



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

Yuba County Government Center, Board Chambers

915 Eighth Street, Suite 109A

Marysville, California

SPECIAL MEETING

OCTOBER 26, 2010 – 2:00 P.M.

No other business shall be conducted at this meeting. The public shall have an opportunity to address the Authority 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 Clerk of the Board of Supervisors.

I **ROLL CALL** – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti

II **CLOSED SESSION**

A. Pending litigation pursuant to Government Code §54956.9(a) Foster YCSCCVED 08-0000327, YCSCCVED 08-0000326, YCSCCVED 08-0000364

III **ACTION ITEMS**

A. Approve minutes of the special meeting of September 28, 2010.

B. Authorize Executive Director to negotiate professional services agreement not to exceed \$40,000 with KVIE, highest ranking respondent, for the production of a video documentary of the history to rebuild, repair, and maintain levees in Reclamation District 784 areas, and authorize the Executive Director to execute same upon review and approval of Counsel.

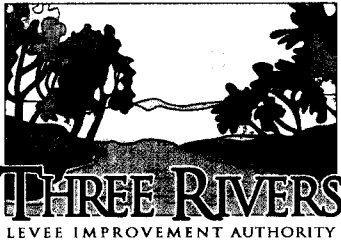
C. Ratify contract with River Partners in the amount of \$376,049 for Bear River Setback plant propagation and maintenance project, authorize Executive Director to execute same, and authorize disposal of excess plants.

IV **BOARD AND STAFF MEMBERS' REPORTS**

V **ADJOURN**

The complete agenda, including backup material, is available at the Yuba County Government Center, 915 8th Street, Suite 109, the County Library at 303 Second Street, Marysville, and www.trlia.org. Any disclosable public record related to an open session item on the agenda and distributed to all or a majority of the Board of Directors less than 72 hours prior to the meeting are available for public inspection at Suite 109 during normal business hours.

In compliance with the American with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

SEPTEMBER 28, 2010 – SPECIAL MEETING

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) was held on the above date, commencing at 2:00 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Don L. Graham, Mary Jane Griego, and John Nicoletti. Also present were Executive Director Paul Brunner, Assistant Counsel Andrea Clark, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chair Griego presided.

I ROLL CALL – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti - All Present

II CLOSED SESSION: The Board retired into closed session at 2:03 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) regarding:

1. Nieschultz, S. YCSCCVED 08-0000289 GC 54956.9
2. Nieschultz, L. YCSCCVED 08-0000290 GC 54956.9
3. Foster YCSCCVED 08-0000327, YCSCCVED 08-0000326, YCSCCVED 08-0000364

B. Conference with real property negotiator pursuant to Government Code §54956.8 - Negotiating Parties: TRLIA/Churchill/Morrison; Terms of Payment; regarding the following properties:

1. Michele R. Barker - APN 016-150-035
2. Henry P. Smith - APN 018-150-015, 018-190-001
3. Richard G. Wilbur Trust - APN 018-140-040, 018-190-002, 018-200-006
4. Michele R. Barker, et al - APN 018-190-104,
5. Awlar S. Sohal and Sukhvir K Sohal, Co-Trustees of the Sohal Family Trust - APN 018-190-107
6. Walbinder S. Sohal Living Trust - APN 018-190-110
7. Daniel J. Luis - APN 018-200-008
8. Anthony J. and Zelma B. Luis - APN 018-200-007, 018-200-005, 018-210-035
9. Ajit S. Bains and Maria Del Carmen – APN 018-200-001, 018-220-030
10. Robert Glenn Wood - APN 018-210-029
11. COF Quail Hollow Land 148T, LLC - APN 018-220-049, 018-220-048
12. Orest and Irene Wesely - APN 021-500-001
13. Humam El Sharif - APN 021-042-027
14. Steve and Denise Gilbert - APN 021-042-014, 021-041-012
15. Hust Bro. Inc. Pension Plan /Roy E. Lanza - APN 021-041-009
16. Lothar S. and Brigitta M. Klug - APN 021-041-010
17. Bernard J. Perez - APN 021-041-007
18. Ronnie C. Willis - APN 021-041-006
19. Western Aggregates, LLC - APN 020-080-009
20. Bhajan S. and Rajwant K. Sohal - APN 018-190-109
21. Howard R. Miller - APN 018-220-007

- 22. Naumes. Inc. - APN 018-140-041
- 23. Awtar S. Sohal and Sukhvir K. Sohal, CD-Trustees of the Sohal Family Trust - APN 018-190-108

The Board returned from closed session at 2:39 p.m. with all present as indicated above. There was no announcement.

III ACTION ITEMS

- A. Approve minutes of the meeting of August 3, 2010.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Rick Brown
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT

- B. Adopt resolution of necessity for acquisition to acquire certain property interests of property identified as Assessor Parcel Nos. 018-200-001 and 018-220-030 (Bains, Ajit S. and Maria Del Carmen) for the Upper Yuba River Levee Improvement Project.

Chair Griego introduced items B through H, provided directions for hearing of the matters jointly, comment period for the property owners, and public comments.

Special Counsel Michael Churchill, Design Manager Larry Dacus, and Right-of-way Manager Bob Morrison provided a Power Point presentation on the resolution of necessities including the following and responded to Board inquiries:

- Legal requirement
- Upper Yuba Levee Improvement Project overview
- Property details
- Required findings for exercise of power of eminent domain

The following individuals spoke:

- Mr. Brant J. Bordsen, attorney on behalf of Ajit S. and Maria Del Carmen Bains, regarding purchasing fee interest rather than fee easement
- Mr. Lyle Gisi, on behalf of Wilbur Trust properties, regarding impact to surrounding wells and fee easement

MOTION: Move to adopt resolution MOVED: Don Graham SECOND: John Nicoletti
AYES: Rick Brown, Jerry Crippen, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: Don Graham ABSENT: None

Adopted Resolution No. 2010-4 entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT CODE CIV. PROC. 1245.230)."

MOTION: Move to direct General Counsel and Special Counsel to proceed with an action in eminent domain to acquire the necessary property interest for the repair construction, installation, and maintenance of the Phase 4 Levee Repair Project, and to authorize them to deposit probable compensation in the State Treasury's Condemnation Fund.

MOVED: John Nicoletti SECOND: Rick Brown
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

- C. Adopt resolution of necessity for acquisition to acquire certain property interests of property identified as Assessor Parcel Nos. 018-220-048 and 018-220-049 (COF Quail Hollow Land 148T, LLC) for the Upper Yuba River Levee Improvement Project.

MOTION: Move to adopt resolution MOVED: Don Graham SECOND: Jerry Crippen
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

Adopted Resolution No. 2010-5 entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT CODE CIV. PROC. 1245.230)."

MOTION: Move to direct General Counsel and Special Counsel to proceed with an action in eminent domain to acquire the necessary property interest for the repair construction, installation, and maintenance of the Phase 4 Levee Repair Project, and to authorize them to deposit probable compensation in the State Treasury's Condemnation Fund. MOVED: John Nicoletti SECOND: Jerry Crippen
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

- D. Adopt resolution of necessity for acquisition to acquire certain property interests of property identified as Assessor Parcel Nos. 018-200-008, 018-200-007, 018-200-005, and 018-210-035 (Luis, Daniel and Luis, Anthony J. and Zelma B.) for the Upper Yuba River Levee Improvement Project.

MOTION: Move to adopt resolution MOVED: Jerry Crippen SECOND: John Nicoletti
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

Adopted Resolution No. 2010-6 entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT CODE CIV. PROC. 1245.230)."

MOTION: Move to direct General Counsel and Special Counsel to proceed with an action in eminent domain to acquire the necessary property interest for the repair construction, installation, and maintenance of the

Phase 4 Levee Repair Project, and to authorize them to deposit probable compensation in the State Treasury's Condemnation Fund.

MOVED: Jerry Crippen SECOND: John Nicoletti

AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti

NOES: None ABSTAIN: None ABSENT: None

- E. Adopt resolution of necessity for acquisition to acquire certain property interests of property identified as Assessor Parcel No. 018-140-041 (Naumes. Inc.) for the Upper Yuba River Levee Improvement Project.

MOTION: Move to adopt resolution MOVED: Jerry Crippen SECOND: Don Graham

AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti

NOES: None ABSTAIN: None ABSENT: None

Adopted Resolution No. 2010-7 entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT CODE CIV. PROC. 1245.230)."

MOTION: Move to direct General Counsel and Special Counsel to proceed with an action in eminent domain to acquire the necessary property interest for the repair construction, installation and maintenance of the Phase 4 Levee Repair Project, and to authorize them to deposit probable compensation in the State Treasury's Condemnation Fund.

MOVED: John Nicoletti SECOND: Jerry Crippen

AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti

NOES: None ABSTAIN: None ABSENT: None

- F. Adopt resolution of necessity for acquisition to acquire certain property interests of property identified as Assessor Parcel Nos. APN 018-140-040, 018-190-002, and 018-200-006 (Richard G. Wilbur Trust) for the Upper Yuba River Levee Improvement Project.

MOTION: Move to adopt resolution MOVED: John Nicoletti SECOND: Jerry Crippen

AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti

NOES: None ABSTAIN: None ABSENT: None

Adopted Resolution No. 2010-8 entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT CODE CIV. PROC. 1245.230)."

MOTION: Move to direct General Counsel and Special Counsel to proceed with an action in eminent domain to acquire the necessary property interest for the repair construction, installation and maintenance of the Phase 4 Levee Repair Project, and to authorize them to deposit probable compensation in the State Treasury's Condemnation Fund.

MOVED: Jerry Crippen SECOND: John Nicoletti
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

- G. Adopt resolution of necessity for acquisition to acquire certain property interests of property identified as Assessor Parcel No. 018-210-029 (Robert Glenn Wood) for the Upper Yuba River Levee Improvement Project.

MOTION: Move to adopt resolution MOVED: John Nicoletti SECOND: Jerry Crippen
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

Adopted Resolution No. 2010-9 entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT CODE CIV. PROC. 1245.230)."

MOTION: Move to direct General Counsel and Special Counsel to proceed with an action in eminent domain to acquire the necessary property interest for the repair construction, installation and maintenance of the Phase 4 Levee Repair Project, and to authorize them to deposit probable compensation in the State Treasury's Condemnation Fund.

MOVED: Jerry Crippen SECOND: John Nicoletti
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

- H. Adopt resolution amending and superseding Resolution No. 2010-3 and declaring necessity for acquisition to acquire certain property interests of property identified as Assessor Parcel Nos. 018-190-109 and 018-190-110 (Bhajan S. and Rajwant K. Sohal/ Walbinder S. Sohal Living Trust) for the Upper Yuba River Levee Improvement Project.

MOTION: Move to adopt resolution MOVED: John Nicoletti SECOND: Don Graham
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

Adopted Resolution No. 2010-10 entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT CODE CIV. PROC. 1245.230)."

MOTION: Move to direct General Counsel and Special Counsel to proceed with an action in eminent domain to acquire the necessary property interest for the repair construction, installation and maintenance of the Phase 4 Levee Repair Project, and to authorize them to deposit probable compensation in the State Treasury's Condemnation Fund.

MOVED: John Nicoletti SECOND: Jerry Crippen
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

- I. Approve adding Feather River Segment 1 V-Ditch Repair to the Feather River EIP Funding Agreement and delegate authority to the Executive Director to execute contract to accomplish work upon review and approval of Counsel.

Executive Director Paul Brunner recapped damage to concrete ditch and responded to Board inquiries.

MOTION: Move to approve MOVED: Don Graham SECOND: Jerry Crippen
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT

- J. Approve Amendment No. 2 to agreement with Kleinfelder West Inc. in the amount of \$17,000 for geotechnical exploration services and authorize Executive Director to execute same.

Executive Director Paul Brunner recapped the scope of work encompassed in the amendment.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Rick Brown
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT

- K. Approve Amendment No. 15 to agreement with MBK Engineers in the amount of \$661,887 for project management services and authorize Executive Director to execute same.

Executive Director Paul Brunner recapped the scope of work encompassed in the amendment.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Rick Brown
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT

IV BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Director Nicoletti: Building of original levees by the farmers and respectfulness of the process for eminent domain

Director Griego:

- Delicate issue of eminent domain and appreciative of owners and their appreciation of the projects
- Interview process for documentary style video of project

Executive Director Paul Brunner:

- Eminent domain process and construction of project
- Upper Yuba Project 408 permit approval sent with expected receipt at yearend
- Anderson elderberry site and permit requirement from Central Valley Flood Control Board

- Construction status of Feather River project
- Water Foundation Tour
- Corps of Engineers inspection of levees

V ADJOURN: 4:58 p.m. by Chair Griego.

Chair

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

Approved: _____



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218

Marysville, CA 95901

Office (530) 749-7841 Fax (530) 749-6990

October 26, 2010

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director *PAB/llw*
SUBJECT: Selection of Contractor to Produce TRLIA Film-Video Documentary

Recommended Action:

Delegate authority to Executive Director to negotiate, sign once General Counsel has reviewed, and then execute a professional services agreement not to exceed \$40,000 with KVIE (highest-ranking respondent) for the production of a Film-Video/Documentary explaining the history of a major program to build, fix, and maintain the levees in Reclamation District 784 area of Yuba County, California.

Discussion:

Yuba County has a long history of flooding and has endured many major levee failures that have caused havoc to Yuba County residents. The State and U.S. Army Corps of Engineers have worked for decades attempting to fix the levees, but did not succeed. Out of utter frustration, the leadership of Yuba County and Reclamation District 784 decided to tackle the problem head on and formed TRLIA in 2004 to improve the levees that protect the communities of Linda, Olivehurst, Arboga, and Plumas Lake. The charge to TRLIA was to find a way to do what the Corps of Engineers and State could not do – improve the levees in South Yuba County to withstand both the 100-year and 200-year storm events and obtain Federal Emergency Management Agency (FEMA) levee accreditation. Today, after six years of tireless effort, the levee work is nearing completion.

One way to capture this story of perseverance, dedication and foresight by a handful of visionaries is to make a video that explains the “how, what, why, where, and when” of the events that have occurred over the lifetime of the levee project. The proposed documentary will serve as a powerful tool in educating and informing the residents of Yuba County and have crossover potential to a popular viewing audience. This documentary could also be a valuable marketing tool that demonstrates the strength of leadership and commitment of Yuba County.

On August 3, the Board Authorized the Executive Director to release a RFQ for the production of a Film-Video/Documentary explaining the history of a major program to build, fix, and maintain the levees in Reclamation District 784 area of Yuba County.

On August 5, the RFQ was distributed via email and mailed to a list of reputable contractors in the Northern California region, based upon input from TRLIA’s public relations consultant and the PIOs for Sutter and Yuba Counties, among others. The RFQ was also posted to TRLIA’s website. Interested parties were given three weeks to respond.

Five responses were received by the August 27th closing date. Responses were evaluated and scored by a review committee consisting of staff and TRLIA's public relations consultant according to the following criteria:

Criteria	Up to Points
Brief discussion of the understanding of the project	25
Examples of past documentary projects accomplished by the firm within and out of the Sacramento Valley Region along with three client references, to include name, organization, address, e-mail, and telephone numbers must be submitted. These should be clients the company has done similar work for within the last five years.	20
Explanation of the firm's proposed technical approach to doing the documentary.	25
Discussion of ability to meet project schedule and stay within the proposed budget.	10
Resumes of key personnel and hourly rates	20
Total	100

The four highest-scoring firms – KVIE, Monkey & Snake, Simz Productions, and The Studio Center – were invited to participate in follow up interviews held on September 27 and 28. The interview panel included the initial review committee, along with Board Chair Mary Jane Griego and Board Member John Nicoletti. Interviewing firms were asked to provide an overview of their qualifications as per their proposals, and were again evaluated using the aforementioned criteria.

Following the interview sessions, the interview committee members individually ranked the firms for a total points ranking. KVIE received 479 points and the next ranked firm received 401 points.

In terms of overall rankings, KVIE scored four first place rankings, while Monkey & Snake had one. Simz Productions had three second-place rankings, while KVIE, Monkey & Snake, and The Studio Center each had one. Simz also had three third-place rankings, while Monkey & Snake and The Studio Center each had one.

It is recommended that TRLIA negotiate a professional services agreement for Film/Documentary Production with KVIE, the highest-ranking firm.

Fiscal Impact:

This contract would be paid for by interest that was accumulated in the TRLIA Phase 2/3 VPC Mitigation Escrow Account that was funded with developer money. In January 2010 this interest was deposited from this account to the TRLIA 805 Account.



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218

Marysville, CA 95901

Office (530) 749-7841 Fax (530) 749-6990

October 26, 2010

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director *PB/dw*
Scott Shapiro, General Counsel
Doug Handen, Construction Manager
SUBJECT: River Partners- Bear River Plant Propagation and Maintenance

Recommended Actions:

Ratify a prior 2006 \$376,049 Contract to River Partners for plant propagation and maintenance for the Bear River Setback Levee Project and delegate to Executive Director the authority to sign and execute the ratified contract including the disposal of excess plants.

Discussion:

In January of 2006, Three Rivers Executive Director, Kent McClain, executed an agreement with River Partners for Plant Propagation of plant material to be utilized for the Bear River Setback Area restoration project (see Attachment 1). This contract was recently found during a review of TRLIA prior contracts. No record of TRLIA Board approval of this contract can be located. The agreement included a provision to maintain plants beyond the projects' April 2007 project installation date on a per plant/per day basis. The amount of the work that has already been performed is as follows:

Plant Propagation – 2006	\$ 268,529
Plant Maintenance* April 2007-June 2010	<u>\$ 107,520</u>
Total Cost of Work Order	\$ 376,049

*plant maintenance contracted at the rate of \$.005/plant/day for plants held in nursery, for TRLIA after 4/1/07

River Partners performed the Bear River Setback Restoration planting in 2006 and 2007. Excess plant material was maintained per TRLIA's request, to be utilized on future TRLIA projects. TRLIA later identified the Feather River Setback Area as a potential location for the plant material. Significant portions of the plants owned by TRLIA shall be utilized in the current contract for planting in the Feather Setback Area, including the Mesick Lake Mitigation, Flood Plain Swale, and Wind Wave Buffer locations.

River Partners has prepared the attached spreadsheet(see Attachment 2) that reflects that there are 2,647 plants that do not match our current needs that are being cared for at a rate of .005

\$/plant/day = \$397/month. Staff recommends TRLIA dispose of excess plants in one of the following methods: (i) use of the plants in the Upper Yuba EIP elderberry transplant project as associates plantings; or (ii) donation of the plants to local area schools, parks, agencies.

Fiscal Impact:

The majority of the fees associated with this contract have already been expensed by TRLIA. TRLIA obtained State of California Proposition 13 Grant Funding and Developer funding that included the Bear Setback restoration and planting.

- 2 Attachments:
1. 2006 Contract
 2. List of Plants



580 Vallombrosa Avenue
Chico, California 95926
info@riverpartners.org

Phone: (530) 894-5401
Fax: (530) 894-2970
www.riverpartners.org

January 12, 2005

Three Rivers Levee Improvement Authority
915 Eighth Street, Suite 125
Marysville, CA 95901

RECEIVED

JAN 20 2006

ADMINISTRATION

Attention: Charles K. McClain, Executive Director

Dear Mr. McClain:

The estimated costs for plant propagation (Table 1) of the woody species are based on the proposed plant design numbers outlined in the December 2005 Riparian Restoration Plan for the Bear River Setback Levee Project.

Table 1. Estimated Costs for Woody Species Plant Propagation for the Bear River Levee Setback Project.

Item	Number of Plants	Cost
Total Plant Material Cost	92,517	\$268,529
Total Deposit for Plant Propagation (25%)		\$ 67,132

Timing is critical in order to have plants ready for delivery in fall of 2006. Seed collection was initiated in July 2005. To preserve any ecotype differences, plant material was collected from vegetation within the Feather River or Bear River watersheds and within a 5 mile radius from the restoration site. River Partners will deliver seed material to the nursery, Sierra Horticulture, by the end of December 2005 to begin the propagation process.

Propagation of woody species includes being grown out into 5-inch square pots. A deposit of 25% (\$67,132) is required by the nursery to initiate cultivation of the woody species at the time the plant order is contracted (on or about January 1, 2006).

These costs may change if the plant design is modified. In addition, a maintenance fee of \$0.005/plant/day will be charged for plants that remain in the nursery after April 1, 2007.

If you would like River Partners to proceed with the plant propagation, please sign this letter indicating your approval of this agreement. River Partners will then invoice TRRIA for \$67,132 and initiate a nursery contract for 92,517 plants.

RECEIVED

JAN 17 2006


Yuba County Public Works

If there are any questions, please do not hesitate to contact me.

Sincerely,



Tad Alexander
Chief Operations Officer
River Partners

Approved by: 

Date: 20 June 06

Charles K. McClain
Executive Director
Three Rivers Levee Improvement Authority

FRS Mitigation and Planting									
Species	Messick Lake	Floodplain Swale	Cultural site	Vegetated Buffer (48 acres)*	Fall Planting 2010	Spring Planting 2011**	TRLIA Owned	TRLIA Surrender	RP Plants Supplied
Potted Stock									
Blackberry	78	52	697		827	-	337		490
Box elder	66	52		1,255	118	1,255	512		861
Buffon bush	739	52			791	-	-		791
Clematis	27	36			63	-	291	228	
Coyote Bush	39	68		1,255	107	1,255	1,482	120	
Elderberry	51	68			119	-	392	273	
Oregon ash	739	52		1,045	791	1,045	-		1,836
Pipevine	27	36			63	-	-		63
Poison oak	66	36	418		520	-	-		520
Rose	39	68	627	1,673	734	1,673	3,181	774	
Sycamore	51	36		1,464	87	1,464	2,803	1,252	
Total Potted Stock	1,922	556	1,742	6,692	4,220	6,692	8,998	2,647	4,561
Cuttings/Other									
Arroyo willow	615	52	-	1,464	667	1,464	N/A	N/A	2,131
Black willow	739	52	-	1,255	791	1,255	N/A	N/A	2,046
Sandbar willow	549	52	-	1,255	601	1,255	N/A	N/A	1,856
Cottonwood	739	52	-	1,882	791	1,882	N/A	N/A	2,673
Dogbane	549	36	-		585	-	-		585
Valley oak	144	68	-		212	-	-		212
Total Cuttings & Other	3,335	312	-	5,856	3,647	5,856	-	-	9,503
TOTALS	5,257	868	1,742	12,548	7,867	12,548	8,998	2,647	14,064

*48 acres-which is currently cleared / non-ag

** If permit is obtained from CVFPB