

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
Yuba County Government Center, Board Chambers
915 Eighth Street, Suite 109A
Marysville, California

JUNE 19, 2007 – 2:00 P.M.

I CALL TO ORDER

II ROLL CALL – Directors Rick Brown, Jerry Crippen, Mary Jane Griego, Dan Logue, Richard Webb

III PUBLIC COMMUNICATIONS: Any person may speak about any subject of concern provided it is within the jurisdiction of the Levee Improvement Authority and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes.

IV CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

A. Approve minutes of the regular meeting of June 5, 2007.

V ACTION ITEMS

A. Accept Proposed Budget for Fiscal Year 2007/2008, direct Executive Director to make copies available for public inspection, and direct budget hearings be scheduled to begin on Tuesday, July 17, 2007 at 3:00 p.m.

B. Adopt resolutions declaring public necessity for the taking of certain property for repair, construction, installation and maintenance of levee improvement project Phase 4 along the Feather River identified as APN 013-010-013 (Mann) and APN 013-010-014 (Davit).

VI BOARD AND STAFF MEMBERS' REPORTS

VII ADJOURN

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

JUNE 5, 2007

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 3:30 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Mary Jane Griego, Dan Logue, and Richard Webb. Also present were Executive Director Paul Brunner, Special Counsel Scott Shapiro, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chairman Webb presided.

CONSENT AGENDA

Upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board took the following action:

Minutes: Approved the minutes of the regular meeting of June 5, 2007, as written.

APPROVE
MINUTES

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Program Manager Ric Reinhardt:

- Feather River Levee project design, permitting, and construction schedule
- State Reclamation Board encroachment permit for segments 1 and 3
- Feather River levee and possible State Reclamation Board requirement to lower height to 1957 standards

Executive Director Paul Brunner:

- State Reclamation Board briefings for meeting of June 8, 2007, on Feather River levee project Segment 2 alignment (setback levee) and cash flow projections which include projected funding from Propositions 1E and 84

Director Logue left the meeting at 4:18 p.m. and rejoined the meeting at 4:23 p.m.

Special Counsel Scott Shapiro:

- Briefing and levee tour held May 30, 2007 for Corps of Engineer staff on Yuba River Basin Project

Executive Director Paul Brunner:

- Repayment of \$2.4 transportation loan to County and YWCA loan of \$650,000 by June 7, 2007
- Capital call of \$9.1 million successful
- Audit of financial records
- Opportunities for public relations/outreach and services of Lucy and Company

Chairman Webb formed an ad hoc committee to provide direction on public outreach regarding assessment district, certification of levee project, and completion of Yuba River project appointing Director Logue and himself as representatives.

FORM
AD HOC

CLOSED SESSION

The Board retired into closed session at 4:58 p.m. to discuss the following:

- A. Personnel pursuant to Government Code §54957 – Executive Director Evaluation
- B. Personnel pursuant to Government Code §54957 – General Counsel Appointment

Director Crippen left closed session at 5:10 p.m. and did not return.

The Board returned from closed session at 5:47 p.m. with all Board and staff members present as indicated above, except Director Crippen.

Chairman Webb made the following announcement:

“The evaluation of the Executive Director has been completed and the personnel matter on General Counsel was settled.”

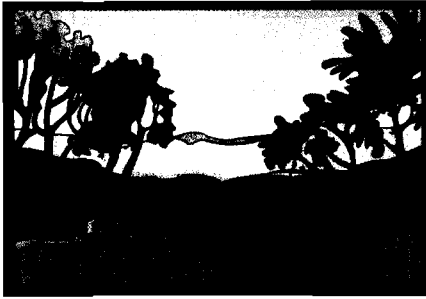
ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 5:48 p.m. by Chairman Webb.

Chairman

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

_____ Approved: _____



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218
Marysville, CA 95901
(530) 749-7841 Fax (530) 749-6990

June 19, 2007

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
Ric Reinhardt, Program Manager

SUBJECT: Acceptance of Budget for Fiscal Year 2007-08

Recommended Action

1. Accept the Executive Director's Proposed Budget for Fiscal Year 2007-08
2. Direct TRLIA Executive Director to make copies of the Proposed Budget available for inspection by the public
3. Direct Budget Hearing be scheduled to begin on Tuesday, July 17, starting at 3:00 pm.

Purpose of Recommended Actions

TRLIA continues to follow the same requirements for budget adoption as prescribed by the Yuba County Ordinance Code and state law. Attached is the proposed Fiscal Year 2007-08 TRLIA budget for your consideration. The budget is based on the assumption that TRLIA will receive significant State funding from Prop 1E and 84. Should the Prop 1E and 84 funds not be forthcoming in a timely manner this budget will need to be significantly revised and re-approved. State law also requires the Board to notify the public when budget hearings will begin and to provide copies of the Proposed Budget for inspection by the Public.

Discussion

This proposed budget represents a continuation of the aggressive actions that TRLIA has accomplished since its conception in 2004. Outlined in this budget submittal is an ambitious State and Local capital improvement program specifically aimed to enhance flood protection for Yuba County residents that reside in the South Yuba County area where significant development interest has spurred residential and commercial construction in the Plumas Lake Specific Plan Area, North Arboga Study Area, and the East Linda Specific Plan area. The TRLIA Plan is to improve the levees along the Feather, Yuba, and Bear Rivers, and the Western Pacific Inceptor Canal to achieve 200-year flood protection for South Yuba County by the end of the 2008 construction season.

There are four phases to this capital improvement program. The most critical flood control projects were prioritized and done first in order to rapidly reduce the risk of flooding to residents as quickly as possible. Phase 1, 2, 3, and a portion of Phase 4 (Yuba River levee between UPRR and Simpson Lane) have been completed. The remaining work to be completed is listed below with the work in FY07/08 highlighted in bold typing:

- The design, permitting, and right of way/land acquisition actions necessary for the remaining work on the Yuba and Feather Rivers.
- Portions of Yuba work include slope maintenance between Highway 70 and the SPRR and some improvements downstream of the Yuba Goldfields. The construction work is expected to occur during the 2008 construction season.
- The construction work on the Feather River levee between the Bear River and Yuba River. The work on the Feather River has been divided into three segments in order to facilitate the ambitious schedule for completion. Segment 1 consists of strengthening the levee in place between the Bear River and Star Bend. This work is expected to occur in the 2008 construction season. **Segment 3, from the Yuba River at the WPRR crossing to Shanghai Bend, will also strengthen the levee in place with work expected to occur in 2007. Segment 2 consists of a setback levee to be constructed between Star Bend and Shanghai Bend. Construction of the foundation and land acquisition (approximately 1600 acres) is expected to occur in late 2007/early 2008. Portions of the embankment will be constructed with this budget,** and remaining embankment constructed in the 2008 construction season. Degrading the existing levee and environmental restoration work is planned to occur in late 2008 or 2009.

Prior to 2006 the funding for this project came from a combination of local developer's payments (1st Implementation and Funding Agreements), and state monies originating from the State Water Bond Act of 2000. Developers provided payments of upfront capital which allowed Phase 2 and 3 capital projects to begin. The developers' payments came in two forms: cash discount payments made on a per acre basis when the County of Yuba records a final map; and, an advance funding charge for those developers that had building permits allocated as a result of the agreement with the California Reclamation Board to allow limited building permits during 2005, and 2006. As a result of this action by the Reclamation Board, a new Advance funding agreement (2nd funding agreement) was developed with the landowners. That agreement provided that the participating developers would advance funds up to \$135 million for the remaining Phase 4 levee improvements through a series of Capital Calls. They would be repaid through a series of Mello-Roos Bond sales (CFD 2006-1) for their respective shares and through repayment with interest from development impact fees collected for the non-participant shares. Developer funding through these efforts (1st and 2nd funding agreements) has amounted to \$73.5 million to date. TRLIA applied for and was granted \$62.6 million under the State Water bond Act of 2000, commonly known as Proposition 13 for phase 2, and 3, of which \$44.4 million is reimbursable and \$41.2 million has been received, leaving \$3.2 million to be received in FY 2007-08. TRLIA also applied for and was granted \$19.0

million from the State Department of Fish Game, which \$11.2 million has been received. The State budget has \$7.4 million designated for TRLIA in FY 2007-08. These reimbursed funds from the State are reapplied to cover TRLIA project expenses. A FEMA grant provided \$4.7 million for the Olivehurst Detention Basin.

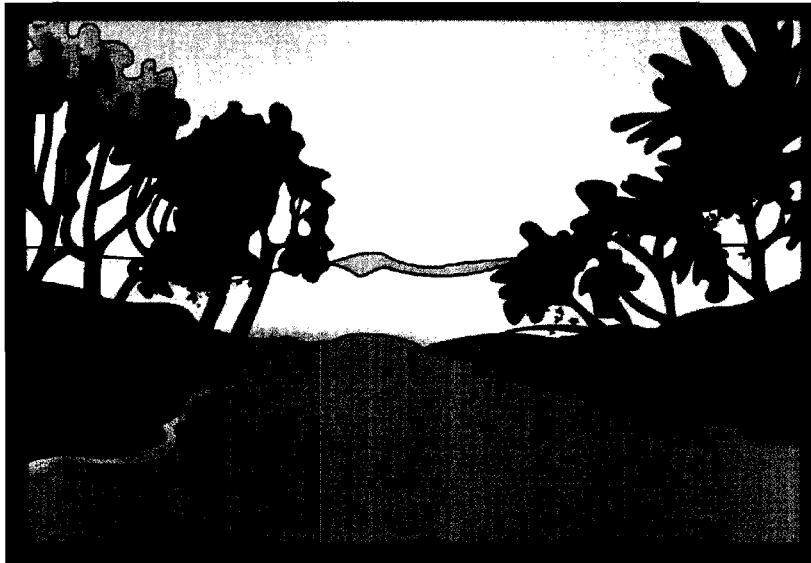
In November 2006, California voters passed the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Proposition 1E), which allocated \$200 million for projects that are ready to go to construction in FY 2007-08. In May of 2007, TRLIA submitted a \$168 million application for the Feather River levee work to the State Department of Water Resources. The total cost of the Feather River levee work is estimated to be \$201 million. It is anticipated that projects which meet the State eligible criteria will be selected in June 2007 and grant contracts are expected to be executed in July 2007. While Three Rivers has requested \$168 million as it believes it is eligible to receive these funds, this budget conservatively assumes that TRLIA is granted \$151 million for the Feather River Levee Rehabilitation Project, with \$95 million to be received in FY 2007-08. In addition, the developers are currently working with TRLIA to amend the 2nd funding agreement to reflect a new capital call schedule to match the local share requirement outlined in the forthcoming Prop 1E State agreement. For the sake of this budget it is anticipated that an additional \$55 million beyond the \$18 million already provided under the 2nd funding agreement will be needed from the developers to complete the TRLIA program, of which \$29.5 million would be needed in FY 2007-08. These numbers (State and Local share) will be adjusted once the Proposition 1E grant amount is finalized to ensure that there is adequate revenue to support the project through completion.

Fiscal Impact

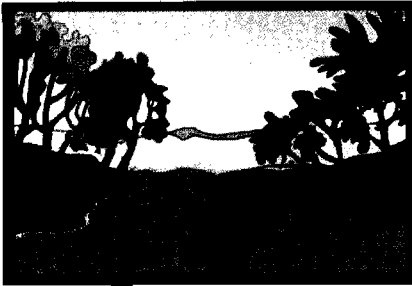
Proposed appropriations for FY2007-08 total \$123 million, there is \$2 million in carryover from FY2006-07 plus proposed revenue of \$136 million for a total of \$138 million, leaving an estimated balance of \$15 million to be carried over to FY2008-09 to support the ongoing TRLIA project.

**THREE RIVERS LEVEE
IMPROVEMENT
AUTHORITY**

2007/08 Budget Proposal



Paul G. Brunner, P.E.



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

**1114 Yuba Street, Suite 218
Marysville, CA 95901
(530) 749-7841 Fax (530) 749-6990**

June 19, 2007

To: Three Rivers Improvement Authority

From: Paul G. Brunner, P.E., Executive Director

Re: Proposed Budget for Fiscal Year 2007-08

I am pleased to submit this proposed TRLIA budget for FY07/08. The budget is based on the assumption that TRLIA will receive significant State funding from Prop 1E and 84. Should the Prop 1E and 84 funds not be forthcoming in a timely manner this budget will need to be significantly revised and re-approved.

This proposed budget represents a continuation of the aggressive actions that TRLIA has accomplished since its conception in 2004. Outlined in this budget submittal is an ambitious State and Local capital improvement program specifically aimed to enhance flood protection for Yuba County residents that reside in the South Yuba County area where significant development interest has spurred residential and commercial construction in the Plumas Lake Specific Plan Area, North Arboga Study Area, and the East Linda Specific Plan area. The TRLIA Plan is to improve the levees along the Feather, Yuba, and Bear Rivers, and the Western Pacific Inceptor Canal to achieve 200-year flood protection for South Yuba County by the end of the 2008 construction season.

In its entirety, the proposed cost to complete this project is in excess of \$360 million, which is significantly greater than the proposed \$260 million projected in last years budget. The increase is due to the additional cost that is needed to accomplish the Feather River Setback Alternative. Last fiscal year TRLIA accomplished the following:

- Completion and Corps of Engineers Certification of the Yuba River Phase 1 and 2 levee work between Hwy 70 and UPRR.
- Completion and Corps of Engineers Certification of the Western Pacific Interceptor Canal and Bear River Phase 2 levee work
- Completion and Corps of Engineers Certification of the Bear River Setback Phase 3 levee work

- Completion and Corps of Engineers Certification of the Yuba River Phase 4 levee between UPRR and Simpson Lane
- Signing and Implementation of the 2nd Funding Agreement
- Creation of Community Facility Districts 2006-1 and 2006-2
- Completion and Certification of the Feather River Environmental Impact Report and subsequent selection of Alternative 2 (Setback) for the Feather River
- Submission of Prop. 1E and 84 funding application to the State Department of Water Resources.

There are four phases to this capital improvement program. The map on page 6 depicts the four phases. The most critical flood control projects were prioritized and done first in order to rapidly reduce the risk of flooding to residents as quickly as possible. Phase 1, 2, 3, and a portion of Phase 4 (Yuba River levee between UPRR and Simpson Lane) have been completed. The remaining work to be completed is listed below with the work in FY07/08 highlighted in bold typing:

- **The design, permitting, and right of way/land acquisition actions necessary for the remaining work on the Yuba and Feather Rivers.**
- Portions of Yuba work include slope maintenance between Highway 70 and the SPRR and some improvements downstream of the Yuba Goldfields. The construction work is expected to occur during the 2008 construction season.
- The construction work on the Feather River levee between the Bear River and Yuba River. The work on the Feather River has been divided into three segments in order to facilitate the ambitious schedule for completion. Segment 1 consists of strengthening the levee in place between the Bear River and Star Bend. This work is expected to occur in the 2008 construction season. **Segment 3, from the Yuba River at the WPRR crossing to Shanghai Bend, will also strengthen the levee in place with work expected to occur in 2007. Segment 2 consists of a setback levee to be constructed between Star Bend and Shanghai Bend. Construction of the foundation and land acquisition (approximately 1600 acres) is expected to occur in late 2007/early 2008. Portions of the embankment will be constructed with this budget,** and remaining embankment constructed in the 2008 construction season. Degrading the existing levee and environmental restoration work is planned to occur in late 2008 or 2009.

This proposed budget also includes:

- Prop 13 revenues that were delayed by the State until FY07/08
- The cost of the TRILIA management team and associated support costs (e.g. office space, etc.), see organizational chart on page 5.

- An estimate for TRLIA to temporarily provide support to RD 784 to maintain the levees in the South Yuba area until the TRLIA project is complete.

Prior to 2006 the funding for this project came from a combination of local developers' payments (1st Implementation and Funding Agreements), and state monies originating from the State Water Bond Act of 2000. Developers provided payments of upfront capital which allowed Phase 2 and 3 capital projects to begin. The developers' payments came in two forms: cash discount payments made on a per acre basis when the County of Yuba records a final map; and, an advance funding charge for those developers that had building permits allocated as a result of the agreement with the California Reclamation Board to allow limited building permits during 2005 and 2006. In 2006 TRLIA approached the State Reclamation Board to lift the building permit limitation based on the commitment to do the following six elements. The State Reclamation Board granted the TRLIA request. These commitments were documented in the Second Implementation Agreement in Regard to State Reclamation Board Permit No. 17782 between the County of Yuba and TRLIA on May 23, 2006.

1. A commitment by Three Rivers to use its best efforts to complete the Yuba River levee acceleration work in 2006 and all elements of the program by 2008.
2. A commitment by the Landowners for a comprehensive financing plan to fund the phase 4 program (including phases 2, 3, and 4 construction and condemnation contingencies).
3. Remedies available to the Reclamation Board in the event that the committed funding is not available when needed.
4. A commitment by the Landowners to provide, at no cost to all new residents in the Affected Area, flood insurance through the completion of Phase 4 or 2010 (whichever occurs first).
5. A commitment by Three Rivers to continue to make reports, as requested, providing updates on the status of the Three Rivers project.
6. A commitment by Yuba County to continue to use reasonable diligence to inform residents within RD 784 of the risk of flooding and to further refine and improve the County's Evacuation Plan and Pre-hazard Mitigation Plan.

As a result of this action by the Reclamation Board, a new Advance funding agreement (2nd funding agreement) was developed with the landowners. That agreement provided that the participating developers would advance funds up to \$135 million for the remaining Phase 4 levee improvements through a series of Capital Calls. They would be repaid through a series of Mello-Roos Bond sales (CFD 2006-1) for their respective shares and through repayment with interest from development impact fees collected for the non-participant shares. Developer funding through these efforts (1st and 2nd funding agreements) has amounted to \$73.5 million to date. TRLIA applied for and was granted \$62.6 million under the State Water bond Act of 2000, commonly known as Proposition

13 for phase 2, and 3, of which \$44.4 million is reimbursable and \$41.2 million has been received, leaving \$3.2 million to be received in FY 2007-08. TRLIA also applied for and was granted \$19.0 million from the State Department of Fish Game, which \$11.2 million has been received. The State budget has \$7.4 million designated for TRLIA in FY 2007-08. These reimbursed funds from the State are reapplied to cover TRLIA project expenses. A FEMA grant provided \$4.7 million for the Olivehurst Detention Basin.

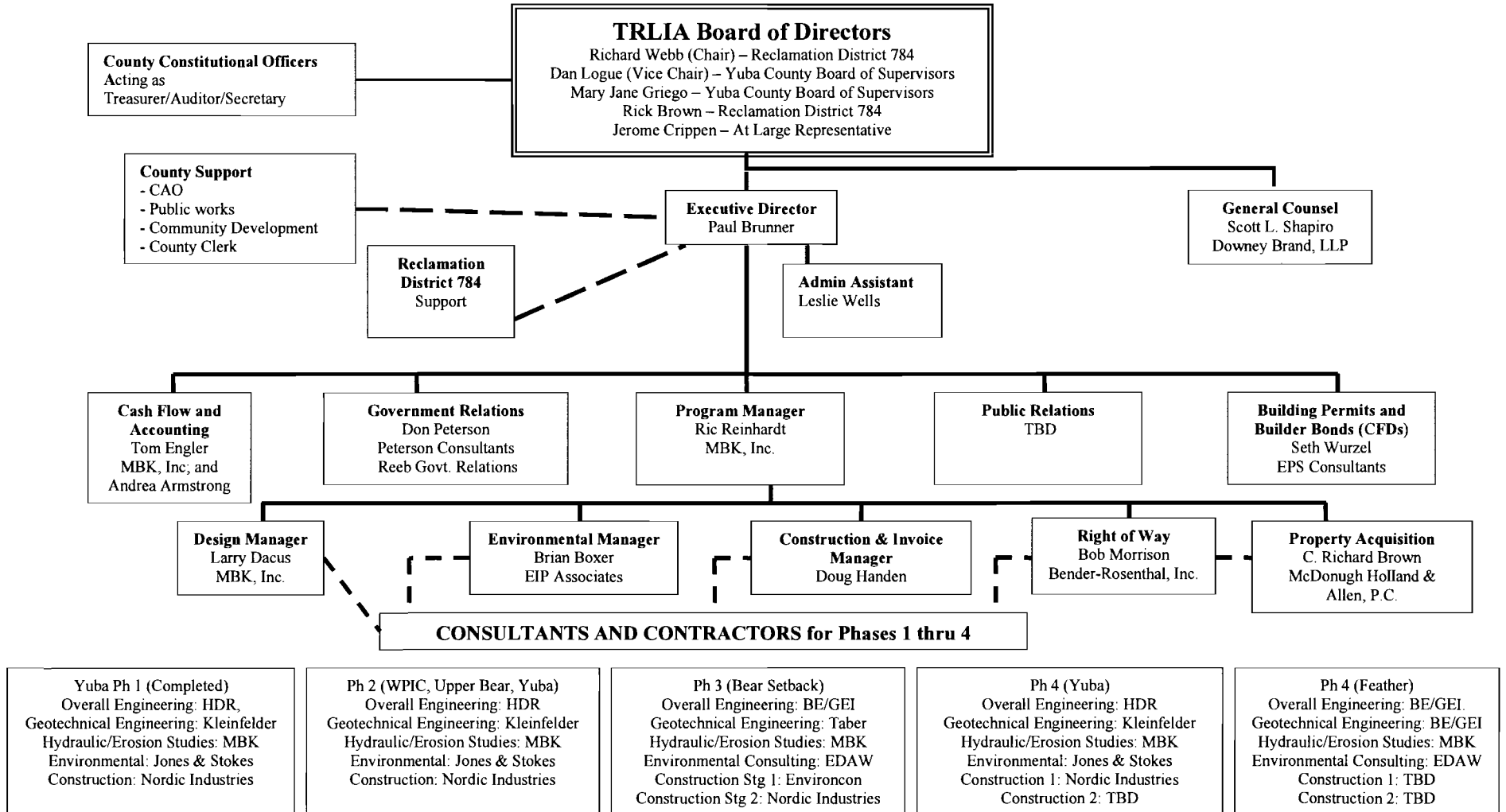
In November 2006, California voters passed the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Proposition 1E), which allocated \$200 million for projects that are ready to go to construction in FY 2007-08. In May of 2007, TRLIA submitted a \$168 million application for the Feather River levee work to the State Department of Water Resources. The total cost of the Feather River levee work is estimated to be \$201 million. It is anticipated that projects which meet the State eligible criteria will be selected in June 2007 and grant contracts are expected to be executed in July 2007. While Three Rivers has requested \$168 million as it believes it is eligible to receive these funds, this budget conservatively assumes that TRLIA is granted \$151 million for the Feather River Levee Rehabilitation Project, with \$95 million to be received in FY 2007-08. In addition, the developers are currently working with TRLIA to amend the 2nd funding agreement to reflect a new capital call schedule to match the local share requirement outlined in the forthcoming Prop 1E State agreement. For the sake of this budget it is anticipated that an additional \$55 million beyond the \$18 million already provided under the 2nd funding agreement will be needed from the developers to complete the TRLIA program, of which \$29.5 million would be needed in FY 2007-08. These numbers (State and Local share) will be adjusted once the Proposition 1E grant amount is finalized to ensure that there is adequate revenue to support the project through completion.

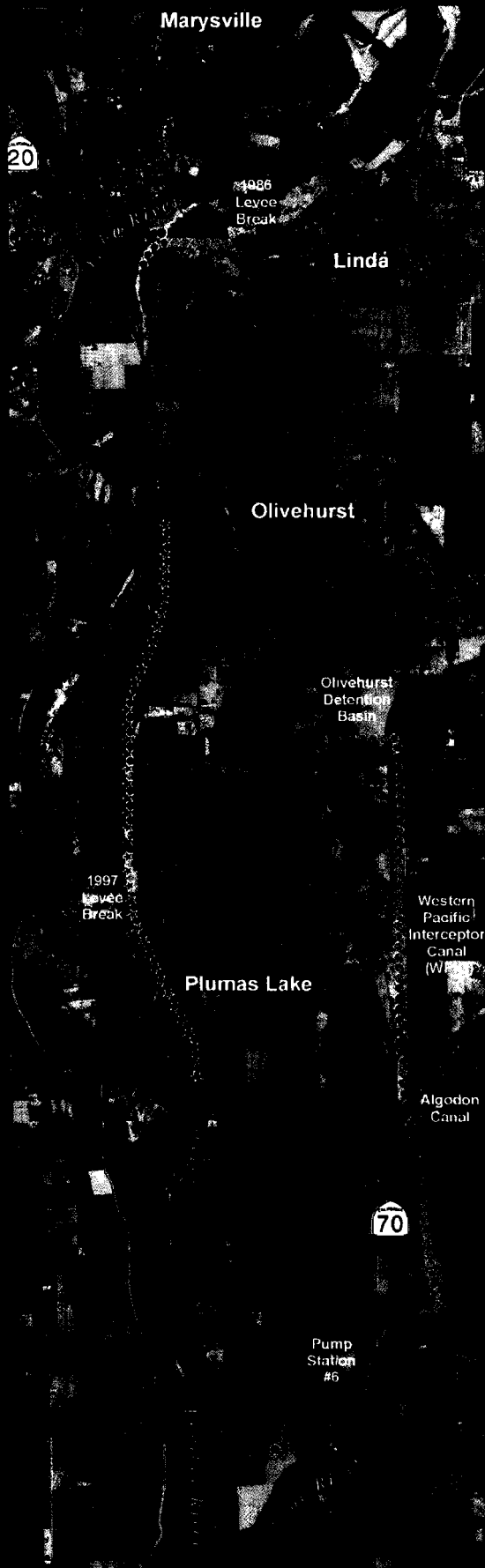
The chart on page 10 shows the anticipated FY2007/08 monthly expenditures and revenues. The expenditures are based on the TRLIA cash flow spreadsheet dated 5-25-07 and project schedules shown in Appendix A. The monthly revenues are based on: 1) the State reimbursements over the 12 month period; and 2) developers depositing funds into an escrow account at set Capital Call dates and releasing those funds as expenses are incurred. Provided below is the anticipated total cost of the overall project by phase:

	TOTAL
PHASE 1	4,779,926
PHASE 2	39,156,064
PHASE 3	60,991,346
PHASE 4 (YUBA)	24,807,562
PHASE 4 (FEATHER SEGMENTS 1 & 3)	36,561,294
PHASE 4 (FEATHER SEGMENT 2)	175,705,047
OLIVEHURST DETENTION BASIN	8,154,294
PROJECT CONTINGENCY	10,737,482
INTERIM O&M	2,100,000
TOTAL	362,993,015

Three Rivers Levee Improvement Authority (Joint Powers Authority)

Organization Chart





Legend	
●●●●●●●●	Phase 1 (completed)
■ ■ ■ ■ ■ ■ ■ ■	Phase 2 (2005 & 2006 construction seasons)
■ ■ ■ ■ ■ ■ ■ ■	Phase 3 (2005 & 2006 construction seasons)
■ ■ ■ ■ ■ ■ ■ ■	Phase 4 (2007 & 2008 construction seasons)
★ ★ ★ ★ ★	Phase 4 setback 2007 & 2008 construction seasons

Phase 1 Levee Repairs (2004)

- Yuba Levee: 2,200-foot long, 50-foot deep slurry wall to provide a cutoff of underseepage

Phase 2 Levee Repairs (2005)

- Yuba Levee: 90- and 300-foot wide landside seepage berms to protect against underseepage
- Olivehurst Detention Basin: New detention pond adjacent to the Clark Lateral Canal and a new pump station
- Upper WPIC Levee: 500-foot long, 38-foot deep slurry cutoff wall and an 1,100-foot, 44-foot deep slurry cutoff wall to minimize underseepage at Plum Lake
- Lower WPIC Levee: Landside toe ditch filled to provide protection against underseepage
- Upper Bear Levee: Reconstruction of 300 feet of levee; rock slope protection at confluence with WPIC to provide erosion protection

Phase 2 Levee Repairs (2006)

- Olivehurst Detention Basin: Ring Levee between SR-70 and the Clark Lateral Levee
- WPIC Levee: Levee crown raise to provide adequate freeboard
- Lower Bear Levee: Levee crown raise to provide adequate freeboard and a waterside impervious zone to prevent throughseepage. Pump Station No. 6 removal and a new set back pump station to protect against underseepage at the Algodon Canal. Tie-in for the Bear River setback levee

Phase 3 Levee Repairs (2005)

- Clearing, grubbing, and stripping of setback levee foundation
- Excavation and backfilling of approximately 9,500 feet of inspection trench
- Construction of approximately 9,500 feet (430,000 square feet) of soil-bentonite slurry cutoff wall
- Construction of setback levee tie-in embankment with existing Feather River Levee
- Installation of two relief wells
- Investigation of three archeological areas revealed during construction

Phase 3 Levee Repairs (2006)

- Demolition of existing homes and structures within the setback levee area
- Clearing and grubbing of remaining trees in setback area
- Construction of setback levee embankment (approx. 800,000 cy)
- Installation of approximately 18 relief wells
- Construction of two detention basins with total capacity of 300 acre-feet
- Removal of portions of the existing Bear and Feather River Levees
- Construction of a floodplain swale to mitigate for potential fish stranding

Phase 3 Levee Repairs (2006/2007)

- Environmental restoration of setback area and existing Bear River floodway

Phase 4 Levee Repairs (2006)

- Yuba Levee: Cut-off wall between the UPRR and Simpson Lane to protect against underseepage.

Phase 4 Levee Repairs (2007/2008)

- TRLIA Board adopts Feather River Setback Levee Alternative February 6th, 2007.
- Feather River Levee: Strengthen-in-place and Setback levee (Under design/construction).
- Yuba Levee (NE corner of UPRR & Levee intersection): Constructed seepage berm and installed two monitoring wells.
- Yuba Levee between Hwy 70 and Simpson Lane levee work to achieve 200-year flood protection goal.
- Yuba River: Levee improvements at the upstream end of the levee near the Goldfields

**TRLIA
FISCAL YEAR 2007 - 2008
BUDGET**

**BUDGET ESTIMATED EXPENDITURE DETAIL ROLLUP
BUDGET FOR THE FISCAL YEAR 2007-2008**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	REQUEST 2007- 2008
805-3350-425-15-00	INSURANCE	353,383 1/
805-3350-425-20-00	MEMBERSHIP	4,000
805-3350-425-23-01	SPECIAL PROJECTS	122,117,868 2/
805-3350-425-23-02	PROFESSIONAL SERVICES	563,000
805-3350-425-29-00	TRAVEL	10,000 3/
TOTAL		123,048,251

**BUDGET FOR THE FISCAL YEAR 2007-2008
ESTIMATED REVENUE**

ACCOUNT NUMBER	REVENUE SOURCE	AMOUNT 2007- 2008
805-0000-361-62-36	PROP 13 (DWR Phases 2 & 3)	3,172,798 4/
	PROP 13 (DF&G Phases 2 & 3)	7,876,000
	PROP 1E	95,304,292 5/
805-0000-371-97-30	DEVELOPER IMPACT FEES	600,000
810-0000-371-98-99	LANDOWNER ESCROW - BOND PROCEEDS	29,457,579
	FUND CARRYOVER FROM 06/07	1,795,596
TOTAL		138,206,266

Fund Balance 6/30/08 15,158,015

1/ Costs from 06/07 plus 3% inflation

2/ Source for Special Project Budget is TRLIA Cash flow Spreadsheet 5.25.07

3/ Includes O&M Cost of County Vehicle Provided to TRLIA

4/ Remaining reimbursements for Phases 1-3 , \$1 mil for Phase 2 Design in DWR '08 appropriation

5/ Per the Prop 1E Grant Application. Actual amounts may change depending on the State's commitment

**TRLIA
FISCAL YEAR 2007 - 2008
BUDGET**

SPECIAL PROJECTS DETAIL (#2301)

Jul 07 - Jun 08

PHASE	DESIGN	CONSTRUCTION CONTRACT	CONSTRUCTION MANAGEMENT	ROW ACQUISITION	ENVIRONMENTAL MITIGATION/ RESTORATION	TRLIA PROJ 2/ MANAGEMENT	CONTINGENCY	BUDGET AMOUNT
TRLIA Phase 2 Levee Repair Bear, WPIC & Yuba to UPRR	Upper 0	50,000	0	1,140,000	0	5,000	0	1,195,000
TRLIA Phase 3 Levee Repair River Setback Levee	Bear 0	0	0	3,000,000	3,154,387	0	0	6,154,387
TRLIA Phase 4 Yuba Levee Repair Yuba beyond UPRR	300,000	0	0	0	900,000	29,000	0	1,229,000
TRLIA Phase 4 Feather Levee Repair Segments 1 & 3 - Strengthen in Place	455,000	8,300,000	1,258,000	0	0	834,000	887,388	11,734,388
TRLIA Phase 4 Feather Levee Repair Segment 2 - Setback	5,370,000	21,459,000	1,425,000	56,440,000	1,855,000	2,556,000	7,730,100	96,835,100
Interim O&M								675,000
Project Contingency								4,294,993
TOTALS	6,125,000	29,809,000	2,683,000	60,580,000	5,909,387	3,424,000	8,617,488	122,117,868

TRLIA PROJECT MANAGEMENT CONTRACTS

CONTRACTOR	Est 07/08
MBK (Prog Mgmt & Design Mgmt)	600,000
Handen Co. (Construc Mgmt)	168,000
EIP (Environmental Mgmt)	144,000
Downey Brand (Legal Counsel) 1/	550,000
McDonough Holland & Allen (RE Legal Counsel, Rich Brown)	100,000
BRI (RE Mgmt and Acquisition)	1,490,000
Peterson Consultants (Government Relations)	60,000
EPS (Financial Consultant)	100,000
MBK and Mike Hinz (Financial Support and Auditing) 2/	112,000
TBD (Public Relations)	100,000
TOTAL	3,424,000

1/ Downey Brand budget includes General counsel duties

2/ \$90,000 for MBK and \$22,000 for Hinz

PROFESSIONAL SERVICES DETAIL (#2302)

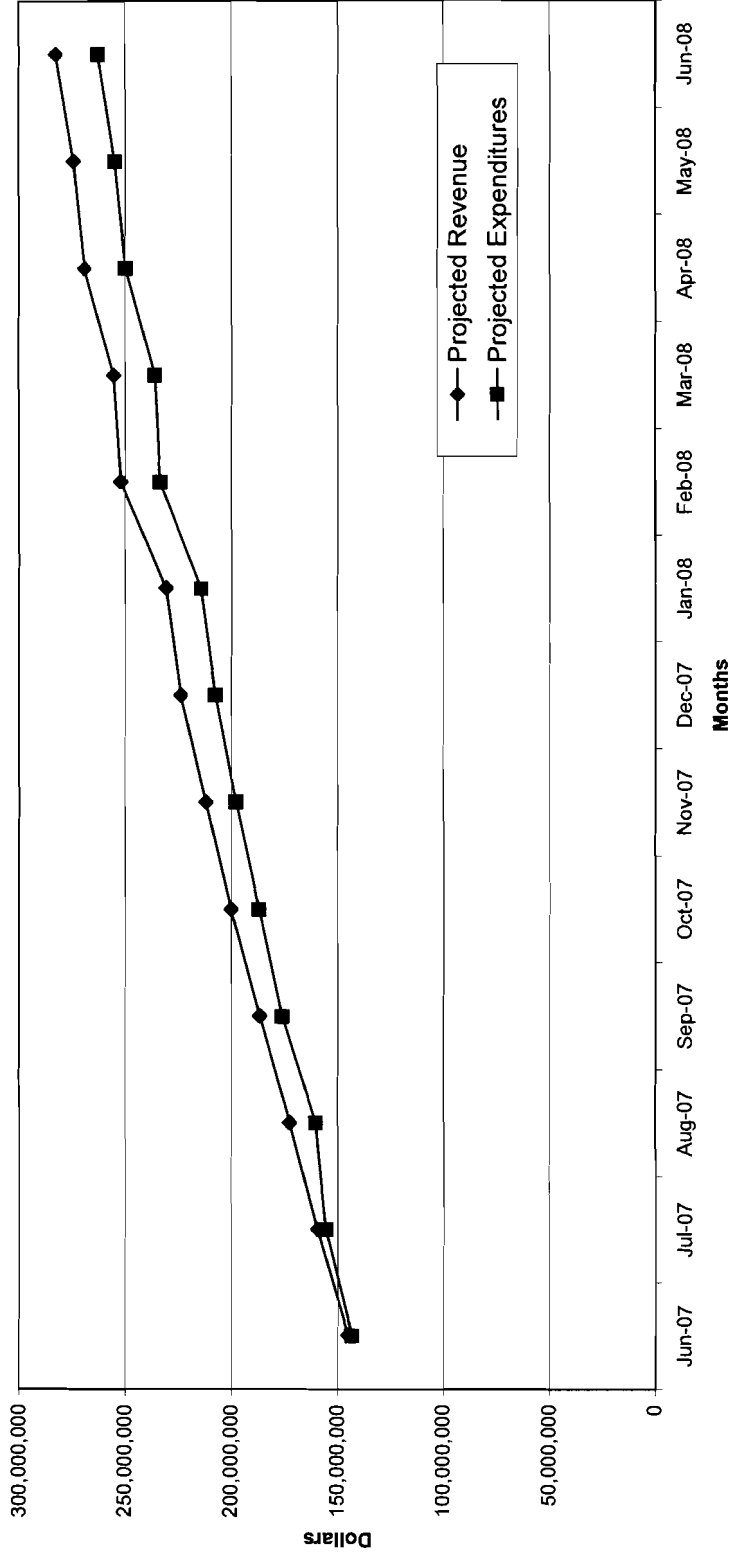
DETAIL DESCRIPTION	2007/2008
Public Works Admin Salaries & Benefits	93,600 1/
TRLIA General Expenses (Services, Supplies & Office)	95,000 2/
Executive Director Salary & Benefits	155,400
CAO, Auditor & Treasurer Salary & Benefits	40,000
Administrative Assistants Salary & Benefits	99,000 3/
Clerk of the Board Salary & Benefits	20,000
Public Outreach for Flood Protection Improvements	60,000
TOTAL	563,000

1/ \$7,800 per month equals 06/07 average plus 5%

2/ Includes \$5,000 per month for Supplies, \$2,750 per month for rent and \$2,000 security deposit

3/ Includes \$15,000 per year for temporary assistance as needed

Estimated Cumulative FY 07/08 Monthly Revenue and Expenditures



FUTURE EXPENDITURE AND REVENUE PROJECTIONS

BUDGET FOR THE FISCAL YEAR 2008-2009

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	REQUEST 2008-2009
805-3350-425-15-00	INSURANCE	363,984
805-3350-425-20-00	MEMBERSHIP	4,000
805-3350-425-23-01	SPECIAL PROJECTS	75,737,087 1/
805-3350-425-23-02	PROFESSIONAL SERVICES	588,000
805-3350-425-29-00	TRAVEL	10,000 2/
TOTAL		76,703,072

ESTIMATED REVENUE

ACCOUNT NUMBER	REVENUE SOURCE	AMOUNT 2008 2009
805-0000-361-62-36	PROP 13 (DWR Phases 2 & 3)	0
	PROP 1E	54,832,463 3/
805-0000-371-97-30	DEVELOPER IMPACT FEES	600,000
810-0000-371-98-99	LANDOWNER ESCROW - BOND PROCEEDS	23,104,674 3/
	FUND CARRYOVER FROM 08/09	15,158,015
TOTAL		93,695,153

Fund Balance 6/30/09 16,992,081

- 1/ Source for Special Project Budget is TRLIA Cash flow Spreadsheet 5.25.07
 2/ Includes O&M Cost of County Vehicle Provided to TRLIA
 3/ Per the Prop 1E Grant Application. Actual amounts may change depending on the State's commitment

BUDGET FOR THE FISCAL YEAR 2009-2010

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	REQUEST 2009-2010
805-3350-425-15-00	INSURANCE	374,904 1/
805-3350-425-20-00	MEMBERSHIP	4,000
805-3350-425-23-01	SPECIAL PROJECTS	14,224,774 2/
805-3350-425-23-02	PROFESSIONAL SERVICES	306,250
805-3350-425-29-00	TRAVEL	10,000 3/
TOTAL		14,919,927

- 1/ Costs from 06/07 plus 3% inflation
 2/ Source for Special Project Budget is TRLIA Cash flow Spreadsheet 5.25.07
 3/ Includes O&M Cost of County Vehicle Provided to TRLIA

BUDGET FOR THE FISCAL YEAR 2009 - 2010

ESTIMATED REVENUE

ACCOUNT NUMBER	REVENUE SOURCE	AMOUNT 2006 2007
805-0000-361-62-36	PROP 13 (DWR Phases 2 & 3)	0 1/
	PROP 1E	1,523,755 2/
805-0000-371-97-30	DEVELOPER IMPACT FEES	600,000
810-0000-371-98-99	LANDOWNER ESCROW - BOND PROCEEDS	72,554 3/
	FUND CARRYOVER FROM 08/09	16,992,081
TOTAL		19,188,390

Fund Balance 6/30/10 4,268,463 4/

- 1/ Remaining reimbursements for Phases 1-3
 2/ Per the Prop 1E Grant Application. Actual contract amounts may change.
 3/ Per the Prop 1E Grant Application. Actual amounts may change depending on the State's commitment
 4/ Balance needed to fund ongoing restoration work

2008/2009 & 2009/2010 Special Projects Detail (#2301)

SPECIAL PROJECTS DETAIL (#2301)

Jul 08 - Jun 09

PHASE	DESIGN	CONSTRUCTION CONTRACT	CONSTRUCTION MANAGEMENT	R/W	ACQ	ENVIRONMENTAL MITIGATION/ RESTORATION	TRLIA PROJ 1/ MANAGEMENT	CONTINGENCY	BUDGET AMOUNT
TRLIA Phase 2 Levee Repair									
Upper Bear, WPIC & Yuba to UPRR	0	0	0			0	0	0	0
TRLIA Phase 3 Levee Repair									
Bear River Setback Levee	0	0	0			0	0	0	0
TRLIA Phase 4 Yuba Levee Repair									
Yuba beyond UPRR	147,128	5,000,000	340,000			0	168,000	0	5,655,128
TRLIA Phase 4 Feather Levee Repair									
Segments 1 & 3 - Strengthen in Place	18,117	13,700,000	1,096,000			0	447,000	1,312,880	16,573,997
TRLIA Phase 4 Feather Levee Repair									
Segment 2 - Setback	460,000	39,841,000	2,390,000			4,590,000	1,314,000	4,012,963	52,607,963
Olivehurst Detention Basin									
	0	0	0			0	0	0	0
Interim O&M									900,000
Project Contingency									3,758,119
TOTALS	625,245	58,541,000	3,826,000			4,590,000	1,929,000	5,325,842	79,495,206

1/ TRLIA Consultants

SPECIAL PROJECTS DETAIL (#2301)

Jul 09 - Jan 10

PHASE	DESIGN	CONSTRUCTION CONTRACT	CONSTRUCTION MANAGEMENT	R/W	ACQ	ENVIRONMENTAL MITIGATION/ RESTORATION	TRLIA PROJ 1/ MANAGEMENT	CONTINGENCY	BUDGET AMOUNT
TRLIA Phase 2 Levee Repair									
Upper Bear, WPIC & Yuba to UPRR	0	0	0			0	0	0	0
TRLIA Phase 3 Levee Repair									
Bear River Setback Levee	0	0	0			0	0	0	0
TRLIA Phase 4 Yuba Levee Repair									
Yuba beyond UPRR	0	0	0			0	0	0	0
TRLIA Phase 4 Feather Levee Repair									
Segments 1 & 3 - Strengthen in Place	0	0	0			0	0	0	0
TRLIA Phase 4 Feather Levee Repair									
Segment 2 - Setback	0	4,800,000	231,000			5,070,000	1,224,000	2,449,774	13,774,774
Olivehurst Detention Basin									
	0	0	0			0	0	0	0
Interim O&M									450,000
Project Contingency									2,684,371
TOTALS	0	4,800,000	231,000			5,070,000	1,224,000	2,449,774	16,909,144

1/ TRLIA Consultants

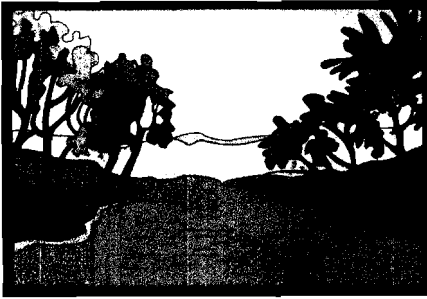
2008/2009 & 2009/2010 PROFESSIONAL SERVICES DETAIL (#2302)

DETAIL DESCRIPTION	2008/2009
Public Works Admin Salaries & Benefits	99,000
TRLIA General Expenses (Services, Supplies & Office)	98,000
Executive Director Salary & Benefits	164,000
CAO, Auditor & Treasurer Salary & Benefits	42,000
Administrative Assistant Salary & Benefits	104,000 1/
Clerk of the Board Salary & Benefits	21,000
Public Outreach for Flood Protection Improvements	60,000
TOTAL	588,000

1/ Includes \$15,000 per year for temporary assistance as needed

DETAIL DESCRIPTION	2009/2010
Public Works Admin Salaries & Benefits	51,975
TRLIA General Expenses (Services, Supplies & Office)	49,000
Executive Director Salary & Benefits	86,100
CAO, Auditor & Treasurer Salary & Benefits	22,050
Administrative Assistant Salary & Benefits	54,600 1/
Clerk of the Board Salary & Benefits	11,025
Public Outreach for Flood Protection Improvements	31,500
TOTAL	306,250

1/ Includes \$15,000 per year for temporary assistance as needed



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218
Marysville, CA 95901
(530) 749-7841 Fax (530) 749-6990

TO: Three Rivers Levee Improvement Authority Board

FROM: Paul Brunner, Executive Director *Paul Brunner*

DATE: June 19, 2007

SUBJECT: Consider Adopting Resolutions Of Necessity For Acquisition Of Two Properties Along The Feather River For The Phase 4 Levee Repair Project

Recommendation:

That the Board of Directors adopt the attached Resolutions of Necessity for the acquisition of certain properties bearing the following Assessor's Parcel Numbers: (a portion of) 013-010-014 and 013-010-013 for the Phase IV Levee Repair Project (the "Project").

Background:

The Three Rivers Levee Improvement Authority (TRLIA) is preparing to carry out the construction, improvement and repair work along certain sections of the flood control levees along the Feather River in Yuba County. The overall work is referred to as the TRLIA Phase IV Levee Repair Project and the Project is located in southern Yuba County, California, within the boundaries of Reclamation District 784. The work will consist of raising and reworking existing levees sections, constructing earth berms alongside levees at certain sections, installing erosion-protection measures where deemed necessary based on the civil engineer's design, constructing slurry cutoff walls, and other related tasks including site preparation, temporary access roads, traffic control, safety and security, site cleanup, etc. The Project, as approved, will correct deficiencies in the left bank levees of the Feather and lower Yuba Rivers. The project extends northward from approximately Pump Station No. 2 on the Feather River to near the State Route 70 crossing of the Yuba River. The southern and northern levee segments will be strengthened in place, and the middle levee segment will be set back from approximately Algodon Road to just southwest of the Yuba County Airport. A CEQA analysis was done for this project and on February 6, 2007, the TRLIA Board approved an Environmental Impact Report and adopted Mitigation Measures.

Discussion:

Undertaking the proposed construction work along the Feather and Yuba River bank levee will necessitate the acquisition of the two properties illustrated below:

Assessor's Parcel No.	Owner	Area to be acquired (Acres)
013-010-013	Joga S. Mann and Rikki A.K. Mann, as joint tenants	66.56 acres
013-010-014	Satinder N. Davit and Saroj K. Davit, trustees of the Satinder N. Davit and Saroj K. Davit 2005 Revocable Inter Vivos Trust dated 10/20/05 for the benefit of Satinder N. Davit and Saroj K. Davit	13.24 acres in fee (Fee Take Area 1) and 88.41 acres in fee (Fee Take Area 2); 99.65 acres total

Owners of the two properties were offered the appraised value for their property. TRLIA has not yet negotiated a successful purchase agreement with the owners. In case TRLIA is unable to reach an amicable agreement and to protect the schedule of the Project, we are recommending moving forward with the eminent domain proceedings. The first step in these proceedings is to adopt a Resolution of Necessity for acquiring the property.

Fiscal Impact:

The appraised values for these two parcels are within the TRLIA Board approved (Feb. 6, 2007) land acquisition plan for Feather River Segment 3. The funding to acquire these two parcels is in the TRLIA cash flow and is available to be deposited to the State Treasurer's Condemnation Fund.

RESOLUTION NO. _____

**A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY
FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE
RIVERS LEVEE IMPROVEMENT PROJECT
(CODE CIV. PROC. § 1245.230)**

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Three Rivers Phase IV Levee Repair Project (the "Project") affecting Assessor's Parcel No. 013-010-013, in the County of Yuba, California (the "Property"); and

WHEREAS, TRLIA has advised the owners of the Property of the need for the Project and offered said owners an opportunity for a hearing before the TRLIA Board on June 19, 2007 pursuant to section 1245.235 of the Code of Civil Procedure, State of California; and

WHEREAS, the Board of Directors of TRLIA adopts this resolution in compliance with Section 1245.230 of the Code of Civil Procedure.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Property to be acquired is for the repair, construction, installation and maintenance of the Project.

TRLIA is authorized to acquire property for the Project pursuant to, among others, the following statutes: Government Code section 25350.5; Code of Civil Procedure section 1250.140; and Water Code section 50930.

SECTION 2. The general location and extent of the Property to be acquired is as set forth in the legal description attached hereto as Exhibits A and accompanying map attached hereto as Exhibit B, and incorporated herein by reference.

SECTION 3. The Board of Directors declares that it has found and determined as follows:

- a. The public interest and necessity require the proposed Project.
- b. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The Property described in Exhibits A and B is necessary for the proposed Project.
- d. The offer of just compensation required by Government Code Section 7267.2 has been made to the owners of record of the Property.

PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 19th day of June, 2007 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHAIRPERSON

ATTEST:

Donna Stottlemeyer, Secretary

Title No. 06-7008005
Locate No. CAFNT0946-0934-0010-0007008005

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF YUBA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

The North half of Lot 11, all of Lot 12A; all of Lot 6, of Block 12, as shown upon the map entitled "Plat of Farm Land Colony No. 1", filed in the office of the County Recorder of Yuba County, California, in Book 1 of Maps, Page 23.

EXCEPTING THEREFROM all oil, gas, minerals and other hydrocarbons and substances lying below a depth of 500 feet from the surface of the land hereinbefore described, as excepted in the Deed from Jarnail L. Dhaddey, et al, to Darshan Singh Mann, et ux, dated May 26, 1978 and recorded June 2, 1978 in Book 668 of Official Records, Page 513.

APN: 013-010-013-000

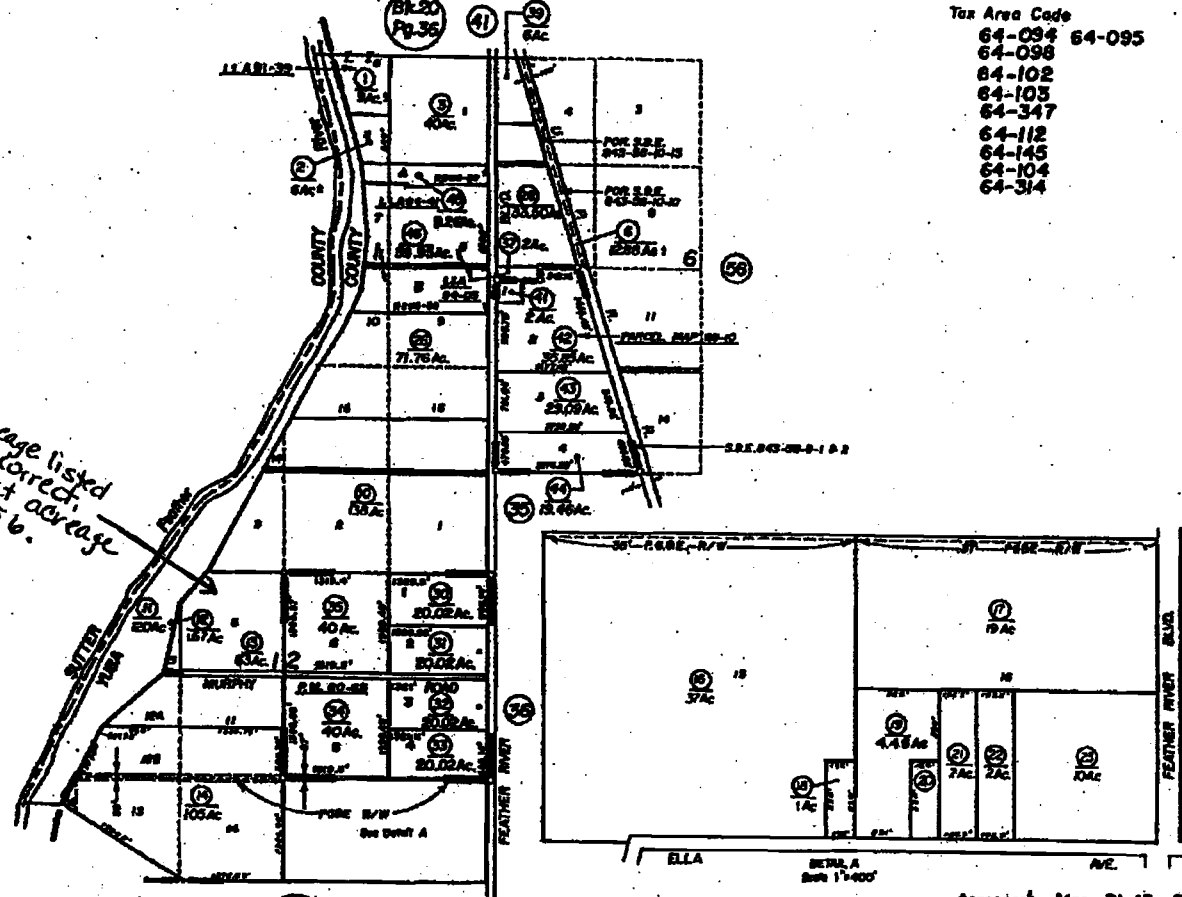
FOR FARMLAND COLONY I & FOR SEC. 1, 12, T14N, R3E, M.D.B. & M.

- Tax Area Code
- 64-094 64-095
 - 64-098
 - 64-102
 - 64-103
 - 64-347
 - 64-112
 - 64-145
 - 64-104
 - 64-314

13-1



*Storage listed
is incorrect.
Correct acreage
is 66.56.*



R.S.-Bk. 65, Pg. 30
 R.S.-Bk. 42, Pg. 47 (Parcel Map 88-10)
 R.S.-Bk. 36, Pg. 28 (Parcel Map 80-65)

R.S.-Bk. 59, Pg. 17 (L.L.A. 91-39, R.O.S. 92-06)

Assessor's Map Bk. 13 - Pg. 1
 County of Yuba, Calif.

COONMAP, a product of BKT INCORPORATED R.S.-Bk. 1, Pg. 23 (Farm Land Colony I) (L.L.A. 94-41) NOTE - Assessor's Block Numbers Shown in Ellipses. Assessor's Parcel Numbers Shown in Circles

AUG 5 11 2008

RESOLUTION NO. _____

A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY
FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE
RIVERS LEVEE IMPROVEMENT PROJECT
(CODE CIV. PROC. § 1245.230)

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Three Rivers Phase IV Levee Repair Project (the "Project") affecting a portion of Assessor's Parcel No 013-010-014, in the County of Yuba, California (the "Property"); and

WHEREAS, TRLIA has advised the owners of the Property of the need for the Project and offered said owners an opportunity for a hearing before the TRLIA Board on June 19, 2007 pursuant to section 1245.235 of the Code of Civil Procedure, State of California; and

WHEREAS, the Board of Directors of TRLIA adopts this resolution in compliance with Section 1245.230 of the Code of Civil Procedure.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Property to be acquired is for the repair, construction, installation and maintenance of the Project.

TRLIA is authorized to acquire property for the Project pursuant to, among others, the following statutes: Government Code section 25350.5; Code of Civil Procedure section 1250.140; and Water Code section 50930.

SECTION 2. The general location and extent of the Property to be acquired is as set forth in the legal description attached hereto as Exhibits A and accompanying map attached hereto as Exhibit B, and incorporated herein by reference.

SECTION 3. The Board of Directors declares that it has found and determined as follows:

- a. The public interest and necessity require the proposed Project.
- b. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The Property described in Exhibits A and B is necessary for the proposed Project.
- d. The offer of just compensation required by Government Code Section 7267.2 has been made to the owners of record of the Property.

PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority
this 19th day of June, 2007 by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHAIRPERSON

ATTEST:

Donna Stottlemeyer, Secretary

Exhibit 'A'

**APN 013-010-014
LEGAL DESCRIPTION
FEE TITLE ACQUISITION
AND REMAINING AREA**

All that Real property situated in the County of Yuba, State of California, being a portion of Real property conveyed by deed to Satinder N. Davit and Saroj K. Davit, recorded in Document No. 2005R-031262 of deeds in said County and State, hereinafter referred to as "Davit property", lying within a portion of Lots 11 and 14, Block 12 as shown upon that certain map entitled "Farmland Colony No. 1", filed in the Office of the Recorder in said County and State in Book 1 of maps at Page 23, situated in the West Half of Section 12 Township 14 North, Range 3 East of the Mount Diablo Base and Meridian, being more particularly described as follows:

Fee Take Area 1

Commencing at an Iron Pipe marking the Northwest corner of Parcel 5 of Parcel Map 80-65, filed in the Office of said Recorder in Book 35 of Maps, Page 28; Thence along the Westerly line of said Parcel 5 South $00^{\circ}15'56''$ East 659.74 feet to the Northeast corner of said Davit property and the Point of Beginning; thence Continuing along the West line of said Parcel 5, being coincident with the East line of said Davit property South $00^{\circ}15'56''$ East 630.96 feet to a point hereinafter referred to as "Point A"; thence leaving the East line of said Davit property South $09^{\circ}43'59''$ West 77.97 feet; thence South $15^{\circ}20'46''$ West 1320.53 feet to a point on the South line of said Davit property; thence along said South line South $89^{\circ}45'45''$ West 311.45 feet to a point hereinafter referred to as "Point B"; thence leaving said South line North $15^{\circ}20'46''$ East 1389.49 feet; thence North $09^{\circ}43'59''$ East 651.20 feet to a point on the North line of said Davit property; thence along said North line North $89^{\circ}46'26''$ East 193.36 feet to the Point of Beginning, containing an area of 576,881 Square Feet or 13.24 acres, more or less.

Fee Take Area 2

All that Real property, being a portion of Real property conveyed by deed to Satinder N. Davit and Saroj K. Davit, recorded in Document No. 2005R-031262 of deeds in said County and State, hereinafter referred to as "Davit property", lying Westerly of the following described line;

Beginning at the aforementioned "Point B" thence North $15^{\circ}20'46''$ East 1389.49 feet; thence North $09^{\circ}43'59''$ East 651.20 feet to a point on the North line of said Davit property and the Point of Termination. Containing an area of 3,764,020 Square Feet or 86.41 acres, more or less.



013010012 MURPHY RD
SSJDD

Exhibit 'B'
POINT OF COMMENCEMENT
IRON PIPE, N.W. CORNER
PARCEL 5, P.M. 80-65
BOOK 36 OF MAPS
PAGE 28.
013010013
MANN

PARCEL 6

POINT OF BEGINNING
N89°46'26"E
193.36'

013010034
DANNA
PARCEL 5
PARCEL MAP
NO. 80-65

PG&E EASEMENT BOOK 503 PAGE 551

013010014
DAVIT

FEE TAKE AREA 2

POINT "A"
S09°43'59"W
77.97'

W152°48'E 1389.49'
FEE TAKE AREA 1
RESIDUAL 46' W
REMAINING AREA 1320.53'
5.80 ACRES
4' WIDE PG&E
EASEMENT BOOK
67D, PAGE 63

013010016
MANN

014250027
NAUMES

POINT "B"
S89°45'45"W
311.45'

014240022
TERRY



OWNER	DAVIT	DATE	05/30/2007	DRAWN BY:	JHG	SHEET	1
A.P.M.	013-010-014	SCALE:	1"=500'	JOB NO.	06-008-002	1	of 1
FEE 1	=576,734 SQ. FT. OR 13.24 ACRES	THREE RIVERS LEVEE IMPROVEMENT AUTHORITY					
FEE 2	=3,784,020 SQ. FT. OR 88.41 ACRES						
REMAINING AREA	=243,936 SQ. FT. OR 5.60 ACRES						
CTA Engineering - Surveying		COUNTY OF YUBA CALIFORNIA					

PHASE 4 FEATHER RIVER LEVEE
REPAIR PROJECT
RECLAMATION DISTRICT 784
SETBACK LEVEE RIGHT OF WAY

14250027-002 PLATS.DWG, APR-03-010-014-DAVIT-COMBERNED AREAS, 5/30/2007 10:27:48 AM