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

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

II  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. Prior to this time, speakers are requested to fill out a “Request to Speak” card and submit it to the Clerk of the Board of Supervisors.

III  CONSENT AGENDA: All matters listed under the consent agenda are considered to be routine and can be enacted by one motion.

A. Approve minutes of the August 28, 2012 meeting.

IV  ACTION ITEMS

A. Approve Amendment No. 13 to agreement with HDR Engineering Inc., in the amount of $59,762 for construction management services for Yuba Levee Landside Project and authorize Executive Director to execute same.

B. Approve Amendment No. 3 to agreement with MHM Inc., in the amount of $13,000 for engineering and surveying services for Yuba Levee Landside Project and authorize Executive Director to execute same.

D. Adopt resolution endorsing Yuba County Representatives for Central Valley Flood Protection Plan Regional Planning Process; and approve Memorandum of Understanding regarding Feather River Regional Plan for Flood Protection and authorizing Executive Director to execute same upon review and approval of counsel.

V  BOARD AND STAFF MEMBERS’ REPORTS

VI  ADJOURN

The complete agenda is available at the Yuba County Government Center, 915 8th Street, Suite 109 Marysville, and 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

AUGUST 28, 2012 – 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 10:00 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Don L. Graham, and Mary Jane Griego. Director John Nicoletti was absent. Also present were Executive Director Paul Brunner, Counsel Andrea Clark, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chair Griego presided.

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

II  CONSENT AGENDA

A. Approve minutes for Final Budget Hearings and regular meeting of August 7, 2012.

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

III  ACTION ITEMS

A. Approve Amendment No. 4 to agreement with CTA Engineering and Surveying in the amount of $28,000 for engineering services and authorize Executive Director to execute. Executive Director Paul Brunner recapped necessity for the amendment.

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

The Board recessed at 10:03 a.m. and returned at 10:06 a.m. with all members present as indicated above.

B. Award contract to responsive and responsible low bidder for the Upper Yuba Levee Landslide Improvement project and authorize Executive Director to execute contract upon review and approval of Counsel, and to issue notice to proceed. Construction Manager Doug Handen advised three of the four bids received which were non-responsive or incomplete, and advised one bid was complete.

   MOTION: Move to award bid to Nordic Industries and authorize Executive Director to execute contract upon review and approval of Counsel, and to issue notice to proceed
   MOVED: Jerry Crippen  SECOND: Rick Brown
   AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego
   NOES: None  ABSTAIN: None  ABSENT: John Nicoletti
IV BOARD AND STAFF MEMBERS’ REPORTS

Executive Director Paul Brunner:
• Encroachment permit received for Upper Yuba Levee Landside Improvement project
• Hosted joint tour with Patrick Maher of Reclamation District 784 to view work at the Feather River Setback levee
• Flood Management Association conference September 4 – 7, 2012
• CBEC Eco Engineering tour Tuesday, September 4, 2012 of the Feather River Setback and Bear River Levee

V ADJOURN: 10:27 a.m. by Chair Griego.

__________________________________________
Chair

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

__________________________________________
Approved: ________________________________

By: Rachel Ferris, Deputy Clerk
September 18, 2012

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul G. Brunner, Executive Director
Doug Handen, Construction Manager
SUBJECT: Contract No. PH4 2012-01 Amendment # 13
Yuba River Landslide Levee Improvement Project Sta 5+80 to Sta 9+00
Construction Management - Authorization to prepare contract with HDR

Recommended Action:
Approve $59,762 Contract Amendment No. 13 with HDR Engineering, Inc for the purpose of providing Construction Management Services for the Yuba River Landslide Levee Improvement Project Sta 5+80 to 9+00 and authorize Executive Director to sign and execute the contract amendment.

Discussion:
The TRLIA Board authorized the Executive Director to award the Yuba Levee Landslide Repair Project to Nordic Industries at the August 28, 2012 Board Meeting. The amount of the contract with Nordic shall be $467,594.

On September 6, 2012 TRLIA issued a “Partial Notice to Proceed” to Nordic to allow the contractor to proceed with the preparation of pre-project requirements including work plans and project submittals. TRLIA shall provide Nordic with a “Notice to Proceed” to commence all construction work following the successful completion of all relocation activities of the residents that occupy the construction area. TRLIA anticipates that the relocations will be completed during the week of September 17th, 2012.

TRLIA has obtained all of the required permits and approvals necessary to commence this project.

Schedule

TRLIA anticipates that the project shall commence during the week of September 17, 2012 and that all levee related work be completed during the week of October 29, 2012. Final project clean-up activities including fencing and erosion control shall be completed in early November of this year.
Time and Material Contract

The attached HDR proposal in the amount of $59,762 is a time and material proposal. TRLIA will compensate HDR for only the actual hours work and materials utilized.

HDR has provided the attached estimate for Construction Management services based on the construction schedule furnished by Nordic Industries.

Construction Management Scope

HDR Engineering, Inc. prepared the design and construction documents for the project and is well situated to conduct the construction management services for this project. TRLIA Staff believes that TRLIA has experienced success on prior projects when utilizing the design consultant to observe and document the construction activities in conjunction with project certification.

The attached proposal provides detail as to the scope of services to be provided in the Construction Management contract. The following is a summary of the major activities and requirements included:

- Contract Administration
- Quality Assurance Inspection and Testing
- Environmental Support Services during construction
- Verification Surveys during and post construction
- Photo Documentation
- Final Construction Summary Report

The above items are required as part of the “FEMA Certification” process to be completed by TRLIA.

Construction Management services on prior TRLIA projects typically represents approximately 10% of the construction contract costs. The HDR budget for this project is approximately 13% of the Nordic Contract. The higher percentage is related to the need to provide nearly full time oversight of construction activities for the relatively small project. TRLIA Staff has worked with HDR to furnish a field representative that can provide multiple duties including geotechnical and general inspection through a single Resident Engineer.

TRLIA intends to separately contract with MHM Engineering for survey and Quality Control Testing services for this project. MHM shall perform laboratory testing of the field soil samples taken and coordinated with HDR’s site inspector. MHM’s proximity to the project site serves to improve efficiency and reduce testing costs.

Fiscal Impact:
This project is part of the State/TRLIA Upper Yuba River Levee Improvement EIP Funding Agreement. The Funding Agreement cost sharing is Local 30% and State 70%.

Attachments:
- HDR Scope and Proposal
- Contract Amendment #13
THIRTEENTH AMENDMENT
TO
AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
HDR ENGINEERING, INC.

THIS THIRTEENTH AMENDATORY AGREEMENT is made and entered into this ___ day of September 2012, by and between the Three Rivers Levee Improvement Authority, ("TRLIA"), a California Joint Powers Authority, and HDR Engineering, Inc. ("CONSULTANT").

WHEREAS, TRLIA and CONSULTANT entered into an agreement on December 13, 2005 to provide professional services for Engineering Design and Environmental Studies for Phase 4 Levee Repairs - Upper Yuba River, Continuation of Phase 2 Construction Management (2006), and FEMA Certification of Contract Work ("Agreement");

WHEREAS, a FIRST AMENDATORY AGREEMENT, executed February 14, 2006, increased the maximum not to exceed contract fee from $2,580,038 by $118,955 to $2,698,993; and

WHEREAS, a SECOND AMENDATORY AGREEMENT, executed March 7, 2006, increased the maximum not to exceed contract fee from $2,698,993 by $117,649 to $2,816,642; and

WHEREAS, a THIRD AMENDATORY AGREEMENT, executed August 8, 2006, increased the maximum not to exceed contract fee from $2,876,642 by $661,193 to $3,537,835; and

WHEREAS, a FOURTH AMENDATORY AGREEMENT, executed October 16, 2007, increased the maximum not to exceed contract fee from $3,537,835 by $280,000 to $3,817,835; and

WHEREAS, a FIFTH AMENDATORY AGREEMENT, executed August 5, 2008, increased the maximum not to exceed contract fee from $3,817,835 by $954,524 to $4,772,359; and

WHEREAS, a SIXTH AMENDATORY AGREEMENT, executed September 9, 2008, extended the time of services rendered to December 31, 2009; and

WHEREAS, a SEVENTH AMENDATORY AGREEMENT, executed May 12, 2009, increased the maximum not to exceed contract fee from $4,772,359 by $2,416,874 to $7,189,233 and extended the time of services rendered to December 31, 2010; and

WHEREAS, an EIGHTH AMENDATORY AGREEMENT, executed September 15, 2009 increased the maximum not to exceed contract fee from $7,189,233 by $155,846 to $7,345,079; and

WHEREAS, a NINTH AMENDATORY AGREEMENT, executed July 20, 2010 increased the maximum not to exceed contract fee from $7,345,079 by $1,473,064 to $8,818,143; and
WHEREAS, a TENTH AMENDATORY AGREEMENT, executed August 12, 2011 increased the maximum not to exceed contract fee from $8,818,143 by $162,879 to $8,981,022; and

WHEREAS, an ELEVENTH AMENDATORY AGREEMENT, executed October 18, 2011 increased the maximum not to exceed contract fee from $8,981,022 by $636,668 to $9,617,690; and

WHEREAS, a TWELFTH AMENDATORY AGREEMENT, executed February 21, 2012 increased the maximum not to exceed contract fee from $9,617,690 by $50,000 to $9,667,690 and extended the contract date to December 31, 2013; and

WHEREAS, TRLIA and CONSULTANT desire to amend Agreement;

NOW, THEREFORE, TRLIA and CONSULTANT agree as follows:

1. Exhibit A of AGREEMENT shall be amended to perform those additional services as described in Exhibit A to this THIRTEENTH AMENDMENT.

2. Attachment B, Provision B.1 of the Agreement shall be revised to increase the maximum not to exceed contract fee by $59,762 from $9,667,690 to $9,727,452.

All other terms and conditions contained in AGREEMENT shall remain in full force and effect.

This Amended agreement is hereby executed on this _____ day of September, 2012.

“TRLIA”

Paul G. Brunner
Executive Director

ATTEST:
DONNA STOTTERMeyer
CLERK OF THE BOARD

“CONSULTANT”

Robert M. Boling
Senior Vice President

APPROVED AS TO FORM:

SCOTT L. SHAPIRO
GENERAL COUNSEL
Scope of Work
(Amendment No. 13)

Construction Management Services
Levee Landslide Improvement, STA 5+80 to 9+00
South Levee Yuba River

September 12, 2012

Three Rivers Levee Improvement Authority
Marysville, California
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**Task 1 - Construction Management (Levee Landslide Improvement, STA 5+80 to 9+00)** ................................................................................................................................. 4
PROJECT OVERVIEW

Engineering design and environmental services have been completed to the 90% submittal stage for a portion of the south Yuba River levee, which protects a portion of Reclamation District No. 784 (RD No. 784). This work has been identified as Phase 4 of the levee repair program for the Three Rivers Levee Improvement Authority (TRLIA).

As outlined in this scope of work, TRLIA has requested construction management services for the Levee Landslide Improvement STA 5+80 to 9+00, south levee of the Yuba River. For brevity, this scope of work does not restate portions of the work already under contract; this proposal only describes the construction management effort for Levee Landslide Improvement STA 5+80 to 9+00.

Services to be provided include:

Construction Management – Landslide Improvement STA 5+80 to 9+00, South Levee Yuba River
Construction Management Services for Levee Landside Improvement, STA 5+80 to 9+00 South Levee Yuba River

Task 1. -Construction Management Services - Levee Landside Improvement, STA 5+80 to 9+00

HDR ENGINEERING will provide Construction Management services during the construction phase of the Levee Landside Improvement, south levee of the Yuba River from approximately Highway 70 to Shadpad Road (approximately 500 feet). The construction management team will administer the construction contract established between TRLIA and the Contractor. TRLIA will provide Quality Assurance services through a separate consultant.

Assumptions:
- It is assumed that the 2012 construction period will be September 20 through November 30.
- It is assumed that all levee improvements will be completed under one construction contract.

1.1. Communications and Correspondence

HDR ENGINEERING will be the communication hub for the project. All communication and correspondence from and to the Contractor, TRLIA and HDR ENGINEERING’s subconsultants will go through HDR ENGINEERING’s construction management team. This duty involves processing and controlling large volumes of paperwork.

Deliverables:
- Correspondence, RFI and Submittal Logs.

Assumptions:
- One document controller will be needed part time for the duration of the project. HDR ENGINEERING will use Project Tracker, HDR ENGINEERING’s in-house developed document tracking software program, to log and track project paperwork.

1.2. Contract Administration

HDR ENGINEERING will provide a Project Manager and Resident Engineer for the construction period. The Resident Engineer will be on site full time for the duration of the construction period. The Project Manager and Resident Engineer will be responsible for contract administration, which includes the following:
- Serving as the coordinator and facilitator between the primary parties involved in the contract,
- Processing submittals,
- Reviewing the construction schedule and monitoring progress,
- Processing progress payments,
Using proper procedures to help avoid and resolve disputes,
Helping to resolve potential claims,
Negotiating and processing contract changes.

**Deliverables:**
- Daily Reports
- Monthly Status Reports.

**Assumptions:**
- One resident engineer will be needed for contract management for duration of the construction period. One part time project manager will be needed for submittal questions, claims mitigation and change order negotiations for the duration of the construction period. Project engineer will be available for construction meetings, review of submittals and TRLIA agreed to design changes.
- The construction work for the south levee of the Yuba River consists of levee geometry corrections, vegetation removal and minor drainage improvements.

1.3. **Quality Assurance Inspection and Testing**

HDR ENGINEERING will inspect and administer the project to ensure construction in accordance with the requirements of the Contract. HDR ENGINEERING will strive for the highest quality attainable within Project limitations. HDR ENGINEERING will visually check materials brought on site for compliance with the Contract and approved submittals. HDR ENGINEERING will check construction for proper location, dimension, elevation, and proper construction techniques.

**Deliverables:**
- Daily reports.
- Test results.
- Photo documentation.

**Assumptions:**
- One resident engineer will be needed for the 2012 construction period (10 days, 10 hours/day; 20 days, 4 hours/day – total of 180 hours).
- One part time administration personnel will be needed for the duration of the 2012 construction period (24 days, 1 hours/day – total of 48 hours).
- One part time project manager will be needed for the duration of the 2012 construction period (total of 12 hours).
- Project engineer (total of 60 hours).
- CADD operator (total of 40 hours).
- Project Accountant (total of 8 hours).
Construction contractor will work 5 days/week – 8 hours/day for earthwork.

1.4. Final Completion/Project Closeout

HDR ENGINEERING will obtain warranties, guaranties, and record drawings; develop a punch list; verify lien releases; and process the last progress payment and final payment.

Deliverables:
Final Payment Forms Processed.

SCHEDULE FOR PERFORMANCE

Table 1. Schedule for completion

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<th>Task Description</th>
<th>Duration</th>
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<tr>
<td>Task 1 - Construction Management (Levee Landside Improvement, STA 5+80 to 9+00)</td>
<td>Per bid and construction schedule (assume September 20, 2012 to November 30, 2012)</td>
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# Three Rivers Levee Improvement Authority (TRLIA)
## Yuba River at Shadpad Road

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Includes: miles, tech chgs, equip
September 18, 2012

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director  
       Larry Dacus, Design Manager
SUBJECT: Consider Approval of Amendment No. 3 to Contract with MHM Inc. to Provide Engineering and Surveying Services for TRLIA Levee Improvement Program

**Recommended Action:**
Approve Amendment No. 3 with MHM Inc. (Attached) in the amount of $13,500 for engineering and surveying services and authorize TRLIA Executive Director to sign and execute once General Counsel has reviewed and approved.

**Discussion:**
TRLIA entered into a contract with MHM in October 2009 for surveying and engineering services. Work continues for some of the Tasks included in that contract. This contract has been amended two times and MHM continues to provide valuable services for the TRLIA Levee Improvement program.

TRLIA is initiating landside slope improvements for a short reach of the Yuba South Levee just upstream of Highway 70. This is a small effort and the TRLIA Staff is formulating ways to accomplish the construction management of this small project at a reasonable cost. One way is to use current TRLIA contracts and local contractors to accomplish some of the construction management services. The current request is add a Task 6 to MHM’s current contract for construction testing and staking services. This would increase the current contract amount by $13,500. This added task will increase the total contract amount from $206,700 to $220,200. As a local surveying and engineering firm with knowledge of the area, MHM has unique knowledge that allows them to perform these tasks efficiently. MHM will be working with HDR in providing construction management for this project.

This Amendment No.3 will also extend the contract with MHM to December 31, 2013.

**Fiscal Impact:**
The MHM Contract will be increased by $13,500 for services on a time-and-expenses basis, to a maximum amount not to exceed a total contract amount of $220,200. This task is part of the UYLIP project and will be cost shared by the State at the same ratio as the rest of the UYLIP expenditures.

Attachments:
MHM Amendment 3
Exhibit 1 for Amendment 3
THIRD AMENDMENT
TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
MHM, Inc.

THIS THIRD AMENDATORY AGREEMENT is made and entered into this 12 day of
September, 2012, by and between the THREE RIVERS LEVEE IMPROVEMENT
AUTHORITY, a Joint Powers Authority, (“TRLIA”) and MHM, Inc. (“CONSULTANT”).

RECITALS:

WHEREAS, TRLIA and CONSULTANT entered into an agreement to provide Engineering and
Surveying Services dated October 13, 2009 (“AGREEMENT”);

WHEREAS, TRLIA and CONSULTANT entered into the First Amendatory Agreement dated
November 16, 2010;

WHEREAS, TRLIA and CONSULTANT entered into a Second Amendatory Agreement dated
January 17, 2012;

WHEREAS, 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:

WHEREAS, TRLIA and CONSULTANT desire to amend the AGREEMENT;

NOW, THEREFORE, TRLIA and CONSULTANT agree as follows:

1. Operative Provision 2 – TERM – shall be revised to change the Termination Date to
December 31, 2013

2. Article B.1 of the AGREEMENT shall be revised to increase the maximum contract fee by
$13,500 from $206,700 to $220,200.

All other terms and conditions contained in the Agreement shall remain in full force and effect.
This AMENDED AGREEMENT is hereby executed on this ___ day of September 2012.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

MHM, INC.

Paul G. Brunner, Executive Director

John Michael Smith
Principal

ATTEST:
DONNA STOTTERMeyer,
SECRETARY

APPROVED AS TO FORM:
SCOTT L. SHAPIRO
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY GENERAL COUNSEL
Three Rivers Levee Improvement Authority (TRLIA) has been conducting levee repairs for the Reclamation District (RD) 784 levees since 2004. These repairs are designed and constructed to provide a minimum level of protection of 200-years to the RD 784 area. On occasion TRLIA has a need for general surveying services and specific engineering services that can best be served by MHM Engineering, Inc. MHM’s position as the RD 784 District Engineer and MHM’s experience and knowledge of the RD 784 area make it the logical choice to provide these services.

This Amendment would add a Task 6 to the current contract with MHM Engineering, Inc. and extend the contract termination date to December 31, 2013.

**TASK 6** – MHM Engineering, Inc. will work in collaboration with HDR to provide quality control and assurance services for the Landside Levee Repair for the Yuba south Levee from Station 5+80 to 9+00. These services will include the following actions:

- Construction embankment testing to ensure that the construction contractor follows the plans and specifications.
- Construction staking to ensure that the construction contractor follows the plans and specifications.
September 18, 2012

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
       Andrea Clark, Authority Counsel
SUBJECT: Central Valley Flood Protection Plan Regional Planning: Resolution
         Endorsing Yuba County Representatives for the Regional Planning
         Process, and Memorandum of Understanding with Participating Entities

Recommendation:
That the Board approve: (1) the resolution endorsing the Yuba County Representatives
for the regional planning process, and (2) execution of the Memorandum of
Understanding Regarding Feather River Regional Plan for Flood Protection.

Background:
On June 29, 2012, the Central Valley Flood Protection Board (CVFPB) adopted a Central
Valley Flood Protection Plan (CVFPP), which establishes a vision and process for
reducing flood risk in the Sacramento and San Joaquin River basins. The CVFPP calls for
the creation of a handful of regional working groups representing distinct regions to
collaborate and develop flood management priorities for the region in the form of a
Regional Plan.

The flood control interests in the Yuba/Sutter/Butte area have begun the process of
preparing a Feather River Regional Plan. TRLIA has worked with the Sutter Butte Flood
Control Agency (SBFCA), the Yuba County Water Agency (YCWA) and the Marysville
Levee Commission (MLC) to ensure representation of interested parties on both sides of
the Feather River.

Discussion:
1. Resolution

The purpose of this resolution is to designate representation from the various Yuba
County interests, including urban, small community, and rural, recognizing that each of
these representatives (working with staff) will keep all of the various Sutter and Yuba
County interests informed and updated on the regional planning process. After
consultation with some TRLIA, YCWA, and Yuba County Board Members, and
considering Brown Act requirements staff recommends the following Yuba County
representatives and alternates to participate in the regional planning process:

   a. Mary Jane Griego primary, and John Nicoletti alternate
   b. Pat Ajuria primary, and Jerry Crippen alternate
   c. Roger Abe primary, and Sarbdeep Atwal alternate
2. Memorandum of Understanding

TRLIA has collaborated with these entities to draft a memorandum of understanding to establish a framework for developing a regional plan. The memorandum of understanding reflects the following key points:

a. A Coordinating Committee made up of representatives from both sides of the Feather River will guide staff members of the Parties in the development of a Regional Plan for the Feather River, direct administration of a funding agreement with DWR for development of the plan, and direct staff in scheduling and carrying out workshops or other informational briefings to the public.

b. SBFCA will administer the funding agreement with DWR (this role will not provide SBFCA any special rights or control over the regional planning effort not also shared with the other Parties).

c. Costs not covered by the anticipated funding agreement with DWR will be split in approximately the following manner: fifty percent from entities in Yuba County (i.e., TRLIA, YCWA and MLC) and fifty percent from entities in Sutter/Butte Counties (i.e., SBFCA).

**Fiscal Impacts:**
SBFCA and the participating entities in Yuba County intend to file the application for grant funding as soon as possible once the application guidelines are finalized (anticipated mid-September). The direct funding from DWR is intended to cover **100 percent of the costs** of preparing the regional plan, however, for the costs not covered by the grant from DWR, TRLIA will share costs with YCWA and SBFCA. TRLIA, YCWA, and SBFCA propose to split the costs in approximately the following manner: Fifty percent to the SBFCA and the remaining 50% shared between TRLIA and YCWA. In addition, the costs to prepare the grant application are not eligible for reimbursement.

The TRLIA costs, if any, for this effort are included in the TRLIA 2012/13 budget as part of TRLIA’s professional services budget.

Attachments(2):
1. Proposed Resolution Endorsing Yuba County Representatives for the Regional Planning Process
2. Proposed Memorandum of Understanding Regarding Feather River Regional Plan for Flood Protection
RESOLUTION NO. 2012-____

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY ENDORSING YUBA
COUNTY REPRESENTATIVES FOR CENTRAL VALLEY FLOOD PROTECTION
PLAN REGIONAL PLANNING PROCESS

WHEREAS, in 2008 the California Legislature enacted and the Governor signed the Central Valley Flood Protection Act which directed the Department of Water Resources (DWR) to prepare and the Central Valley Flood Protection Board (CVFPB) to adopt a Central Valley Flood Protection Plan (CVFPP) by July 1, 2012; and

WHEREAS, on June 29, 2012 the CVFPB did adopt a CVFPP which establishes a vision and process for reducing flood risk in the Sacramento and San Joaquin River basins; and

WHEREAS, the CVFPP calls for the creation of a regional working group representing the Feather River region, which includes the County of Yuba, to collaborate and develop flood management priorities for the region; and

WHEREAS, various representatives of flood management agencies within Yuba County have been meeting to discuss how Yuba County interests may be properly represented in the regional working group; and

WHEREAS, the purpose of this resolution is to designate representation from the various Yuba County interests who can properly represent the different interests within Yuba County, including urban, small community, and rural, recognizing that these representatives will keep all of the various Yuba County interests informed and updated on the regional planning process.

NOW, THEREFORE, be it resolved that the Board of Directors of the Three Rivers Levee Improvement Authority:

1) Supports the involvement of Yuba County interests in the regional planning process proposed by the CVFPP and endorses the following Yuba County representatives and alternates to participate in the regional planning process:

   a) Mary Jane Griego primary and John Nicoletti alternate

   b) Pat Ajuria primary and Jerry Crippen alternate

   c) Roger Abe primary and Sarbdeep Atwal alternate

2) Agrees to promptly consider any other documents or resolutions which must be approved to start the regional planning process.
PASSED AND ADOPTED this day of 2012, by the Three Rivers Levee Improvement Authority, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________
Chairman

ATTEST: DONNA STOTTEMEYER
SECRETARY

__________________________

APPROVED AS TO FORM: GENERAL COUNSEL
SCOTT SHAPIRO

__________________________
MEMORANDUM OF UNDERSTANDING REGARDING FEATHER RIVER REGIONAL PLAN FOR FLOOD PROTECTION

This Memorandum of Understanding (MOU) is executed this 12 day of September, 2012 between Sutter Butte Flood Control Agency (SBFCA), Three Rivers Levee Improvement Authority (TRLIA), Yuba County Water Agency (YCWA), and Marysville Levee Commission (MLC). The parties to this MOU will be referred to herein, collectively, as the “Parties.”

RECITALS

WHEREAS, in 2008 the California Legislature enacted and the Governor signed the Central Valley Flood Protection Act which directed the Department of Water Resources (DWR) to prepare and the Central Valley Flood Protection Board (CVFPB) to adopt a Central Valley Flood Protection Plan (CVFPP) by July 1, 2012; and

WHEREAS, on June 29, 2012 the CVFPB did adopt a CVFPP which establishes a vision and process for reducing flood risk in the Sacramento and San Joaquin River basins; and

WHEREAS, the CVFPP calls for the creation of a regional working group representing the Feather River region to collaborate and develop flood management priorities for the region in the form of a Regional Plan; and

WHEREAS, TRLIA, SBFCA, YCWA and MLC wish to enter into this MOU to establish a Coordinating Committee to collaborate in the development of a Regional Plan, to set forth a governance structure for the Coordinating Committee, and for SBFCA, TRLIA, MLC and YCWA to appoint a primary and alternate representatives of the Coordinating Committee for purposes of administration of a directed funding agreement with the California Department of Water Resources (DWR).

AGREEMENT

1. The Parties hereby establish a Coordinating Committee comprised of the following six representatives:

   a)     Steve Lambert primary; Bill Connelly alternate

   b)     James Gallagher primary; John Miller alternate

   c)     Dave Lamon primary; Al Montna alternate

   d)     Mary Jane Griego primary; John Nicoletti alternate

   e)     Patrick Ajuria primary; Jerry Crippen alternate

   f)     Roger Abe primary; Sarbdeep Atwal alternate
2. The purposes of the Coordinating Committee include, but are not limited to: (a) to guide staff members of the Parties in the development of a Regional Plan for the Feather River; (b) to direct SBFCA in administration of a funding agreement with DWR pursuant to Paragraph 5, below; (c) to direct staff in scheduling and carrying out workshops or other informational briefings to the public.

3. The Coordinating Committee representatives shall keep their constituents informed in written and oral reports, which will be developed by staff members of TRLIA, SBFCIA, YCWA and/or MLC.

4. It is expected that the Coordinating Committee will act by consensus; however, to the extent that a vote is required, no vote shall be effective unless supported by four of the six representatives of the Coordinating Committee.

5. The administration of the directed funding agreement with DWR for regional planning will be performed by SBFCIA. This role will not give SBFCIA any special rights or control over the regional planning effort not also shared with the other Parties. SBFCIA agrees to provide regular reporting to the Coordinating Committee and staff of the Parties on the status of the expenses related to the regional planning effort and funding through the agreement with DWR.

6. The staff of SBFCIA, TRLIA, YCWA and MLC will provide periodic written reports to the Coordinating Committee and other interested agencies throughout the region.

7. For costs that are the responsibility of the Parties and not covered by the anticipated funding agreement with DWR, the Parties intend to split the costs in approximately the following manner: fifty percent to the SBFCIA and the remaining 50% shared between TRLIA and YCWA.

7.1 Accordingly, consultants expending efforts related to obtaining the anticipated DWR grant will split their time as follows: MBK Engineers 50/50 between SBFCIA and YCWA; Downey Brand 50/50 between SBFCIA and TRLIA; Seth Wurzel Consulting 50/50 between SBFCIA and TRLIA; Kim Floyd Communications 50/50 between SBFCIA and TRLIA. For any other consultant engaged by SBFCIA to assist in the grant application efforts, SBFCIA will request and receive funding for 50% of the costs from TRLIA and YCWA.

7.2 For costs incurred in completing the regional planning efforts after a DWR grant is in place that are not covered by the DWR grant, SBFCIA agrees to front these costs and will request and receive reimbursement for 50% of those costs from TRLIA, YCWA. The Parties agree to split these cost as described in Section 7.
Agreed to this day by authorized representatives of the Parties:

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

By: __________________________
    __________________________
Date: ________________________

SUTTER BUTTE FLOOD CONTROL AGENCY

By: __________________________
    __________________________
Date: ________________________

APPROVED AS TO FORM BY:

By: __________________________
    __________________________
Date: ________________________

APPROVED AS TO FORM BY:

By: __________________________
    __________________________
Date: ________________________

YUBA COUNTY WATER AGENCY

By: __________________________
    __________________________
Date: ________________________

MARYSVILLE LEVEE COMMISSION

By: __________________________
    __________________________
Date: ________________________

APPROVED AS TO FORM BY:

By: __________________________
    __________________________
Date: ________________________

APPROVED AS TO FORM BY:

By: __________________________
    __________________________
Date: ________________________