, and total cost, and
4. Direct the staff to have the Agency’s Project Design Team (HDR) periodically report directly to the Board with periodic reports regarding the status of the design effort to date, and
5. Direct the Agency’s staff to provide more detail during their oral reports to the Board to allow the Board to more fully understand staff’s activities and the value of those activities to the Agency, and
6. In order to keep the Project moving forward without delay, direct the Executive Director and the Agency General Counsel to negotiate a transitional consultant contract with the current consultant (Peterson Brustad) for “Director of Engineering” services for three (3) to four (4) months during the recruitment and selection process required to select an employee for this position. It is understood that this transitional contract will be provided to the Board for their approval at their February 9th meeting.
7. Finally; and also in order to keep the project moving forward without delay, direct the Executive Director and General Counsel to negotiate a new task order 7 for the required technical support tasks that are required as part of work of the design team. It is understood that this new Task Order 7 will be provided to the Board for their approval at their February 9th meeting.

Thank you.

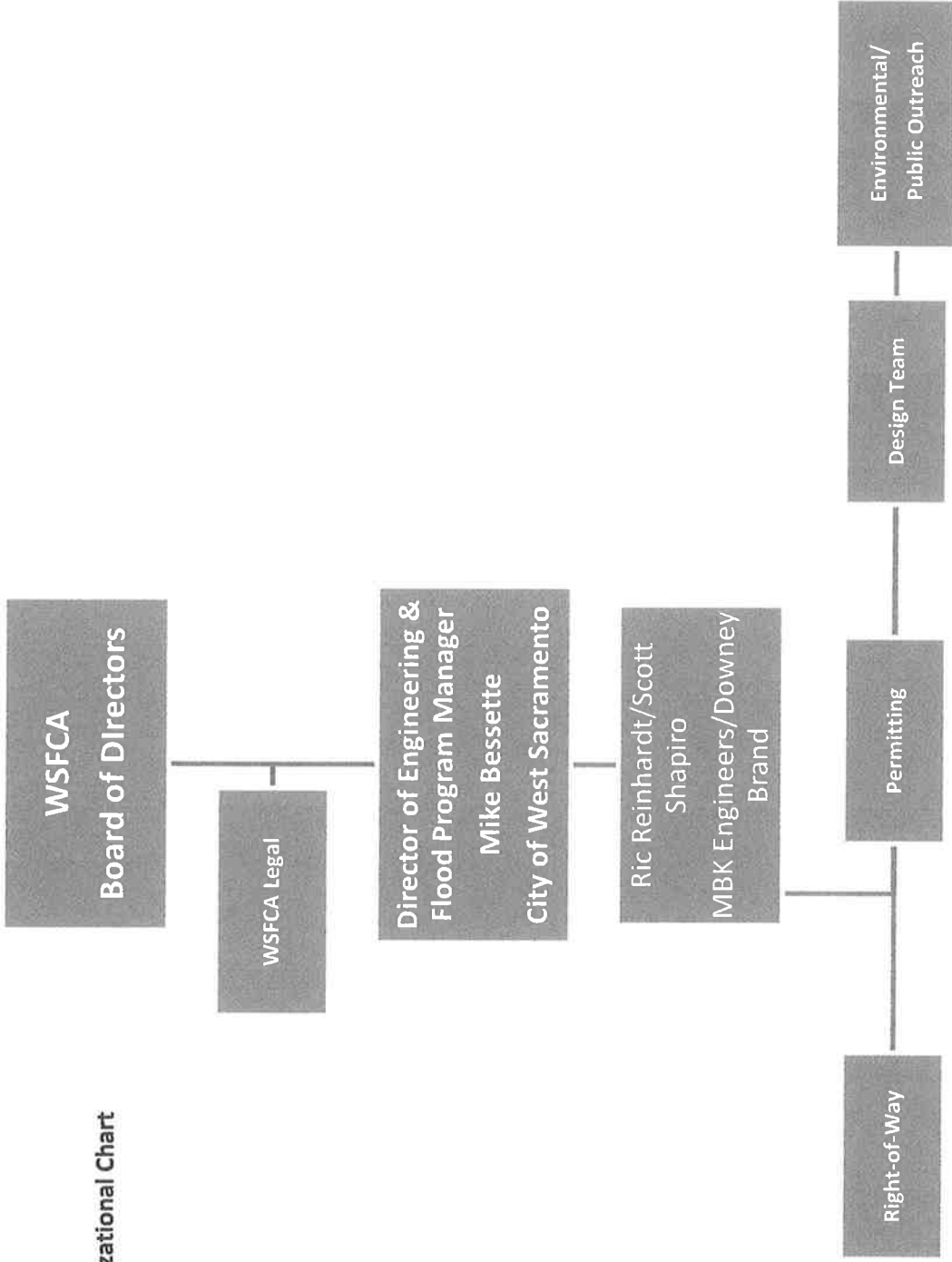




Three Rivers Levee Improvement Authority (Joint Powers Authority) Organization Chart



City of West Sacramento – Organizational Chart



Edgar & Associates

Edgar & Associates LLP provides the services of the Executive Director for the Sutter-Butte Flood Control Agency (SBFCA), and is responsible to the SBFCA Board of Directors for the proper and efficient administration of the Agency. This service is specifically provided by William H. Edgar, a partner in the LLP.

The services provided by the Executive Director are divided into four (4) primary areas as follows:

Board Relations and Interface with the Member Agencies and Staff

The Executive Director attends all meetings of the Board of Directors, makes presentations, and ensures that information, data, and materials are prepared and presented to the elected officials in an efficient, effective, and professional manner. The Executive Director also attends meetings of the member agencies, makes presentations to the governing boards, and provides information to, responds to questions from, and coordinates matters with the member agencies' staffs.

General Internal Agency Administrative/Financial Responsibilities

The Executive Director works on and oversees the internal administrative matters of the Agency such as ensuring that all of the records and documents of the Agency are properly approved, executed, and filed for reference and audit. In addition, the Executive Director oversees and prepares and maintains spreadsheets that track all of the consultant contracts and budget to ensure that approved expenditures are within the contract limitations.

Community Outreach Public Participation

The Executive Director appears, when requested before community organizations and citizens groups, to make presentations, answer questions, and respond to matters of interest to the public and the community.

Attendance at Meetings and Work Related to Meetings with the USACE and DWR

The Executive Director prepares for and attends all executive level meetings with the USACE and DWR related to any of the activities of SBFCA.

Attendance at State Planning Meetings Associated with the Preparation of the State Plan of Flood Control and the Central Valley Flood Protection Plan

The Executive Director is responsible for representing SBFCA in attending the meetings related to the preparation of the Central Valley Flood Protection Plan and the meetings of the California Central Valley Flood Control Association to represent the Agency's interests.

	October	November	December
Hours-Board & Elected Official Relations	18	41.5	27.5
Hours-General Admin. & Financial Matters	82.5	55.5	52
Hours-Community Outreach & Participation	9.5	3.5	0
Hours-USACE & DWR Meetings and Matters	5	7.5	10
Hours-State Planning and CCVFCA Meetings	0	3	9
Total Monthly Hours	115	111	98.5

Downey Brand

The attorneys for SBFCA operate in three fundamentally different ways to support SBFCA depending on the circumstance: first, Downey Brand attorneys are available as a resource to assist the agency with issues faced by agency personnel and brought to the attention of the attorneys. For example, at any given time SBFCA will need to execute a contract with a consultant, funding agency, or fellow public agency. In these cases, the issue is presented to the Downey Brand attorney, who takes the issue, handles it, and returns it completed. Second, Downey Brand attorneys act as a sort of sentry, monitoring the work performed by the agency, and ensuring that it is handled in a legal way. As an example, during a staff meeting a member of SBFCA's staff might propose pulling together a meeting of some members of the Board, or of the Technical Advisory Committee. In that case it is the role of the Downey Brand attorney to ensure that the agency is following the law in its actions. Third, Downey Brand attorneys bring significant experience in implementing flood protection projects, and a wealth of connections with the people and agencies who approve and fund these projects. In this third category of functions, Downey Brand can help facilitate SBFCA achieving its goals. Downey Brand attorneys Scott Shapiro and Andrea Clark serve as general counsel to SBFCA while Downey Brand attorney Scott McElhern advises SBFCA on right of way issues related to the Feather River West Levee Rehabilitation Project (FRWLRP). Other more junior attorneys with lower billing rates provide support for Scott, Andrea, and Scott when doing so is more efficient for SBFCA.

Some of the specific areas in which Downey Brand advises SBFCA includes: compliance with the Brown Act (open meeting law), conflicts of interest laws, and other laws that govern the operation of public agencies in California. In addition, Downey Brand provides ongoing legal advice for a number of specific projects, such as: SBFCA's recently-formed assessment district; regulatory requirements for the FRWLRP; the U.S. Corps of Engineers Feasibility Study; grant funding agreements with the State of California; and administration of the Citizens Assessment District Advisory Committee (CADAC).

As an example of the variety of work that Downey Brand attorneys handle on a daily and weekly basis, during a two-week period in November 2010, Downey Brand attorneys researched a legal issue related to conflict requirements for members of the CADAC; worked on proposed legislation related to local agency financing; proposed and handled a conference call with Department of Water Resources officials regarding Sutter and Butte County flood control issues; attended staff meetings; reviewed and revised correspondence related to assessment collection; and met with SBFCA staff regarding Feasibility Study and permitting issues.

The following table shows the number of hours spent in three months working on issues for SBFCA.

	September	October	November
Hours spent on General Matters	25.4	21.6	31.1
Hours spent on FRWLRP	29.80	15.80	1.1
Hours spent on Corps Study	0	12.7	.2

Kennedy Modeste Communications

Kennedy Modeste Communications provides public contact, administrative, Board secretary, and financial management services to the Sutter Butte Flood Control Agency (SBFCA). These services are specifically provided by Sarah Modeste.

The services provided are divided into four (4) primary areas as follows:

Public Contact Services

Sarah serves as the first point-of-contact for the Agency and provides duties such as: public interaction, coordination with member agencies and coordinating Executive Director’s schedule. She also works with the public outreach manager and the assessment engineer to field and process assessment appeals, and staffs the public outreach hotline as needed. Other duties vary depending on need.

Administrative Services

Administrative duties include: mail and email processing, telephone, coordination with member agencies, assisting vendors as needed and coordinating Executive Director’s schedule. She also ensures that the Agency’s original documents are properly filed with the County of Sutter Clerk’s office, and that electronic and hard-copies are available in the Agency office, backs up files, and works with information technology.

Board Secretary Services

Sarah prepares the monthly Board agenda packet, develops staff reports, distributes packets electronically and via USPS, ensures quorum is met for each meeting, and prepares the Board meeting room. When required, Sarah is responsible for noticing public meetings. She serves as Board Secretary during the meetings, and prepares the monthly minutes following each meeting. Sarah ensures that all original documents are signed, and properly filed with the Sutter County Clerk’s office, and distributed electronically to member agencies and vendors.

She also coordinates additional meetings - including ad hoc, special, and staff - throughout the month by scheduling, preparing handouts, following up on action items, and other duties as requested.

Financial Management Services

In coordination with the Executive Director and the financial consultant, Capitol Public Finance Group, Sarah closely monitors monthly capitol and operational expenditures, processes payment of invoices, tracks payments. She also works with the City of Yuba City, the Agency’s treasurer/financial director.

As the Agency transitions to its recently adopted Two-Year Budget and prepares its accounting structure for future reporting, Sarah recodes previous invoices and expenses, works with vendors on invoicing issues, provides training as needed, and coordinates with the City of Yuba City financial employees.

	September	October	November
Hours	30.25	81.25	72.75

Kim Floyd Communications

A public outreach program is critical to maintaining a high level of public engagement and ensuring that elected officials of all of the member agencies, property owners, partnering agencies, and the media are kept well informed regarding the progress of the EIP and other SBFCA programs. A well-planned public outreach program establishes opportunities for two-way, meaningful communication between the agency and the communities it serves.

The following outlines the general work plan under SBFCA's public outreach program.

CADAC Coordination

The public outreach manager will act as liaison between SBFCA and CADAC, fulfill requests for information, assist with agenda preparation and public noticing, provide staff support for CADAC meetings, facilitate CADAC communications, and provide assistance with the development of CADAC's annual report to Board/community.

Hotline

The 24/7 hotline will be maintained as part of the ongoing public outreach program, to include updates to call logs and facilitation of follow up with concerned stakeholders.

Media Relations

Media relations will be conducted to share significant information about project milestones. This task includes the development and distribution of media releases and advisories, as well as follow up to ensure information is effectively communicated. Focus will be given to additional opportunities for Opinion pieces in local print publications. In addition, the public outreach manager will monitor Internet-based communication forums to identify issues, concerns, and trends in public opinion.

Outreach Materials

The consultant will write develop and distribute a bi-annual newsletter (two total) to each landowner within SBFCA's boundaries. Other tasks will include the preparation of presentation materials, brochures, fliers, Q&A documents, fact sheets, position papers, and other district-wide mailers, as well as coordination of SBFCA's involvement in Flood Awareness Month activities.

Stakeholder Outreach

The public outreach manager will plan and organize public meetings at key milestones (ie. completion of levee design). Other tasks will include soliciting and booking speaking engagements at civic and business-association meetings, management of assessment appeals process (act as liaison between property owners and agency), direct outreach to property owners who may be impacted by preferred alternative for levee improvement, and organization of small-group and issue-based meetings.

Strategic Planning/Counsel

A number of issues will arise throughout the year that will require input and strategic counsel from a public outreach perspective. The consultant, upon request or through identified need, will work with staff, Board members, and the consultant team to ensure

Duties & Responsibilities - Exhibit A

that information about the agency and its programs is being accurately relayed to and portrayed to the community.

Web Site

The SBFCA website will be updated on a regular basis, to include meeting agendas and minutes, new releases, and project documents. This task includes direct costs for graphic design services, programming of annual assessment calculator, and annual fees for Web site domain name and hosting.

Team Meetings

The public outreach manager will participate in team meetings, monthly CADAC and Board Meetings, outside agency meetings, and meetings with design project-team members, as needed, or upon request.

Incidentals

Incidental costs, such as postage, copies, faxes, mileage, courier services, etc., will be billed as they are accrued, plus a standard mark-up of 15 percent. Only those incidental costs actually incurred will be billed.

OCT 2010 FEES BY TASK:	Hours	Amount
Hotline	21.50	\$2,150.00
Media Relations	1.00	\$100.00
Outreach Materials	8.00	\$800.00
Stakeholder Outreach	23.75	\$2,375.00
Team/Board Meetings	14.00	\$1,400.00
Website	<u>8.75</u>	<u>\$875.00</u>
Totals:	77.00	\$7,700.00

NOV 2010 FEES BY TASK:	Hours	Amount
CADAC	12.75	\$1,275.00
Hotline	23.50	\$2,350.00
Stakeholder Outreach	21.75	\$2,175.00
Staff/Board Meetings	12.25	\$1,225.00
Website	1.00	\$100.00
Project Management	<u>0.50</u>	<u>\$50.00</u>
Totals:	71.75	\$7,175.00

DEC 2010 FEES BY TASK:	Hours	Amount
CADAC	9.75	\$ 975.00
Hotline	12.25	\$1,225.00
Stakeholder Outreach	7.00	\$700.00
Staff/Board Meetings	9.50	\$950.00
Project Management	<u>1.50</u>	<u>\$50.00</u>
Totals:	40.00	\$4,000.00

**PB AMERICAS
ASSESSMENT DISTRICT ENGINEERING SERVICES**

The following assessment engineering services will be performed as needed to maintain, update and levy SBFCA's Assessment District roll:

- **Inquiries**
 - Research property owner inquiries/appeals regarding assessments as received by SBFCA's Public Outreach Consultant through the Hotline or calls directly to PB.
 - If necessary, conduct field site visit of property
 - When inquiries result in new or revised parcel data, recalculate assessments.
 - Update assessment roll with revised assessment
 - Request Sutter or Butte County Auditor/Tax Collector to reissue tax bill with correct assessment or, if deadline for reissue has past, coordinate with County on credit/refund.
 - Provide response to inquiry to SBFCA's Public Outreach Consultant for communication back to property owner
- **Maintain and Update Assessment Roll**
 - Coordinate with Sutter and Butte Counties Assessor Office and GIS Department to obtain most recent information on parcel changes. These include parcel splits and combinations, new parcels, land use changes, new structures, changes in building square footage, and corrections to parcel acreage.
 - Reflect the changed parcel characteristics in the assessment district's GIS database and EXCEL database
 - Recalculate the assessments using the updated database and the EXCEL assessment calculation spreadsheets
- **Submit Assessment Roll**
 - Reformat the assessment database to be consistent with Sutter and Butte County requirements
 - Submit assessment roll for inclusion on County tax bills
 - If updates or corrections are made after initial submittal, resubmit assessment roll
- **Financing Assistance**
 - Provide assessment information to SBDCA's financial consultants for use in developing a financial plan
 - Provide support to debt financing process by contributing assessment district information for the Preliminary Official Statement (POS)
- **Assessment District Diagrams and Boundary Maps**
 - Prepare and file assessment district diagrams and boundary maps to the County Recorder in Sutter and Butte Counties

- Meetings
 - Participate in SBFCA staff meetings as requested
 - Attend SBFCA Board meetings as requested

The following table shows the number of hours spent in the past three months on SBFCA Assessment District Engineering tasks.

	October 2010	November 2010	December 2010
Assessment District Maps	14.5	0.50	0
Assessment District Roll	122.5	95.5	34.0
Respond to Inquiries	3.0	32.5	52.0
Meetings	4.0	7.5	2.5
Project Mgmt & Admin	2.0	0.50	1.0

Peterson Brustad Inc.

Peterson Brustad Inc. (PBI) provides the services of the Director of Engineering for the Sutter Butte Flood Control Agency, and reports to the Executive Director. This service is provided by David Peterson, the President of the firm, with assistance from his staff as necessary.

Services provided by the Director of Engineering include:

Task 1 – Director of Engineering Activities

This task includes oversight of all activities within the responsibility of the Director of Engineering. Monthly EIP Program Meetings will be coordinated and managed by PBI. This task also includes project initiation, program progress and schedule monitoring, Board of Senior Consultants oversight, and ongoing communication with the Executive Director, the SBFCA Board, other SBFCA staff, SBFCA member agencies, and other external agencies as needed. This task also includes other tasks as assigned by the Executive Director.

Task 2 – Design Team Management

This task includes providing project management services to assist the Agency in managing the efforts of the Design Team (HDR). Activities include:

1. Twice-monthly Design Team progress review meetings;
2. Weekly meetings with HDR Project Manager and Project Principal;
3. Monthly EIP Program meetings;
4. Develop and maintain schedule;
5. Negotiate scope, budget, and schedule for new consultant task orders and change requests;
6. Review and recommend consultant invoices for approval;
7. Fulfill information requests by consultant team;
8. Ensure proper communication between Design Team and other teams;
9. Ensure appropriate communication with funding, review, and permitting; and agencies.
10. Make day to day decisions consistent with SBFCA Board policy and Executive Director delegation authority.

Task 3 – Right-of-Way Team Management

This task includes providing project management services to assist the Agency in managing the efforts of the Right-of-Way (R/W) Consultant (BRI). Activities include:

1. Monthly R/W Team progress review meetings;
2. Monthly EIP Program meetings;
3. Coordination with representatives of maintaining agencies;
4. Develop and maintain schedule;
5. Negotiate scope, budget, and schedule for new consultant task orders and change requests;
6. Review and recommend consultant invoices for approval;
7. Fulfill information requests by consultant team;
8. Ensure proper communication between R/W Team and other teams;
9. Ensure appropriate communication with funding, review, and permitting agencies; and

10. Make day to day decisions consistent with SBFCA Board policy and Executive Director delegation authority.

Task 4 – Environmental Team Management and Permitting

This task includes providing project management services to assist the Agency in managing the efforts of the Environmental Consultant (ICF) and assisting the Agency and its program implementation team members in acquiring permits. Activities include:

1. Monthly Environmental Team progress review meetings;
2. Monthly EIP Program meetings;
3. Monthly USACE Environmental Planning meetings;
4. Develop and maintain schedule;
5. Negotiate scope, budget, and schedule for new consultant task orders and change requests;
6. Coordinate work with environmental work on the USACE Feasibility Study, to minimize duplication and inefficiency;
7. Review and recommend consultant invoices for approval;
8. Fulfill information requests by consultant team;
9. Ensure proper communication between Environmental Team and other teams;
10. Ensure appropriate communication with funding, review, and permitting agencies;
11. Work with consultants to secure permits; and
12. Make day to day decisions consistent with SBFCA Board policy and Executive Director delegation authority.

Task 5 – EIP Funding Support Services

This task includes providing the necessary support to assist the Agency in meeting State EIP funding requirements. DWR's EIP funding unit has a long list of very particularized requirements for necessary documentation, some of which is negotiable. PBI will identify the documentation requirements and coordinate with the Project Management Team members to ensure deliverables and invoices meet the EIP funding requirements.

Task 6 – USACE Feasibility Study Management

This task includes representation of the Agency in management of the USACE Feasibility Study, including monthly Project Development Team meetings, quarterly Project Review Board meetings with USACE Sacramento District command staff, monthly budget/schedule workshops with the USACE and State project managers, work in kind tracking, and Proposition 13 grant management.

Duties & Responsibilities - Exhibit A

The following table shows the number of hours spent over a three month period:

Task	September 2010	October 2010	November 2010
Task 1 – Director of Engineering Activities	45	35	29
Tasks 2 & 3 – Design Team Management, Right-of-Way Team Management	81	63	83
Task 4 & 5 – Environmental Team Management and Permitting, EIP Funding Support Services	51.25	50	16.5
Task 6 – USACE Feasibility Study Management	12	4	11.5
Total	189.25	152	140

(Please see large documents attached to email)

Sutter-Butte Flood Control Agency
 Operating Contracts/Amendments and
 Capital Master Contracts/Task Orders
 12/25/2010

Company	Operating Contract Amounts Paid Each Fiscal Year				Capital Task Order Amounts Paid Each Fiscal Year				Total Amounts Paid Each Fiscal Year					
	2007-08	2008-09	2009-10	2010-11	Total	2008-09	2009-10	2010-11	Total	2007-08	2008-09	2009-10	2010-11	Total
Edgar & Associates, LLP	62,883.78	119,000.00	195,436.10	90,451.90	467,771.78	-	-	-	-	62,883.78	119,000.00	195,436.10	90,451.90	467,771.78
Downey Brand, LLP	-	70,774.00	208,761.88	114,778.38	394,314.26	-	-	-	-	-	70,774.00	208,761.88	114,778.38	394,314.26
Peterson Brustad, Inc	20,742.60	120,053.11	324,580.36	93,759.96	559,136.03	64,426.47	429,778.34	202,414.06	696,618.87	20,742.60	184,479.58	754,358.70	296,174.02	1,255,754.90
Lincoln Crow, LLC (Contract terminated 10/15/2010)	45,000.00	76,000.00	45,368.50	33,587.47	199,955.97	-	270,524.19	32,564.43	303,188.62	45,000.00	76,000.00	315,892.69	66,251.90	503,144.59
Kim Floyd Communications, Inc	-	-	-	7,363.44	7,363.44	-	-	-	-	-	-	-	7,363.44	7,363.44
Kennedy-Modeste Communications	-	-	-	6,939.41	6,939.41	-	-	-	-	-	-	-	6,939.41	6,939.41
KNN Public Finance	-	-	-	11,608.64	11,608.64	-	-	-	-	-	-	-	11,608.64	11,608.64
Capitol Finance Group, LLC	-	-	-	18,279.00	18,279.00	-	-	-	-	-	-	-	18,279.00	18,279.00
MBK Engineers - Contract completed with payment of final invoice dated 4/30/2010	-	-	13,595.70	-	13,595.70	-	-	-	-	-	-	13,595.70	-	13,595.70
ICF Jones and Stokes	-	-	-	-	-	-	125,063.16	45,445.29	170,508.45	-	-	125,063.16	45,445.29	170,508.45
PB Americas, Inc (Parsons Brinckerhoff)	-	-	-	-	-	-	331,936.04	80,463.25	412,399.29	-	-	331,936.04	80,463.25	412,399.29
Kleinfeider West, Inc - Task Order completed with payment of final invoice dated 8/26/2009	-	-	-	-	-	224,803.60	-	-	224,803.60	-	224,803.60	-	-	224,803.60
HDR Engineering, Inc	-	-	-	-	-	-	-	260,074.71	260,074.71	-	-	-	260,074.71	260,074.71
Bender Rosenthal, Inc	-	-	-	-	-	-	-	22,164.21	22,164.21	-	-	-	-	22,164.21
Grand Totals	128,626.38	385,827.11	787,742.54	376,768.20	1,678,964.23	289,230.07	1,157,301.73	643,225.95	2,089,757.75	128,626.38	675,057.18	1,945,044.27	1,019,994.15	3,768,721.98

(Please see large document
attached to email)

Sutter-Butte Flood Control Agency
Operating Contracts and Amendments
12/25/2010

Function/Description	Company	Initial Contract and Amendment Dates	Fiscal Year	Not to Exceed Contract Amounts	Total Amounts	
					Year	Paid Each Fiscal
Executive Director	Edgar & Associates LLP Original Contract	12/12/2007	2007-08	Not Applicable	62,883.78	
			2008-09	Not Applicable	119,000.00	
			2009-10	Not Applicable	195,436.10	
			2010-11 (6 Mos)	Not Applicable	90,451.90	
					467,771.78	
Sub-Total						
General Counsel	Downey Brand, LLP Original Contract First Amendment Second Amendment Third Amendment Fourth Amendment	7/1/2008	2008-09	75,000.00	70,774.00	
		6/10/2009	2009-10	88,000.00		
		1/13/2010	2009-10	85,500.00		
		4/26/2010	2009-10	49,000.00	208,761.88	
		6/9/2010	2010-11 (6 Mos)	150,000.00	114,778.38	
Sub-Total			447,500.00	394,314.26		
Agency Engineer	Peterson Brustad, Inc Original Contract First Amendment Second Amendment Third Amendment Fourth Amendment Fifth Amendment Sixth Amendment Seventh Amendment	3/12/2008	2007-08	50,000.00	20,742.60	
		6/11/2008	2008-09	50,000.00		
		3/2/2009	2008-09	49,000.00	120,053.11	
		6/10/2009	2009-10	101,000.00		
		1/13/2010	2009-10	134,000.00		
		4/26/2010	2009-10	49,000.00		
		5/18/2010	2009-10	49,000.00	324,580.36	
		6/9/2010	2010-11	210,000.00	93,759.96	
Sub-Total			692,000.00	559,136.03		

(Please see large document attached to email)

Function/Description	Company	Initial Contract and Amendment		Fiscal Year	Not to Exceed Contract Amounts	Total Amounts	
		Dates	Amendment Dates			Paid Each Fiscal Year	Year
Public Information/Outreach	Lincoln Crow, LLC Original Contract	1/9/2008		2007-08	50,000.00		
	First Amendment	2/25/2008		2007-08	5,000.00		45,000.00
	Second Amendment	6/11/2008		2008-09	20,000.00		
	Third Amendment	1/28/2009		2008-09	49,000.00		76,000.00
	Fourth Amendment	6/10/2009		2009-10	63,000.00		
	Sub-contract with Kim Floyd Communications, Inc	11/18/2009		2009-10	Not Applicable		
	Fifth Amendment	1/13/2010		2009-10	15,000.00		
Sixth Amendment	4/30/2010		2009-10	49,000.00		45,368.50	
Seventh Amendment	6/9/2010		2010-11	90,000.00		33,587.47	
	Contract Terminated 10/15/2010. Letter sent 10/15/2010						
Sub-Total					341,000.00		199,955.97
Public Information/Outreach	Kim Floyd Communications, Inc Original Contract	10/27/2010		2010-11	120,000.00		7,363.44
					120,000.00		7,363.44
Sub-Total							
Agency Administration, Finance, Public Contact, and Board Secretary	Kennedy-Modeste Communications Original Contract	8/25/2010		2010-11	50,000.00		6,939.41
					50,000.00		6,939.41
Sub-Total							
Financial Advisor - Debt Financing	KNN Public Finance Original Contract	8/25/2010		2010-11	50,000.00		11,608.64
					50,000.00		11,608.64
Sub-Total							
Financial Advisor - Financial Planning, Budgeting, and Required New Accounting Structure	Capitol Finance Group, LLC Original Contract	8/25/2010		2010-11	50,000.00		18,279.00
					50,000.00		18,279.00
Sub-Total							
Engineering Peer Review	MBK Engineers Original Contract	3/31/2010		2009-10	20,000.00		13,595.70
Sub-Total							
Grand Totals					1,770,500.00		1,678,964.23

Contract completed with payment of final invoice dated 4/30/2010

(Please see large document attached to email)

Sutter-Butte Flood Control Agency
Capital Master Contracts and Task Orders
3/2/2010

Function/Description	Company	Initial Capital Master Contract and Task Order Signature Dates	SBFCA Board Approval or Notification Dates	Fiscal Year	Not to Exceed Task Order Amounts	Total Task Order Amounts Paid Each Fiscal Year
USACE Feasibility Study:						
Engineering:						
	Peterson Brusted, Inc Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
Hydraulic Design Support for USACE	Task Order 2	5/5/2009	Board Notified 9/9/2009	2008-09	344,299.00	26,935.13
Additional Work Requested by USACE	1st Amendment to Task Order 2	10/9/2009	Board Notified 11/18/2009	2009-10	1,771.00	
Additional Work Requested by USACE	2nd Amendment to Task Order 2	12/28/2009	Board Notified 1/13/2010	2009-10	15,708.00	
Additional Work Requested by USACE	3rd Amendment to Task Order 2	5/10/2010	Board Notified 6/9/2010	2009-10	23,222.00	306,639.70
Additional Work Requested by USACE	4th Amendment to Task Order 2	7/1/2010	Board Notified 7/14/2010	2010-11	37,603.00	
Additional Work Requested by USACE	5th Amendment to Task Order 2	7/12/2010	Board Notified 8/11/2010	2010-11	27,754.00	42,172.76
Sub-Total					445,357.00	375,747.59
Environmental:						
	ICF Jones and Stokes Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
Recreational Opportunity Report for USACE	Task Order 1	9/2/2009	Board Notified 9/9/2009	2009-10	47,030.00	47,022.38
Ecosystem Restoration Opportunity Report for USACE	Task Order 2	9/2/2009	Board Notified 9/9/2009	2009-10	78,046.00	78,040.78
Cultural Resources Constraints Analysis Report for USACE	Task Order 3	8/6/2010	Board Notified 9/8/2010	2010-11	44,685.00	32,129.28
Environmental Without Project Conditions Report	Task Order 5	9/28/2010	Board Notified 10/13/2010	2010-11	334,719.00	5,474.16
Sub-Total					504,480.00	162,666.60
Total USACE Feasibility Study					949,837.00	538,414.19
Assessment District Formation:						
Assessment District Engineering Services:						
	PB Americas, Inc (Parsons Brinckerhoff) Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
Development of Assessment District Database	Task Order 1	8/19/2009	Board Notified 9/9/2009	2009-10	109,433.00	
Continued Work on Database and Development of Assessment Methodology	Task Order 2	1/4/2010	Board Notified 1/13/2010	2009-10	196,657.00	
Database Work and Preparation of Preliminary/Final Engineer's Report	Task Order 3	5/26/2010	Board Notified 6/9/2010	2009-10	38,000.00	331,936.04
Preparation of Assessment Rolls and Assessment Boundary Maps for Counties	Task Order 4	7/20/2010	Board Notified 8/11/2010	2010-11	97,000.00	80,463.25
Sub-Total					441,090.00	412,399.29
Coordination of 218 Assessment Election Process:						
	Lincoln Crow, LLC Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
Planning, Coordination, Implementation, Outreach, and Public Education	Task Order 1	3/30/2010	Board Notified 10/14/2009	2009-10	300,000.00	270,524.19
Contract Terminated 10/15/2010. Letter sent 10/15/2010				2010-11	Not Applicable	32,664.43
Sub-Total					300,000.00	303,188.62
Total Assessment District Formation					741,090.00	715,587.91

The Assessment District has now been formed. A smaller services contract will now be required to update information on rolls and handle appeals

Please see large document attached to email

Function/Description	Company	Initial Capital Master Contract and Task Order Signature Dates	SBFCA Board Approval or Notification Dates	Fiscal Year	Not to Exceed Task Order Amounts	Total Task Order Amounts Paid Each Fiscal Year
Early Implementation Project (EIP): Preliminary Geotechnical and Engineering Design:	Kleinfeiler West, Inc Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
	Preliminary Geotechnical Analysis Task Order 1	3/15/2009	Board Notified 3/25/2009	2008-09	100,000.00	
	Increase Scope to include entire reach from the Afterbay to Yuba City 1st Amendment to Task Order 1	4/20/2009	Board Notified 11/18/2009	2008-09	125,300.00	224,803.60
	Contract completed with payment of final invoice dated 8/26/2009 Peterson Brustad, Inc Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
Preliminary Engineering Design	Task Order 1	2/11/2009	Board Notified 3/25/2009	2008-09	112,700.00	37,491.34
	Increase Scope to include entire reach from the Afterbay to Yuba City 1st Amendment to Task Order 1	3/30/2009	Board Notified 11/18/2009	2008-09	Budget Not Increased	Not Applicable
	Contract completed with payment of final invoice dated 10/15/2009			2009-10	Budget Not Increased	75,208.66
State Grant Application for Assistance:					338,000.00	337,503.60
30% Final Design of EIP:	Peterson Brustad, Inc Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
	EIP Grant Package Preparation Task Order 3	11/19/2009	Board Notified 12/9/2009	2009-10	84,900.00	47,929.98
	Sub-Total			2010-11	Budget Not Increased	17,661.33
						84,900.00
Project Management for 30% Final Design	Peterson Brustad, Inc Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
	Task Order 4	8/16/2010	Board Notified 9/8/2010	2010-11	42,600.00	
	Task Order 5	9/20/2010	Board Notified 10/13/2010	2010-11	50,000.00	
	Task Order 6	11/15/2010	Board Approved 7/14/2010	2010-11	50,000.00	142,579.97
Engineering Services for 30% Final Design	Task Order 1	7/14/2010	Board Approved 7/14/2010	2010-11	Not Applicable	Not Applicable
	Sub-Total			2010-11	2,898,515.00	260,074.71
Right of Way Support Services:					3,041,115.00	402,654.68
Right of Way Support Services for 30% Final Design	Bender Rosenthal, Inc Original Master Contract	9/8/2010	Board Approved 9/8/2010	2010-11	Not Applicable	Not Applicable
	Task Order 1	9/8/2010	Board Approved 9/8/2010	2010-11	100,000.00	22,164.21
Environmental Support Services:					100,000.00	22,164.21
Preparation of Categorical Exemptions for Supplemental Geotechnical Borings	ICF Jones and Stokes Original Master Contract	2/11/2009	Board Approved 2/11/2009	2008-09	Not Applicable	Not Applicable
	Task Order 4	8/6/2010	Board Notified 9/8/2010	2010-11	11,620.00	6,743.90
	Task Order 6	10/25/2010	Board Notified 11/10/2010	2010-11	48,333.00	1,097.95
	Task Order 7	11/16/2010	Board Approved 11/10/2009	2010-11	920,454.00	
Preparation of Preliminary Environmental Planning Report	Sub-Total				980,407.00	7,841.85
					4,544,422.00	835,755.65
Total Early Implementation Project (EIP)					6,235,349.00	2,089,757.75
Grand Totals						