



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AGENDA

AUGUST 8, 2006

**Yuba County Government Center
Board of Supervisors' Chambers
915 Eighth Street, Suite 109A
Marysville, California**

Unless otherwise indicated

2:00 P.M. I

CALL TO ORDER

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

III **PUBLIC COMMUNICATIONS**: Any person may speak about any subject of concern provided it is within the jurisdiction of the Levee Improvement Authority and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes.

IV **CONSENT AGENDA**

A. Approve minutes of the meeting of July 18, 2006 as revised and meeting of August 1, 2006.

V **ACTION ITEMS**

A. Approve third amendment to agreement in the amount of \$661,193 with HDR Engineering Inc. for Phase 4 Yuba River Design and Construction and authorize Chairman to execute same. (Continued from August 1, 2006)

VI **BOARD AND STAFF MEMBERS' REPORTS**

VII **ADJOURN**

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

JULY 18, 2006 – SPECIAL MEETING

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 1:30 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 Paul Brunner, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chairman Webb presided.

ACTION ITEMS

A. Second Advanced Funding Agreement: Assistant County Administrator Randy Margo recapped the first funding agreement approved for Phase 2 and 3 levee improvement projects and further recapped additional studies to determine associated costs for Phase 4 improvements along the Feather and Yuba Rivers. Mr. Margo highlighted financing and funding obligations which included developer provided flood insurance, policy issues, and recommended Board approval. Mr. Margo responded to Board inquiries.

Executive Director Paul Brunner, Three Rivers Levee Improvement Authority, commended all parties involved with development of the agreement and stated without approval of the Board of Supervisors, Reclamation District 784 and TRLIA, Phase 4 construction projects will not move forward and urged approval.

Following Board discussion, Chairman Webb opened the floor for public comment.

Mr. Seth Merewitz, Landowners Group Counsel, thanked various individuals involved, stated all issues had been resolved, and recommended approval.

Mr. Stan Keasling, Mercy Housing Affordable Housing Program Developer, expressed concern regarding implementation of the agreement and potential levee fees compromising affordability and other federal funding sources.

Consultant Tim Youmans responded to specific inquiries from Mr. Rex Archer, Linda, regarding assessment district boundary and the voting process.

Upon motion Director Logue, seconded by Director Griego, and unanimously carried, the Board approved the Second Advance Funding Agreement as required by the Second Implementation Agreement subject to clarifying and conforming changes agreed to by parties and authorized the Chairman to execute upon review and approval of County Counsel.

APPROVE
AGREEMENT

B. Yuba River Levee Repair Project Initial Study Mitigated Negative Declaration: Program Manager Ric Reinhardt recapped noise mitigation measures and responded to Board inquiries.

Upon motion of Director Logue, seconded by Director Brown, and unanimously carried the Board adopted Resolution No. 06-10, which is entitled: RESOLUTION TO ADOPT THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (9S/MND) FOR THE YUBA RIVER LEVEE REPAIR PROJECT (PHASE 4)."

ADOPT
RESOLUTION
NO. 06-10

C. Phase 4 Yuba River Levee Repair Project/Construction Contract: Program Manager Ric Reinhardt recapped the bid process advising Nordic Industries was the sole bidder.

Mr. Rex Archer, Linda, felt Director Logue had a conflict of interest on this matter due to receiving a campaign donation from Nordic Industries.

Following Board discussion, upon motion of Director Brown, seconded by Director Griego, and carried with Director Logue abstaining, the Board awarded the contract to Nordic Industries in the amount of \$12,915,610.44 for construction of the Phase 4 Yuba River Levee Repair Project and authorized the Chairman to execute upon review and approval of Counsel.

AWARD
CONTRACT

BOARD AND STAFF MEMBERS REPORT

Reports were received on the following:

Program Manager Ric Reinhardt:

- Methodology of repair of Yuba River levee breakage in 1986 and recent installation of seepage berm from Highway 70 to UPRR to address under-seepage and Corp of Engineer certification review process

PUBLIC COMMUNICATIONS

Mr. Rex Archer, Linda, took exception to staff comments regarding certification and engineer recommendations regarding the Linda levee.

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 3:10 p.m. by Chairman Webb.

Chairman

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

Approved: _____

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

AUGUST 1, 2006

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 3:30 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Mary Jane Griego, and Dan Logue. Director Richard Webb was absent. Also present were Executive Director Paul Brunner, Chief Deputy Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Vice-chairman Logue presided.

PUBLIC COMMUNICATONS

No one came forward.

CONSENT AGENDA

A. Minutes: Upon motion of Director Griego, seconded by Director Brown, and carried with Director Webb being absent, the Board approved the minutes of the regular and budget hearings of July 11 and special meeting of July 18, 2006, as written. APPROVE MINUTES

DISCUSSION ACTION ITEMS

A. Local Project Cooperation Agreement/State Reclamation Board/Bear River Setback Levee: Following a recap from Special Counsel Scott Shapiro regarding a minor change to a whereas clause under section 408 pursuant to the State Reclamation Board's request, upon motion of Director Griego, seconded by Director Brown, and carried with Director Webb being absent, the Board approved the revised Local Project Cooperation Agreement with the State Reclamation Board for the Bear River Setback Levee and authorized the Chairman to execute same. APPROVE REVISED AGRMNT.

B. HDR Engineering, Inc./Third Amendment: At the request of Executive Director Paul Brunner the matter was continued to August 8, 2006. CONTINUE TO 8/8/06

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Executive Director Paul Brunner:

- Easement process with CalTrans has been completed
- July 21, 2006 State Reclamation Board meeting
- July 25, 2006 Bear River Construction site tour with Reclamation Board member
- KUBA radio promotion on Phase 1 and 2 levee repairs

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 3:39 p.m. by Chairman Webb.

Chairman

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

Approved: _____



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

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August 3, 2006

TO: Three Rivers Levee Improvement Authority Board
FROM: Doug Handen, Construction Manager
SUBJECT: Consider Contractual Agreement with HDR for TRLIA Phase 4 --
Amendment 3, Phase 4 Construction Management (Yuba River Levee
from SPRR to Simpson Lane

Recommended Action: Approve a contract amendment to the contract with HDR for the TRLIA Phase 4 - Yuba River Design and Construction Documents contingent upon the first capital call of the 2nd funding agreement is made by the landowners. This third amendment to HDR's contract is to provide construction management services for the recently awarded Yuba Ph 4 Levee Repair Contract. Amount of the amendment is \$661,193.

Discussion: With construction of the Phase 4 Yuba Levee Repair about to commence, there is a need to provide construction management services for this contract. HDR has the capabilities to provide these services and is currently doing so for the Phase 2 work effort along the Yuba, WPIC and Bear levees. HDR provided the design for the Phase 4 Yuba levee repair and prepared the plans and specifications for this contract. The scope of work for this effort is appropriate and the fee proposed is in line with similar efforts on other contracts underway. The additional cost associated with the construction management efforts is \$661,193.

An earlier scope of work for these tasks was removed from the agenda for the 8/1/06 TRLIA Board Meeting so that the TRLIA staff and Financial Committee could review the proposed scope of work and associated cost estimate in more detail. This review was done with assistance of HDR, which resulted in a significant reduced cost estimate. A revised scope of work is currently being prepared and not available at the time of this publication. The revised scope shall include similar items of work included in the prior document at a reduced cost based on new assumptions and the current information related to these tasks.

Fiscal Impact: The contract amendment would increase the existing contract by \$661,193 for services on a time-and-expenses basis, to a maximum amount not exceeding \$3,537,835 without prior authorization by TRLIA. The current TRLIA "Cash Flow" budget includes a value consistent with this amount, but it is dependent upon the first capital call from the 2nd funding agreement being made by the landowners.