

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES -- BOARD OF DIRECTORS

JULY 5, 2005

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 3:36 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Mary Jane Griego, Dan Logue, and Richard Webb. Also present were Executive Director Kent McClain, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chairman Webb presided.

ACTION ITEMS

A. Public Necessity/Eminent Domain: Chairman Webb advised of the procedures to be followed during consideration of four resolutions regarding public necessity.

Project Manager Bob Morrison gave a Power Point presentation which recapped the following properties and design alternatives for the Phase 2 Levee Repair Project and responded to Board inquiries:

- Assessors Parcel No. 020-020-083, 084 (Walmart)
- Assessors Parcel No. 020-020-080 (Raetz)
- Assessors Parcel No. 020-020-054 (Harmon)
- Assessors Parcel No. 020-020-081, 082 (Auburn Manor)

HDR Engineer Chris Krivanec responded to Board inquiries regarding seepage berm design.

Mr. Dennis Viglione, Counsel for Mr. Harmon and Auburn Manor, advised of concurrence for necessity however, felt the requirement regarding "greatest public good and least private injury" had not been met regarding design and compensation.

Mr. Mathew Harmon, property owner, recapped a previous levee breakage and repair performed at that time, felt a slurry wall construction for this project was the best option, and expressed concern regarding drainage issues during high water events.

Mr. Steve Raetz, Yuba City, questioned noticing procedures and advised "some tenants" had not received the 90-day notice.

Following Board discussion, Chairman Webb opened the public hearing. No one came forward.

Upon motion of Director Logue, seconded by Director Griego, and unanimously carried, the Board adopted the following resolutions:

- Resolution No. 05-05, which is entitled: "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 YUBA RIVER LEVEE SYSTEM (CODE CIV. PROC. §124.230)," as it relates to Parcel No. 020-020-054. ADOPT RESOLUTION NO. 05-05
 - Resolution No. 05-06, which is entitled: "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 YUBA RIVER LEVEE SYSTEM (CODE CIV. PROC. §124.230)," as it relates to Parcel No. 020-020-080. ADOPT RESOLUTION NO. 05-06
 - Resolution No. 05-07, which is entitled: "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 YUBA RIVER LEVEE SYSTEM (CODE CIV. PROC. §124.230)," as it relates to Parcel No. 020-020-081 and 020-020-82. ADOPT RESOLUTION NO. 05-07
 - Resolution No. 05-08, which is entitled: "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 YUBA RIVER LEVEE SYSTEM (CODE CIV. PROC. §124.230)," as it relates to Parcel No. 020-020-083 and 020-020-84.
- B. BE/GEI Change of Contract No. 2: Upon motion of Director Griego, seconded by Director Logue, and unanimously carried, the Board approved Change of Contract No. 2 with BE/GEI, Inc. for investigation and design of the Bear River Setback Levee and authorized the Chairman to execute same. APPROVE CHANGE OF CONTRACT

C. Minutes: Upon motion of Director Logue, seconded by Director Griego, and unanimously carried, the Board approved the minutes of the regular meetings of June 7 and 14, 2005, as written. APPROVE MINUTES

D. Nordic Industries, Inc./Phase II Construction: Executive Director Kent McClain recapped the proposed project construction, advising one bid had been received from Nordic Industries, Inc. and responded to Board inquiries.

Upon motion of Director Logue, seconded by Director Griego, and unanimously carried, the Board awarded Contract No. PH2-2005/06-01 to Nordic Industries Inc. for Phase II Construction in the amount of \$19,895,075 and authorized the Chairman to execute same upon review and approval of County Counsel. AWARD CONTRACT

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Executive Director Kent McClain:

- Federal Emergency Management Agency workshop on Monday July 11, 2005 at 10:00 a.m. in Government Center Conference Room 1

Director Webb:

- Reclamation District 784 meeting of June 28, 2005

PUBLIC COMMUNICATIONS

No one came forward.

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 5:18 p.m. by Chairman Webb.

Richard E. Webb
Chairman

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

Donna Stottlemeier _____ Approved: *September 6, 2005*