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 Atwal, Brown, Griego, Nicoletti, Ritchie

II  PUBLIC COMMUNICATIONS: Any person may speak about any subject of concern within the jurisdiction of TRLIA which is not on today’s agenda. The total amount of time allotted shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time, speakers are requested to fill out a “Request to Speak” card and submit it to the secretary.

III  SPECIAL PRESENTATION:
   A. Special presentation of commemorative plaques for Directors Griego and Nicoletti.

IV  RECESS

V  CONSENT AGENDA: Matters listed are considered to be routine and can be enacted by one motion.
   A. Approve minutes of the meeting of October 25, 2016

VI  ACTION ITEMS:
   A. Adopt resolution approving the grant of easement to Pacific Gas and Electric Company, and delegating authority to the executive Director to execute an easement deed.

   B. Approve Memorandum of Agreement with Reclamation District 784 for maintenance of Goldfields 100-Year Interim project, and authorize Executive Director to execute and implement agreement.

VII  CLOSED SESSION:
   A. Conference with Legal Counsel – Existing Litigation (Govt. Code 54956.9(d)(1)). Name of Case: A. Teichert & Son, Inc. v. TRLIA and TRLIA Board of Directors, Yuba County Superior Court No. CVPT 15-0000922

   B. Pending litigation pursuant to Government Code §54956.9(a) – TRLIA vs. Latigo Farms LLC, et al., YCSCCVED 14-0000222, APNs 014-360-011 and 014-360-013

   C. Pending litigation pursuant to Government Code §54956.9(a) – TRLIA vs. R.B. Satori LP, et al., YCSCCVED 16-0000496, APN 018-220-056

VIII  BOARD AND STAFF MEMBER REPORTS

IX  ADJOURN

The complete agenda is available at the Yuba County Government Center, 915 8th Street, Suite 109 Marysville, and www.trlia.org. Any disclosable public record related to an open session item on the agenda and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available at Suite 109 during normal business hours. In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

OCTOBER 25, 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 2:04 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Sarbdeep Atwal, Rick Brown, John Nicoletti, and Edward Ritchie. Director Mary Jane Griego was absent. Also present were Executive Director Paul Brunner, Counsel Andrea Clark, and Secretary/Clerk of the Board of Supervisors Donna Stottlemeyer. Vice Chair Brown presided.

I  ROLL CALL – Directors Atwal, Brown, Griego, Nicoletti, Ritchie – Director Griego absent.

II PUBLIC COMMUNICATIONS: None.

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

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

A. Approve minutes of the meeting of September 27, 2016. Approved.

B. Approve Amendment No. 1 extending contract to December 31, 2018 with Sacramento Valley Conservancy for consulting services and authorize Executive Director to execute upon review and approval of Counsel. Approved.

IV ACTION ITEMS

A. Adopt Operation and Maintenance Plan for the Goldfields 100-year Interim Project. Design Manager Larry Dacus and Operations Manager Doug Handen provided a PowerPoint presentation recapping the plan and responded to inquiries.

Executive Director Paul Brunner recapped funding, maintenance, and responded to inquiries.

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

B. Approve Amendment No. 10 in the amount of $287,200 to agreement with Hander Company Inc. for construction management services and authorize Executive Director to execute upon review of Counsel.

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

V BOARD AND STAFF MEMBER REPORTS

Construction Manager Doug Handen: Western Pacific Interceptor Canal Project
Executive Director Paul Brunner:
• Cutoff wall 408 permit authorization pending
• Feather Setback area signage
• Refinancing of bond funds by the Yuba Levee Financing Authority and reserve funds
• Next Board meeting November 15, 2016 at 2:00 p.m.

VI ADJOURN 2:46 p.m.

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

Chair

Approved: ____________________
December 6, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
       Kelly Pope, Legal Counsel
       Larry Dacus, Design Manager
SUBJECT: Authorize Grant of Utility Easement to Pacific Gas and Electric Company

Recommended Action:

That the Board authorize the Executive Director to sign an easement deed granting a utility easement from the Three Rivers Levee Improvement Authority (“TRLIA”) to the Pacific Gas and Electric Company (“PG&E”).

Background:

PG&E has a project to re-conductor existing electric overhead lines along N. Beale Road in Marysville to increase capacity and improve reliability. Part of the design involves relocating 2 spans to improve access and maintenance. This project impacts Assessor’s Parcel Nos. 020-020-081, 089 and 095 (the “Property”) owned by TRLIA in the vicinity of Shad Road and N. Beale Road along the Yuba River South levee.

The Property and the new pole line are shown on the attached satellite image, with the pole line shown by dashed red lines, and new pole locations show by an “x”.

Discussion:

PG&E has requested that TRLIA grant an easement over the Property that would provide PG&E with the right to install and maintain the proposed facilities. The proposed easement contains standard conditions required by PG&E to assure that safety and operational requirements are continuously met for PG&E. The proposed easement will not interfere with operation and maintenance of the Yuba River South levee, and contains limitations prohibiting PG&E from:

- Constructing, reconstructing, installing, or replacing any facilities or other structures in the easement area without TRLIA’s express written permission;
- Storing equipment or any personal property in the easement area without TRLIA’s express written permission;
- Erecting fences and/or gates on, excavating, or grading the easement area without TRLIA’s express written permission;
• Using the easement area in any way which will affect the structural soundness of the Yuba River South levee and/or its appurtenances, cause damage to the levee, impair the integrity of the levee, or require frequent repair to the levee;
• Using the easement area in any way which will affect the ability of the TRLIA or its successor to operate and maintain the Yuba River levee and appurtenances in the manner of their preference;
• Making any alterations, additions, or improvements or otherwise causing damage to fences and gates constructed in the easement area by TRLIA, or its successors or assigns; and
• Storing, staging, transporting and/or loading hazardous materials on the easement area.

**Fiscal Impact:**

None.

2 Attachments:

1. Satellite Image
2. Draft Resolution
RESOLUTION NO. 2016—

A RESOLUTION BY THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
APPROVING THE GRANT OF AN EASEMENT TO THE PACIFIC GAS AND
ELECTRIC COMPANY, AND DELEGATING AUTHORITY TO EXECUTIVE
DIRECTOR TO EXECUTE AN EASEMENT DEED

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") is the owner
of real property identified as Assessor’s Parcel Nos. 020-020-081, 020-020-089 and 020-
020-095 (the “Property”); and

WHEREAS, the Pacific Gas and Electric Company ("PG&E") has advised
TRLIA that it has a project to re-conductor existing electric overhead lines (the “Project”)
that will impact the Property; and

WHEREAS, PG&E has advised TRLIA that part of the design of the Project
involves relocating two spans to improve access and maintenance; and

WHEREAS, PG&E has requested that TRLIA grant an easement over the
Property that would provide PG&E with the right to install and maintain Project and
existing overhead electric facilities.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Three Rivers Levee Improvement Authority hereby
approves the grant of an easement over the Property to PG&E in substantially the form
attached hereto as Exhibit A

2. The Board hereby authorizes and directs the Executive Director to execute an
easement deed in substantially the form attached hereto as Exhibit A granting the
easement over the Property.

PASSED AND ADOPTED this ______ day of ________, 2016, by the Board of
Directors of Three Rivers Levee Improvement Authority by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:
Chairperson

ATTEST: DONNA STOTTLEMEYER,
CLERK OF THE BOARD

APPROVED AS TO FORM: GENERAL COUNSEL
ANDREA CLARK

[Signature]
RESOLUTION NO. 2016—

A RESOLUTION BY THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
APPROVING THE GRANT OF AN EASEMENT TO THE PACIFIC GAS AND
ELECTRIC COMPANY, AND DELEGATING AUTHORITY TO EXECUTIVE
DIRECTOR TO EXECUTE AN EASEMENT DEED

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") is the owner
of real property identified as Assessor’s Parcel Nos. 020-020-081, 020-020-089 and 020-
020-095 (the "Property"); and

WHEREAS, the Pacific Gas and Electric Company ("PG&E") has advised
TRLIA that it has a project to re-conductor existing electric overhead lines (the "Project")
that will impact the Property; and

WHEREAS, PG&E has advised TRLIA that part of the design of the Project
involves relocating two spans to improve access and maintenance; and

WHEREAS, PG&E has requested that TRLIA grant an easement over the
Property that would provide PG&E with the right to install and maintain Project and
existing overhead electric facilities.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Three Rivers Levee Improvement Authority hereby
   approves the grant of an easement over the Property to PG&E in substantially the form
   attached hereto as Exhibit A

2. The Board hereby authorizes and directs the Executive Director to execute an
easement deed in substantially the form attached hereto as Exhibit A granting the
easement over the Property.

PASSED AND ADOPTED this _______ day of _________, 2016, by the Board of
Directors of Three Rivers Levee Improvement Authority by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:
Chairperson

ATTEST: DONNA STOTTEMEYER, CLERK OF THE BOARD

APPROVED AS TO FORM: GENERAL COUNSEL
ANDREA CLARK

Andrea P. Clerk.
December 6, 2016

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul G. Brunner, Executive Director
Andrea Clark, General Counsel
SUBJECT: Yuba Goldfields 100-Year Interim Project Memorandum of Agreement (MOA) with RD784

**Recommended Action:**
Approve the attached RD784/TRLIA Maintenance agreement for the Goldfields 100-Year Interim Project, and authorize the Executive Director to sign and implement the MOA.

**Background:**
TRLIA has completed the largest portion of the Goldfields 100-Year Interim Project. Enlargement of Crossing 21 remains to be done but will be accomplished this winter. The TRLIA Board approved TRLIA maintenance of this project at the May 19, 2015 Board Meeting. The TRLIA Board adopted the 100-Year TRLIA O&M plan at the October 25, 2016 Board Meeting.

**Discussion:**
The adopted TRLIA 100-Year Goldfields O&M plan describes the need for RD784 support during high flow events and the conditions to initiate the high flow actions. The attached MOA provides the means for RD784 to provide this maintenance support. RD784 has reviewed and approved this MOA at their October 2016 Board meeting.

**Fiscal Impact/Funding:**
Funding for the O&M effort will come from TRLIA local funds.

**Attachment:**
Memorandum of Agreement between TRLIA and RD784 for Maintenance of the Goldfields 100-Year Embankment
MEMORANDUM OF AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND RECLAMATION
DISTRICT 784 FOR MAINTENANCE OF THE GOLDFIELDS 100-YEAR
EMBANKMENT

This memorandum of agreement ("Agreement") is entered into this ___ day of ______, 2016, by and between the Three Rivers Levee Improvement Authority ("TRLIA") and Reclamation District 784 ("RD 784") (collectively, the "Parties").

RECITALS

A. TRLIA designed and has nearly completed construction on its Goldfields 100-Year Interim Project, which consists of an embankment in the Goldfields that provides a 100-year level of flood protection to southwest Yuba County ("100-Year Embankment"). TRLIA is planning a 200-year project for the Goldfields that will make unnecessary the 100-Year Embankment by 2025.

B. RD 784 operates and maintains levees that are both (i) part of the Sacramento River Flood Control Project and (ii) within RD 784's current jurisdiction. The 100-Year Embankment does not fall within either of these categories. As a result, TRLIA has taken responsibility for overall operation and maintenance activities for the 100-Year Embankment during the life of its service as a flood control facility.

C. RD 784 is willing to assist TRLIA with maintenance of the 100-Year Embankment under certain circumstances as described in this Agreement.

D. The purpose of this Agreement is to memorialize the relationship between TRLIA and RD 784 with respect to maintenance of the 100-Year Embankment.

AGREEMENT

The Parties hereby agree as follows:

1. Agreement to Assist:

   A. RD 784 hereby agrees to assist TRLIA, where feasible, in its maintenance of the 100-Year Embankment, upon request by TRLIA. TRLIA anticipates making such requests during periods of high water flow, flood events, or other emergencies.

   B. Services provided by RD 784 shall be at the rates specified below and subject to availability of personnel and equipment. RD 784 makes no representation or commitment that adequate personnel or equipment will be available at the time and to the extent requested by TRLIA.

      General Labor shall be provided at the cost of $40.00 per hour.
Supervisor Labor shall be provided at the cost of $80.00 per hour.

Temporary Labor shall be provided at the cost of $20.00 per hour.

General Manager/Administrative Labor shall be provided at the cost of $120.00 per hour.

Administrative Services shall be provided at the cost of $40.00 per hour.

Weed Trimmers shall be provided at the cost of $40.00 per day.

Tractors/Mowers shall be provided at the cost of $54.00 per day.

Sprayers shall be provided at the cost of $40.00 per day.

Truck and Fuel Usage is assessed at the cost of $160.00 per hour.

2. Access to 100-Year Embankment: TRLIA agrees to provide access to RD 784 personnel to the 100-Year Embankment as needed for the maintenance services requested, in a manner consistent with TRLIA’s existing agreements with mining companies.

3. Invoices for Services: TRLIA shall tender payment no later than 45 days after receipt of an invoice from RD 784 for services provided by RD 784.

4. Regulatory Compliance: TRLIA will be responsible for compliance with applicable laws for operation and maintenance activities, except as provided in Section 5 below, and for any required reporting to State or Federal authorities associated with operation and maintenance of the 100-Year Embankment. TRLIA will provide to RD 784 copies of any such required reports.

5. Indemnity: Each party hereby agrees to defend and indemnify the other party, its officers, directors, and employees from and against claims, loss, liability, or expense (including reasonable attorneys’ fees), arising from or in connection with any breach or default in performance of any of such party’s obligations under this Agreement, or with negligent acts or omissions in the performance of such obligations. RD 784’s agreement to defend and indemnify shall be limited to any RD 784 breach, default, negligent acts or omissions related only to its maintenance obligations.

6. Amendments: Any amendment to this Agreement must be in writing and signed by both Parties.

7. Execution: This Agreement may be executed in counterparts, which collectively shall constitute the full agreement of the Parties.
In witness whereof, the Parties hereto have executed this Agreement as of the date and year written above.

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

By: __________________________

Date: __________________________

Name: __________________________

Title: __________________________

RECLAMATION DISTRICT 784

By: __________________________

Date: __11-01-16____________

Name: __________________________

Title: __________________________

ATTEST:

_____________________________

APPROVED AS TO FORM:

_____________________________

APPROVED AS TO FORM:

_____________________________