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 are requested to fill out a “Request to Speak” card and submit it to the Clerk of the Board.

I  **ROLL CALL** – Directors Atwal, Brown, Griego, Nicoletti, Ritchie

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

A. Approve meeting minutes of August 2, 2016.

B. Approve Amendment No. 1 to the agreement with Sage Engineers, Inc. for engineering services extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

C. Approve Amendment No. 4 to agreement with Restoration Resources Inc. for environmental services extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

D. Approve Amendment No. 5 to agreement with David T. Williams and Assoc. for consultant and independent expert services extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

E. Approve Amendment No. 6 to agreement with ENGEO, Inc. for engineering services extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

F. Approve Amendment No. 6 to agreement with Donald H. Babbitt for independent expert services extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

G. Approve Amendment No. 6 to agreement with Kim Floyd Communications Inc. for public outreach services extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

H. Approve Amendment No. 8 to agreement with MHM, Inc. for engineering and surveying services extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

I. Approve Amendment No. 13 to agreement with BRI, Inc. for real estate/right-of-way consulting services extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

J. Approve Amendment No. 20 to agreement with GEI Consultants Inc. for program support tasks extending the term to December 31, 2017 and authorize Executive Director to execute agreement.

III  **ACTION ITEMS**

Ordinance - Hold hearing, waive reading, and introduce ordinance providing public access to TRLIA Feather Setback Area and associated rules of conduct. (First Reading)
Closed Session


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 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 2, 2016

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) was held on the above date, commencing at 3:00 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Sarbdeep Atwal, Rick Brown, Mary Jane Griego, John Nicoletti and Edward Ritchie. 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 Atwal, Brown, Ritchie, Griego, Nicoletti

II PUBLIC HEARINGS – FINAL BUDGET FISCAL YEAR 2016/2017
(Hearing may be continued on a day-to-day basis through August 12, 2016)

A. Executive Director: Present overview and recommendation for Fiscal Year 2016-2017 Final Budget. Director Paul Brunner presented a PowerPoint presentation and recapped the following:
   - Fully funded budget
   - Project highlights for Fiscal Year 2015-2016
   - Actual revenue and expenditures for Fiscal Year 2015-2016
   - Final Budget 2016-2017
     - Starting Balance - $0.6 million
     - Estimated Revenues - $18 million
     - Estimated Expenditures - $18.1 million
     - Estimated Ending Balance - $0.5 million

   Mr. Brunner responded to Board enquiries.

   Chair Griego opened the public hearing. No one came forward.

   MOTION: Move to approve Fiscal Year 2016-2017 Budget
   MOVED: John Nicoletti  SECOND: Sarbdeep Atwal
   AYES: Sarbdeep Atwal, Rick Brown, Mary Jane Griego, John Nicoletti, Edward Ritchie
   NOES: None  ABSTAIN: None  ABSENT: None

III PUBLIC COMMUNICATIONS: None.

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

   Director Nicoletti left the meeting at 3:21 p.m. and returned at 3:32 p.m.

   MOTION: Move to approve
   MOVED: Sarbdeep Atwal  SECOND: Rick Brown
   AYES: Sarbdeep Atwal, Rick Brown, Mary Jane Griego, John Nicoletti, Edward Ritchie
   NOES: None  ABSTAIN: None  ABSENT: None
A. Approve minutes of the meeting of July 19, 2017. Approved as written.

V ACTION ITEMS

A. Receive update from Feather River Access Ad Hoc Committee and take action as appropriate. Executive Director Paul Brunner recapped committee findings, potential air quality violations, and options, including the following:
   ◦ Interim entrance at Country Club Avenue
   ◦ Long term recommendations:
     ◦ Camera Monitoring
     ◦ Adopt speed limit ordinance
     ◦ Explore changes to Star Bend entrance or old levee alignment drainage swale for final solution
       ◦ Phase 1 - low flow changes for summer/fall access
       ◦ Phase 2 - bridge placement over drainage swale
   ◦ Feather River Setback Area Rules entrance sign

The following individuals spoke:
   ♦ Mr. Randy Fisher
   ♦ Mr. Jimmy Williams
   ♦ Mr. Charles Pack
   ♦ Mr. Jacob Dobyns
   ♦ Mr. Phil Hendrix
   ♦ Mr. Gary Burdick
   ♦ Mr. Lawrence Day - Facebook.com/feather river access

MOTION: Move to delegate authority to Executive Director to make necessary improvements up to $150,000
MOVED: John Nicoletti SECOND: Rick Brown
AYES: Sardeep Atwal, Rick Brown, Mary Jane Griego, John Nicoletti, Edward Ritchie
NOES: None ABSTAIN: None ABSENT: None

VI BOARD AND STAFF MEMBER REPORTS

Executive Director Paul Brunner
   ◦ Request for proposal for audit services
   ◦ Construction on the Western Pacific Interceptor Canal

VII ADJOURN: 5:07 p.m.

__________________________________________
Chair

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

__________________________________________
Approved: __________________________

08/02/2016 - TRLIA PAGE 23
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
1114 Yuba Street, Suite 218
Marysville, CA 95901
Office (530) 749-7841 Fax (530) 749-6990

September 13, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
Larry Dacus, Design Manager
SUBJECT: Consider Approval of Amendment 1 to Contract with SAGE Engineers Inc. for Services of Dr. Faiz Makdisi to serve on the Independent Panels of Experts for the WPIC 200-year Standard Project and the ULOP Certification of the RD 784 Levee System

Recommended Action
Approve Contract Amendment 1 (Attached) with SAGE Engineers Inc. for engineering services and authorize the TRLIA Executive Director to sign and execute this contract once General Counsel has reviewed and approved.

Background
On March 30, 2015, the TRLIA Board approved a contract award to SAGE Engineers Inc. to obtain the services of Dr. Faiz Makdisi. Dr. Makdisi has been providing his expertise and experience on several TRLIA Senior Consultant Boards throughout implementation of the TRLIA Program. Dr. Makdisi currently serves on the Independent Panels of Experts for the WPIC 200-Year Standard Project and for the TRLIA ULOP Certification of the RD 784 Levee System.

Discussion
TRLIA Staff wishes to continue to utilize the experience and expertise of Dr. Makdisi to provide geotechnical review and guidance on the geotechnical evaluation and studies that will be done during the final construction of the WPIC 200-Year Standard Project and the final ULOP Certification of the RD 784 Levee System.

Dr. Makdisi is an experienced and knowledgeable geotechnical engineer. He has served on other TRLIA Senior Consultant Boards for design of levee repairs for other reaches of the RD 784 levee system. Dr. Makdisi is more than capable of providing the geotechnical review and guidance that TRLIA requires from these Expert Panels. TRLIA Staff recommends extending the SAGE Engineers Inc. contract through at least December 31, 2017. No other changes are proposed by this amendment.

Fiscal Impact
No increase in budget is proposed at this time so there is no fiscal impact. This is a time and material contract and can be terminated at any time, with TRLIA only being obligated to pay for the work completed up to the time of termination.

Attachment:
1. Amendment 1
AMENDMENT NO. 1

AGREEMENT FOR PROFESSIONAL SERVICES
FOR
ENGINEERING SERVICES
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND
SAGE ENGINEERS INC.

THIS FIRST AMENDATORY AGREEMENT is made effective _____________, 2016, by and between Three Rivers Levee Improvement Authority ("TRLIA") and Sage Engineers Inc. ("Consultant"), who agree as follows:

1. Recitals. This Amendment is made with reference to the following background recitals:

   1.1. Effective March 30, 2015 the parties entered into an Agreement for Professional Services relating to Engineering Services for TRLIA’s Levee Improvement Program.

   1.2. 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;

   1.3. TRLIA and the CONSULTANT desire to amend the AGREEMENT;

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

2. First Amendment to Agreement. The Professional Services Agreement is hereby amended as follows:

   2.1. Operative Provision 2 of the AGREEMENT shall be revised to change the Termination Date from December 31, 2016 to December 31, 2017.

3. No Effect on Other Provisions. Except for the amendment 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 
__________________________, 2016.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

Paul G. Brunner, P.E.
Executive Director

SAGE ENGINEERS INC.

Gail Sanders
Vice President

ATTEST:
DONNA STOTTLEMEYER
SECRETARY, THREE RIVERS

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

Andrea P. Clark
September 13, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul G. Brunner, Executive Director
       Larry Dacus, Design Manager
SUBJECT: Consider Approval of Amendment 4 to Contract with Restoration Resources for Anderson Mitigation Site Monitoring and Maintenance

Recommended Action
Approve Contract Amendment 4 with Restoration Resources (Attached) for environmental services and authorize TRLIA Executive Director to sign and execute once General Counsel has reviewed and approved.

Background
In July 2010, the TRLIA Board approved a contract award to Restoration Resources for the transplant of elderberry shrubs impacted by the construction of the Upper Yuba Levee Improvement Project. These impacted shrubs were replanted along with associated plants for mitigation at the Anderson Mitigation Site. This contract also included monitoring and maintenance of the Anderson Mitigation Site during the plant establishment period. The TRLIA Board approved a maximum contract price of $184,340. The initial contract amount issued was only for $134,340. This contract has been amended several times as noted below:

<table>
<thead>
<tr>
<th>AMENDMENT</th>
<th>DATE APPROVED</th>
<th>AMENDMENT AMOUNT</th>
<th>TOTAL CONTRACT AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5/24/2011</td>
<td>$6,450</td>
<td>$140,790</td>
</tr>
<tr>
<td>2</td>
<td>11/20/2013</td>
<td>$27,165.30</td>
<td>$167,955.30 and extended contract termination date to December 31, 2016</td>
</tr>
<tr>
<td>3</td>
<td>5/19/2015</td>
<td>$2,995</td>
<td>$170,950.30</td>
</tr>
</tbody>
</table>

Discussion
Maintenance and monitoring of the Anderson Mitigation Site will still be required in 2017. Restoration Resources has the resources and knowledge of the Anderson Mitigation Site to continue these efforts. TRLIA Staff recommends extending the Restoration Resources contract through at least December 31, 2017. No other changes are proposed by this amendment.

Fiscal Impact
No increase in budget is proposed at this time so there is no fiscal impact. This is a time and material contract and can be terminated at any time, with TRLIA only being obligated to pay for the work completed up to the time of termination.

Attachment:
1. Restoration Resources Amendment 4
AMENDMENT NO. 4

AGREEMENT FOR PROFESSIONAL SERVICES
FOR
ENVIRONMENTAL MITIGATION SERVICES
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND
RESTORATION RESOURCES

THIS FOURTH AMENDATORY AGREEMENT is made effective __________, 2016, by and between Three Rivers Levee Improvement Authority ("TRLIA") and Restoration Resources ("the Consultant"), who agree as follows:

1. **Recitals.** This Amendment is made with reference to the following background recitals:

   1.1. Effective July 20, 2010 the parties entered into an Agreement for Professional Services relating to Environmental Mitigation Services for TRLIA’s Construction Program for a total amount of $134,340.

   1.2. Effective May 24, 2011 the parties entered into the first Amendatory Agreement to increase the budget by $6,450 to a total of $140,790.

   1.3. Effective November 20, 2013 the parties entered into the second Amendatory Agreement to increase the budget by $27,165.30 for a total contract amount of $167,955.30 and to extend the termination date of the contract to December 31, 2016.

   1.4. Effective May 19, 2015 the parties entered into the third Amendatory Agreement to increase the budget by $2,995 for a total contract amount of $170,950.30.

   1.5. 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;

   1.6. TRLIA and the CONSULTANT desire to amend the AGREEMENT;

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

2. **Fourth Amendment to Agreement.** The Professional Services Agreement is hereby amended as follows:

   2.1. Operative Provision 2 – TERM – shall be revised to change the Termination Date to December 31, 2017.
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 ______________________, 2016.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

RILEY SWIFT
President

Paul G. Brunner
Executive Director

ATTEST:
DONNA STOTTLEMEYER
SECRETARY, THREE RIVERS

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

__________________________

__________________________
Three Rivers Levee Improvement Authority Board
Paul Brunner, Executive Director
Larry Dacus, Design Manager

Consider Approval of Amendment 5 to Contract with David T. Williams & Associates, Engineers, LLC to continue services as a Senior Consultant on the Board of Senior Consultants for the Goldfields Implementation and to continue services as an Independent Expert on the Panels for the WPIC Standard Project and the ULOP Certification for the RD 784 Levee System

Recommended Action:
Approve Amendment 5 (Attached) to extend the termination date for the contract with David T. Williams & Associates, Engineers, LLC (DTW) for David T. Williams to continue to serve as a Senior Consultant for the Goldfields Implementation and an Independent Expert for the Urban Level of Protection Certification and the WPIC Standard Project and authorize the executive director to sign and execute the amendment once General Counsel has reviewed and approved.

Background:
TRLIA entered into a contract with DTW in September 2009 for engineering services for a total contract amount of $75,000. This contract was modified on May 4, 2010 to change the primary consultant company and to increase the contract budget by $13,000 to a total contract amount of $88,000. This modified contract has been amended several times as noted below:

<table>
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<tr>
<th>AMENDMENT</th>
<th>DATE APPROVED</th>
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</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>11/16/2010</td>
<td>extended contract termination date to December 31, 2011</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>1/17/2012</td>
<td>extended contract termination date to December 31, 2012</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>10/30/2012</td>
<td>$81,000</td>
<td>$169,000 and extended contract termination date to December 31, 2013</td>
</tr>
<tr>
<td>4</td>
<td>1/21/2014</td>
<td>extended contract termination date to December 31, 2014</td>
<td></td>
</tr>
</tbody>
</table>

Discussion:
Dr. Williams’ services as an Independent Expert have been utilized in 2015 and 2016 and will continue to be needed in 2017. Amendment 5 extends the contract termination date from December 31, 2014 to December 31, 2017. No increase in budget is proposed at this time.

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

Attachment
1. Amendment 5
AMENDMENT NO. 5
TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
DAVID T. WILLIAMS & ASSOCIATES, ENGINEERS, LLC

THIS FIFTH AMENDMENT TO AGREEMENT ("Amendment") is made effective ___________ 2016 by and between the Three Rivers Levee Improvement Authority ("TRLIA") and David T. Williams & Associates, Engineers, LLC. ("Consultant"), who agree as follows:

1. Recitals. This Amendment is made with reference to the following background recitals:

1.1. Effective September 15, 2009 the parties entered into an Agreement ("AGREEMENT") for Professional Services relating to Engineering Services for TRLIA’s Construction Program for a total contract amount of $75,000.

1.2. Effective March 4, 2010 the parties modified the AGREEMENT to change the Consultant prime contractor and increase the budget by $13,000 to a total contract amount of $88,000.

1.3. Effective November 16, 2010 the parties entered into Amendment 1 to the AGREEMENT to extend the contract termination date to December 31, 2011.

1.4. Effective January 17, 2012 the parties entered into Amendment 2 to the AGREEMENT to extend the contract termination date to December 31, 2012.

1.5. Effective October 30, 2012 the parties entered into Amendment 3 to the AGREEMENT to increase the budget by $81,000 to a total contract amount of $169,000 and extend the contract termination date to December 31, 2013; and

1.6. Effective January 21, 2014 the parties entered into Amendment 4 to the AGREEMENT to extend the contract termination date to December 31, 2014.

1.7. 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;

1.8. TRLIA and the CONSULTANT desire to amend the AGREEMENT;

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

2. Fifth Amendment to Agreement. The Professional Services Agreement is hereby amended as follows:

2.1. Operative Provision 2 of the AGREEMENT shall be revised to change the Termination Date from December 31, 2014 to December 31, 2017.
3. **No Effect on Other Provisions.** Except for the amendments in Section 2 herein, the remaining provisions of the Agreement shall be unaffected and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on

______________________________

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

DAVID T. WILLIAMS & ASSOCIATES,
ENGINEERS, LLC

______________________________

Paul G. Brunner
Executive Director

David T. Williams
President

______________________________

ATTEST:
DONNA STOTLEMEYER
SECRETARY, THREE RIVERS

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

______________________________

Andrea P. Clark
September 13, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
Larry Dacus, Design Manager
SUBJECT: Approve 6th Contract Amendment with ENGEO Incorporated for Engineering Services to Extend Contract Termination Date

Recommended Action
Approve Amendment No. 6 (Attached) to extend the contract date for ENGEO Incorporated for engineering services for the Yuba Goldfields 200-Year Project Implementation through December 31, 2018, and authorize Executive Director to execute amendment upon review and approval of General Counsel.

Background
In November 2011, the TRLIA Board approved a contract award to ENGEO Incorporated for engineering services for the Yuba Goldfields not to exceed $500,000. This contract was amended on August 7, 2012 to increase the contract amount by $350,000 to a total of $850,000, amended a second time on August 13, 2013 to increase the contract amount by $500,000 to a total of $1,350,000, a third time on February 7, 2015 to extend the contract termination date to December 31, 2016, a fourth time on March 15, 2016 to increase the contract amount by $75,000 to a total of $1,425,000, and a fifth time on June 14, 2016 to increase the contract by $100,000 to a total of $1,525,000. ENGEO efforts have provided a great deal of information regarding the material composition of the Goldfields, the definition of embankment geometry which will work in the Goldfields to withstand design flood elevations, the evaluation of formulated alternatives for 100-year and 200-year protection, evaluated the recommended 100-year protection project, and prepared critical technical appendices for Goldfields Feasibility Study Reports.

Discussion
ENGEO efforts will continue to be needed in 2017 and 2018 as TRLIA begins implementation of the Goldfields 200-Year Flood Protection Project. ENGEO has obtained a great deal of knowledge regarding information in the Goldfields and continues to assist TRLIA during negotiations with Teichert.

Fiscal Impact
This is a termination date extension amendment and there is no fiscal impact. This is a time and material contract and can be terminated at any time, with TRLIA only being obligated to pay for the work completed up to the time of termination.

Attachment:
Amendment 6
AMENDMENT NO. 6

AGREEMENT FOR PROFESSIONAL SERVICES
FOR
ENGINEERING SERVICES
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND
ENGEIO INCORPORATED

THIS SIXTH AMENDATORY AGREEMENT is made effective ____________, 2016, 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. Effective August 14, 2013 the parties entered into the second Amendatory Agreement to increase the budget by $500,000 to a total of $1,350,000 and to extend the Termination Date of the contract from June 30, 2013 to December 31, 2014.

1.4. Effective February 17, 2015 the parties entered into the third Amendatory Agreement to extend the Termination Date of the contract from December 31, 2014 to December 31, 2016.

1.5. Effective March 15, 2016 the parties entered into the fourth Amendatory Agreement to increase the budget by $75,000 to a total of $1,425,000.

1.6. Effective June 14, 2016 the parties entered into the fifth Amendatory Agreement to increase the budget by $100,000 to a total of $1,525,000.

1.7. 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;

1.8. TRLIA and the CONSULTANT desire to amend the AGREEMENT;
NOW, THEREFORE, TRLIA and the CONSULTANT agree as follows.

2. **Sixth Amendment to Agreement.** The Professional Services Agreement is hereby amended as follows:

   2.1. Operative Provision 2 is amended to extend the Termination Date of the contract from December 31, 2016 to December 31, 2018.

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 _________________, 2016.

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

----------------------------------------
Paul G. Brunner
Executive Director

ENGEIO INCORPORATED

----------------------------------------
Josef Tootle, GE
Principal

ATTEST:
DONNA STOTTLEMEYER
SECRETARY, THREE RIVERS

----------------------------------------

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

----------------------------------------
September 13, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director, Larry Dacus, Design Manager
SUBJECT: Approve Amendment 6 to Contract with Donald H. Babbitt for Independent Expert Services to Extend Contract Termination Date

Recommended Action:
Approve Amendment 6 to contract with Donald H. Babbitt to extend contract termination date to serve as an Independent Expert to review construction documents for the WPIC 200-Year Standard Project and authorize the executive director to sign and execute the amendment once General Counsel has reviewed and approved.

Discussion:
Mr. Babbitt’s services as an Independent Expert will continue to be needed in 2017. The current contract has a termination date of December 31, 2016. This contract needs to be extended through 2017. Amendment 6, attached, extends the contract termination date from December 31, 2016 to December 31, 2017. No increase in budget is proposed at this time.

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

ATTACHMENT
1. Amendment 6
SIXTH AMENDMENT
TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
DONALD H. BABBITT

THIS SIXTH AMENDATORY AGREEMENT is made and entered into on __________, by and between the THREE RIVERS LEVEE IMPROVEMENT AUTHORITY, a Joint Powers Authority, (“TRLIA”) and DONALD H. BABBITT. (“CONSULTANT”).

RECITALS:

WHEREAS, TRLIA and CONSULTANT entered into an agreement to provide Engineering and Surveying Services dated September 15, 2009 (“AGREEMENT”);

WHEREAS, a FIRST AMENDATORY AGREEMENT, executed November 16, 2010, extended the contract termination date to December 31, 2011; and

WHEREAS, a SECOND AMENDATORY AGREEMENT, executed January 17, 2012, extended the contract termination date to December 31, 2012; and

WHEREAS, a THIRD AMENDATORY AGREEMENT, executed October 30, 2012, revised the budget amounts for certain tasks and extended the contract termination date to December 31, 2013; and

WHEREAS, a FOURTH AMENDATORY AGREEMENT, executed January 21, 2014, extended the contract termination date to December 31, 2014; and

WHEREAS, a FIFTH AMENDATORY AGREEMENT, executed June 2, 2015, extended the contract termination date to December 31, 2016; and

WHEREAS, Article C.23 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 of the AGREEMENT shall be revised to change the Termination Date from December 31, 2016 to December 31, 2017.

All other terms and conditions contained in the Agreement shall remain in full force and effect.
This AMENDED AGREEMENT is hereby executed on ________________________.

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

DONALD H. BABBITT

______________________________

Paul G. Brunner
Executive Director

______________________________

Donald H. Babbitt

ATTEST:
DONNA STOTTEMEYER
SECRETARY, THREE RIVERS

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

______________________________

Andrea P. Clark.
September 13, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul G. Brunner, Executive Director
SUBJECT: Consider Approving Amendment No. 6 to Extend Contract Date with Kim Floyd Communications for Public Outreach Activities

Recommended Action:
Approve Amendment No. 6 (Attached) to extend the contract date for Kim Floyd Communications for public outreach services through December 31, 2017, and authorize Executive Director to execute amendment upon review and approval of General Counsel.

Background:
Ms. Floyd has been the primary and key representative for all the TRLIA outreach activities since early 2007. Among others, her tasks include the development of public outreach materials (such as newsletters and fact sheets), the organization of community meetings and preparation of meeting materials, development of content for the website and media relations activities.

On August 17, 2009, TRLIA Executive Director awarded a public outreach contract to Kim Floyd Communications in the amount of $49,950. Because the scope and dollar value of the original contract was not sufficient to cover the level of effort needed to accomplish a successful quality outreach program through the completion of the Upper Yuba Levee Improvement Project, Amendment No. 1 for $165,050 was approved on November 17, 2010, bringing the total contract value to $215,000. The initial contract terminated on December 31, 2010. Amendment No. 2, approved by the Board on November 16, 2010, extended the contract termination date to December 31, 2011, but did not increase the total contract value. Amendment No. 3, approved in January 2014, added $58,000 to the total contract value, increasing the total contract value to $273,000 and extended the date for public outreach services through the end of 2013. Focus was placed on communications related to the completion of the UYLIP, and ongoing work in the Gold Fields. Amendment No. 4, approved in January 2014, extended the contract termination date to December 31, 2014. Amendment No. 5 approved in February 2015, extended the contract termination date to December 31, 2016.

Discussion:
TRLIA may require public outreach assistance in the coming year. Amendment No. 6 would extend the contract termination date to December 31, 2017. All other terms and conditions contained in the agreement shall remain the same. In the coming year, public outreach tasks may include:
- Design, production and distribution of outreach materials
- Design and production of updated program brochure
- Levee tours
- Media relations
- Speakers' Bureau
- Website updates/maintenance
- Small group meetings
- Strategic counsel
- Hotline management

**Fiscal Impact:**
This is a time and material contract and can be terminated at any time, with TRLIA only being obligated to pay for the work completed up to the time of termination.

Attachment:
Amendment 6
SIXTH AMENDMENT
TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
KIM FLOYD COMMUNICATIONS

THIS SIXTH AMENDATORY AGREEMENT is made and entered into on ____ day of
_______ 2016, by and between the THREE RIVERS LEVEE IMPROVEMENT
AUTHORITY, a Joint Powers Authority, ("TRLIA") and Kim Floyd Communications
("CONSULTANT").

RECITALS:

WHEREAS, TRLIA and CONSULTANT entered into an agreement to provide professional
Services dated August 17, 2009 ("AGREEMENT"); and

WHEREAS, a FIRST AMENDATORY AGREEMENT, executed November 17, 2009 amended
the Agreement to increase the maximum not to exceed contract fee by $165,050, for a total
contract amount of $215,000; and

WHEREAS, a SECOND AMENDATORY AGREEMENT, executed November 16, 2010
amended the Agreement to extend the date to December 31, 2011; and

WHEREAS, a THIRD AMENDATORY AGREEMENT, executed February 7, 2012 amended the
Agreement to increase the maximum not to exceed contract fee by $58,000 for a total contract
amount of $230,000; and

WHEREAS, a FOURTH AMENDATORY AGREEMENT, executed January, 2014 amended the
Agreement to extend the date to December 31, 2014; and

WHEREAS, a FIFTH AMENDATORY AGREEMENT, executed February, 2015 amended the
Agreement to extend the contract termination date to December 31, 2016; and

WHEREAS, Article C.23 of the AGREEMENT, states that modifications or amendments to the
terms of the AGREEMENT shall be in writing and executed by both parties; and

WHEREAS, TRLIA and CONSULTANT desire to amend the AGREEMENT;

NOW, THEREFORE, TRLIA and CONSULTANT agree as follows:

1. Operative Provision 2 of the AGREEMENT shall be revised to change the Termination
Date from December 31, 2016 to December 31, 2017.

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 _____________ 2016.

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

BY: ____________________________
    Paul G. Brunner
    Executive Director

ATTEST:
DONNA STOTTLEMEYER
SECRETARY, THREE RIVERS

____________________

KIM FLOYD COMMUNICATIONS

BY: ____________________________
    Kim Floyd

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

Andrea P. Clark

____________________
September 13, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
       Larry Dacus, Design Manager
SUBJECT: Consider Approval of Amendment 8 to Contract with MHM Inc. to Provide Engineering and Surveying Services for TRLIA Levee Improvement Program

Recommended Action:
Approve Contract Amendment 8 with MHM Inc. (Attached) for engineering and surveying services and authorize TRLIA Executive Director to sign and execute once General Counsel has reviewed and approved.

Background:
TRLIA entered into a contract with MHM in October 2009 for surveying and engineering services for a total contract amount of $141,100. MHM has provided general engineering and surveying services for miscellaneous items as needed as TRLIA implemented the levee repairs. This contract has been amended several times as noted below:

<table>
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<tr>
<th>AMENDMENT</th>
<th>DATE APPROVED</th>
<th>AMENDMENT AMOUNT</th>
<th>TOTAL CONTRACT AMOUNT</th>
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<td>1</td>
<td>11/16/2010</td>
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<td>$176,700</td>
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<tr>
<td>2</td>
<td>1/17/2012</td>
<td>$30,000</td>
<td>$206,700</td>
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<td>3</td>
<td>9/18/2012</td>
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<td>$220,200</td>
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<tr>
<td>4</td>
<td>6/4/2013</td>
<td>$15,000</td>
<td>$235,200 and extended contract termination date to December 31, 2014</td>
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<tr>
<td>5</td>
<td>9/17/2013</td>
<td>$25,000</td>
<td>$260,200</td>
</tr>
<tr>
<td>6</td>
<td>2/17/2015</td>
<td>extended contract termination date to December 31, 2016</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>8/4/ 2015</td>
<td>$38,000</td>
<td>$298,200</td>
</tr>
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</table>

Discussion:
TRLIA continues to rely on MHM for engineering and surveying tasks in the RD 784 levee system and the Goldfields. The TRLIA staff would like to continue to have access to MHM knowledge of the area and expertise by extending the contract termination date to December 31, 2018.

Fiscal Impact:
No increase in budget is proposed at this time so there is no fiscal impact. This is a time and material contract and can be terminated at any time, with TRLIA only being obligated to pay for the work completed up to the time of termination.

Attachment:
MHM Amendment 8
EIGHTH AMENDMENT
TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
MHM, Inc.

THIS EIGHTH AMENDATORY AGREEMENT is made and entered into this ______ day of ______________ 2016, 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”); and

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

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

WHEREAS, TRLIA and CONSULTANT entered into a Third Amendatory Agreement dated September 18, 2012; and

WHEREAS, TRLIA and CONSULTANT entered into a fourth Amendatory Agreement dated June 4, 2013; and

WHEREAS, TRLIA and CONSULTANT entered into a fifth Amendatory Agreement dated August 17, 2013; and

WHEREAS, TRLIA and CONSULTANT entered into a sixth Amendatory Agreement dated February 17, 2015 to extend the contract termination date to December 31, 2016; and

WHEREAS, TRLIA and CONSULTANT entered into a seventh Amendatory Agreement dated August 4, 2015 to increase the maximum contract fee by $38,000 from $260,200 to $298,200; and

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; and

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, 2018.

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 ______________ 2016.

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MHM, INC.

__________________________________________
Paul G. Brunner
Executive Director

__________________________________________
Sean Minard
Principal

ATTEST:
DONNA STOTTLEMEYER
SECRETARY, THREE RIVERS

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

[Signature]
September 13, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
SUBJECT: Approve Amendment 13 to Bender Rosenthal, Inc. (BR) for Real Estate/Right of Away Consulting Services

Recommended Action:
Approve Amendment 13 to contract with Bender Rosenthal, Inc. (BRI) to extend contract termination date to provide Real Estate/Right of Away Consulting Services to TRLIA, and authorize the executive director to sign and execute the amendment once General Counsel has reviewed and approved.

Discussion:
BRI’s service will continue to be needed into 2018. The current contract has a termination date of December 31, 2016. This contract needs to be extended through June 30, 2018. Amendment 13, attached, extends the contract termination date to June 30, 2018. No increase in budget is proposed at this time.

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

ATTACHMENT
1. Amendment 6
THIRTEENTH
AMENDMENT TO
AGREEMENT
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT
AUTHORITY AND
BENDER ROSENTHAL, INC.

THIS THIRTEENTH AMENDATORY AGREEMENT is made and entered into this _____ day of September, 2016 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, 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 2 of the AGREEMENT shall be revised to extend the "TERM" of the agreement to June 30, 2018.

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 September, 2016.

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

By: __________________________  By: __________________________
    Paul G. Brunner, Executive Director  Bob Morrison, President

ATTEST:
DONNA STOTTLEMEYER
SECRETARY, THREE RIVERS

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

______________________________
Andrea P. Clark.
THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY
1114 Yuba Street, Suite 218
Marysville, CA 95901
Office (530) 749-7841 Fax (530) 749-6990

September 13, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
Larry Dacus, Design Manager
SUBJECT: Approve Amendment 20 to Extend Contract Termination Date for GEI Contract for TRLIA Program Support Tasks

Recommended Action:
Approve Amendment 20 to extend the contract termination date of the existing contract with GEI to December 31, 2018 and authorize the executive director to sign and execute the contract amendment once General Counsel has reviewed and approved.

Discussion:
GEI will continue to support the TRLIA levee improvement program in 2017 and 2018. The current contract has a termination date of December 31, 2016 with a 90 day grace period. This contract needs to be extended through 2018. GEI will continue to services for work along the Feather River East Levee, will complete the Seismic Remediation Plan for RD 784 based on the Urban Levee Design Criteria (ULDC) evaluation for the Feather and Bear River improved levees, provide environmental evaluation assistance on the WPIC and Goldfields 200-year Project, and will assist in other Project Support Tasks such as:

- Support to TRLIA for Feather River and Bear River Setback Area land use issues, monitoring and reporting requirements, and land ownership transition.
- Support to TRLIA in complying with EIP funding requirements, including project reporting and closeout.
- Support to TRLIA in coordination with CVFPB, DWR, and Corps of Engineers.

Amendment 20, attached, extends the contract termination date from December 31, 2016 to December 31, 2018. No increase in budget is proposed at this time.

Fiscal Impact:
No increase in budget is proposed so there is no fiscal impact. This is a time and material contract and can be terminated at any time, with TRLIA only being obligated to pay for the work completed up to the time of termination.

ATTACHMENT
1. Amendment No. 20
AMENDMENT NO. 20

AGREEMENT FOR PROFESSIONAL SERVICES
FOR
PHASE 4 FEATHER RIVER LEVEE REPAIRS
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND
BOOKMAN-EDMONSTON/GEI CONSULTANTS

THIS 20th AMENDMENT TO AGREEMENT is made effective ____________,
by and between Three Rivers Levee Improvement Authority ("TRLIA") and Bookman-
Edmonston/GEI Consultants, a division of GEI Consultants, Inc. ("Contractor"), who
agree as follows:

1. **Recitals.** This Amendment is made with reference to the following background
   recitals:

1.1. Effective December 13, 2005, the parties entered into the Agreement for
     Professional Services relating to TRLIA’s Phase 4 Feather River Levee
     project with a contract value of $1,439,400.

1.2. Effective April 25, 2006, the parties entered into Amendment No. 1 to the
     Agreement for Professional Services relating to TRLIA’s Phase 4 Feather
     River Levee Repair design in the amount of $3,082,240 for a total contract
     value of $4,521,640.

1.3. Effective June 27, 2006, the parties entered into Amendment No. 2 to the
     Agreement for Professional Services relating to TRLIA’s Phase 4 Feather
     River Levee Repair design in the amount of $32,700 for a total contract
     value of $4,554,340.

1.4. Effective October 30, 2006, the parties entered into Amendment No. 3 to the
     Agreement for Professional Services relating to TRLIA’s Phase 4 Feather
     River Levee Repair design in the amount of $262,500 for a total contract
     value of $4,816,840.

1.5. Effective January 16, 2007, the parties entered into Amendment No. 4 to the
     Agreement for Professional Services relating to TRLIA’s Phase 4 Feather
     River Levee Repair design in the amount of $115,000 for a total contract
     value of $4,931,840.

1.6. Effective April 3, 2007, the parties entered into Amendment No. 5 to the
     Agreement for Professional Services relating to TRLIA’s Phase 4 Feather
     River Setback Levee design in the amount of $5,860,244 for a total contract
     value of $10,792,084.

1.7. Effective September 18, 2007, the parties entered into Amendment No. 6 to
     the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather
     River Setback Levee design in the amount of $1,963,660 for a total contract
     value of $12,755,744.
1.8. Effective April 15, 2008, the parties entered into Amendment No. 7 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Setback Levee design in the amount of $636,300 for a total contract value of $13,392,044.

1.9. Effective June 17, 2008, the parties entered into Amendment No. 8 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Setback Levee design in the amount of $5,671,000 for a total contract value of $19,063,044.

1.10. Effective September 8, 2008, the parties entered into Amendment No. 9 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Setback Levee design in the amount of $358,200 for a total contract value of $19,421,244.

1.11. Effective November 18, 2008, the parties entered into Amendment No. 10 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Setback Levee design in the amount of $536,764 for a total contract value of $19,958,008.

1.12. Effective July 9, 2009, the parties entered into Amendment No. 11 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Setback Levee design in the amount of $829,986 for a total contract value of $20,787,994.

1.13. Effective May 18, 2010, the parties entered into Amendment No. 12 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Setback Levee design in the amount of $860,948 for a total contract value of $21,648,942.

1.14. Effective May 17, 2011, the parties entered into Amendment No. 13 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Setback Levee design in the amount of $668,980 for a total contract value of $22,317,922 and to extend the contract termination date to December 31, 2013.

1.15. Effective December 18, 2012, the parties entered into Amendment No. 14 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Setback Levee design in the amount of $433,813 for a total contract value of $22,751,735.

1.16. Effective January 21, 2014, the parties entered into Amendment No. 15 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Levee Improvement Project to extend the contract termination date to December 31, 2014.

1.17. Effective February 17, 2015, the parties entered into Amendment No. 16 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Levee Improvement Project to extend the contract termination date to December 31, 2016.

1.18. Effective May 19, 2015, the parties entered into Amendment No. 17 to the Agreement for Professional Services relating to TRLIA’s Phase 4 Feather River Levee Improvement Project in the amount of $311,270 for a total contract value of $23,063,005.
1.19. Effective November 17, 2015, the parties entered into Amendment No. 18 to the Agreement for Professional Services relating to the Feather River Levee Repair Project and Urban Levee Certification in the amount of $447,608 for a total contract value of $23,510,613.

1.20. Effective June 21, 2016, the parties entered into Amendment No. 19 to the Agreement for Professional Services relating to the Feather River Levee Repair Project and Urban Levee Certification in the amount of $149,902 for a total contract value of $23,660,515.

1.21. The parties now desire to amend the Professional Services Agreement to add additional tasks and increase the contract budget.

2. Twentieth Amendment to Agreement. The Professional Services Agreement is hereby amended as follows:

2.1. The Contract termination date is revised to December 31, 2018.

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 ________________________.

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY OF YUBA COUNTY

BOOKMAN-EDMONSTON, A DIVISION OF GEI CONSULTANTS, INC.

Paul G. Brunner
Executive Director

Stephen Verigin
Senior Vice President

ATTEST:
DONNA STOTTLEMEYER
SECRETARY, THREE RIVERS

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA

____________________

____________________
Date: September 13, 2016

TO: Three Rivers Levee Improvement Authority Board

FROM: Paul Brunner, Executive Director
Andrea Clark, General Council

SUBJECT: Ordinance to Provide Public Access to TRLIA Feather Setback Area and Associated Rules of Conduct

Recommendation:
Approve the attached Ordinance to Provide Public Access to TRLIA Feather Setback Area and Associated Rules of Conduct.

Background:

On June 7, 2016 the public entrance into the TRLIA Feather River Setback at Star Bend parking lot was closed due to dust issues identified by the Feather River Air Quality Management District, which were creating an Air Quality nuisance issue for the residents in the area and nearby orchards. TRLIA staff explored alternatives along with an ad hoc committee of the board to find viable options to allow the public to enter the TRLIA Feather Setback Area. With the help of the ad hoc committee, the Board approved in August a plan to open up access to the TRLIA Feather Setback Area at Country Club Lane, along with a proposed set of rules associated with public access. One of those rules relates to vehicular speed on TRLIA security/maintenance roads inside the setback area. In order to obtain assistance from the County Sheriff’s office and Highway Patrol to enforce a restriction on vehicular speed, TRLIA must approve an ordinance setting up that limitation. Staff has developed an ordinance that addresses both speeds in the setback area as well as the granting of access and other associated rules of conduct.

Discussion:

The ordinance grants access to the public and establishes the following rules of conduct:

1. Members of the public enter at their own risk.
2. Members of the public are encouraged to treat all people and property with respect
3. Members of the public must stay off of levees
4. Hunting is prohibited in the TRLIA Feather Setback Area
5. Members of the public must obey posted speed limits
6. Members of the public must stay on paved and gravel roadways
7. Dumping is prohibited – Pack it In/Pack it Out!
8. Members of the public must stay out of orchards, environmentally sensitive areas, and private property.
9. No person shall drive a vehicle on or along TRLIA security/maintenance roads in excess of a speed limit of 15 miles per hour.

The process for approval of an ordinance by TRLIA, which follows the Yuba County process, involves a first reading, a notice of the proposed ordinance and associated hearing, and a hearing/approval of the ordinance.

The ordinance takes effect thirty days after approval, unless the TRLIA board determined at the hearing/approval stage to pass the ordinance as an urgency ordinance, in which case the ordinance will take effect immediately upon approval. TRLIA staff believes that an urgency ordinance is appropriate here based on the need for TRLIA to protect the setback area and investments made in the levee protection system. When TRLIA opens up the setback area it is critical that the rules contained in this ordinance are in effect. Accordingly, staff will bring to the next TRLIA board meeting information the board can use to make findings in support of an urgency ordinance.

Fiscal Impact:

None. The adoption of the ordinance does not have a fiscal impact.

Attachment:

Ordinance No. ______________________, An Ordinance of the Board of Directors of the Three Rivers Levee Improvement Authority to Provide Public Access to TRLIA Feather Setback Area and Associated Rules of Conduct
ORDINANCE NO. __________
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
TO PROVIDE PUBLIC ACCESS TO TRLIA FEATHER SETBACK AREA AND
ASSOCIATED RULES OF CONDUCT

Pursuant to the powers contained in and referenced by the Joint Exercise of Powers Agreement by and between the County of Yuba and Reclamation District No. 784, the Board of Directors of the Three Rivers Levee Improvement Authority ("TRLIA") hereby ordains as follows:

SECTION 1

Public Access to Feather Setback Area. TRLIA owns in fee title certain portions of the Feather Setback area described more specifically in Exhibit A, and hereby grants to the public limited access over the portions identified in Exhibit A consistent with the limitations set forth in this Ordinance ("TRLIA Feather Setback Area"). Such access can be restricted or removed at any time for any reason by TRLIA.

Limited Access to the Setback Area. Public access in and out of the TRLIA Feather Setback Area shall solely be through an entrance on Country Club Lane, as depicted in Exhibit A.

Rules of Conduct Associated with Access. TRLIA has developed the following rules associated with access by the public to the TRLIA Feather Setback Area, which are hereby incorporated into this Ordinance. TRLIA shall enforce compliance with these rules to the furthest extent allowed by law and with assistance by Yuba County, and shall post these rules as appropriate both inside and outside the TRLIA Feather Setback Area.

1. Members of the public enter at their own risk.
2. Members of the public are encouraged to treat all people and property with respect
3. Members of the public must stay off of levees
4. Hunting is prohibited in the TRLIA Feather Setback Area
5. Members of the public must obey posted speed limits
6. Members of the public must stay on paved and gravel roadways
7. Dumping is prohibited – Pack it In/Pack it Out!
8. Members of the public must stay out of orchards, environmentally sensitive areas, and private property.
9. No person shall drive a vehicle on or along a TRLIA security/maintenance road in excess of a speed limit of 15 miles per hour.
SECTION 2

This Ordinance shall take effect and be in force as of thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after the passage of this Ordinance, it or a summary of it shall be published once, with the names of the members of the Board of Directors voting for and against the Ordinance in a newspaper of general circulation in the County of Yuba.

PASSED, APPROVED and ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority, State of California, this _____ day of ________________, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________________________
CHAIRPERSON

ATTEST: DONNA STOTLLEMEYER
SECRETARY

__________________________________________
APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL