



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

NOVEMBER 5, 2013 – 3:30 P.M.

CALL TO ORDER: Welcome to the Three Rivers Levee Improvement Authority (TRLIA) meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices which might disrupt the meeting. Thank you.

- I **ROLL CALL** – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
- II **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. Prior to this time, speakers are requested to fill out a “Request to Speak” card and submit it to the Clerk of the Board of Supervisors.
- III **CONSENT AGENDA:** Matters listed are considered to be routine and can be enacted by one motion.
- A. Approve minutes of the meeting of October 1, 2013.
- IV **CORRESPONDENCE**
- A. Letter from Ms. Joan Lewis regarding Broadway Road and access gate to the Feather River setback area.
- V **CLOSED SESSION:**
1. Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to litigation pursuant to Government Code section §54956.9(d)(2); one case
- VI **ADJOURN**

The complete agenda is available at the Yuba County Government Center, 915 8th Street, Suite 109 Marysville, and www.trlia.org. Any disclosable public record related to an open session item on the agenda and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available at Suite 109 during normal business hours. In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board’s office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

OCTOBER 1, 2013

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) 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 Sarbdeep Atwal, Rick Brown, Jerry Crippen, Mary Jane Griego, and John Nicoletti. Also present were Executive Director Paul Brunner, Counsel Scott Shapiro, and Secretary/Clerk of the Board of Supervisors Donna Stottlemeyer. Chair Griego presided.

I ROLL CALL – Directors Sarbdeep Atwal, Rick Brown, Jerry Crippen, Mary Jane Griego, John Nicoletti – Director Nicoletti absent.

II PUBLIC COMMUNICATIONS: None.

III CONSENT AGENDA: Matters listed are considered to be routine and can be enacted by one motion.

MOTION: Move to approve MOVED: Jerry Crippen SECOND: Rick Brown
AYES: Sarbdeep Atwal, Rick Brown, Jerry Crippen, Mary Jane Griego
NOES: None ABSTAIN: None ABSENT: John Nicoletti

A. Approve minutes of the meeting of September 17, 2013. Approved.

IV SPECIAL PRESENTATION

A. Present plaque to Mr. Don Graham. Chair Griego presented plaque commending Mr. Graham for his years of service on the Board. Presented.

V ACTION ITEMS

A. Approve Change Order No. 4 in the amount of \$162,825 to the River Partners contract for the Feather River Setback area and authorize the Executive Director to execute same following review and approval of Counsel. Executive Director Paul Brunner recapped the costs related to maintenance and monitoring the elderberry transplant project and responded to inquiries.

Director Nicoletti joined the meeting at 3:45 p.m.

MOTION: Move to approve MOVED: Rick Brown SECOND: Sarbdeep Atwal
AYES: Sarbdeep Atwal, Rick Brown, Jerry Crippen, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

- B. Adopt resolution declaring intent to sell former Uppal surplus real property (APN 014-290-034) located on Anderson Avenue pursuant to Government Code Section §25526.

Director Atwal advised of a conflict involving family member interest in purchase and left the dais.

Counsel Kelly Pope recapped the acquisition, surplus, and process for sale of property. Ms. Pope responded to board inquiries.

MOTION: Move to adopt Resolution No. 2013-5

MOVED: John Nicoletti SECOND: Jerry Crippen

AYES: Rick Brown, Jerry Crippen, Mary Jane Griego, John Nicoletti

NOES: None ABSTAIN: None ABSENT: Sarbdeep Atwal

Director Atwal returned to the dais.

- C. Approve Amendment No 5 in the amount of \$475,000 to the contract with AECOM Technical Services Inc; and authorize the Executive Director to negotiate, sign and execute the final amendment upon review and approval of Counsel. Project Manager Ric Reinhardt and Executive Director Paul Brunner recapped services to be provided and responded to board inquiries.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Jerry Crippen

AYES: Sarbdeep Atwal, Rick Brown, Jerry Crippen, Mary Jane Griego, John Nicoletti

NOES: None ABSTAIN: None ABSENT: None

VI BOARD AND STAFF MEMBERS' REPORTS

Construction Manager Doug Handen: Progress on Feather River Toe Access construction project

Executive Director Paul Brunner:

- Early implementation project audits being performed by Department of Finance
- Next meeting November 12 and cancellation of October 17 and November 5, 2013, meetings
- International Real Estate Association

- VII CLOSED SESSION: The Board retired into closed session at 4:18 p.m. and returned at 5:02 p.m. with all members present as indicated above.

Counsel Scott Shapiro advised direction was given on employment contract and would be brought to the Board for approval on November 12, 2013.

- A. Personnel pursuant to Government Code §54957(b) – Executive Director Evaluation
- B. Personnel pursuant to Government Code §54957.6 – Provide instruction to Representative Scott Shapiro on salary or compensation of Executive Director

VIII ADJOURN 5:04 p.m. by Chair Griego.

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

Chair

Approved: _____

October 11, 2013

Board of Directors
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, CA 95901

RECEIVED

OCT 30 2013

TRLIA Board of Directors,

Clerk/Board of Supervisors

The purpose of this letter is to :

1. Follow up on TRLIA's plan to pursue state funding to close the Broadway Road access gate to the Feather River setback area (As decided at the June 4, 2013 TRLIA meeting) and
2. Report to you the continuing problems on Broadway Road.

As you know, deterioration of our small farming road due to high levels of traffic heading to the Feather River setback area has resulted in clouds of billowing dust leading to mite infestation of fruit trees, vandalism, theft, trash dumping, noise, trespassing, and reckless driving. These issues face those of us who live and farm on Broadway on a daily basis. With the prospect of permanent closure of the Broadway access gate we started the 2013 summer season looking forward to relief from these problems. We now are becoming more and more concerned because there is no obvious evidence of work being done to accomplish the gate closure.

The continuing high level of traffic on our small farming road has resulted in marked deterioration of the remaining pavement both in previously eroded areas and new areas further to the west. New this summer are areas of pavement on Broadway that no longer allow two oncoming vehicles to pass each other without driving on the dirt shoulder. As the pavement crumbles, traffic shifts to the smoother soil shoulder which further increases the dust problem. If this continues, costly road repairs will become necessary, and fruit tree mite prevention will be an expensive annual challenge.

Reckless driving continues with weekend drag racing, speeding, driving in roadside orchards, and probable drunk driving, as these vehicles proceed to the river via Broadway Road. I have reported this to the CHP who state they are unable to solve this problem because this behavior stops when a CHP vehicle is present. I personally have been passed by a vehicle traveling on the shoulder which created so much dust I couldn't see the hood of my car! There is broken vehicle glass on the roadside as evidence of collisions. A neighbor reports weekly drag racers traveling three cars abreast and sometimes even driving in reverse! The sign directing traffic to remain on the pavement has been flattened to the ground even though it is placed well off the roadway. I have read Facebook postings of Plumas Lake residents boasting of alcohol consumption during organized river floats from Broadway to Star Bend, then

returning to the river via the Broadway access gate to BBQ and drink. These people are all driving home after drinking and pose a risk to everyone in this area.

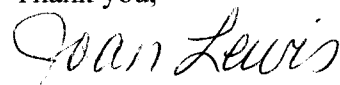
Trash dumping continues to be a problem with household garbage, fast food wrappers, and alcohol containers being discarded as people travel to and from the setback area.

The 2013 harvest season was the dustiest ever with dust on our prune trees reaching 50 trees deep into the orchard (500 feet) necessitating the use of a special dust mask to prevent dust inhalation as I drove the harvester. This occurred even after the application of dust suppressant material due to the spreading area of deteriorated pavement.

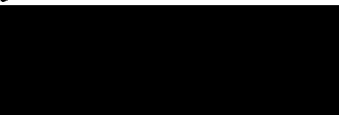
Fruit theft was worse this year with many carloads of people stopping to help themselves to our figs and peaches. We confronted many of them and reclaimed some of the fruit they intended to steal. However, we lost the total crop of ripe peaches from 4 fully grown peach trees just before harvest day. This is becoming more of a significant financial issue as traffic increases and more and more people see ripe fruit and decide to steal it.

The end of the summer recreation season seems to be a practical and logical time to shift the Feather River setback access away from Broadway Road. Please consider expediting this previously approved project to avoid costly rehabilitation of Broadway Road, help decrease the risk of future agricultural theft, trespassing and vandalism, and decrease the risk presented by frequent reckless driving on Broadway Road. I urge you to seek funding from other sources if the State of California declines to fund this project.

Thank you,



Joan Lewis

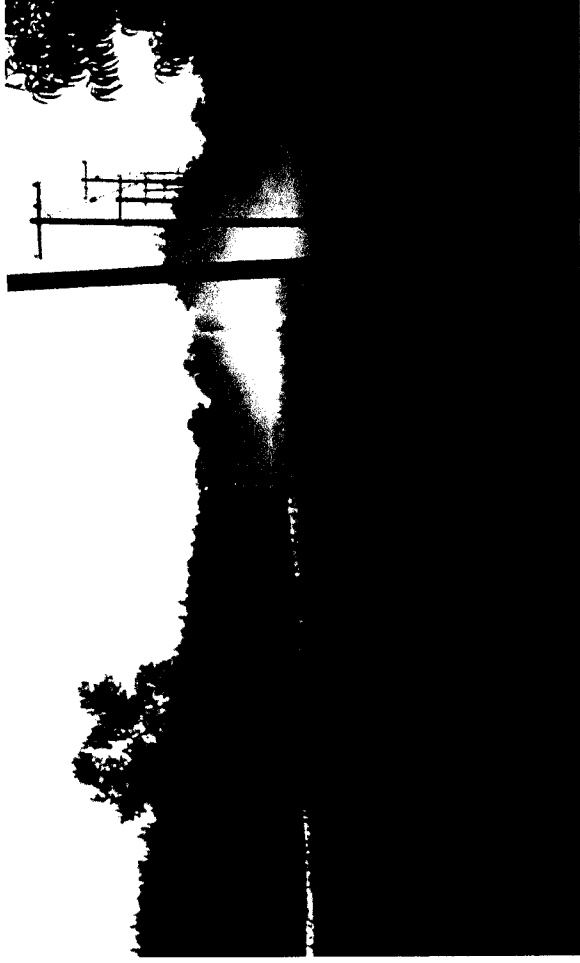


cc: Paul Brunner, Executive Director TRLIA
Megan Foster, Yuba Sutter Farm Bureau

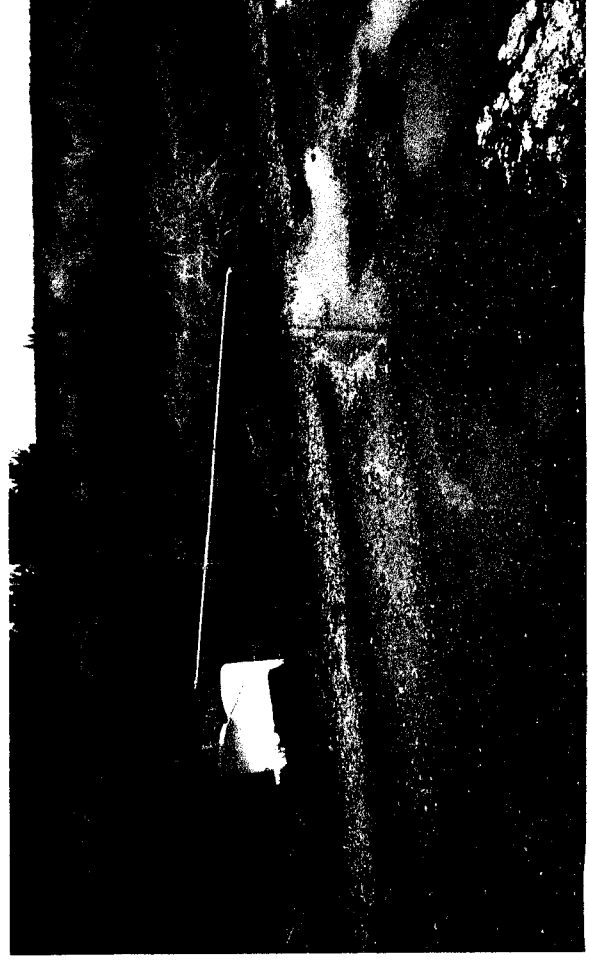
Far west end of Broadway - newly deteriorated area -



Dust into orchard.



October - trash dumping



Sign telling drivers to remain on pavement.