



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

A G E N D A

3:00 P.M. AUGUST 31, 2004 – SPECIAL MEETING

Yuba County Government Center
Board of Supervisors' Chambers
915 Eighth Street, Suite 109A
Marysville, California

Unless otherwise indicated.

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 must fill out a "Request to Speak" card and submit it to the Clerk of the Board of Supervisors.

I CALL TO ORDER

II ROLL CALL – Directors Mary Jane Griego and Richard Webb

III ACTION ITEMS

- A. Consider California Environmental Quality Act lead agency status for the proposed Feather-Bear Rivers Levee Setback Project and take action as appropriate.
- B. Authorize the Yuba County Auditor-Controller to pay invoice from Somach, Simmons & Dunn in the amount of \$5,787.27.

IV ADJOURN


Posted 8/27/04 @ 11:00 a.m/ds

In compliance with the American with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need a 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 31, 2004

TO: Three Rivers Levee Improvement Authority Board
FROM: Randy Margo, Assistant County Administrator 
SUBJECT: Consider California Environmental Quality Act Lead Agency Status for
the Proposed Feather-Bear Rivers Levee Setback Project

Recommended Action

Agree to accept lead agency status for the environmental work being performed for the Feather-Bear Rivers proposed levee setback project pursuant to the California Environmental Quality Act (CEQA).

Reason for Recommendation

The Three Rivers Levee Improvement Authority was created in the spring of 2004 to manage the financing, design, and construction of levee improvement projects in the South Yuba County area. The advantages of undertaking lead status for the environmental work on the proposed setback levee project are as follows:

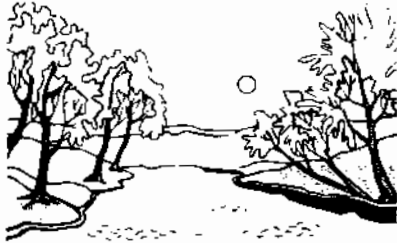
1. The Authority will be the public agency responsible for the design and construction of the project, if it is built.
2. The Authority has already taken responsibility for environmental work pertaining to the proposed Bear River-Western Pacific Interceptor Canal Project and the Yuba River Repair Project.
3. After construction, Reclamation District 784, a member of the Authority would maintain the construction work.

Discussion

The Yuba County Water Agency proposed the setback levee project as part of its Yuba-Feather Supplemental Flood Control Program. The environmental review began with the CEQA Notice of Preparation on July 20, 2004. Concerns about potential lawsuits that might put the Agency's assets at risks have been a driving force towards the creation of the Three Rivers Levee Improvement Authority, which has taken on environmental as well as design and construction of levees in the South Yuba Basin Area. Consequently, the recommended action will result in additional liability risks to the Authority should the environmental document be challenged on legal grounds.

Fiscal Impact

Staff is researching liability coverage and costs for the Three Rivers Levee Improvement Authority. Those costs are intended to be presented to the Yuba County Water Agency for payment, pending direction from the Authority Board.



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

September 7, 2004

TO: Three Rivers Levee Improvement Authority
FROM: Randy Margo, Assistant County Administrator
SUBJECT: Invoice Payment

Recommendation:

Authorize the Yuba County Auditor/Controller to pay the attached invoice to Somach, Simmons & Dunn in the amount of \$5,787.27.

Background:

An agreement with Somach, Simmons and Dunn was approved on April 20, 2004, for legislative advocacy services and related work associated with obtaining required regulatory approvals from state and federal agencies to complete levee construction work and to allow economic activities to continue in the south Yuba Authority basin. The approved contract was for an amount not to exceed \$9,900.

Fiscal Impact:

Funding is available to pay this invoice.

SOMACH, SIMMONS & DUNN
A Professional Corporation
813 Sixth Street, Third Floor
Sacramento, CA 95814-2403
(916) 446-7979 Fax (916) 446-8199
Fed #68-0261618 State #385-8015-5

RECEIVED

AUG 11 2004

ADMINISTRATION

Randy Margo
Yuba County Administration
915 Eighth Street, Suite 115
Marysville, CA 95901

August 5, 2004

#20293

	<u>Amount</u>
Previous balance	\$5,787.27
Balance due	<u><u>\$5,787.27</u></u>

SOMACH, SIMMONS & DUNN
A Professional Corporation
~~400 Capitol Mall, Suite 1900~~ 810 Sixth St.
Sacramento, CA 95814-4407
(916) 446-7979 Fax (916) 446-8199
Fed #68-0261618 State #385-8015-5

Randy Margo
Yuba County Administration
915 Eighth Street, Suite 115
Marysville, CA 95901

RECEIVED

AUG 11 2004

ADMINISTRATION

June 5, 2004

#19473

			<u>Hrs/Rate</u>	<u>Amount</u>
4/16/04	SLS	<u>Flood Control</u> LEGAL SERVICES Meeting with Randy Margo, et al. in Marysville regarding flood control work. Flood Control	3.00 @300.00/hr	900.00
4/22/04	SLS	LEGAL SERVICES Telephone call Webb regarding meeting with Reclamation Board; review materials; telephone call Randy margo. Flood Control	2.00 @300.00/hr	600.00
5/6/04	SLS	LEGAL SERVICES Meeting with County, County Water Agency, Reclamation Board regarding strategy. Flood Control	4.00 @300.00/hr	1,200.00
5/10/04	JLM	LEGAL SERVICES Conference with C. Scheuring regarding case background; review and analyze background information; travel to and attend South Yuba County Floodplain Issues Executive Committee Meeting; review and analyze meeting notes and handouts. Flood Control	4.30 @155.00/hr	666.50

Randy Margo

Page 2

June 5, 2004

			<u>Hrs/Rate</u>	<u>Amount</u>
5/11/04	JLM	LEGAL SERVICES Review Yuba County flood control meeting notes and handouts; prepare meeting summary. Flood Control	0.90 @155.00/hr	139.50
5/13/04	SLS	LEGAL SERVICES Telephone call Randy Margo; telephone call Kent McDiarmid. Flood Control	0.50 @300.00/hr	150.00
5/21/04	SLS	LEGAL SERVICES Review materials; telephone call Randy Margo; meeting with C. Scheuring; telephone call Curt Aiken; conference telephone call with Yuba County. Flood Control	2.00 @300.00/hr	600.00
	CCS	LEGAL SERVICES Legal research regarding Reclamation Board, issuance of permits, programmatic vs. project-specific, flood insurance rate zones; telephone call with S. Somach, clients. Flood Control	2.50 @165.00/hr	412.50
	CCS	LEGAL SERVICES Further legal research regarding Reclamation Board, issuance of permits, programmatic vs. project-specific, flood insurance rate zones. Flood Control	2.00 @165.00/hr	No Charge
5/22/04	CCS	LEGAL SERVICES Legal research regarding flood insurance rate zones; draft memorandum of research regarding same. Flood Control	1.90 @165.00/hr	313.50

Randy Margo

Page 3

June 5, 2004

			<u>Hrs/Rate</u>	<u>Amount</u>
5/28/04	SLS	LEGAL SERVICES Meeting with Curt Aikens regarding Yuba County flood control. Flood Control	2.00 @300.00/hr	600.00
		For professional services rendered	<hr/> 25.10	<hr/> \$5,582.00
		Additional charges		
			<u>Price</u>	
4/30/04	SLS	<u>Flood Control</u> TRAVEL-Mileage Round trip mileage to Marysville for S. Somach to attend meeting with Randy Margo regarding flood control work on 4/16/04. Flood Control	@52.50	52.50
		Total costs		<hr/> \$52.50
		Total time and expense charges		<hr/> \$5,634.50
		Balance due		<hr/> <hr/> \$5,634.50

SOMACH, SIMMONS & DUNN
A Professional Corporation
400 Capitol Mall, Suite 1900
Sacramento, CA 95814-4407
(916) 446-7979 Fax (916) 446-8199
Fed #68-0261618 State #385-8015-5

RECEIVED

AUG 11 2004

ADMINISTRATION

Randy Margo
Yuba County Administration
915 Eighth Street, Suite 115
Marysville, CA 95901

July 5, 2004

#19866

			<u>Hrs/Rate</u>	<u>Amount</u>
6/1/04	<u>Flood Control</u> JLM	LEGAL SERVICES Review and analyze draft memorandum regarding RD 784 Flood Control strategy. Flood Control	0.30 @155.00/hr	46.50
6/23/04	SLS	LEGAL SERVICES Telephone call Randy Margo. Flood Control	0.30 @300.00/hr	90.00
For professional services rendered			<hr/> 0.60	<hr/> \$136.50
Additional charges				
			<u>Price</u>	
6/30/04	<u>Flood Control</u> SLS	MAILING & SHIP 4/20/04 Federal Express to Yuba County Administration. Flood Control	@16.27	16.27
Total costs				<hr/> \$16.27

Randy Margo

Page 2

July 5, 2004

	<u>Amount</u>
Total time and expense charges	\$152.77
Previous balance	\$5,634.50
Balance due	<u>\$5,787.27</u>