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

I ROLL CALL – Directors Atwal, Brown, Lofton, Ritchie, Vasquez

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

III AGENDA ITEMS

A. Approve minutes of the meeting of October 3, 2017

B. Approve extension to employee agreement between TRLIA, County of Yuba, and Paul Brunner, Executive Director for additional four years and authorize Chair to execute.

C. Approve Amendment No. 3 to agreement with Harold W. Bertholf Inc. extending contract to December 31, 2019 for aggregate and mineral appraiser service for the Goldfields UFRR Project and authorize Executive Director to execute upon review and approval of General Counsel.

IV BOARD AND STAFF MEMBER REPORTS

A. Western Pacific Interceptor Canal Project Update

B. Other Reports

V. CLOSED SESSION: Conference with Real Property Negotiators pursuant to GC §54956.8 - Property: APN 018-018-070 Agency negotiator: Paul Brunner/Negotiating parties: Chris and Sarah Ludwick Under negotiation: price and terms of payment

VI. ADJOURN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

OCTOBER 3, 2017

MINUTES

Call to order 3:30 p.m. with a quorum being present as follows: Directors Sarbdeep Atwal, Rick Brown, Doug Lofton, and Andy Vasquez. Director Edward Ritchie was absent. Also present were Executive Director Paul Brunner, Counsel Kelly Pope, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Brown presided.


II PUBLIC COMMUNICATIONS: None

III AGENDA ITEMS

A. Approve minutes of the meeting of September 19, 2017.

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

B. Approve Amendment No. 5 to professional services agreement with Larsen Wurzel and Associates Inc. in the amount of $175,000 extending term by two years through December 31, 2019 and authorize Executive Director to execute upon review and approval of Counsel. Executive Director Paul Brunner recapped and responded to inquiries.

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

C. Approve Memorandum of Agreement between Three Rivers Levee Improvement Authority and the County of Yuba for support services and authorize Executive Director to execute upon review and approval of Counsel. Executive Director Paul Brunner recapped significant changes and responded to Board inquiries.

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

D. Approve lease extension for office space at One Stop Center with Yuba County Office of Education extending termination date of lease until December 31, 2020 and authorize Executive Director to execute upon review and approval of Counsel. Executive Director Paul Brunner recapped responded to Board inquiries.

   MOTION: Move to approve MOVED: Sarbdeep Atwal SECOND: Doug Lofton
   AYES: Rick Brown, Doug Lofton, Edward Ritchie, Andy Vasquez
   NOES: None ABSTAIN: None ABSENT: Edward Ritchie
IV BOARD AND STAFF MEMBER REPORTS


Construction Manager Doug Handen: Western Pacific Interceptor Canal update wall construction

Executive Director Paul Bruner: deer hunting in setback areas of Feather and Bear Rivers

VI. ADJOURN: 4:02 p.m.

______________________________
Chairman

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

______________________________
Approved: ______________________
November 21, 2017

TO: Three Rivers Levee Improvement Authority Board
FROM: Andrea Clark, General Counsel
SUBJECT: Extension of Paul Brunner Employment Agreement

**Recommended Action**

Approve the attached extension providing for Paul Brunner to continue to function as Executive Director until December 31, 2021, subject to approval by Yuba County.

**Background**

Upon its creation, Three Rivers Levee Improvement Authority (TRLIA) was run by the County Chief Administrative Officer (CAO). However, as TRLIA activities increased it became apparent that TRLIA activities would swamp a CAO who would need to also focus on County activities.

On May 16, 2006, Paul Brunner was hired as the first full-time Executive Director of TRLIA. Paul was hired by the County (in order to not have TRLIA create an employee structure), but was to be directed by the TRLIA Board of Directors and paid for using TRLIA funds. Since 2006, Paul Brunner’s contract has been extended in 2009, 2011, 2013 and 2015, and is currently scheduled to expire on December 31, 2017.

**Discussion**

TRLIA has made significant progress toward its goal of providing 200-year protection to the RD 784 basin. However, several important tasks remain: completion of 200-year protection in the Goldfields area; WPIC 200-year work; creation of habitat mitigation area in the Feather Setback Area; completion of final accounting packages for all outstanding State grant agreements; and continued operation of the TRLIA O&M assessment. For this reason, it continues to make sense for TRLIA to continue to have a dedicated Executive Director.

However, because of the decreasing work load, Mr. Brunner’s current contract allows him to work less (and be paid for less) than full time, and the proposed extension contract continues that structure. As in 2015, the proposed extension does not increase compensation or benefits; rather, it simply extends the length of the contract by four years.
Mr. Brunner and the TRLIA board have indicated an interest in a four-year extension of the Executive Director term. That extension is reflected in the attached amendment to the employment agreement; there are no other changes to the agreement.

Fiscal Impact

Compensation for Mr. Brunner’s contract is already contained within the approved TRLIA budget.

Attachment:

- Proposed Extension.
EXTENSION TO
EMPLOYMENT AGREEMENT AMONG THE THREE RIVERS
LEVEE IMPROVEMENT AUTHORITY,
THE COUNTY OF YUBA,
AND PAUL G. BRUNNER

This Extension to Employment Agreement among the Three Rivers Levee Improvement Authority, the County Of Yuba, and Paul G. Brunner ("Extension") is entered into on the ___ day of December, 2017, between the Three Rivers Levee Improvement Authority ("Authority"), the County of Yuba ("County"), and Paul G. Brunner ("Employee")

RECITALS

WHEREAS, on May 16th, 2006, the Authority, the Employee, and the County entered into an Employment Agreement whereby Employee was retained as Executive Director of the Authority; and

WHEREAS, the Authority, the County, and the Employee desired on January 22, 2008, August 18, 2009, December 13, 2011, December 10, 2013 and December 15, 2015 to extend the employment relationship and did so; and

WHEREAS, the Authority, the County, and the Employee desire to again extend the employment relationship by an additional four years from the expiration of the term of the Employment Agreement (i.e., until December 31, 2021), with the changes noted herein.

AGREEMENT

1. Incorporation of Recitals.
   The foregoing recitals and the introductory paragraph are hereby incorporated into the Agreement.

2. Extension of Term.
   The first sentence of Section 4 of the Employment Agreement shall be amended to delete the date of "December 31, 2017" and to replace that date with "December 31, 2021."

3. Remainder of Employment Agreement.  The remainder of the employment agreement shall remain in effect without change.

   IN WITNESS WHEREOF, Authority, County, and Employee have causes this Extension to be signed and executed on the dates of their respective signatures.
November 21, 2017

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
SUBJECT: Approve Amendment 3 to Contract with Harold W. Bertholf, Inc. for Real Estate Appraisal Services to Extend Contract Termination Date

Recommended Action:
Approve Amendment 3 to contract with Harold W. Bertholf, Inc. to extend their contract to December 31, 2019 so that they can continue to serve as aggregate and mineral appraisers for the Goldfields UFRR Project and authorize the Executive Director to sign and execute the amendment once General Counsel has reviewed and approved.

Background:
In October 2013, the TRLIA Board approved a contract award to Harold W. Bertholf, Inc. for real estate appraisal services for the Yuba Goldfields Flood Protection Projects Evaluation not to exceed $103,000 and delegated authority to the Executive Director to negotiate the contract. This contract was amended on January 19, 2016 to extend the contract termination date to December 31, 2017 and amended on June 14, 2016 to increase the budget by $50,000 to a total contract amount of $153,000. Harold W. Bertholf, Inc. efforts are essential in evaluating the financial value of impacted aggregates and minerals due to refinements to the proposed Goldfields UFRR Project.

Discussion:
Harold W. Bertholf, Inc. services as aggregate and mineral appraisers will continue to be needed in 2018 and 2019 as TRLIA accomplishes final design and real estate acquisition for the Goldfields UFRR Project. The current contract terminates on December 31, 2017. Amendment 3, attached, extends the contract termination date to December 31, 2019

Fiscal Impact:
There is no fiscal impact due to the contract termination date extension. As acquisition actions begin in earnest, there may need to be an increase in the contract budget. Staff will provide the Board with an additional amendment for their approval for any contract budget increase.

ATTACHMENT
1. Amendment 3
AMENDMENT NO. 3

AGREEMENT FOR PROFESSIONAL SERVICES
FOR
REAL ESTATE APPRAISAL SERVICES
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND
HAROLD W. BERTHOLF, INC.

THIS THIRD AMENDATORY AGREEMENT is made effective November ______, 2017, by and between Three Rivers Levee Improvement Authority (“TRLIA”) and Harold W. Bertholf, Inc. (“Contractor”), who agree as follows:

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

   1.1. Effective October 30, 2014 the parties entered into an Agreement for Professional Services relating to Real Estate Appraisal Services for TRLIA’s Construction Program.

   1.2. Effective January 19, 2016 the parties entered into the first Amendatory Agreement to extend the Termination Date of the contract from November 1, 2015 to December 31, 2017.

   1.3. Effective June 14, 2016 the parties entered into the second Amendatory Agreement to increase the budget an additional amount of $50,000 for a total contract amount of $153,000.

   1.4. 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;

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

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

2. **Third 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, 2017 to December 31, 2019.

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
__________________________, 2017.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

__________________________

Paul G. Brunner, P.E.
Executive Director

__________________________

Randolph B. Bertholf
Corp. Secretary/Treasurer

ATTEST:
DONNA STOTTERMeyer,
SECRETARY

__________________________

APPROVED AS TO FORM:
ANDREA CLARK
THREE RIVERS LEVEE IMPROVEMENT
AUTHORITY GENERAL COUNSEL

__________________________

Andrea P. Clark.