

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

AUGUST 30, 2005

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 2:03 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Mary Jane Griego, and Richard Webb. Director Dan Logue was absent. Also present were Executive Director Kent McClain, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chairman Webb presided.

CLOSED SESSION

The Board retired into closed session at 2:04 p.m. to discuss one case of threatened litigation pursuant to Government Code §54956.9(b) and returned into open session at 2:48 p.m. with all Board and staff members present as indicated above.

There was no announcement.

ACTION ITEMS

A. Resolutions of Necessity/Danna and Danna Inc. and Danna Investment Company: 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 Bear River Levee System and responded to Board inquiries:

- Assessor's Parcel No. 016-120-005, Danna and Danna Inc.
- Assessor's Parcel No. 016-150-020, Danna and Danna Inc.
- Assessor's Parcel No. 016-150-021, Danna and Danna Inc.
- Assessor's Parcel No. 016-150-004, Danna Investment Company
- Assessor's Parcel No. 016-150-019, Danna Investment Company

Chairman Webb inquired if there were any comments of property owners or their representatives. No one came forward.

Chairman Webb inquired if there were any public comments. No one came forward.

Special Counsel Rich Brown recapped the subsequent legal process if the proposed resolutions were adopted and responded to Board inquiries.

Upon motion of Director Griego, seconded by Director Brown, Director Logue being absent, the Board adopted the following resolutions:

- Resolution No. 05-12, 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 BEAR RIVER LEVEE SYSTEM (CODE CIV. PROCE. §1245.230)," as it relates to Assessor's Parcel Nos. 016-120-005, 016-150-020, 016-150-021. ADOPT RESOLUTION NOS. 05-12 AND 05-13
- Resolution No. 05-13, 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 BEAR RIVER LEVEE SYSTEM (CODE CIV. PROCE. §1245.230)," as it relates to Assessor's Parcel Nos. 016-150-004 and 016-150-019.

Upon motion of Director Griego, seconded by Director Brown, and Director Logue being absent, the Board directed General Counsel and Special Counsel to proceed with actions in eminent domain to acquire the necessary property for the repair, construction, installation, and maintenance of the Bear River portion of the levee system. DIRECT COUNSEL

B. Phase 3 Levee Improvement Project/Amendment to Grant: Assistant Director Randy Margo and Project Manager Ani Bhattacharyya recapped the amendment for changes in scope of work for the Phase 3 design grant and responded to Board inquiries.

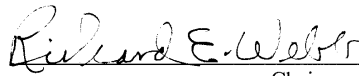
Upon motion of Director Griego, seconded by Director Brown, Director Logue being absent, the Board approved submittal to the California Department of Water Resources a request for amendment to the approved Proposition 13 Grant amount for Contract No. 4600003891 for Phase 3 Design Grant in the amount of \$1,589,810 and authorized the Executive Director to execute same. AUTHORIZE CHANGE

C. Environmental Mitigation/Financial Surety: Project Coordinator Chris Elliott, Jones and Stokes, recapped estimated financial assurances for environmental mitigation required prior to start of levee construction scheduled to begin September 16, 2005 for United States Army Corps of Engineers, Fish and Wildlife Services, and California Department of Fish and Game and responded to Board inquiries.

Upon motion of Director Griego, seconded by Director Brown, Director Logue being absent, the Board authorized the Executive Director to pursue negotiations regarding financial surety required for environmental mitigation for levee projects. AUTHORIZE NEGOT.

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 3:54 p.m. by Chairman Webb.


Chairman

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

 Approved: 