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, Ledbetter, 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  CONSENT AGENDA
   A. Approve meeting minutes of February 5, 2019.

IV  ACTION ITEMS
   A. Adopt Resolution suspending benefit assessment upon approval and levy of assessment by Reclamation District 784.

   B. Approve Amendment No. 3 to existing contract with Sacramento Valley Conservancy to increase the base contract fee in the total amount of $85,000, and authorize the Executive Director to sign and execute the amendment upon review and approval of General Counsel.

   C. Approve travel expenses for Executive Director and Chairmen to attend the American Society of Civil Engineers awards presentation March 29, 2019 in San Diego, in an amount of $1,000 each for travel expenses including hotel and airfare.

V  BOARD AND STAFF REPORTS

VI  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

FEBRUARY 5, 2019

MINUTES

Call to order 3:31 p.m. with a quorum being present as follows: Directors Doug Lofton, Gary Ledbetter, and Andy Vasquez. Directors Sarbdeep Atwal and Rick Brown were absent. Also present were Executive Director Paul Brunner, Counsel Andrea Clark, and Clerk of the Board of Supervisors Rachel Ferris. Vice Chair Vasquez presided.

I  ROLL CALL – Directors Atwal, Brown, Ledbetter, Lofton, Vasquez – Directors Atwal and Brown absent

II  PUBLIC COMMUNICATIONS: None.

III  CONSENT AGENDA

A. Approve meeting minutes of January 15, 2019.

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

IV  ACTION ITEMS

A. Approve new contract with Donald Babbitt P.E., for engineering services for Three Rivers Levee Improvement Authority Levee Improvement program, and authorize Executive Director to execute contract upon review and approval of General Counsel. Executive Director Paul Brunner provided a brief recap.

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

B. Approve Amendment No. 9 with CTA Engineering and Surveying to extend contract to December 31, 2020 for Three Rivers Levee Improvement Authority Levee Improvement program right-of-way support and surveying services, and authorize Executive Director to execute amendment upon review and approval of General Counsel. Executive Director Paul Brunner recapped contract extension.

   MOTION: Move to approve
   MOVED: Doug Lofton SECOND: Gary Ledbetter
   AYES: Gary Ledbetter, Doug Lofton, Andy Vasquez
   NOES: None ABSENT: Sarbdeep Atwal, Rick Brown ABSTAIN: None
C. Approve Amendment No. 8 with ENGEO Incorporated to extend contract to March 31, 2020 and increase budget by $500,000 for additional effort for engineering services for the Goldfields 200-Year Project Design and authorize Executive Director to execute amendment upon review and approval of General Counsel. Director Paul Brunner recapped costs and extension.

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

V BOARD AND STAFF REPORTS

Executive Director Paul Brunner
- TRLIA assessments and 784 proposed assessment
- 200 year Goldfield project
- Goldfields embankments

VI ADJOURN: 3:40 p.m.

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS
AND SECRETARY OF THE PUBLIC AUTHORITY

______________________________
Approved: _____________________

Chair
February 19, 2019

TO: Three Rivers Levee Improvement Authority Board  
FROM: Paul G. Brunner, Executive Director  
SUBJECT: TRLIA Assessment/RD 784 Assessment

Recommended Action:
Adopt a resolution (attached) to suspend TRLIA’s benefit assessment so long as Reclamation District (RD) 784’s proposed assessment is approved by property owners and an assessment is levied by RD 784. TRLIA’s assessment will remain in place if the proposed RD 784 assessment is not approved or is not levied. Toward that end, TRLIA will initiate development of its annual assessment roll and be prepared to submit it to Yuba County in August 2019, pending results of RD 784’s balloting process. This will ensure continuity in funding in the event RD 784’s assessment is not approved.

Background:

RD784: RD 784, a special district originally formed in 1908, is responsible for providing levee and internal drainage services to an area in South Yuba County generally located east of the Feather River between the Yuba and Bear Rivers. RD 784 operates and maintains over 33 miles of levees to include all TRLIA-improved levees. It is also responsible for operating and maintaining an internal drainage system with approximately 60 miles of canals and drainage ditches, 11 pump stations, and more than 55 acres of detention basins that collects and remove rain and storm waters.

RD 784’s current assessment was first levied in 1998 and when it was approved did not include an escalator. Prior to 1996, with the passage of Proposition 218, the Reclamation Act permitted the RD 784 Board to raise funds in any given year based on a fixed rate per assessed value without property owner approval. Any annual adjustment to the assessment roll required only Board action. However, after the passage of Prop 218, RD 784 has been unable to increase its assessment. As a result, the current RD 784 assessment is not keeping pace with the rising cost of providing levee and internal drainage O&M services.

TRLIA: TRLIA was formed in 2004/5 by Yuba County and RD 784 to improve urban levee’s within Yuba County, at that time those urban levees maintained by RD 784. Within the formation documents for TRLIA was the ability to finance the needed improvements, which included the formation of Assessment Districts and Community Facility Districts (CFDs).

In 2009, TRLIA formed a benefit assessment district that generates funds to pay for RD 784’s operations and maintenance of TRLIA-improved levees. TRLIA-improved levees provide benefit to properties that were, at that time, outside RD 784’s boundaries. TRLIA took the lead on implementing an assessment because 1) as a JPA it could on its own form a 218 Assessment
area with boundaries that encompassed all benefitting properties, and 2) TRLIA’s State grant funding agreements were conditioned on assurances for adequate levee O&M funding. Revenues from TRLIA’s assessment cover the incremental increase in O&M costs associated with TRLIA levee improvements (over and above the existing services provided by RD 784). The TRLIA assessment can be increased annually according to the change in the Consumer Price Index (CPI). TRLIA’s assessment cannot be used for O&M of drainage facilities or levees that were not improved by TRLIA. Additionally, the TRLIA assessment does not account for the addition of the new Goldfields levee without modification by TRLIA.

In forming its assessment, TRLIA recognized that as development occurred within the basin, additional assessments would be generated. TRLIA’s Engineer’s Report acknowledged that these additional assessments could be used to repay the local cost share of improvements constructed by TRLIA. This would make available to TRLIA funds for additional improvements and/or ongoing environmental mitigation commitments associated with the Bear River and Feather River setback areas.

Discussion:
Reclamation District 784 (RD 784) is proposing to levy a new assessment to adequately fund required operation and maintenance activities for levees and internal drainage services for their recently adopted District Boundary that now encompasses the TRLIA Assessment area and the area benefited from the new TRLIA Goldfields levee. RD 784’s existing revenues – which are today collectively generated by an RD 784 assessment and a separate TRLIA assessment – are not adequate to ensure the safety and usefulness of lands within the district, especially as it relates to internal drainage. RD 784’s proposed assessment, if approved by property owners, will replace both the current RD 784 and TRLIA assessments beginning in Fiscal Year 2019/20. This will create administrative efficiencies by reducing the number of agencies billing for the same services, which will in turn simplify tax bills and payment processes for property owners. In sum, RD 784’s boundaries are now consistent with those of the lands benefited by TRLIA’s projects, making it a logical time to consolidate and re-organize assessments for flood control and drainage in the basin.

The services to be funded by RD 784’s Proposed Assessment include: (1) all levee operation and maintenance services that are required to ensure that the design level of flood protection is maintained over time for all levees protecting properties within the RD 784 boundaries (Levee O&M); (2) all activities associated with the collection, conveyance, and discharge of storm water within the boundary of RD 784 (Internal Drainage O&M), and (3) Specific TRLIA items that remain TRLIA’s responsibility to perform after the proposed suspension of the TRLIA Assessment, see attachment 2. Attachment 3 shows the new RD 784 district boundary and a comparison of the proposed RD 784 levee assessment vs. the current combined RD 784 and TRLIA assessments. The proposed RD 784 Assessment includes a cost escalator. TRLIA staff has encouraged RD 784 to acknowledge that additional assessments could be used to repay the local cost share of future improvements.

Additional Analysis of Assessment Impact on TRLIA CFD Parcels
RD 784’s proposed assessment would overlap the boundaries of TRLIA’s two Mello-Roos Community Facilities Districts (CFD’s 2006-1 and 2006-2). The proposed assessment would impact the approximately 1,100 properties that are currently taxed by TRLIA’s CFD’s and more in the future as development occurs. With respect to the current assessments for Levee O&M
and Drainage services that these parcels currently pay, the proposed assessment would, in some cases result in increased costs and in other cases result is modest decreased costs to these property owners. Because these particular parcels already pay relatively higher property tax bills overall, TRLIA staff believes it is prudent to make the Board aware of any increased costs to these property owners. The following table presents a high-level summary regarding these 1,100 parcels and what the impacts of RD 784’s proposed assessment would be. Depending upon the particular attributes of parcel, the proposed assessment, coupled with the cessation of TRLIA’s assessment, would result in some net increases and some net decreased in assessments for Drainage and Levee O&M as follows:

<table>
<thead>
<tr>
<th>TRLIA CFD Parcels: Net Assessment Changes</th>
<th>Levee O&amp;M</th>
<th>Drainage</th>
<th>Combined Levee &amp; Drainage Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Increased Assessments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td># of Parcels</td>
<td>503</td>
<td>808</td>
<td>653</td>
</tr>
<tr>
<td>Greatest Increase</td>
<td>$238.46</td>
<td>$230.27</td>
<td>$326.22</td>
</tr>
<tr>
<td>Least Increase</td>
<td>$2.93</td>
<td>$0.04</td>
<td>$1.08</td>
</tr>
<tr>
<td>Net Decreased Assessments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td># of Parcels</td>
<td>584</td>
<td>279</td>
<td>434</td>
</tr>
<tr>
<td>Greatest Decrease</td>
<td>-$183.62</td>
<td>-$26.09</td>
<td>-$143.28</td>
</tr>
<tr>
<td>Least Decrease</td>
<td>-$3.24</td>
<td>-$0.06</td>
<td>-$2.98</td>
</tr>
</tbody>
</table>

**Fiscal Impact:**
TRLIA’s Assessment will be suspended and be replaced by the proposed RD 784 Assessment. TRLIA’s current and future responsibilities for the RD 784 levee system will be paid for by the RD 784 Assessment.

**3 Attachments:**
1. Resolution No. 2019 – XX:
2. TRLIA Cost breakout for RD784 Assessment
3. RD 784 Assessment District Boundary Map Showing Prototypical Proposed and Current Assessments
RESOLUTION 2019-___

RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
SUSPENDING BENEFIT ASSESSMENT UPON APPROVAL AND LEVY OF
ASSESSMENT BY RECLAMATION DISTRICT 784

WHEREAS, the Three Rivers Levee Improvement Authority ("TRLIA") is a joint
powers authority that has spent over $400 million improving and rehabilitating levees protecting
areas of Yuba County from flooding from the Yuba, Feather and Bear Rivers; and

WHEREAS, in 2009 TRLIA formed a benefit assessment district that generates funds
to pay for operation and maintenance of TRLIA-improved levees by Reclamation District 784
("RD 784") as well as additional improvements and/or ongoing environmental mitigation
commitments associated with TRLIA’s projects; and

WHEREAS, RD 785 is proposing to levy a new assessment to fund operation and
maintenance activities as well as internal drainage services, including for areas benefited from a
new TRLIA Goldfields levee; and

WHEREAS, if approved by property owners, RD 784’s new assessment will be
sufficient to replace both the current RD 784 assessment and the TRLIA assessment as early as
Fiscal Year 2019/20, and will create administrative efficiencies for property owners; and

WHEREAS, TRLIA wishes to clarify for its current assessment payers its intent to
suspend its assessment if the RD 784 assessment is approved by property owners and levied by
RD 784; and

WHEREAS, a suspension (and not elimination) of the TRLIA assessment will allow for
the levy of the assessment by TRLIA in the event the RD 784 assessment does not pass or
cannot be levied by RD 784.

NOW, THEREFORE, THE THREE RIVERS LEVEE IMPROVEMENT
AUTHORITY RESOLVES AS FOLLOWS:

1. Upon approval of the RD 784 assessment and submittal of such assessment to
Yuba County for addition to its tax rolls, TRLIA will suspend its 2009
assessment for Fiscal Year 2019/20 and for each year into the future so long as
the RD 784 assessment is valid and levied.

PASSED AND ADOPTED this 19th day of February, 2019, by the Board of Directors of the
Three Rivers Levee Improvement Authority.
AYES:
NOES:
ABSTAIN:
ABSENT:

___________________________
Sarbdeep Atwal, CHAIRPERSON

ATTEST:

___________________________
Rachel Ferris, Clerk of the Board

APPROVED AS TO FORM
GENERAL COUNSEL

By:_________________________
Andrea P. Clark
## TRLIA Cost breakout for RD784 Assessment

<table>
<thead>
<tr>
<th>TRLIA future needs from Proposed RD784 Assessment</th>
<th>Cost ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRLIA Tech Support for Levee O&amp;M (e.g. GEI, HDR, and MBK) 3006-3081</td>
<td>$100,000</td>
</tr>
<tr>
<td>TRLIA 100-yr &amp; 200-yr Goldfields High Ground Monitoring and Maintenance (not in RD784 assessment area)</td>
<td>$35,000</td>
</tr>
<tr>
<td>TRLIA ECO mitigation costs to support levees (Bear Setback from RP)</td>
<td>$50,000</td>
</tr>
<tr>
<td>TRLIA ULOP Annual Report</td>
<td>$10,000</td>
</tr>
<tr>
<td>TRLIA Admin Costs</td>
<td>$5,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$200,000</strong></td>
</tr>
</tbody>
</table>
The proposed RD 784 assessment for the average single-family residential lot size and structure square footage varies for each Benefit Zone. The rates shown are for a property of average acreage and average structure size in each Benefit Zone. The rates reflect only the Levee O&M portion of the proposed RD 784 Assessment compared with the current TRLIA assessment and levee portion of the current RD 784 assessment.

The RD 784 boundary did not previously include lands in the Central and East Zones. They have since been annexed through the LAFCO process.
February 19, 2019

TO:            Three Rivers Levee Improvement Authority Board
FROM:          Paul Brunner, Executive Director
SUBJECT:       Sacramento Valley Conservancy (SVC) Contract Amendment 3

Recommended Action:
Approve Amendment 3 to existing contract with SVC to increase the base contract fee, and authorize the executive director to sign and execute the amendment once General Counsel has reviewed and approved.

Discussion:
On May 6, 2014 TRLIA approved a $227,725 contract with SVC to prepare documents in support of establishing a conservation bank within the Feather River Setback Area and the long term management of the Bear River and Feather River Setback areas. TRLIA continues to pursue the establishment and construction of the Feather River Levee Setback Conservation Bank as well as complete turnover of the Bear River ecological areas with the recording of a conservation easement and assignment of a long term manager. The timeline for the project has been extended, largely due to the timing and nature of feedback we have received during the conservation bank process from the California Department of Water Resources. A second contract amendment in December 2018 extended the contract to reflect the longer than anticipated timeline. This third amendment, to increase the base contract fee, reflects the increase in effort and therefore costs associated with the extended timeline. Amendment 3 increases the contract base fee by $85,000 for a revised, total base contract fee of $312,725.

Fiscal Impact:
Amendment 3 increases the contract base fee by $85,000. The State is funding 100 percent of this contract via the TRLIA FESSRO funding agreement.

Attachments:
1. Contract Amendment 3
2. SVC Letter
AMENDMENT NO. 3
AGREEMENT FOR PROFESSIONAL SERVICES
FOR
ENGINEERING SERVICES
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND
SACRAMENTO VALLEY CONSERVANCY

THIS THIRD AMENDATORY AGREEMENT is made effective __________, 2019, by and between Three Rivers Levee Improvement Authority ("TRLIA") and Sacramento Valley Conservancy ("Consultant"), who agree as follows:

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

   1.1. Effective June 4, 2014 the parties entered into an Agreement for Professional Services relating to Consulting Services for TRLIA’s Levee Improvement Program.

   1.2. Effective October 25, 2016, the parties entered into a First Amendatory Agreement which changed the termination date from December 31, 2016 to December 31, 2018.

   1.3. Effective December 18, 2018, the parties entered into a Second Amendatory Agreement which changed the termination date December 31, 2018 to December 31, 2020.

   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. Article B.1. of the AGREEMENT shall be revised to change the base contract fee from $227,725 to $312,725, an increase of $85,000.

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

________________________, 2019.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

SACRAMENTO VALLEY
CONSERVANCY

________________________
Paul G. Brunner, P.E.
Executive Director

________________________
Kelly Hopkins
Executive Director

ATTEST:

________________________
Rachel Ferris
Clerk of the Board, TRLIA

APPROVED AS TO FORM:

________________________
Andrea Clark
General Counsel, TRLIA
DRAFT February 8, 2019

Honorable Board Members
Three Rivers Levee Improvement Authority
VIA EMAIL pbrunner@co.yuba.ca.us

RE: SVC Contract for Bear River and Feather River Preserves

Dear TRLIA Board:

On behalf of Sacramento Valley Conservancy (SVC), I respectfully submit this request for an increase in our budget related to our contract with you for services to form preserves in the Bear River and Feather River setback areas, including a conservation bank funded by a grant from the California Department of Water Resources. SVC started work on this project in June 2014. The timeline for the project has been extended, largely due to the timing and nature of feedback we have received during the conservation bank process from the California Department of Water Resources. Additional legal and SVC staff services have been required for both meetings with DWR and changes to the document packages, including the conservation easement and management plans.

SVC’s original budget was $227,725. Our expenses incurred through the end of 2018 total $210,331. And, pending legal fees and staff time incurred in 2019 total over $15,000, nearing the total budget amount. We estimate that $85,000 total in additional funds will be needed to complete the project, including $70,000 in legal services and $15,000 in staff/administrative time. DWR is in the process of amending their grant agreement with TRLIA to cover these additional costs. Please let me know if you have any questions. We are excited to be nearing approval of these preserves and the conservation bank and thank you for the continuing opportunity to partner with TRLIA on such a valuable conservation project.

Sincerely,

Kelly Hopkins
February 19, 2019

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul G. Brunner, Executive Director
SUBJECT: Authorize Travel Expenses for TRLIA Chair and TRLIA Executive Director to Attend ASCE Award Dinner in San Diego, CA

**Recommended Action:**
Approve an amount of $1,000 each for TRLIA Chair and Executive Director for travel expenses, including roundtrip airfare and hotel, to attend a presentation dinner on March 29, 2019 to be held in San Diego, CA to accept the California Region 9 American Society of Civil Engineers (ASCE) award for Outstanding Small Project of the Year for the Yuba Goldfields 100-Year Interim Flood Control Project.

**Discussion:**
The Yuba Goldfields 100-year Interim Flood Control Project is recognized as being a creative solution in a very dynamic environment, involving active mining, and necessitating agreements with three mining companies. TRLIA used local funds to quickly implement a very low-cost project to protect South Yuba County Communities and maintain FEMA Accreditation.

The 2018 Region 9 Award for Outstanding Small Project will be presented during the ASCE Awards Dinner to be held on March 29, 2019 in San Diego at the San Diego Convention Center. The Awards Dinner will be held from 6:15 PM to 9:00 PM, with a cocktail reception beginning at 4:30 PM. The guest list includes representatives from the National Society as well as members from throughout the State.

The ASCE Region 9 Board of Governors represents more than 20,000 ASCE members in the State of California and the TRLIA project was selected from a strong pool of ASCE nominations from throughout the State.

**Fiscal Impact:**
The cost of attending this event is included in the TRLIA FY 18/19 Budget.