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, 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  SPECIAL PRESENTATION: Recognize Secretary Donna Stottlemeyer on retirement from County service.

IV  AGENDA ITEMS

A. Approve meeting minutes of February 20, 2018.

B. Approve Amendment No. 9 in the amount of $63,154 to agreement with MHM Inc., extend termination date to December 31, 2019, and authorize Executive Director to execute contract upon review/approval of General Counsel.

C. 1. Approve amending Department of Water Resources (DWR)/TRLIA EIP Funding Agreement to allow retaining fee ownership of Feather Setback Agriculture properties and transfer properties to DWR for an for agreed upon sum of $234,900 and authorize Executive Director to finalize, and execute agreement modification upon review/approval of General Counsel; and 2. Authorize Executive Director to negotiate long-term Ag leases with current or new lease holders.

V  BOARD AND STAFF MEMBER REPORTS

VI  CLOSED SESSION

1. Conference with Real Property Negotiators pursuant to Government Code §54956.8 - Negotiating Parties: TRLIA/Kelly Pope/Paul Brunner/Brenda Schimpf. Negotiation: Price and terms of Payment for the following properties:

A) APN 018-180-072 and 073 Sanders
B) APN 018-180-074 Clift
C) APN 018-180-070 and 079 Ludwick
D) APN 018-180-066 and 078 Gallier
E) APN 018-170-002 Robinson
F) APN 017-170-012 and 016 Fahy
G) APN 017-170-014 Precast Concrete
H) APN 018-180-082 and 018-150-012 Wilbur
I) APN 018-150-063 Barker
K) APN 018-170-002 Robinson
L) APN 018-180-085 Nunes
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.tria.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.
Call to order 2:02 p.m. with a quorum being present as follows: Directors Sarbdeep Atwal, Rick Brown, Doug Lofton, and Andy Vasquez. Also present were Executive Director Paul Brunner, Counsel Andrea Clark, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chair Atwal presided.

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

II PUBLIC COMMUNICATIONS: None

III BOARD AND STAFF MEMBER REPORTS:

Executive Director Paul Brunner
- 2018 California Central Valley Flood Control Association Flood Forum March 21, 2018
- Annual audit of financial records by Clifton Larson Allen, and Board consensus for Chair to execute engagement letter for services
- Western Pacific Interceptor Canal update
- Goldfields update
- Ag properties in Feather setback area

Director Vasquez joined the meeting at 2:09 p.m.

Director Brown advised the ad hoc committee met to interview candidates for the At-large Director vacancy, and reported recommendation to appoint Mr. Gary Ledbetter

IV AGENDA ITEMS

A. Approve minutes of the meeting of January 16, 2018. Approved

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

B. Approve Amendment No. 7 in the amount of $28,650 to SCI Consulting Group extending contract for an additional two years to June 30, 2020, and authorize Executive Director to execute upon review and approval of Counsel. Executive Director Paul Brunner recapped project and request.

   MOTION: Move to approve
   MOVED: Andy Vasquez    SECOND: Rick Brown
   AYES: Sarbdeep Atwal, Rick Brown, Doug Lofton, Andy Vasquez
   NOES: None          ABSTAIN: None       ABSENT: None
C. Adopt Resolution of Necessity for acquisition of certain property interests constituting a portion of Dunning Avenue for the Upper Yuba Levee Improvement project. Executive Director Paul Brunner briefly recapped project and Counsel Kelly Pope provided a PowerPoint presentation on procedure for Resolution of Necessity, and requirements to make findings as follows:
   - The project is necessary for operation and maintenance of the levee
   - The project is compatible with the greatest public good and with the least private injury
   - Proposed fee acquisition is necessary for the project
   - TRLIA is exempt from making an offer of just compensation required by Government Code §7267.2 as an owner could not be located with reasonable diligence

Mr. Brunner and Ms. Pope responded to Board inquiries.

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

Adopted Resolution No. 2018-01 by Roll Call vote

V CLOSED SESSION: The Board retired into closed session at 2:30 p.m. and returned at 3:05 p.m. with all members present as indicated above.


VI ADJOURN 3:05 p.m.

________________________________________
Chair

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

______________________________
Approved: ____________________
TO: Three Rivers Levee Improvement Authority Board
DATE: March 20, 2018
FROM: Paul G. Brunner, Executive Director
SUBJECT: MHM Inc. Contract Amendment 9 to Provide Civil Engineering Services for the Goldfields 200-Year Project and Extend Contract Termination

Recommended Action:
Approve MHM Inc. contract Amendment 9 in the amount of $63,154, and extending the contract termination date to December 31, 2019, authorize the executive director to sign and execute the contract, once contract has been reviewed by General Counsel.

Background:
TRLIA entered into a contract with MHM Inc. in October of 2009 for surveying and engineering services. The contract has been amended eight prior times to include a variety of engineering services and time extensions to perform work. The current (prior to Amendment 9) total contract amount for MHM Inc. is $298,200 and includes a termination date of December 31, 2018.

Discussion:
The proposed contract Amendment 9 provides civil engineering services for the Goldfields 200-Year Project. Specifically, MHM Inc. would perform internal drainage studies to support design of the project. These efforts are estimated to cost $63,154. Additionally, Amendment 9 would extend the contract termination date by one year to December 31, 2019 as this timeframe is coincident with design of the project.

Fiscal Impact:
This is a time and material contract and can be terminated at any time, with TRLIA only obligated to pay for the work completed at the time of termination. The estimated fee for this work is $63,154. The work being performed is part of the Goldfields 200-Year Project and therefore cost shared with the state (85% state/15% local).

Attachment:
1. MHM Inc., Contract Amendment 9
2. MHM Inc., Scope of Work
NINTH AMENDMENT
TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
MHM, INC.

THIS NINTH AMENDATORY AGREEMENT is made and entered into this ______ day of ___________ 2018, 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;

WHEREAS, TRLIA and CONSULTANT entered into a eighth Amendatory Agreement dated September 13, 2016 to extend the contract termination date to December 31, 2018; 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, 2019; and

2. Article B.1 of the AGREEMENT shall be revised to increase the maximum contract fee by $63,154 from $298,200 to $361,354 to perform a drainage study of the Goldfields 200-Year Project area.

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 _____________ 2018.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

MHM, INC.

__________________________
Paul G. Brunner
Executive Director

__________________________
Sean Minard
Principal

ATTEST:
DONNA STOTTMEMEYER
SECRETARY, THREE RIVERS

APPROVED AS TO FORM:
ANDREA P. CLARK
GENERAL COUNSEL, TRLIA
March 15, 2018

Mr. Paul Brunner
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, CA 95901

Subject: Proposal to Provide Consultant Civil Engineering Services
Goldfield Levee Project – Drainage Study
Yuba County, California

Dear Mr. Brunner:

MHM Incorporated is pleased to submit this proposal and quotation for the Goldfield Levee Drainage Study in Yuba County. We are a local engineering and surveying firm established in 1892 and incorporated in the State of California in 1975. The Company has maintained its main office in Marysville for over eighty-five (85) years and is a certified California Small Business #7781.

Our team consists of highly qualified group of professionals, including Professional Civil Engineers, Geotechnical Engineers, and Professional Land Surveyors as well as a support staff of experienced technicians. The key team members proposed in this RFP have been with the company many years. The key team members are Sean Minard and Steve Klein. Our clients include numerous public agencies such as cities, counties, and special districts, as well as private entities. MHM has prepared numerous drainage studies in Yuba County and are fully aware of the drainage issues in this area. MHM has reviewed the three proposed alignments for the Goldfield Levee and understand the potential impacts on the drainage system. It is our understanding from Jonathan Kors that the alignment has been determined to be alignment no. 1.

Our scope of work will include updating the PAL hydraulic and Hydrology modeling prepared for this area on behalf of TRLIA and Yuba County to develop a FEMA LOMR. MHM prepared this modeling in accordance with Yuba County and FEMA standards. This was one of numerous studies performed on the Linda Drain system. MHM has over the years calibrated the model from actual storm events of various sizes and durations. The drainage study for the Goldfield Levee Project will be to analyze the impact of the levee project and to determine the improvements required to reduce the impact of those improvements. Per our phone conversation with the levee design team, it was determined that Wood Rodgers would provide the size and location of the detention pond and drainage ditches to be constructed on the waterside of the levee. After talking with Jonathan Kors since the conference call, we have assume analyzing up to three different pond and ditch configurations. The downstream impacts will be the direct result of concentrating the flow from the waterside of the levee to a single location east of Apex Road. This may require improvements to the County roadside ditch commonly referred to as Linda Drain or Horseman’s Ditch. During the PAL study, there were limitations in capacity throughout the Linda Drain. This impact will need to be considered. It might require that the detention pond be larger in size or improvements to the drain be performed. We also assumed that there would be no need for a storm drainage pump station or modeling of a storm drainage pump station. All flow from the detention pond will be through a gravity pipe. MHM will perform all the modeling and a prepare a technical memorandum to be used in the design. Once the final pond and ditch configuration is determined, MHM prepare a draft drainage study. This draft will be considered part of the 90 percent design. A final report will be completed as part of the 100 percent design submittal.

Our scope of work does not include a FEMA LOMR submittal. MHM can perform this task as an additional
scope of work but this would not occur until completion of the project. Based on our current understanding of the hydrology and hydraulics in the area, the only impact will be that the area on the waterside of the levee will become inundated during a 200-year event. Events smaller than a 200-year event would be directly related to the Operation and Maintenance Manual prepared for this section of levee and the operation of the positive closure structure allowing gravity flow from the waterside of the levee into Linda Drain. Normally a positive closure device would need to be closed once the river reaches monitoring level but this might not be ideal for this setback area. We would want to avoid localized flooding until there is a direct impact from high river stages. MHM will assist TRLIA and the design team in development of the Supplemental O&M Manual to minimize the impact on the waterside of the levee. MHM and MBK would need to work together to minimize this impact.

We would like the opportunity to meet with you to discuss our proposal to assure that it is complete and that it conforms to your needs. We would also like to discuss your timelines and proposed start of design. If Engeo Incorporated elects to hire MHM for the proposed professional services for the Goldfield Levee Project, MHM will perform the services as described above and outlined on the attached spreadsheet, and will strive to meet or exceed expectations in every detail. The total not-to-exceed price to perform the work will be $63,154. I can be reached at (530) 742-6485 with any questions.

Sincerely,

MHM INCORPORATED

Sean Minard, P.E., P.L.S.
Project Engineer

Cc: Jonathan Kors, Wood Rodgers

Enclosures
Conflict of Interest Statement

MHM warrants that no official or employee of the TRLIA, nor any business entity in which an official of the TRLIA has an interest, has been employed or retained to solicit or aid in the procuring of a resulting contract, nor that any such person will be employed in the performance of such contract without immediate divulgence of such fact to TRLIA.

MHM also warrants that we have no financial, business, or other relationship with TRLIA that may have an impact upon the outcome of a contract or the construction project.

MHM does work for the following clients that could be impacted by the construction of the Goldfield Levee.

- Shintaffer Farm Inc. (i.e. boundary surveys, general engineering and surveying consulting)
- Teichert Construction (i.e. soils testing, boundary surveys, construction work)
- Western Aggregate (i.e. aggregate testing, boundary surveys)
- Rick Wilbur (i.e. boundary surveys, wastewater design, subdivision entitlement, irrigation work, and general engineering and surveying consulting)
- Brophy Water District (i.e. irrigation work and general engineering consulting)
- Three Rivers Levee Improvement Authority (i.e. surveys, drainage studies, construction management, and general engineering consulting)
- Yuba County Water Agency (i.e. general engineering and surveying consulting)
- County of Yuba (i.e. drainage studies, general engineering and surveying consulting)
- Reclamation District No. 784 (i.e. District Engineering Services)

Based on our proposed scope of work performing a drainage study for the Goldfield Levee, we do not feel our current or present relationships with any of the above listed clients will affect our professional judgement and integrity as independent professionals. MHM would be willing to meet and discuss our relationship with the above list of clients.

MHM is currently working with the County of Yuba to perform a drainage study and prepare plans to address historic drainage issues in the Apex Road Area. MHM also coordinated with Brophy Water District. MHM has been previously employed by the County of Yuba for drainage issues in this area.

MHM has also recently worked with Brophy Water District to research historic design calculations for the Brophy North Area Canal, YCWA South Yuba/Brophy Canal, and the Brophy Bypass Spill into Reeds Creek.
| S# | Task Description | ET (Personnel Charge) | ET (Project Manager) | ET (Project Engineer) | ET (Project Surveyor) | ET (Senior Engineer) | ET (Junior Engineer) | ET (Junior Surveyor) | ET (Junior Field) | ET (Junior Office) | ET (Junior CAD) | ET (Junior Tech) | Survey Crew Ex & OTH | Survey Crew Ex OT & Tr | Survey Crew Ex OT & Tr | Survey Crew Ex OT & Tr | Accounting | Total Hours | Direct Labor Cost | Travel | EXPENSES | TOTAL |
|----|------------------|-----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| 01 | **ENGINEERING AND SURVEYING SERVICES** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 02 | **Task A - Project Management and Coordination** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 03 | **Task B - Geotechnical Evaluations** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 04 | **Task C - Topographic Survey and Mapping** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 05 | **Task D - Hydraulic and Hydrology Surveys** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 06 | **Task E - Utility Coordination** | | | | | | | | | | | | | | | | | | | | | | | | | | |

**TOTAL**

**TOTAL**

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**Printed 11/14/2018 11:22 AM**

**CSM0818-Project\Goldfield_Levee_Drainage_Study_CostProposal\Goldfield Levee - Drainage**
March 20, 2018

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director  
Andrea Clark, General Counsel
SUBJECT: TRLIA Retention of Feather Setback Agriculture Properties

Recommendation:
Approve amending the DWR/TRLIA EIP Funding Agreement to allow TRLIA to retain the fee ownership of the Feather Setback Agriculture properties (approximately 470 acres), and not transfer the properties to DWR for an agreed upon sum of $234,900, and authorize the Executive Director to finalize, sign and execute agreement modification upon review and approval of General Counsel.

Also, authorize the Executive Director to negotiate new long-term Ag leases with the current or new lease holders.

Background:
In April 2008 DWR and TRLIA signed an Early Implementation Agreement Funding Agreement to improve a 13-mile reach of Feather River. Included in the improvements were six (approximate) miles of setback levee, and the acquisition in fee of approximately 1760 acres for expanded floodway. TRLIA has completed the construction of the project and is in the process of closing out the Funding agreement, which includes deposition of acquired properties. The Feather funding agreement is scheduled to expire in 2018.

After numerous years of effort, DWR produced in 2014 the final version of the Lower Feather River Flood Corridor Management Plan. This plan identifies the Feather Setback area as prime area for ECO and Ag usage and developed a plan for both. TRLIA actively participated in this plan and has used this plan to shape how the setback area could be developed.

TRLIA currently owns in fee all properties within the expanded floodway. See attached TRLIA proposed property disposition graphic. The current status of property disposition is:

- Parcel A (levee corridor) 311 Ac – Fee ownership being transferred to the State
- Parcel B (FESSRO Site) 585 Ac – Fee ownership to be transferred to State with TRLIA retaining interest in the state advanced mitigation bank and contract relationship with the Sacramento Valley Conservancy (SVC) to manage the bank.
- Parcel C (Property not identified for specific use) 211 Ac – Fee ownership being transferred to the state
- Parcel D (TRLIA Mitigation Properties) 171 Ac - Originally, the funding agreement
required these properties be transferred to the SSJDD via DWR, but DWR asked TRLIA to amend the project real estate plan so that TRLIA will keep these mitigation properties in fee and continue to maintain them. TRLIA plans on having SVC manage these properties.

- Parcel E (Ag Lands) 470 Ac - Within the expanded floodway of the Feather Setback area there are 470 acres of active orchards. When the expanded Feather Floodway was created the orchards were left in place at the request of TRLIA in order to preserve agricultural properties in Yuba County; see attached TRLIA Resolution 2007-27. TRLIA and DWR entered into agricultural leases (7) on these properties. Six (6) of the Seven (7) leases were executed with the original property owner as part of the eminent domain land purchase. The revenues from the leases are currently applied to offset DWR project costs. The maximum length of these leases at one time is 5 years based on state direction. Currently the EIP funding agreement designates TRLIA to transfer these properties to the state, but **TRLIA has asked the state to consider allowing TRLIA to retain ownership of the properties, and the revenues from the orchards offset TRLIA’s expenses for managing TRLIA activities (Flood, Eco, Ag, and Recreational) in the Feather, Bear, Yuba Floodway corridors.**

**Discussion:**

In lieu of transferring the Ag Properties to the State, TRLIA staff requests the TRLIA Board consider to retaining the Ag properties in fee by purchasing the State’s interest in the land for a negotiated price that is based on the current value of the properties now in the floodway with a very restrictive flood control easement. The State has agreed to allow TRLIA to acquire their interest in the Ag land as long as the land has a restrictive flood easement and remains a floodway. The State asked TRLIA to accomplish an appraisal of the properties, which has been done. The appraised value of the property is $234,900 based on the properties very restrictive uses as described below:

- Per the EIP funding agreement TRLIA purchased land in fee to expand and manage the floodway of the Feather River using a combination of Prop 1E funds from the State and Local funds. The State use of Prop 1E funds was specifically to improve the flow within Feather River corridor. Due to Prop 1E requirements the state has determined that no profit revenues can be made from the property. Currently any lease payments received from the property by TRLIA are used by the state to offset state project costs under the Prop 1E funding agreement.

- Once TRLIA transfers it ownership of the property to the State, the acquired property will no longer be part of the TRLIA Prop 1E funding agreement and the State will not be able to receive any revenues from the property due to Prop 1E restrictions. Thus, any current or future revenue generating activities from the property will need to stop. The current Ag leases will end and orchards removed. The State will not be able to sell the land to another entity since this would be generating revenue and a violation of Prop 1E requirements. The only use of the property by the State is a floodway.

- At this time as part of the Prop 1E funding agreement, TRLIA is considering buying out the State Prop 1E interest in the property. TRLIA is the only entity that has this option. This would eliminate the Prop 1E restrictions on revenue generating activities but not the use of the property as a floodway. TRLIA would own and manage the property as a
floodway with orchards subject to a SSJDD flood easement that could preempt any other use on the property at any time.

- The market value of the floodway property is similar to any other flood prevention property, such as a levee, and should be appraised as such.

TRLIA staff rationale for this request:

1. The Ag properties would remain under local control and encouraged as described in the attached TRLIA resolution.
2. TRLIA will be able to establish the length of Ag leases that meet farmer’s needs, so that they can make an investment into the property. Currently the State 5-year leases do not provide the needed security to farmers to make investments into the orchards.
3. TRLIA would place a Flood Control easement on properties. Typical Ag management practices would be able to meet any flood control maintenance requirements due to the original hydraulic design.
4. TRLIA would use the Ag revenues from the leases to develop and maintain State and Local flood corridor activities as outlined in the Lower Feather River Flood Corridor Management Plan and TRLIA Board direction

TRLIA and State joint benefits of this request:

1. SSJDD does not acquire more land to manage
2. DWR does need to destroy 470 acres of viable Yuba County Orchards

**Fiscal Impact:**
Since 2008, TRLIA has leased seven properties in the setback area to local farmers for continued agricultural operations. The leases are only 5-years at time based on State requirements, which has limited revenues received. The revenues from the current leases are typically based on a % of the crop sold during the crop year. Most of the 5-year leases are 10 or 15%, one lease is 30%. The current leases have generated yearly approximately $110,000, which are credited to the State to offset State project costs.

For maximum TRLIA revenues from the leases, the term of the lease should be in excess of 20 years to allow orchards to be replaced as they age. In exchange for the longer lease term, the current lease holders have indicated they are open to increasing the percentage of lease revenue TRLIA would receive. It is anticipated the lease revenues would double to triple the current amount. The current lease holders are familiar with maintaining orchards in the floodway and have worked cooperatively with TRLIA since the creation of the expanded floodway.

To execute this transaction the State has proposed either deducting the agreed upon amount from the DWR Feather River EIP Funding Agreement approved maximum Funding Amount of $154,790,000, or deducting the agreed upon amount from the Feather River EIP retention that is due to TRLIA.

**Attachments**

1. TRLIA proposed property disposition graphic
2. TRLIA Resolution 2007-27
RESOLUTION NO. 2007-27

A RESOLUTION BY THE BOARD OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
IN REGARD TO PREFERRED LAND USES IN SETBACK AREA

WHEREAS, the Three Rivers Levee Improvement Authority (the “Authority”), a joint exercise of powers authority which the County of Yuba and Reclamation District 784 are the members, has constructed over $130,000,000 of levee improvements resulting in the certification of levees on the Western Pacific Interceptor Canal, the Bear River and significant portions of the levees on the Yuba River, thereby significantly improving public safety in Southern Yuba County; and

WHEREAS, prior to starting the levee improvements along the Feather River necessary to complete the levee improvement program and achieve 200 year flood protection for the Southern portion of the County, the Authority applied to the State of California for funding for a setback levee on the Feather River; and

WHEREAS, the Department of Water Resources of the State of California has informed the Authority that it has provisionally qualified the Authority to receive a maximum of $138,510,000 of State funds towards the costs of the levee improvements to be done; and

WHEREAS, in connection with the approval and planning for a setback levee along the Feather River the Board has previously adopted a Real Estate Acquisition Plan which establishes the various priorities of the Authority and authorizes certain costs to be paid, all in regard to land acquisition; and

WHEREAS, as part of the Real Estate Acquisition Plan the Board has informed staff that it is the policy of the Authority to seek to maintain as much of the setback area in agriculture as is economically feasible, subject to ensuring public safety; and

WHEREAS, this policy of the Board of Directors is based upon the Board's desire to encourage the productive use of the lands within the setback area for agriculture; and

WHEREAS, the Board of the Authority now desires to express in this Resolution that policy that it previously adopted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Three Rivers Levee Improvement Authority as follows:
Section 1. The Board hereby adopts as a policy to seek to maintain as much of the setback area in agriculture as is economically feasible, subject to ensuring public safety, and the Board instructs the Authority staff to take all actions reasonably available to implement this policy.

* * * * * *

PASSED AND ADOPTED this 18th day of December, 2007, by the Board of Three Rivers Levee Improvement Authority by the following vote:

AYES: Directors Brown, Crippen, Griego, Logue

NOES: None

ABSENT: None

ABSTAIN: None

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

ATTEST: DONNA STOTTLEMEYER,
CLERK OF THE BOARD

The foregoing instrument is a Correct Copy of the original on file in this office
ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors of the County of Yuba, State of California

By: DONNA STOTTLEMEYER
Date: December 19, 2007

APPROVED AS TO FORM: GENERAL COUNSEL
SCOTT SHAPIRO