



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AGENDA

JANUARY 17, 2006 – SPECIAL MEETING

Yuba County Government Center

Board of Supervisors' Chambers

915 Eighth Street, Suite 109A

Marysville, California

Unless otherwise indicated

No other business shall be conducted at this meeting. The public shall have an opportunity to address the Board only with respect to items set forth in this agenda. Each individual or group will be limited to no more than five minutes. Prior to this time, speakers must fill out a "Request to Speak" card and submit it to the Secretary.

2:00 P.M. I CALL TO ORDER

II ROLL CALL – Directors Rick Brown, Mary Jane Griego, Dan Logue, Richard Webb

III AGENDA ITEMS

- A. Approve minutes of the regular meeting of January 3, 2006.
- B. Approve contract amendment with EPS to provide funding options for financing Phase IV Levee Improvements and authorize Executive Director to execute same.
- C. Approve revised organizational chart to move majority of functions out of Yuba County staff positions.
- D. Receive correspondence from Department of Fish and Game dated January 5, 2006 regarding application for Incidental Take Permit for the Feather-Bear-Western Pacific Interceptor Canal Levee Improvements Project Stage 2.

IV BOARD AND STAFF MEMBERS' REPORTS

V ADJOURN

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

JANUARY 3, 2006

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 3:50 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Mary Jane Griego, Dan Logue, and Richard Webb. Also present were Executive Director Kent McClain, Counsel Daniel Montgomery, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chairman Webb presided.

ELECTION OF OFFICERS

- A. Chairman: Following nomination by Director Logue and upon motion of Director Logue, seconded by Director Brown, and unanimously carried, Director Richard Webb was elected Chairman of the Authority. ELECT CHAIRMAN
- B. Vice-chairman: Following nomination by Director Brown and upon motion of director Brown, seconded by Director Webb, and unanimously carried, Director Logue was elected Vice-chairman of the Authority. ELECT VICE-CHAIRMAN

ACTION ITEMS

- A. Yuba River Test Trench: Project Manager Ken Myer and Engineer Rick Stauber presented a Power Point presentation on test trench results and conclusions and responded to Board inquiries. INFO ONLY
- B. Envirocon, Inc. Change Order Negotiations: Executive Director Kent McClain advised a change order contract would be presented to the Board for approval at a special meeting on January 17, 2006 at 2:00 p.m. INFO ONLY
- C. Minutes: Upon motion of Director Griego, seconded by Director Brown, and unanimously carried, the Board approved the minutes of the regular meetings of December 6 and 13, 2005, as written. APPROVE MINUTES
- D. Legislative Advocacy: Upon motion of Director Griego, seconded by Director Brown, and unanimously carried, the Board authorized the Executive Director to execute an agreement with Don Peterson for legislative advocacy services in an amount not to exceed \$1,000 per month. AUTHORIZE AGREEMENT

E. Grant Agreement No. 4600004326: Following presentation by Executive Director Kent McClain and Board inquiries, upon motion of Director Griego, seconded by Director Brown, and carried with Director Logue voting in opposition, the Board adopted Resolution No. 06-01, which is entitled: "RESOLUTION PROVIDING SPECIAL INDEMNIFICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES." ADOPT RESOLUTION NO. 06-01

F. Grant Agreement No 4600004327: Following presentation by Executive Director Kent McClain and Board inquiries, upon motion of Director Griego, seconded by Director Brown, and carried with Director Logue voting in opposition, the Board adopted Resolution No. 06-02, which is entitled: "RESOLUTION PROVIDING SPECIAL INDEMNIFICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES." ADOPT RESOLUTION NO. 06-02

BOARD AND STAFF MEMBERS' REPORTS

No reports were received.

PUBLIC COMMUNICATIONS

No one came forward.

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 4:36 p.m. by Chairman Webb.

Chairman

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS
AND SECRETARY OF THE PUBLIC AUTHORITY

Approved: _____



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

Government Center
915 Eighth Street, Suite 115
Marysville, CA 95901-5273
Telephone: (530) 749-7575 Fax: (530) 749-7312

January 17, 2006

TO: Three Rivers Levee Improvement Authority Board (TRLIA)
FROM: Randy Margo, Deputy Executive Director *Randy Margo*
SUBJECT: Consider Amendment to Phase IV Funding Analysis Contract with EPS

Recommended Action

Approve contract amendment with EPS to consider providing funding options for financing Phase IV levee improvements and authorize Executive Director to sign.

Reason for Recommendation

EPS has been under contract to assist TRLIA in providing technical support for additional flood control funding options. Amending this contract will continue those efforts until the job is completed.

Background

EPS has been assisting TRLIA in developing a tax formula strategy, a Rate and Method of Apportionment, establishment of levee improvement fees and technical support pertaining to the TRLIA Community Facilities District funding options. The purpose of this contract amendment is to continue those efforts, specifically assisting with the preparation of a new or restructured Community Facilities District, and preparing a new or revised Advanced Funding Agreement, along with representing TRLIA's funding options in front of the State Board of Reclamation.

Fiscal Impact

Amending the contract will increase the authorized amount from \$45,000 to \$70,000.



Economic &
Planning Systems

*Public Finance
Real Estate Economics
Regional Economics
Land Use Policy*

December 27, 2005

Randy Margo
Yuba County Office of Public Administration
915 8th Street
Marysville, CA 95901

Subject: Three Rivers Phase IV Funding Option Technical Support Task 10 Budget Extension Request; EPS #13579

Dear Mr. Margo:

Economic & Planning Systems, Inc., (EPS) appreciates having worked with you in the past providing a Tax Formula Strategy, a Rate and Method of Apportionment, Levee Improvement Fees, Technical Support for the Three Rivers Community Facilities District (CFD), Technical Support for Flood Control Funding Options, and an Advance Funding Agreement. The purpose of this letter is to request authorization for additional budget for the current task, **Task 10**, to continue providing technical support to the Three Rivers Joint Powers Authority (JPA) for additional flood control funding options.

The current scope of **Task 10**, as outlined in the proposal dated September 16, 2005, is to provide the following services:

- Provide additional flood control funding analyses;
- Attend meetings;
- Participate in conference calls;
- Prepare materials for presentation to the State Reclamation Board and other stake holders;
- Assist with preparing a new or revised Advanced Funding Agreement; and
- Assist with restructuring the existing Mello-Roos CFD and forming a new CFD.

Over the past several months, EPS has worked with the JPA to provide these services in a rapidly changing environment. Since the approval of the initial budget for **Task 10**, the scope of the levee improvement work has expanded, additional participants have been requested to help fund the local share of improvements, and the available public

SACRAMENTO

2150 River Plaza Drive, Suite 400
Sacramento, CA 95833
www.eps-us.com

phone: 916-649-8010
fax: 916-649-2070

BERKELEY

phone: 510-841-8190
fax: 510-841-8208

DENVER

phone: 303-623-6225
fax: 303-673-9035

funding sources have changed. As a result of this rapidly developing environment, EPS has been requested to attend additional meetings, provide several interim analyses, and expend additional time exploring alternative funding options.

To date, EPS has accrued approximately \$42,000 of the initial \$45,000 budget. EPS requests authorization for an additional \$25,000 to complete the task, for a total Task 10 budget of \$70,000 if authorized.

EPS charges for its services on a direct cost (hourly billing rates and direct expenses) not-to-exceed basis; therefore, you will be billed only for the work completed up to the authorized budget amount. If additional work or attendance at more meetings is required, EPS will request authorization for additional budget with the understanding that terms would be negotiated in good faith. EPS's 2006 Hourly Staff Billing Rates are attached as part of this letter agreement.

Again, EPS appreciates the opportunity to continue working on this project. To approve this request, please sign and return one original letter agreement and keep the other one for your records. Please call Seth Wurzel, the project manager, at (916) 649-8010 if you have questions or if you require changes to this request.

Sincerely,

ECONOMIC & PLANNING SYSTEMS, INC.



Tim R. Youmans
Managing Principal

attachment

Approved:

Yuba County Administrator's Office

Date

EPS 2006 HOURLY BILLING RATES

Managing Principal	\$250
Principal	\$225
Senior Vice President	\$200
Vice President	\$175
Senior Technical Associate	\$160
Senior Associate	\$150
Associate	\$115
Research Analyst II	\$95
Research Analyst I	\$75
Production and Administrative Staff	\$60



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

GOVERNMENT CENTER – 915 8TH STREET, SUITE 115

MARYSVILLE, CA 95901-5273

(530) 749-7575 (530) 749-7312 Fax

January 17, 2006

TO: Three Rivers Levee Improvement Authority Board
FROM: Scott Shapiro, TRLIA Special Counsel
SUBJECT: Consider for approval, revised TRLIA organization structure to reflect previous direction to move majority of TRLIA functions out of Yuba County staff positions

Recommendation: Approve revised organizational chart to reflect previous direction to move majority of Three Rivers Levee Improvement Authority (TRLIA) functions out of Yuba County staff positions.

Background: TRLIA was formed two years ago to drive the process of improving the levees in southern Yuba County. Although the design, construction, and legal functions have largely been handled by consultants and contractors, the majority of management, administration, and accounting functions have been handled by County staff. While this organization has allowed TRLIA to make the strong progress it has to date, it has recently become apparent that the three further years needed to finish the project coupled with increasing demands on County staff's time makes continuing along the same path very challenging.

Discussion: The revised organizational chart reflects a shifting of more management, administration, and accounting functions away from County staff and toward independent consultants with expertise in the relevant areas. This model is similar to that used by the Sacramento Area Flood Control Agency (SAFCA"). Under this model, while the Executive Director will continue to be a public employee, program management moves to a consultant, and all functions that report to the program manager are also performed by other consultants.

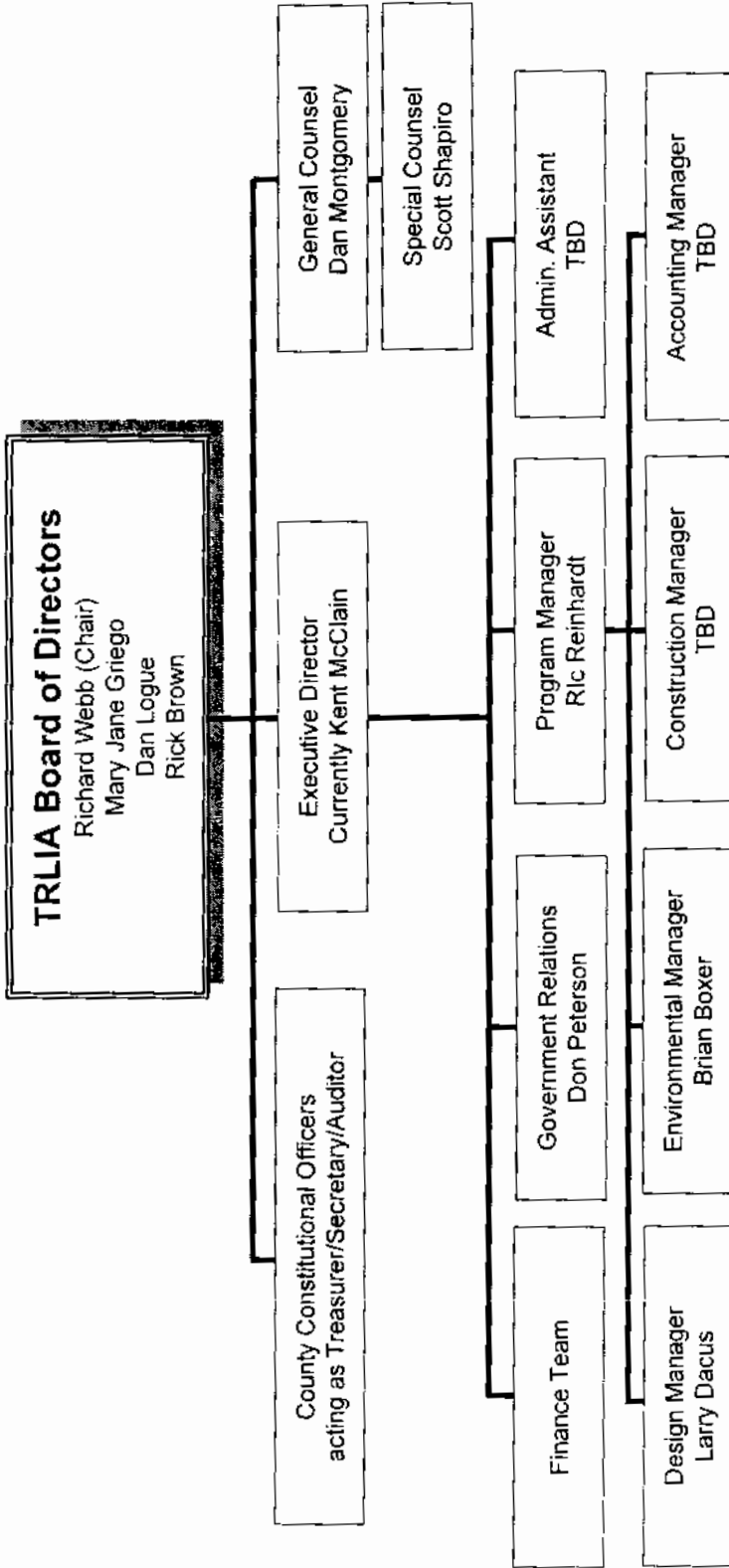
This organizational chart proposes that Ric Reinhardt of MBK Engineers fill the position of Program Manager. Ric has served as the position of Design Manager until now, and has provided important input into issues of construction management, environmental permitting, and accounting/budgeting. This proposal would take advantage of Ric's existing knowledge of the project and his expertise as a program manager.

In addition to Ric's elevation to Program Manager, this proposal would also (1) move the accounting function away from County staff, and (2) move construction management away from County staff. The accounting function is addressed in a separate item on the Board's January 17, 2006 agenda. Construction management would likely be handled by an employee of MBK Engineers, or by an outside consultant presented to the Board by MBK Engineers.

Fiscal Impact: Because County staff currently bill to the TRLIA project, some portion of the costs of this proposal are already covered by the existing budget. While staff acknowledges that this proposal will increase the overall cost of personnel associated with the project, staff believes that moving these functions to consultants may help move the project along faster and thus result in some other efficiencies.

Attachment: Proposed new TRLIA Organization Structure

Three Rivers Levee Improvement Authority Organization Chart



CONSULTANTS AND CONTRACTORS

Phase 2

Overall Engineering Design and Construction Management: HDR, Inc.
 Geotechnical Engineering: Kleinfelder, Inc.
 Hydraulic/Erosion Studies: MBK, Inc.
 Environmental Consulting: Jones and Stokes
 Right of Way: Bender Rosenthal, Inc.
 Construction: Nordic Industries, Inc.

Phase 3

Overall Engineering Design and Construction Management: BE/GEI, Inc.
 Hydraulic/Erosion Studies: MBK, Inc.
 Environmental Consulting: ED&W
 Right of Way: Bender Rosenthal, Inc.
 Construction, Unit 1: Envirocon, Inc.



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

Sacramento Valley - Central Sierra Region

1701 Nimbus Road, Suite A

Rancho Cordova, CA 95670

916/358-2900

RECEIVED

JAN 9 2006

ADMINISTRATION



JAN 9 2006

January 5, 2006

Mr. Kent McClain
Three Rivers Levee Improvement Authority
Government Center
915 Eight Street, Suite 115
Marysville, California 95901-5273

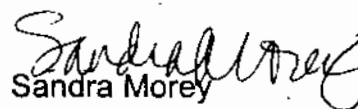
Application for an Incidental Take Permit for the Feather-Bear-Western Pacific
Interceptor Canal Levee Improvements Project - Stage 2.

Dear Mr. McClain:

The Department of Fish and Game (Department) received your request for a 2081 CESA Incidental Take Permit on December 7, 2005. The permit is requested for anticipated take of spring-run Chinook salmon, giant garter snake, and Swainson's hawk, resulting from project activities.

The Department has determined that the above-referenced application, which concerns the Feather-Bear-Western Pacific Interceptor Canal Levee Improvements Project - Stage 2, is complete. In accordance with the California Code of Regulations, Title 14, Section 783.5, the Department will have 90 days from the date of this letter to make a decision on the approval of the above requested permit. If you have any questions, please contact Mr. Ian Drury, Environmental Scientist (916-358-2030).

Sincerely,


Sandra Morey
Regional Manager

cc: Mr. Scott Flint
Department of Fish and Game
Habitat Planning and Conservation Branch
1416 Ninth Street
Sacramento, CA 95814