



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

FEBRUARY 7, 2017 – 3:30 P.M.

CALL TO ORDER: Welcome to the Three Rivers Levee Improvement Authority (TRLIA) meeting. As a courtesy to others, please turn off cell phones or other electronic devices which might disrupt the meeting. Thank you.

- I **ROLL CALL** – Directors Atwal, Brown, Lofton, Ritchie, Vasquez
- II **PUBLIC COMMUNICATIONS:** Any person may speak about any subject of concern within the jurisdiction of TRLIA which is not on today’s agenda. The total amount of time allotted shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time, speakers are requested to fill out a “Request to Speak” card and submit it to the secretary.
- III **CONSENT AGENDA:** Matters listed are considered to be routine and can be enacted by one motion.
 - A. Approve minutes of the meeting of January 17, 2017.
- IV **ACTION ITEMS**
 - A. Approve Amendment No. 14 to the agreement with BRI Consultants adding right-of-way consulting services for 200-year Urban Flood Risk Reduction Goldfields Project and authorize Executive Director to execute.
- V. **CLOSED SESSION:** Existing litigation pursuant to Government Code §54956.9(d)(1) Conference with Counsel – A. Teichert & Son Inc. vs. TRLIA/TRLIA Board of Directors Yuba County Superior Court No. CVPT 15-0000922
- VI. **BOARD AND STAFF MEMBER REPORTS**
- VII. **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

JANUARY 17, 2017

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) was held on the above date, commencing at 2:02 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Doug Lofton, Edward Ritchie, and Andy Vasquez. Director Sarbdeep Atwal was absent. Also present were Executive Director Paul Brunner, Counsel Andrea Clark, and Secretary/Clerk of the Board of Supervisors Donna Stottlemeyer. Chair Brown presided.

I ROLL CALL – Directors Atwal, Brown, Lofton, Ritchie, Vasquez – Director Atwal absent.

II ELECTION OF CHAIR AND VICE CHAIR

MOTION: Move to appoint Rick Brown 2017 Chair

MOVED: Andy Vasquez SECOND: Doug Lofton

AYES: Rick Brown, Doug Lofton, Edward Ritchie, Andy Vasquez

NOES: None ABSTAIN: None ABSENT: Sarbdeep Atwal

MOTION: Move to appoint Edward Ritchie 2017 Vice Chair

MOVED: Andy Vasquez SECOND: Rick Brown

AYES: Rick Brown, Doug Lofton, Edward Ritchie, Andy Vasquez

NOES: None ABSTAIN: None ABSENT: Sarbdeep Atwal

III PUBLIC COMMUNICATIONS: None.

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

MOTION: Move to approve

MOVED: Andy Vasquez SECOND: Edward Ritchie

AYES: Rick Brown, Doug Lofton, Edward Ritchie, Andy Vasquez

NOES: None ABSTAIN: None ABSENT: Sarbdeep Atwal

A. Approve minutes of the meeting of December 6, 2016. Approved.

V ACTION ITEMS

A. Adopt addendum to Western Pacific Interceptor Canal 200-Year Standard Project Final Initial Study/Mitigated Negative Declaration and authorize Executive Director to execute and file Notice of Determination in compliance with California Environmental Quality Act (CEQA). Executive Director Paul Brunner recapped project, 200-year standards and responded to Board inquiries.

Counsel Andrea Clark recapped CEQA review and addendum which adds fencing and has no significant impact.

MOTION: Move to approve
MOVED: Andy Vasquez SECOND: Doug Lofton
AYES: Rick Brown, Doug Lofton, Edward Ritchie, Andy Vasquez
NOES: None ABSTAIN: None ABSENT: Sarbdeep Atwal

VI. BOARD AND STAFF MEMBER REPORTS

Executive Director Paul Brunner:

- Western Pacific Interceptor Canal construction schedule
- 200-year compliance standard
- 100-year Goldfields interim project
- Gate damage at Feather River access

VII. ADJOURN: 2:55 p.m.

_____ Chair

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

Approved: _____



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

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February 7, 2017

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director *PMB/AB*
SUBJECT: Approve Amendment 14 to Bender Rosenthal, Inc. (BR) for Real Estate/Right of
Away Consulting Services

Recommended Action:

Approve Amendment 14 to the current contract with Bender Rosenthal, Inc. (BRI) which adds Right of Way consulting services for the TRLIA 200-year UFRR Goldfields Project, and authorize the executive director to sign and execute the amendment once General Counsel has reviewed and approved.

Discussion:

Per the nearly completed DWR/TRLIA Urban Flood Risk Reduction (UFRR) Funding Agreement, TRLIA will have the need to acquire Right of Way for the TRLIA 200-year Goldfields levee project. BRI right of way services are needed to accomplish the UFRR right of way tasks. The BRI Right of Way work under this task will not deal with mining activities.

In October 2013, the TRLIA Board approved a contract award to Harold W. Bertholf, Inc. for real estate mining appraisal services specifically for aggregate and mineral as related to the 200-year TRLIA Goldfields project.

Fiscal Impact:

No increase in budget is proposed so there is no fiscal impact.

ATTACHMENT

1. Amendment 14

FOURTEENTH
AMENDMENT TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
BENDER ROSENTHAL, INC.

THIS FOURTEENTH AMENDATORY AGREEMENT is made and entered into this __ day of January, 2017 by and between the THREE RIVERS LEVEE IMPROVEMENT AUTHORITY ("TRLIA"), a Joint Powers Authority, and BENDER ROSENTHAL, INC. ("CONSULTANT")

RECITALS:

WHEREAS, TRLIA and CONSULTANT entered into an agreement to provide basic services dated March 1, 2005, ("AGREEMENT"):

WHEREAS, TRLIA and CONSULTANT entered into the first Amendatory Agreement, to provide basic services dated March 1, 2006.

WHEREAS, TRLIA and CONSULTANT entered into the second Amendatory Agreement to provide basic services dated May 16, 2006.

WHEREAS, TRLIA and CONSULTANT entered into the third Amendatory Agreement to provide basic services dated September 26, 2006.

WHEREAS, TRLIA and CONSULTANT entered into the fourth Amendatory Agreement to provide basic services dated January 16, 2007.

WHEREAS, TRLIA and CONSULTANT entered into the fifth Amendatory Agreement to provide basic services dated February 6, 2007.

WHEREAS, TRLIA and CONSULTANT entered into the sixth Amendatory Agreement to provide basic services dated March 27, 2007.

WHEREAS, TRLIA and CONSULTANT entered into the seventh Amendatory Agreement to provide basic services dated August 19, 2008.

WHEREAS, TRLIA and CONSULTANT entered into the eighth Amendatory Agreement to provide basic services dated June 16, 2009.

WHEREAS, TRLIA and CONSULTANT entered into the ninth Amendatory Agreement to provide basic services dated February 15, 2011.

WHEREAS, TRLIA and CONSULTANT entered into the tenth Amendatory Agreement to provide basic services dated February 10, 2012.

WHEREAS, TRLIA and CONSULTANT entered into the eleventh Amendatory Agreement to provide basic services dated December 18, 2012.

WHEREAS, TRLIA and CONSULTANT entered into the twelfth Amendatory Agreement to provide basic services dated April 1, 2014;

WHEREAS, TRLIA and CONSULTANT entered into the thirteenth Amendatory Agreement to extend the term of the Agreement to June 30, 2018;

WHEREAS, Provision B.1 of the AGREEMENT, states that modifications or amendments to the terms of the AGREEMENT shall be in writing and executed by both parties;

WHEREAS, TRLIA and CONSULTANT desire to amend the Agreement:

NOW, THEREFORE, TRLIA and CONSULTANT agree as follows:

1. Article A.1 of the AGREEMENT shall be revised to include the following scope of work: perform right of way planning and management, provides right of entry, prepare appraisals and appraisal reviews, provide acquisition, relocation assistance, title/escrow support, condemnation support and construction support for the Goldfields levee segment.

All other terms and conditions contained in the Agreement shall remain in full force and effort.

This Amended agreement is hereby executed on this ___ day of January, 2017.

**THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY**

BENDER ROSENTHAL, INC.

By: _____
Paul G. Brunner, Executive Director

By: _____
Bob Morrison, President

Approved as to form:

Andrea P. Clark.

Andrea Clark
TRLIA Assistant General Counsel