



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
Yuba County Government Center, Board Chambers
915 Eighth Street, Suite 109A
Marysville, California

SPECIAL MEETING
AUGUST 14, 2013 – 4:00 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 should 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 **CONSENT AGENDA:** Matters listed are considered to be routine and can be enacted by one motion.

A. Approve minutes of the meeting of July 16, 2013.

III **ACTION ITEMS**

A. Adopt resolution authorizing grant application for Reclamation District 784 Yuba South Levee Urban Levee Design Criteria Remediation Implementation and authorize the Executive Director to execute application and necessary related documents.

B. Approve amendment number two the agreement with ENGEIO, Inc. in the amount of \$500,000 and authorize the Executive Director to execute upon approval of Counsel.

IV **BOARD AND STAFF MEMBERS’ REPORTS**

V **ADJOURN**

The complete agenda is available at the Yuba County Government Center, 915 8th Street, Suite 109 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 less than 72 hours prior to the meeting is available at Suite 109 during normal business hours. In compliance with the Americans 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

JULY 16, 2013

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, Don L. Graham, Mary Jane Griego, and John Nicoletti. Director Jerry Crippen was absent. Also present were Executive Director Paul Brunner, Counsel Scott Shapiro, and Secretary/Clerk of the Board of Supervisors Donna Stottlemeyer. Chair Griego presided.

I ROLL CALL – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti - Director Crippen absent.

II PUBLIC COMMUNICATIONS: None.

III CONSENT AGENDA: Matters listed are considered to be routine and can be enacted by one motion.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Rick Brown

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

NOES: None ABSTAIN: None ABSENT: Jerry Crippen

A. Approve minutes of the meeting of June 26, 2013. Approved.

IV ACTION ITEMS

A. Award contract to responsive and responsible low bidder, and authorize Executive Director to execute contract following review and approval of Counsel, and to issue notice to proceed for the Phase 4 Feather River Levee Repair Project-Segment 3 Toe Access Corridor Improvements and Segment 1 Erosion Protection Berm.

Executive Director Paul Brunner recapped bids received, noticing to residents in adjacent to project, recommended award of contract to low bid, and responded to Board inquiries. Construction Manager Doug Handen provided additional information on Sierra, construction of project, and responded to inquiries.

MOTION: Move to award contract to low bidder Sierra National Construction, Inc. and authorize Executive Director to execute contract following review and approval of Counsel, and to issue notice to proceed

MOVED: Rick Brown SECOND: Don Graham

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

NOES: None ABSTAIN: None ABSENT: Jerry Crippen

V BOARD AND STAFF MEMBERS' REPORTS

Financial Consultant Seth Wurzel: Annual Tax Reports for Community Facilities District No. 2006-1 and 2006-2

VII CLOSED SESSION: The Board retired into closed session at 2:45 p.m. and returned at 3:15 p.m. with no reportable action.

A. Conference with real property negotiators pursuant to Government Code §54956.8 – Property: Assessor Parcel Nos. 014-360-011 and 014-360-013. Negotiating Parties: Latigo Farms LLC and TRLIA/Scott McElhern/Kelly Pope. Under Negotiation: price and terms of payment

B. Pending litigation pursuant to Government Code §54956.9(a) regarding the following:

1. TRLIA v. Bains, YCSCCVED 10-0000977
2. TRLIA v. Luis, YCSCCVED 10-0000903
3. TRLIA v. Wilbur, YCSCCVED 10-0000951
4. TRLIA v. Allen, YCSCCVED 12-0000435

VIII ADJOURN: 3:15 p.m.

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

August 6, 2013

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director *PAB/au*
Larry Dacus, Design Manager
SUBJECT: Application for Proposition 13 Funds for Urban Levee Design Criteria
Remediation Implementation

Recommended Action:

Board Approval of application for Proposition 13 funds and a resolution authorizing application for Proposition 13 funds through the Department of Water Resources' (DWR) Yuba Feather Flood Protection Program (YFFPP).

Background and Discussion:

TRLIA performed levee remediation along the Yuba River South Levee from Highway 70 to the UPRR in 2004, 2005 and 2006. The intent of this remediation was to provide 200-year flood protection to the RD 784 service area. The remediation was accomplished in part using grant funds from the YFFPP. During the DWR Urban Levee Evaluation (ULE), a unique situation was identified at the site of the 1986 Levee Break in the Yuba South Levee. Large rocks were placed in the levee foundation by the United States Corps of Engineers (USACE) during repair of the levee breach. These rocks formed voids in the foundation which may allow embankment material to migrate into the voids during high water elevations. If enough material were to migrate into the voids, a slump could occur in the levee crown, lower the crown elevation, and allow overtopping at this location. This overtopping could be prevented by enlarging an existing landside stability berm to an extent to replace any levee embankment that might be lost through migration. DWR has formulated a widened levee embankment size to do this. TRLIA believes that the size of this proposed remediation could be reduced by performing additional explorations to better define the extent of the rocks in the foundation. TRLIA wishes to apply for \$1,050,000 of YFFPP grant funds to perform additional explorations and implement a widened levee remediation project to ensure that the 200-year flood protection envisioned at this site will be provided.

Staff recommends that the board direct staff to file the application for grant funds and approve the attached resolution authorizing application for funds.

Staff will return to the board for approval of the project at a future board meeting.

Fiscal Impact:

The total project cost is \$1,500,000. TRLIA is requesting \$1,050,000 in grant funding through DWR's YFFPP grant program. The remaining \$450,000 will be funded by TRLIA using returned funds from past DWR cost shared projects.

RESOLUTION NO. 2013-__

**A RESOLUTION BY THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY FOR A GRANT APPLICATION
FOR THE RD 784 YUBA SOUTH LEVEE ULDC REMEDIATION PROJECT WITH THE YUBA
FEATHER FLOOD PROTECTION PROGRAM UNDER THE DEPARTMENT OF WATER
RESOURCES**

WHEREAS, the Three Rivers Levee Improvement Authority (TRLIA or the Applicant), a joint exercise of powers authority of which the County of Yuba (the "County") and Reclamation District 784 ("RD 784") are members, intends to implement a project along the Yuba South Levee in the vicinity of the 1986 Levee Break to ensure that this levee location meets State requirements for providing 200-year flood protection to the RD 784 area; and

WHEREAS, TRLIA wishes to seek funding for its RD 784 Yuba South Levee ULDC Remediation Project through DWR's Yuba Feather Flood Protection Program; and

WHEREAS, TRLIA, if selected as a grantee under this program, will enter into an agreement with the State of California to carry out its RD 784 Yuba South Levee ULDC Implementation project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Three Rivers Levee Improvement Authority that pursuant to and subject to all of the terms and provisions of the California Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act, application by this agency be made to the California Department of Water Resources to obtain an implementation grant for the RD 784 Yuba South Levee ULDC Remediation Project. The Executive Director is hereby authorized and directed to prepare the necessary data, make investigations, sign, and file such application with the California Department of Water Resources, and to negotiate, sign, and execute the related funding agreement.

* * * * *

PASSED AND ADOPTED this 6th day of August, 2013, by the Board of the Three Rivers Levee Improvement Authority by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: DONNA STOTTLEMEYER,
CLERK OF THE BOARD

Chairperson

APPROVED AS TO FORM:



Scott Shapiro, General Counsel, TRLIA



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218

Marysville, CA 95901

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

August 6, 2013

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director *PB*
Larry Dacus, Design Manager
SUBJECT: Approve 2nd Contract Amendment with ENGEIO Incorporated for Engineering Services

Recommended Action:

Approve a \$500,000 2nd contract amendment with ENGEIO Incorporated for additional effort to provide engineering services for the Yuba Goldfields High Ground Evaluation and authorize Executive Director to sign and execute upon review of General Counsel.

Background:

In November 2011, the TRLIA Board approved a contract award to ENGEIO Incorporated for engineering services for the Yuba Goldfields High Ground Evaluation not to exceed \$500,000 and delegated authority to Executive Director to negotiate the contract. The final contract amount was for \$500,000. This contract was amended on August 7, 2012 to increase the contract amount by \$350,000 to a total of \$850,000. ENGEIO efforts have provided a great deal of information regarding the material composition of the Goldfields, the definition of an embankment geometry which could serve as "high ground" in the Goldfields, the evaluation of formulated alternatives for 100-year protection, evaluated the recommended 100-year protection project, and prepared critical technical appendices for the recently completed Goldfields Feasibility Study Initial Report.

Discussion:

The evaluation of the Goldfields is complicated. The scope of work for ENGEIO grows as more is learned about the Yuba Goldfields and the various constraints involved and various alternatives are evaluated. Effort remains to perform explorations and evaluations to certify some existing portions of the Goldfields for the recommended 100-year flood and to provide engineering evaluations of alternatives as TRLIA develops a final 200-year solution. TRLIA will also require an engineering report for the 200-year evaluations accomplished to include with the Final Feasibility Report to be prepared for the California Department of Water Resources (DWR) to present the recommended 200-year project. The attached Exhibit 1 provides detail on the additional effort required.

Fiscal Impact:

This amendment would increase the contract by \$500,000 for services on a time and expenses basis, to a maximum amount not exceeding \$1,350,000 (\$850,000 previous contract amount + \$500,000). DWR has approved a grant for \$2,000,000 for the Goldfields Feasibility Report. These Grant funds will be used to pay for this additional effort.

Attachments:

1. ENGEIO Incorporated Amendment 2
2. Exhibit 1, ENGEIO Incorporated. Additional Scope of Work

AMENDMENT NO. 2
AGREEMENT FOR PROFESSIONAL SERVICES
FOR
ENGINEERING SERVICES
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND
ENGEIO INCORPORATED

THIS SECOND AMENDATORY AGREEMENT is made effective August _____, 2013, by and between Three Rivers Levee Improvement Authority (“TRLIA”) and ENGEIO Incorporated (“the Consultant”), who agree as follows:

1. **Recitals.** This Amendment is made with reference to the following background recitals:
 - 1.1. Effective December 1, 2011 the parties entered into an Agreement for Professional Services relating to Engineering Services for TRLIA’s Construction Program.
 - 1.2. Effective August 7, 2012 the parties entered into the first Amendatory Agreement to increase the budget by \$350,000 to a total of \$850,000.
 - 1.3. Article C.24 of the AGREEMENT, states that modifications or amendments to the terms of the AGREEMENT shall be in writing and executed by both parties;
 - 1.4. TRLIA and the CONSULTANT desire to amend the AGREEMENT;

NOW, THEREFORE, TRLIA and the CONSULTANT agree as follows.

2. **Second Amendment to Agreement.** The Professional Services Agreement is hereby amended as follows:
 - 2.1. The scope of services (Attachment A to the Agreement for Professional Services between TRLIA and ENGEIO) is amended by the addition of effort to the original tasks. These additional efforts are described in Exhibit I attached to this amendment agreement.
 - 2.2. The payment, budget, and not-to-exceed amounts, Condition B.1 in Attachment B to the Agreement for Professional Services between TRLIA and ENGEIO Technical Services, Inc. are amended to include the additional amount of \$500,000 for a total contract amount of \$1,350,000.

- 2.3. Operative Provision 2 is amended to extend the Termination Date of the contract from June 30, 2013 to December 31, 2014.
3. **No Effect on Other Provisions.** Except for the amendments in Section 2, the remaining provisions of the Professional Services Agreement shall be unaffected and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on _____, 2013.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

ENGEO INCORPORATED

Paul G. Brunner
Executive Director

Josef Tootle, GE
Principal

ATTEST:
DONNA STOTTEMEYER
CLERK OF THE BOARD OF DIRECTORS

APPROVED AS TO FORM:
SCOTT L. SHAPIRO
GENERAL COUNSEL





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EXHIBIT 1

GEOTECHNICAL
ENVIRONMENTAL
WATER RESOURCES
CONSTRUCTION SERVICES

Project No.
9389.000.000

July 30, 2013

Mr. Paul Brunner
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, CA 95901

Subject: Yuba Goldfields Geotechnical Evaluation
Yuba County, California

REQUEST FOR BUDGET INCREASE NO. 2

Dear Mr. Brunner:

As discussed, we are nearing the limit of our approved budget on the Yuba Goldfields Geotechnical Evaluation. We have worked well with the TRLIA team to develop the proposed 100-year project and are moving closer to final alternatives for the 200-year project.

Our original contract dated November 28, 2011, for \$500,000 extended from December 1, 2011, to December 31, 2012. We received Amendment 1 on August 7, 2012 that increased our budget by \$350,000 and extended the termination date of our contract to June 30, 2013.

We have completed the geotechnical report in support of the 100-year project and continue to refine the phasing and provide support for the environmental documents. For the 100-year project, we modified the High Ground concept to a less expensive 100-year embankment, which necessarily results in greater certification efforts due to the smaller size of the 100-year embankment. More frequent explorations will ultimately be necessary to meet the regulatory certification requirements. We have drafted a 100-year embankment work plan that includes more extensive field exploration than originally anticipated for High Ground.

We are also moving forward on 200-year alternatives and public stakeholder meetings with the TRLIA team. We are providing extensive graphics support as well as cost estimates and engineering analyses for various alternatives.

We anticipate that our current budget will be exceeded by late August 2013 and, therefore, request an increase in our budget. We anticipate that our future work will include the following general items:

1. Attendance at meetings with the TRLIA team and various agencies.
2. Performing field exploration and preparing a geotechnical report in support of the 100-year project.

3. Preparation for and attendance at additional BOSC meetings.
4. Developing final 200-year alternatives and providing graphics, engineering support, and cost estimate support.
5. Performing field exploration and preparing a geotechnical report in support of the final 200-year project (if different than the 100-year project).

The actual cost of the remaining items is difficult to estimate with the uncertainty of how long the project may take to complete and the final determination of the 200-year project. We suggest increasing the overall budget by \$500,000 to cover any needed activities and extend the termination date of the contract to December 31, 2014.

If this request is agreeable, please forward an appropriate addendum for our review and signature. If you have any questions regarding this letter, please call and we will be glad to discuss them with you.

Sincerely,

ENGEO Incorporated



Mark M. Gilbert, GE
Principal



Josef J. Tootle, GE
Principal