

SECTION 8

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ATTACHMENT 7

**ENCROACHMENT PERMITS,
CITATIONS & EMAILS OF PUBLIC
ROAD**



111

GREEN POINT PROPERTY OWNERS - Encroachment Permit LIST as of July 2016

Frank & Cathy Daizovi, 15440 DPR; 17-182-03 #B04-18397

Robert & Sandra McConnell 15404 DPR/West Reed av. (17-182-05) #97-4438

Jordan & Kathleen Knighton, 15364 DPR;, (17-182-08 #B06-20634

Ruth Yerkes 15344 DPR; (17-182-10) (?)

Lucia Martin 15324 DPR; (17-182-12-00) B06-21228

Edward Paul & Candy Cohen, 15294 DPR; (17-182-14) B07-22428

King, Benny & Kathleen, 15284 DPR; (APN 17-182-15) #B07-23246

Brecek, Roland & Penny 15104 w. Reed (17-192-14 #94-1624 /699

Rubinson, Jack 15061 West Reed Ave. (APN 17-192-06),

Lynda Beitel 14999 DPR; (17-192-21) #E-1255/97-4817

WEST REED AVENUE-

Robert Ferral 15440 POB (17-181-03 (17-383-08)

Maureen Coveney, 15434, WRA (17-181-04) # 10-26357

Mark & Dianne Vernon 15320 WRA (7 parcels) (17-181-12)

Gerardo & Elizabeth Rodriquez, 15274 WRA, (17-181-14) #B13-00364

Sammy Gharabally, 15264 WRA (17-181-15) #B02-15120

John Rivera 15234 WRA; (17-181-18)916 #13-00517

Ron Osborn, 15224 WRA' (17-181-19), #13-00196

Shiela Mullins 15200 WRA, (17-191-16) (?)

Luther (Neil) & Mary Clark 15174 WRA; (17-191-02) #10-26008 4/4/14

Greg & Shelly Henderson, , 15076 WRA; (17-191-08) (?)

Kenneth Barrenchea 15048 WRA; (17-191-15 #81-10727

James Portman Edison J. Corp. 15024 WRA; (17-191-11)

John & Allyson Kirkman 15014 WRA; (17-191-21-000

Scott McCoy, 15000 WRA; (17-191-18) #B13-00517

Clayton Giroux, 15244 W. Reed, ((17-181-17) 2016

TOWN OF TRUCKEE CODES

TITLE 13 STREETS AND SIDEWALKS CHAPTER 13.01 ENCROACHMENTS 13.01.010
Definitions For the purpose of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section.

- (a) Applicant. Any person making written application to the Department of Public Works for an excavation or encroachment permit hereunder is an applicant
- (b) Town Council. Town Council of the Town of Truckee.
- (c) Department. The Department of Public Works of the Town of Truckee and the authorized representatives of the Department of Public Works.
- (d) Highway. The term "highway" includes all or any part of the entire width of right-of-way of a townowned or maintained highway, street, road or alley and the space over it and the ground under it, whether or not such entire area is actually used for highway purposes. If the right-of-way is by prescription, a highway includes the area from the centerline to the top of cut, toe of fill, or ten feet from the edge of traveled way, whichever is farther on both sides of the road, except that it does not include the area behind a fence having existed for more than five (5) years.
- (e) Encroachment. The term "encroachment" includes any tower, pole, pole line, pipe, pipeline, driveway, private road, fence, sign, building, tree, lighting or building a fence within the right-of-way, embankment, excavation or any structure or object of any kind or character not particularly mentioned in this section, which is placed in, under or over any portion of the highway, or which may cause water to back onto any portion of the highway, or which may obstruct maintenance of or travel on the highway. It includes traveling on the right-of-way by any vehicle or combination of vehicles or object of dimension, weight, or other characteristic prohibited by law, as specified in Chapter 13.03 and special events, such as parades or other occupation of the Town right-of-way as specified in Chapter 13.02.
- (f) Excavation. Removal of material and any opening in the surface except an opening into a lawful structure below the surface, the top of which is flush with the adjoining surface and so constructed as to permit frequent openings without injury or damage to the road.
- (g) Permittee. Means any person, firm, company, corporation, association, public agency or organization that proposes to do work or encroach on a right-of-way as defined in this section and has been issued a permit for encroachment by the Department. All obligations, responsibilities, and other requirements of the permittee as described in this division shall be binding on subsequent owners of the encroachment.

13.01.280 Restoring Highway Any permit issued under the provisions of this ordinance shall provide that the permittee will pay the entire expense of replacing the highway in as good condition as before, and may provide such other conditions as to location and the manner in which the work is to be done as the Department finds necessary for the protection of the highway. The Department may perform such work, at its discretion, and charge the permittee for all costs incurred. After completion of all work, the permittee shall exercise reasonable care in inspecting and maintaining the area affected by the encroachment. On notice from the Department, the permittee shall immediately repair any injury, damage, or nuisance in any portion of the right-of-way resulting from the work done under the permit. If the permittee fails to act promptly or if the exigencies of the injury or damage require repairs or replacement to be made before the permittee can be notified or can respond to notice, the Town at its option may make the necessary repairs or replacements or perform the necessary work and the permittee shall be charged the actual costs of labor and materials, plus fifteen percent (15%) as administrative costs. By acceptance of the permit, the permittee agrees to comply with this section.

13.01.290 Care of Drainage If the work, use, or encroachment authorized in a permit interferes with the established drainage, the permittee shall provide for proper drainage as approved by the Department.

13.01.300 Clean Up As the excavation work progresses, all roads shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All clean-up operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the Department. From time to time, as may be ordered by the Department and, in any event, immediately after completion of work, the permittee shall at his own expense, clean up and remove all refuse and unused materials of any kind resulting from such work, and upon failure to do so within twenty-four (24) hours after having been notified to do so by the Department, the work may be done by the Department and the cost thereof charged to the permittee.

From: "Neil Kaufman" <NeilKaufman@TDPUD.ORG>
To: <Gshsmh@aol.com>
Sent: Tuesday, June 22, 2004 11:08 AM
Subject: FW: West Reed Avenue (Greenpoint Subdivision) - PermitClarification

Mr. Henderson,

This e-mail documents the TDPUD's understanding that the Town of Truckee is the underlying landowner for West Reed Avenue.

Neil Kaufman

-----Original Message-----

From: Mike Vaughan [mailto:mvaughan@townoftruckee.com]
Sent: Friday, January 25, 2002 4:29 PM
To: Eric DeBonis
Cc: Neil Kaufman; dwilkins@townoftruckee.com
Subject: Re: West Reed Avenue (Greenpoint Subdivision) - PermitClarification

Eric,

The evidence discovered to date indicates that West Reed Avenue is a Town right-of-way (non-maintained) as inherited from Nevada County upon incorporation in 1993. An assessment district is in the process of being formed for West Reed Avenue which operates under the parameters that West Reed Avenue is a public right-of-way. Please understand that if any evidence is discovered to the contrary not only would the assessment district be affected, but Southwest Gas and TDPUD would have to acquire the appropriate permission from the parties controlling or owning the property before proceeding with the proposed installation.

If the assessment district forms, a portion of the proposed improvements would be the upgrade and installation of additional culvert crossings. If culvert information is available prior to the Southwest Gas and TDPUD installations, I would like to coordinate the depth of gas and water installations in the areas of the proposed culvert crossings so there will not be a conflict with the installation of the culverts. I will keep you informed of the situation as we approach construction season.

Thanks.
Mike

From: Eric DeBonis <Eric.DeBonis@groupwise.swgas.com>
To: mvaughan@townoftruckee.com <mvaughan@townoftruckee.com>
Cc: dwilkins@townoftruckee.com <dwilkins@townoftruckee.com>
Date: Thursday, January 24, 2002 9:55 AM
Subject: West Reed Avenue (Greenpoint Subdivision) - PermitClarification

Michael,

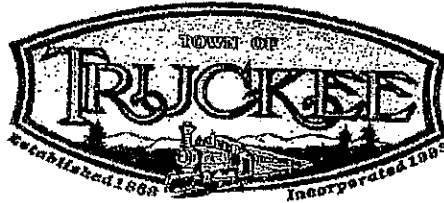
Thank you for taking the time to meet with Wally Goodman and I yesterday. This e-mail is to confirm my understanding that Southwest Gas can submit for permit to the Town of Truckee for installation of gas facilities on West Reed Avenue, also known as the Greenpoint Subdivision, as we do with other work on the Truckee Expansion Project. We are planning to install facilities on this street in joint trench with the Truckee Donner PUD.

Please confirm that this is the case at your earliest convenience.
Thank you..

Town Council

Don McCormack, Mayor

Robert W. Drake
Ronald J. Florian
Mata Schneider
Joshua J. Susman



Deputy

14

Stephen L. Wright, Town Manager
Dan Boon, Chief of Police
J. Dennis Crabb, Town Attorney
Tony Lashbrook, Community Development
Jill R. Olson, Administrative Services
Pat Osborne, CMC, Town Clerk
Dan Wilkins, Public Works Director/Engineer

October 3, 2001

Mr. Robert Yerkes
4004 Cantelow Rd
Vacaville, CA. 95688

Re: Encroachment onto W. Reed Avenue

Dear Mr. Yerkes,

This letter is in regard to the parking pad that has been recently built on your property at 15344 Donner Pass Road. Even though West Reed Avenue is not a Town of Truckee maintained road; the Town does have a twenty-five (25) foot right of way on that street. Town Municipal codes states that all encroachments onto Town right of way must have an encroachment permit before any work in the right of way is started. No such permit was issued for construction of your parking pad. In addition, no structures, i.e. fences, etc. can be built in the right of way that will hinder snow removal, without prior approval from the Town Engineering office. Again, no such approval was given. Therefore, no fence or similar structure is to be constructed in the Town's right of way.

The parking pad creates runoff that will drain onto the adjacent property. If an encroachment permit is approved, an asphalt dike section must be constructed to channel the runoff away from the property to the west. In all of these cases, an encroachment must be applied for and approved before any other work is to be done. The cost of the permit is \$143.00.

Please contact the Town of Truckee Engineering Department, during regular working hours 8AM to 5PM, Monday through Friday with any further questions you may have.

Thank you,


Steve Johnson

Engineering Assistant, Town of Truckee

10183 Truckee Airport Road, Truckee, CA 96161-3306

Administration: 530-582-7700 / Fax: 530-582-7710 / e-mail: truckee@townoftruckee.com
Community Development: 530-582-7820 / Fax: 530-582-7889 / e-mail: cdd@townoftruckee.com

146

Town Council
Ronald J. Florian, Mayor

Ted Owens, Mayor Pro Tem

Don McCormack
Maia Schneider
Joshua J. Stusman



Deputy

14
Stephen L. Wright, Town
Dan Boon, Chief of Police
J. Dennis Crabb, Town Attorney
Tony Lashbrook, Community Development
Jill R. Olsen, Administrative Services
Patt Osborne, CMC, Town Clerk
Dan Wilkins, Public Works Director/Engineer

09/27/02

Mr. and Mrs. Robert Yerkes
4004 Cantelow Rd.
Vacaville, CA 95688

REF: 15344 Donner Pass Road
APN: 17-182-10

Dear Mr. and Mrs. Yerkes,

We have recently received a complaint regarding the paving of the parking pad at the rear of your residence at Donner Lake. The pad, off W. Reed Ave at the rear of the property, is sloped to the southwest and diverts runoff water onto the neighboring property at 15354 Donner Pass Road.

The Town of Truckee required that any time a paved driveway or parking pad joins a Town right-of-way, an Encroachment Permit is required. A plot plan showing the location of the pad, elevations and any effect on drainage is required. In the case of the pad on your property, the Town engineering staff would not approve the existing drainage on to the neighboring property, as it is illegal to divert runoff onto neighboring property under California State law.

Please contact the Town of Truckee Engineering Department within 30 days of the receipt of this letter and obtain an Encroachment Permit for your parking pad. The fee for this permit is \$143.00.

From a recent inspection of the pad, it would appear that a possible remedy would be to increase the overlay of asphalt on the right side of the pad to create a low spot in the central portion of the pad to channel runoff on to your property. Another possible solution would be to construct an asphalt dike on the southwest portion of the pad with some drains in the south side of the dike to keep the water from pooling in the corner.

Failure to resolve this issue October 30, 2002, will result in the initiation of a formal code enforcement action against the property. Code enforcement may include civil and/or criminal action and the filing of Certificate of Non-Compliance against the property with the Nevada County Recorder. The certificate will cloud title to the property and prevent title transfer or sale until all violations are corrected and code enforcement fees are paid.

If you have any questions on how to proceed, please contact Associate Engineer Mike Vaughan, or Engineering Assistant Steve Johnson at (530) 582-7700.

Sincerely,

Dan Fite
Code Enforcement Officer, Town of Truckee

10183 Truckee Airport Road, Truckee, CA 96161-3306

Administration: 530-582-7700 / Fax: 530-582-7710 / e-mail: truckee@townoftruckee.com
Community Development: 530-582-7820 / Fax: 530-582-7889 / e-mail: cdd@townoftruckee.com
Animal Control/Vehicle Abatement: 530-582-7830 / Fax: 530-582-7889 / e-mail: animalcontrol@townoftruckee.com

147

Town Council
Ronald J. Florian, Mayor

Ted Owens, Mayor Pro Tem

Don McCormack
Mala Schneider
Joshua J. Susman



Departm 15

Stephen L. Wright, Town Manager
Dan Boon, Chief of Police
J. Dennis Crabb, Town Attorney
Tony Lashbrook, Community Development
Jill R. Olsen, Administrative Services
Pat Osborne, CMC, Town Clerk
Dan Wilkins, Public Works Director/Engineer

08/01/02

Mr. & Mrs. Greg Henderson
920 Gear St.
Reno, NV 89503

REF: 15076 W. Reed Ave.
APN: 17-191-08
Code Enforcement Case #: 02-0076-B

Dear Mr. and Mrs. Henderson

On 7/30/02, I was notified by the Town Engineering Department that while conducting inspections of the Southwest Gas Co. construction on W. Reed Ave. they noted a fresh cut in the embankment in front of the above referenced property. This cut, presumably for a parking pad, is partially in the Town right-of-way for W. Reed Ave. The Town Engineer took photographs of the cut.

On 07/31/02, I visited the site and spoke with a foreman for the Southwest Gas crew working in the area. I was told that Southwest Gas had been informed by a neighbor that someone has used their equipment over the weekend to make the cut. I was also told that someone on the property has asked if the Southwest Gas crew on Monday the 29th if they could break up and/or remove the large rocks at the base of the cut. It was noted that these rocks had been outlined with orange paint. It appears that the material cut from the bank was dumped on the down slope of the lot across the street. Due to the proximity to Donner Lake, this is a violation of the Clean Water Act Section 401 as administered by the California Regional Water Quality Control Board, Lahontan Region.

Section 13.01.020(b) of the Truckee Municipal Code states that any cut, fill, or grading within 10 feet of the paved surface of a roadway requires an encroachment permit.

Please cease construction on this project until plans are submitted to the Engineering Department outlining the scope of this project and erosion control measures to be taken in order to obtain an encroachment permit. Additional work at the site without a permit will result in a citation being issued to the property owner. You are requested to apply for an encroachment permit by 08/16/02 in order to avoid further code enforcement action.

If you have any questions regarding how to go about obtaining an encroachment permit, please contact Mike Vaughan in the Engineering Dept. at (530) 587-7700 during normal business hours.

Sincerely,

Dan Fite
Code Enforcement Officer, Town of Truckee

Co: Mike Vaughan, Engineering Department

530-582-7700 / 530-308-0558

10183 Truckee Airport Road, Truckee, CA 96161-3306

Administration: 530-582-7700 / Fax: 530-582-7710 / e-mail: truckee@townoftruckee.com
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Animal Control/Vehicle Abatement: 530-582-7830 / Fax: 530-582-7889 / e-mail: animalcontrol@townoftruckee.com

148



Truckee Donner Public Utility District

12

Directors
Joseph R. Aguera
Jeff Bender
Bob Ellis
J. Ron Hemig
Tony Lahotis
General Manager
Michael D. Holley

June 4, 2014

Emilie Kashtan
330 37th Street
Sacramento, CA 95816-3424

Subject: Ownership of West Reed Ave in Truckee, CA

During our meeting on May 27th, 2014 you requested that the Truckee Donner Public Utility District (TDPUD) formally state our understanding of the property ownership of West Reed Avenue.

TDPUD's understanding is that the Town of Truckee owns this actual property on which the road is located. The property ownership is based upon a January 25, 2002 email (Attached) from Mike Vaughn (Engineer with the Town of Truckee). In his email, Mr. Vaughn states that "...West Reed Ave. is a Town right-of-way (non-maintained) as inherited from Nevada County...".

If you have any further questions, please feel free to contact me at (530) 582-3916.

Sincerely,

Michael D. Holley
General Manager

149

ATTACHMENT 8

MINUTES OF OCTOBER 18, 2002



081

32

Minutes
Public Information Meeting
Reed Avenue Flood Control Improvements
2:00 pm Friday October 18, 2002

1 Introduction Remarks:

INTRODUCTIONS:

- Town Staff- Dan Wilkins, Public Works Director/Town Engineer; Pat Perkins, Senior Civil Engineer
- Consulting Engineer- Steve Brigman, Shaw Engineering

Dan Wilkins explained that the purpose of the meeting was to solicit input & comments from property owners involved as well as provide an overview of the preliminary information that has been gathered by the Consulting Engineer. Dan also emphasized that The "Town" and Dan himself are not the decision makers on the project. All decisions will be up to the Property owners.

The Town has become involved only to obtain Preliminary Engineering design and costs at the request of the Town Council. Shaw Engineering gathered this information. This information should help the Reed Avenue Community in the issues of flood control improvements. The issue that is up for a homeowner's decision is whether to do one of the following:

- Form an Assessment District (which will include the Town's involvement and increase in property tax. (amount to be determined by the property owners)
- Form a Maintenance Agreement (which would not include the Town's involvement) but would include property owners agreeing to payments for yearly maintenance. (amount to be determined by property owners)
- Do nothing at all.

2. Preliminary Design Review

Dan Wilkins turned the meeting over to Steve Brigman from Shaw Engineering, Steve proceeded to review stormwater runoff findings, flow channels and basins. Steve then went through the recommended stormwater improvements. (culverts & outlet channel locations as well as road pavement improvements)

3. Costs

Steve Brigman reviewed cost estimates. (handouts provided) The cost estimates are broken into two different documents. One for the AC pavement improvements and one for the drainage improvements. The breakdown for property owner individual costs will ultimately be decided by the property owners.

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101

themselves. (if they choose to take action) There were several different methodologies used for example purposes.

There may be additional sources of revenue. Pat Perkins is currently working with Caltrans on the North South Drainage system. (station 9+54.78 through station 20+66.18 on spreadsheet) The estimated participation is 30.54% of the project. The Town Truckee may provide revenue on the drainage as well (stations 1+51.83 through Station 6+69.44) The estimated participation for the Town is 16.63%.

The following are the question and answers that were addressed at the conclusion of the meeting.

Q: What are the drainage plans for Donner Pass Road?

A: P. Perkins, Capital Improvement Project is currently planned for major improvements on Donner Pass Road along w/ bike lanes. This is slated to be complete 2004.

Q: What are the maintenance requirements involved if this project is completed?

A: Yearly cleaning of ditches, culvert cleaning with a front loader every 2-5 years, surface treatment on roads. Every 3-7 years (at homeowners expense)

Q: What kind of an enforcement mechanism could be in place to deter the same kind of action that let the road get to the conditions it is today?

A: The same requirements that are in place today, driveway permits requirements.

Q: Could the Town be contracted with for the regular maintenance of the improvements?

A: Possibly, however, the Town does not have a policy of contracting for maintenance work.

Q: The methodologies for the cost to homeowners appears inequitable, Can this be altered?

A: Anything can be adapted; all decisions will be up to the homeowners. This information was provided to the homeowners to assist in their decision making process.

Regarding the specific information on the *Preliminary Property Owner Cost Allocation and/or Drainage and Pavement Improvements*, Dan Wilkins requested that all the in attendance review the information distributed, share the information with others neighbors who could not make it to this meeting and make any corrections to refine the data that has been collected. The town would request any input/data correction be submitted to the Town by Nov. 1, 2002. This will enable adequate time to get the data to the Consulting Engineers (Shaw Engineering) for data correction

The next meeting is scheduled for Friday November 15 at 2 pm, 2002 here at Town Hall



04

**WEST REED AVENUE-THE RESULT OF THE TOWN DIVERTING DRAINAGE OFF DONNER
LAKE AND NOT REPAIRING THE PARRELL UNDER ROAD CULVERTS**



153

SOUTHWEST GAS REPAIR OF A LATERAL TO THE WHEETLY HOME WHEN THEY DISCOVERED THAT THE PARALLE UNDER GROUND CULVERT WAS NOT CONNECTED AND HAS CREATED AN UNDER GROUND RIVER UNDER THE ENTRANCE TO W. REED



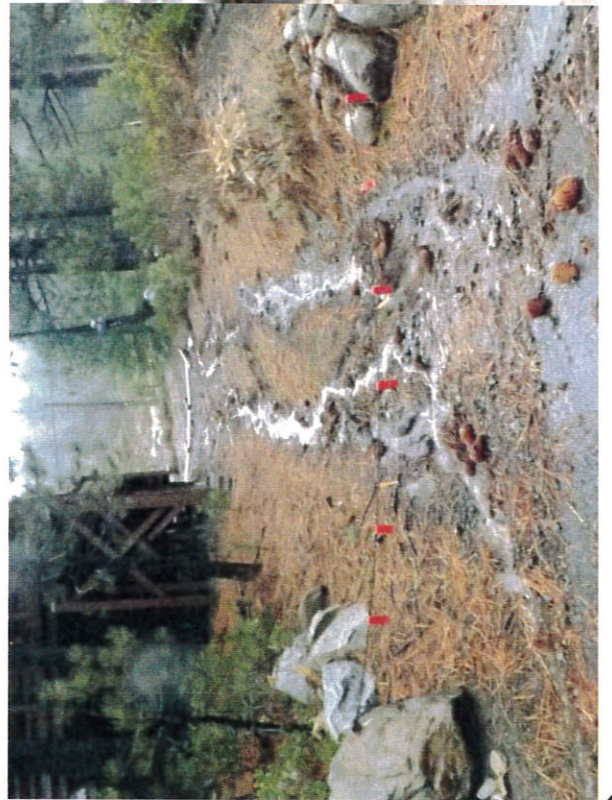
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WEST REED AVENUE EROSION, MUDSLIDE, LACK OF DRAINAGE DITCHES

**DEFAZIO HOME WITH MONTANO DRAINAGE (NO DITCHES) MULLIN HOUSE WITH MONTANO DRAINAGE (NO DITCHES)
FLOODED DOWN HILL ROONEY PROPERTY FLOODED DOWNHILL PROPERTY OF BANZETT**



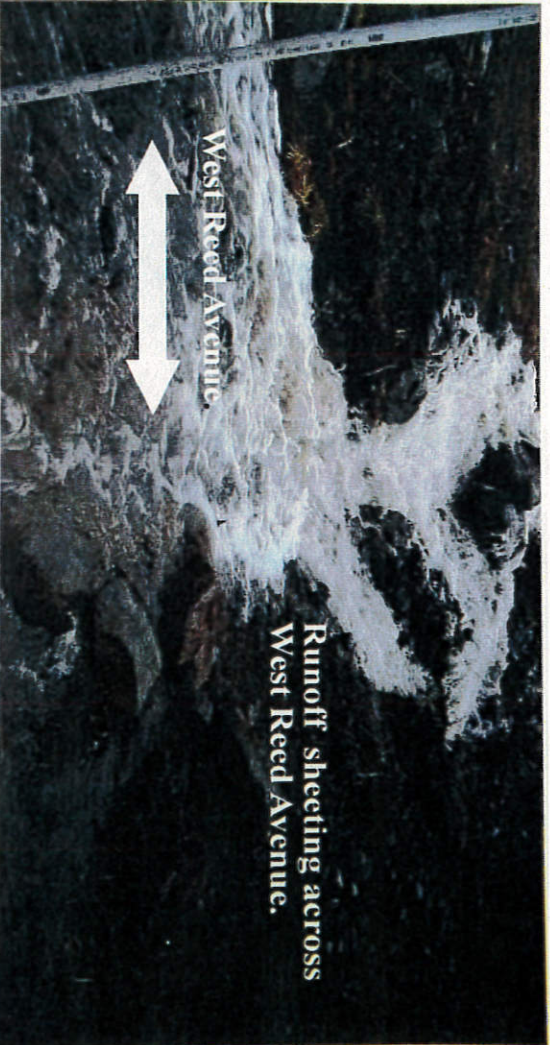
HENDERSON HOME FROM SHEETING ON MONTANO ROAD BOONE FLOODING FROM MONTANO ROAD



WEST REED SHEETING DUE TO FILLED DRAINAGE DITCHES



Photos 7 and 8. Runoff discharging from culverts under I-80 moving downslope towards West Reed Avenue. Photos taken December 31, 2005.

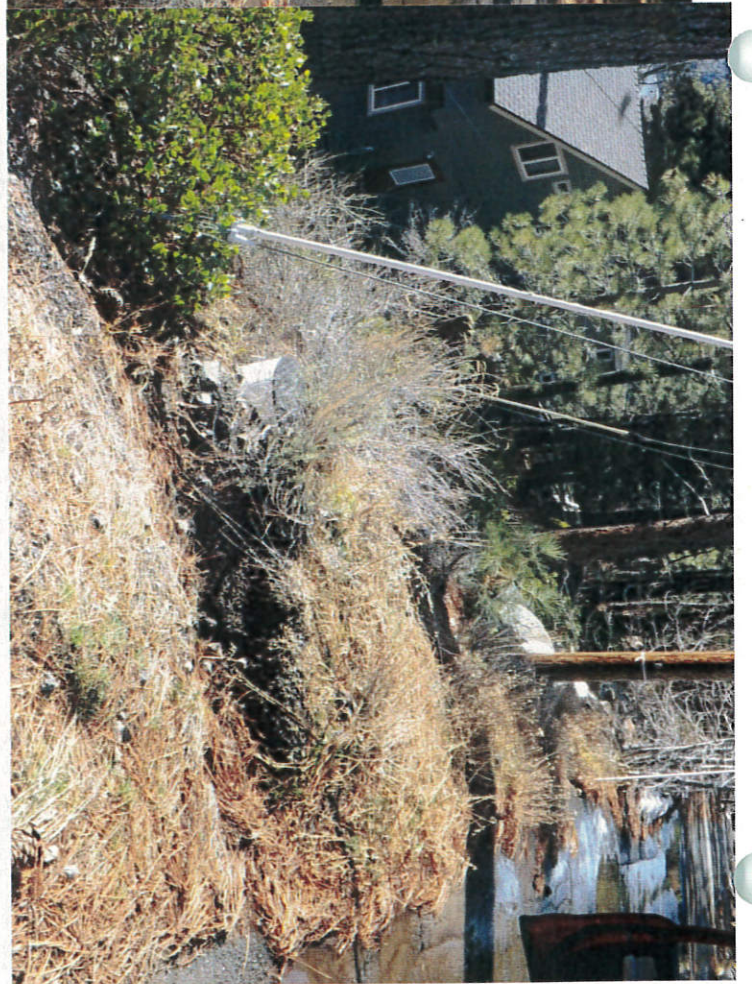
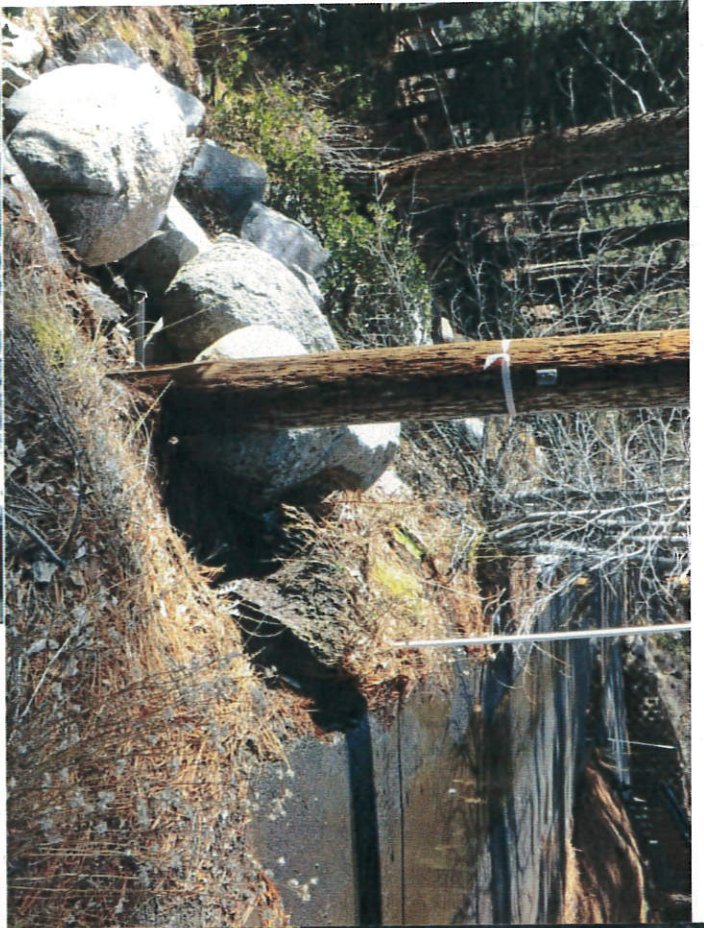
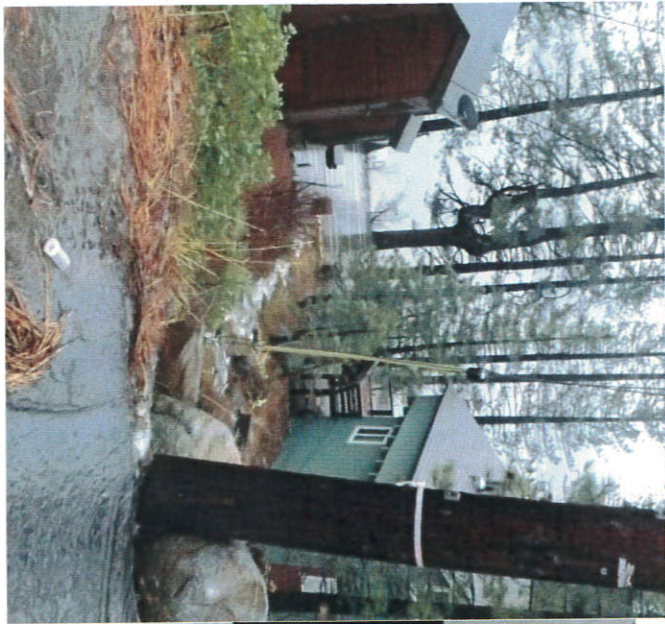


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102

COMPROMISED UTILITIES ON WEST ROAD



Photo 11.
Eroded water
utilities on West
Reed Avenue.



121 154

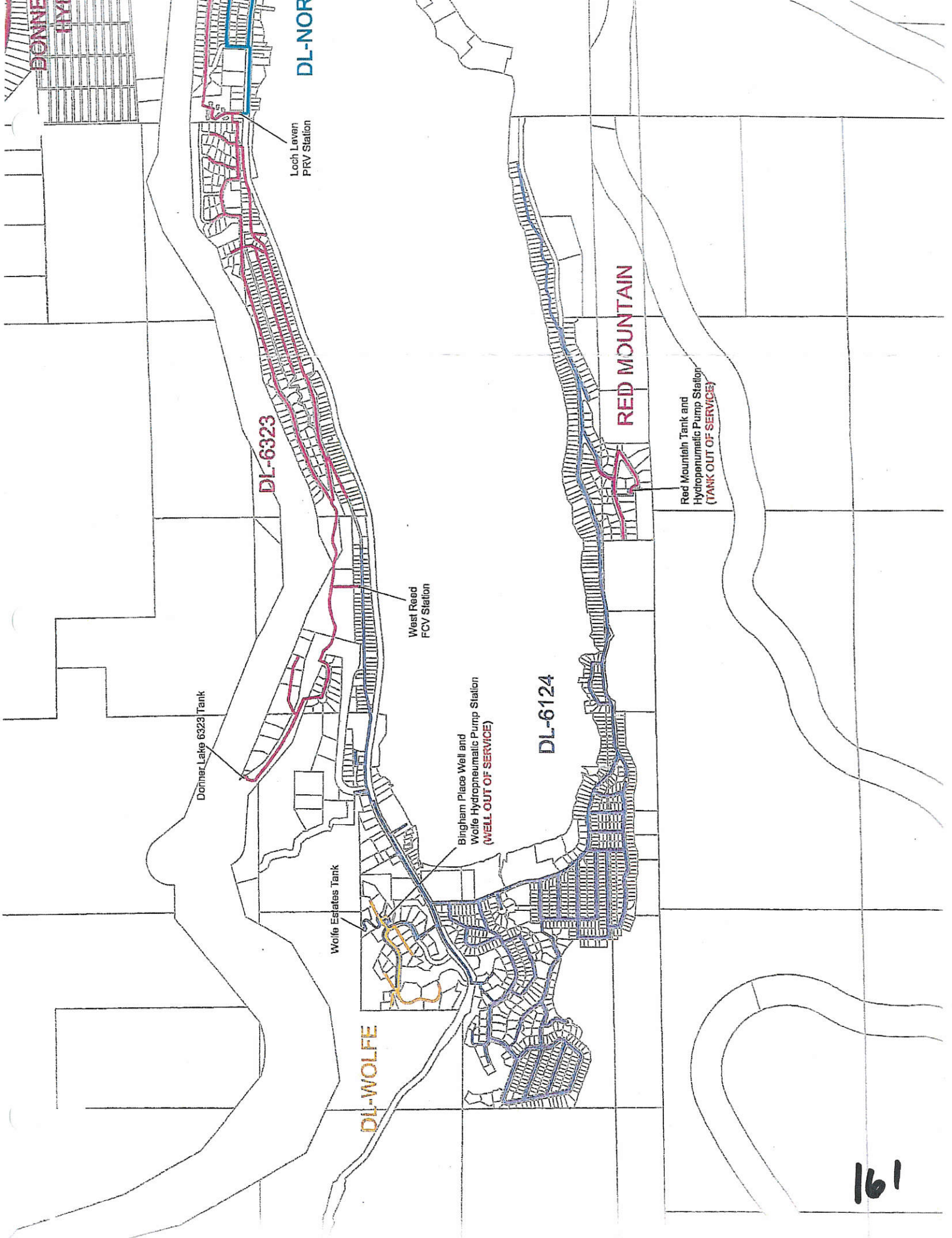
SECTION 9

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BONNIE
RHYE

DL-NOR

DL-6323

RED MOUNTAIN

DL-6124

DL-WOLFE

Donner Lake 6323 Tank

Wolfe Estates Tank

West Reed
FCV Station

Bingham Place Well and
Wolfe Hydro pneumatic Pump Station
(WELL OUT OF SERVICE)

Loch Leven
PRV Station

Red Mountain Tank and
Hydro pneumatic Pump Station
(TANK OUT OF SERVICE)



101

SECTION 10

ATTACHMENT 9

**TRUCKEE COUNCIL MINUTES DEC. 20,
2007 & JAN. 17, 2008**

163



MEETING DATE: December 20, 2007
 TO: Honorable Mayor and Council Members
 FROM: Todd Landry, Senior Engineer TEL
 SUBJECT: Donner Pass Road Bike Lane and Erosion Control Contract Amendment with Bickett Engineering, Inc.

APPROVED BY _____
 Tony Lashbrook, Town Manager

RECOMMENDATION: Report and discuss the increase in project cost; direct staff to continue working on the project; authorize the Town Manager to execute a contract amendment with Bickett Engineering, Inc. in the amount of \$194,064; and authorize an additional \$38,813 contingency budget to cover potential additional design work not yet identified.

DISCUSSION: The current construction cost estimate for the Donner Pass Road Bike Lane and Erosion Control project is \$5.5 million, with storm water quality improvements estimated to account for approximately 40% of this total. This construction cost estimate is approximately \$2.7 million more than the available budgeted funds for construction. Town staff recommends that the Town Council discuss this increase in project cost, direct staff to continue to pursue the design and permitting for this project and approve the design contract amendment outlined in this report.

In December 2006, the Town Council awarded a design contract to Bickett Engineering for a not to exceed amount of \$384,458. This original cost estimate was based on an assumed best case scenario. Bickett Engineering had originally proposed to design the project for approximately \$500,000 but staff reduced their scope of work and price proposal with the assumptions that existing base mapping was adequate, drainage and storm water quality improvements would mostly consist of extending existing culverts, there would be minimal coordination necessary for environmental permitting and utility verification, and only minor redesign work would be required based on comments from the US Army Corp and Lahontan Regional Water Quality Control Board.

Bickett Engineering has since completed a drainage study for the project and has met with representatives from the US Army Corp and Lahontan Regional Water Quality Control Board. Based on the results of the drainage study and preliminary comments from the permitting agencies, Bickett has recently submitted a set of 60% design plans to the Town with roughly twice as many plan sheets as originally scoped. Most of these additional plan sheets were attributed to the need for additional drainage profiles and drainage details necessary to bid, build and permit the project.

The new drainage study recommended upsizing most of the existing cross culverts and roadside culverts

164

Town of Truckee AGREEMENT FOR PROFESSIONAL FEE
Scope of Work



Town of Truckee Engineering Department
Donner Pass Road Bike Lane and Drainage Project

Erosion Control and BMPs

The Project Team will make recommendations on the type of storm water treatment facilities suitable for the Project. Based upon our field reconnaissance of the Project, sand traps inlets will be the most suitable BMP used for the removal of road sands. We will contact the Town to determine the maintenance procedure for sand traps inlets and the typical amount of sand applied to Donner Pass Road each winter.

We will investigate the need for various permanent storm water treatment best management practices, such as swales and detention/infiltration basins. Our preliminary investigation revealed that bedrock might be only a few feet (0 to 3 feet) below finished grade, and the area is subject to high water elevations of less than 8-feet necessary for the implementation of infiltration basins, therefore precluding and the potential use of infiltration basins as a storm water treatment BMP. The selection of the BMPs depends on the available space within the project limits, the hydrologic conditions, and other design constraints of the area. Because of the limited space available for permanent treatment BMPs, the most likely treatment BMP maybe the limited to the use of precast concrete stormceptor units. Because these units are very costly, BEI will work with the Town and not all drainages may be fitted with treatment BMPs.

Storm Water Quality Treatment (Full or Partial Compliance)

The Town has limited funding for the project and treatment of storm water runoff is a costly construction item. The Town has iterated that full compliance may be cost too costly; therefore partial compliance may be all the Town can afford at this time.

Bickett Engineering Inc. will develop Concept Drainage Plans demonstrating the degree of compliance with current treatment of storm water runoff from paved surfaces. Treatment basins such as infiltration or detention basins are most likely not suitable because of the close proximity of bedrock, high ground water table, and limited spaced available for such treatment practices. These types of treatment BMPs will most likely be eliminated early on during concept design.

Inlets with sediment sand traps appear to be the most suitable and cost-effective BMP for sand removal. The Concept Drainage Plan will show the proposed drainage system and treatment BMPs for the Project, and define the tributary areas of roadway treated by each BMP to demonstrate the degree of compliance with current storm water discharge requirements.

The Concept Drainage Plan for storm water treatment will then be presented to the Regional Water Quality Control Board-Lahontan region (Lahontan). The goal of this meeting is to develop understanding of the challenges associated with incorporating full compliance of storm water treatment BMPs within the Project site and possibly tempering Lahontan's expectation for achieving full treatment versus partial treatment of storm water runoff. Immediately following the meeting a site review with Lahontan staff to further discuss site concerns or constraints may be conducted. The results of the meeting and final direction from Town staff will form the design goal for storm water treatment BMPs for the Project.

The Town of Truckee will schedule and conduct the coordination meeting and field trip with Lahontan.



Project for their use to identify coordination issues with future utility improvements. Coordination with the utility providers for as-built information will also serve to alert each utility agency of the Town's plan to improve this portion of Donner Pass Road in 2007.

Task 2.3 Deliverables

- Identification and verification of existing underground utilities
- "Notice to Utility Provider" to relocate if necessary
- Recognition and resolution of design conflicts
- Coordination meetings with area providers, notice of upcoming work

Task 2.4 Final Drainage Study and Storm Water Best Management Practices (BMPs)

WRECO performed hydrologic and hydraulic analyses for the previously scoped Project in 2004. The analyses followed the criteria and methodologies specified in the Drainage Design Standards for the Town of Truckee. We analyzed design flows with different recurrence intervals to address the Town's criteria for storm water quantity (10- and 100-year storms) and the Lahontan Regional Water Quality Control Board's criteria for storm water quality (20-year storm).

Because of the new scope of the project and the newly placed pipes the hydrologic and hydraulic analysis will need to be revised.

Hydrology

The hydrologic analysis will develop design runoff flows for all areas tributary to the project reach of Donner Pass Road. Tributary watersheds for Gregory Creek and the smaller streams include areas upstream of I-80. We will contact Caltrans engineers, including the District 3 hydraulic engineers, to better understand the history and performance of the I-80 cross culverts. We will review the Reed Avenue Drainage Improvements Project, prepared by Shaw Engineering (October 11, 2002), to incorporate relevant information and results into our study while avoiding duplication of efforts.

As requested by the Town, the Design Team will capture and treat as much of the Donner Pass Road runoff as is cost-effectively feasible and off-site runoff will be routed into Donner Lake without treatment.

Hydraulics

Hydraulic analyses will be performed for the 10- and 100-year storms. The proposed drainage systems should have the capacity to pass a 10-year storm and an appropriate overland release for the 100-year storm. Donner Lake water surface elevations will be researched to the extent necessary to properly design the drainage system improvements. It is our understanding that HDPE is the Town's preferred pipe material and there are no fish passages issues. Longitudinal drainage systems will very likely replace some of the existing roadside ditches. BEI will consider installing special inlets that function as sand traps.

166

28

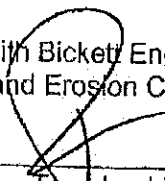


MEETING DATE: January 17, 2008

TO: Honorable Mayor and Council Members

FROM: Todd Landry, Senior Engineer **TEL**

SUBJECT: Design Contract Amendment with Bickett Engineering, Inc. for the Donner Pass Road Bike Lane and Erosion Control

APPROVED BY 
 Tony Lashbrook, Town Manager

RECOMMENDATION: Authorize the Town Manager to execute a contract amendment with Bickett Engineering, Inc. in the amount of \$173,064.

DISCUSSION: At the December 20, 2007 Town Council meeting, a discussion took place regarding a contract amendment with Bickett Engineering, Inc. (BEI) in the amount of \$194,064 plus \$38,813 contingency for additional design work associated with the Donner Pass Road Bike Lane and Erosion Control Project. A copy of the December 20, 2007 staff report is included with this report as **Attachment A**. Overall the Council was in favor of Town staff pursuing the design, permitting, and construction of the project. However, several concerns were raised as to how to most effectively pursue this goal which caused action on the amendment request to be continued. Specifically, Town Council directed staff to provide additional information regarding:

- Timetable for deliverables.
- Penalties for none delivery (90% and 100% design plans).
- Additional detail as to why the contract amendment is necessary.
- Additional information regarding if the cost for the contract amendment is reasonable.

Timetable for Delivery

For an updated project schedule, please see **Attachment B**. This schedule is based on the assumption that the design contract amendment is approved on January 17, 2008.

AGENDA ITEM _____

As the design process progressed, staff directed BEI to use a best fit roadway alignment in an attempt to minimize impacts to stairs, parking areas, driveways, and other topographic features and to minimize the need for retaining walls. This resulted in varying widening (i.e., not a constant 4' on both sides of the roadway throughout the project) and the need for eight (8) additional construction detail sheets that identified outside edge catch point locations and elevations.

Additionally, it was decided that many of the existing roadside ditches should be replaced with underground drainage pipes to avoid retaining walls, prevent erosion, reduce maintenance efforts and to provide a safer bike lane for the user. Also, an updated drainage study identified the need to upsize more of the existing drainage pipes than had been originally assumed. This resulted in forty (40) additional drainage profile and drainage detail sheets that had to be generated. As an alternative to the staff recommendation, BEI is willing to provide (for a reduced contract amendment cost) 90% design plans only. However, this option would not allow the project to be constructed in 2008 due to a significant demand on staff resources. It would also affect staff's ability to deliver other high priority capital projects.

Staff is recommending a contract amendment with BEI in the amount of \$173,064 with no contingency. This is \$59,813 less than the previous BEI proposal with contingency. The new amendment amount is based on BEI's amendment letter dated November 28, 2007. It includes \$86,000 for the additional plan sheets, \$48,064 for additional time and materials out of scope work in Task 1 and Task 2, \$18,000 for cross sections and slope stake notes, and half of the proposed \$42,000 cost (\$21,000) projected to be necessary for BMPs and coordination with Lahontan RWQCB to complete the project. Staff would help BEI with the BMPs and Lahontan coordination should the \$21,000 in this task be inadequate.

The original BEI contract included a detailed breakdown of labor costs per plan sheet. As shown in the following table, the additional labor cost to produce the current number of plan sheets would be \$171,650 if the contract amendment were to be based solely on the proposal unit price per plan sheet.

168

SECTION 11



231

ATTACHMENT 10
RESOLUTION 92483

170





10

RESOLUTION No. 92483

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION ORDERING THE INCORPORATION
OF THE TOWN OF TRUCKEE SUBJECT TO THE
CONFIRMATION OF THE VOTERS THEREIN

WHEREAS, the Nevada County Local Agency Formation Commission (LAFCO) has adopted Resolution No. 92-06 approving the incorporation of the proposed Town of Truckee, and specifying certain additional organizational changes, to wit: The reorganization includes the incorporation of the Town of Truckee; the dissolution of County Service Areas (CSAs) 4, 5, 6, 8, 9, 10, 11, 19, 35 and any CSAs that are subsequently formed within the boundaries of the proposed Town prior to incorporation; the annexation of the areas of the dissolved CSAs into CSA 7 for solid waste services; and the transfer of two Permanent Road Divisions and any subsequently formed PRDs from County jurisdiction to the new town; and

WHEREAS, the boundaries of the affected territory of the proposed incorporation are set forth in the legal description and map attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, the reasons for the proposed incorporation of the Town of Truckee include, but are not limited to, securing local control over all planning issues and growth issues; maximizing revenues for use by the people of the Town of Truckee; improving overall government services; securing local control

171

5

over traffic circulation, traffic safety, and road maintenance; securing to the people of the Town of Truckee the right and ability to determine their future; and securing greater representation through an elected town council; and

WHEREAS, the Town of Truckee shall utilize the regular County assessment roll for assessing any and all property taxes, parcel charges, and any other assessments; and

WHEREAS, there is no bonded indebtedness of any agency affected by the proposed reorganization and that therefore the property within the Town of Truckee will not be subject to tax for any such bonded indebtedness; and

WHEREAS, LAFCO's approval of the incorporation of the Town of Truckee is subject to the following terms and conditions:

1. Short Form Designation. The distinctive short-form designation of the proposed reorganization is LAFCO No. 91-02. The reorganization includes the incorporation of the Town of Truckee; the dissolution of County Service Areas (CSAs) 4, 5, 6, 8, 9, 10, 11, 19, 35 and any CSAs that are subsequently formed within the boundaries of the proposed town prior to incorporation; the annexation of the areas of the dissolved CSAs into CSA 7 for solid waste services; and the transfer of two Permanent Road Divisions (PRDs) and any subsequently formed PRDs from County jurisdiction to the new town.
2. Conducting Authority. The Board of Supervisors of the County of Nevada is the designated conducting authority for this reorganization.
3. Name of New Town. The incorporation proposal to be presented to the voters shall provide for the voters to choose whether the name of the new town shall be "The Town of Truckee" or "The City of Truckee".
4. Boundaries. The boundaries of the proposed town are set forth in Exhibit "A" attached hereto and made a part hereof. The proposed town contains approximately 31 square miles of territory.

5. Effective Date. The effective date of incorporation shall be March 23, 1993.
6. Property Tax Transfer. As provided in the Comprehensive Fiscal Analysis, the amount of base property tax transfer to the new town from the County General Fund shall be \$1,205,185.00. This amount in conjunction with the transfer of the property tax from the CSAs to be dissolved, shall serve as a basis for the computation of property tax revenues to be distributed to the Town of Truckee for fiscal year 1993-1994 and thereafter. The base transfer amount must be finalized to reflect the proper total County Maintenance of Effort (MOE) contribution to the Road Fund. (Such final figure shall be submitted to the Board of Supervisors for inclusion in their resolution relative to the incorporation).
7. Gann Appropriations Limit. As provided in the Comprehensive Fiscal Analysis, the provisional appropriations limit for the new town required by Article XIII B of the California Constitution shall be \$5,019,262.00. The permanent appropriations limit shall be proposed by the town council and subject to approval of the voters at the first municipal election following the first full fiscal year of operation. The Gann Limit amount must be finalized to reflect any changes in town revenue. (Such calculations shall be submitted to the Board of Supervisors for inclusion in their resolution relative to the incorporation).
8. Continuation of All Existing General Purpose Taxes. An affirmative vote on the incorporation shall be construed as an affirmation that all sales and use taxes, transient occupancy taxes, real property transfer taxes and other general purpose taxes presently imposed by the County of Nevada or the State of California shall be continued by the town, at the same rate and manner of collection, until changed by the town council.
9. Services to be Provided. The town shall, at a minimum, provide those services as set forth in the table attached as Exhibit "B" to this resolution, whether directly or under contract with the County. All County roads, storm drain facilities, easements, and rights-of-way within the boundaries of the town shall be transferred to the town and become the responsibility of the town.
10. Compliance with Water Quality Requirements. If the incorporation is approved, the town shall apply for new waste discharge requirements from the Lahontan Regional Water Quality Control Board for any town road improvement projects



871