

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

APRIL 17, 2007

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 2:02 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Mary Jane Griego, and Richard Webb. Directors Jerry Crippen and Dan Logue were absent. Also present were Executive Director Paul Brunner and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chairman Webb presided.

PUBLIC COMMUNICATIONS

Ms. Mary Anderson, Anderson Avenue, expressed concern regarding the loss a portion of yard and oak trees which hold a sentimental value and suggested another alignment for the road.

Chairman Webb and Right of way Agent Bob Morrison advised the matter is being reviewed for an alternative.

CONSENT AGENDA

Upon motion of Director Griego, seconded by Director Brown, and carried with Directors Crippen and Logue being absent, the Board took the following actions:

- 1) Approved the minutes of the special meeting of March 27, 2007, as written. APPROVE MINUTES
- 2) Adopted Resolution No. 07-19, which is entitled: "A RESOLUTION BY THE BOARD OF THREE RIVERS LEVEE IMPROVEMENT AUTHORITY IN REGARD TO GRANT FUNDS UNDER PROPOSITIONS 1E AND 84," and authorizing the Executive Director to execute and submit grant application. ADOPT RESOLUTION NO. 07-19
- 3) Approved a revised loan agreement with Yuba County Water Agency and authorized the Chairman to execute upon review and approval of County Counsel. APPROVE AGRMNT.

CLOSED SESSION

The Board retired into closed session at 2:11 p.m. to discuss two cases of threatened litigation pursuant to Government Code §54956.9(b).

Director Logue joined closed session at 2:57 p.m.

The Board returned from closed session at 3:09 p.m. with all Board and staff members present as indicated above, including Director Logue.

There was no announcement from closed session.

ACTION ITEMS

1) Ordinance/Levying Special Taxes within Community Facilities District No. 2006-1 (South County Area)/Second Reading: Chairman Webb opened the public hearing.

Mr. Rex Archer, Linda, questioned the authority to perform levee construction and maintenance by this body rather than the Reclamation District.

Chairman Webb advised the Joint Powers Agreement provided the authority.

Mr. Archer opposed the taxing and taking of property for improvements which in his opinion are falsely represented and felt improvements would fail in the event of a flood.

Chairman Webb advised the Corps of Engineers and other experts have evaluated concerns raised and upheld the work performed.

Upon motion of Director Griego, seconded by Director Brown, and carried with Director Crippen being absent, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 2, which is entitled: "AN ORDINANCE LEVYING SPECIAL TAXES WITHIN THREE RIVERS LEVEE IMPROVEMENT AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SOUTH COUNTY AREA)."

ADOPT  
ORDINANCE  
NO. 2

2) Ordinance/Levying Special Taxes within Community Facilities District No. 2006-2 (South County Area – Overlay District)/Second Reading: Chairman Webb opened the public hearing.

Mr. Rex Archer, Linda, urged counsel review of the Mello Roos law regarding supplanting the Reclamation District.

Chief Deputy Counsel Angil Morris-Jones advised the actions are within the legal authority of the Board.

Upon motion of Director Griego, seconded by Director Brown, and carried with Director Crippen being absent, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 3, which is entitled: "AN ORDINANCE LEVYING SPECIAL TAXES WITHIN THREE RIVERS LEVEE IMPROVEMENT AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2006-2 (SOUTH COUNTY AREA – OVERLAY DISTRICT)." ADOPT ORDINANCE NO. 3

3) Public Necessity/Feather River Levee: Right-of-way Manager Bob Morrison provided a power point presentation recapping the proposed resolutions and necessity for segment 3 construction and responded to Board inquiries.

Upon motion of Director Logue, seconded by Director Griego, and carried with Director Crippen being absent, the Board adopted Resolution No. 07-20, 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 THREE RIVERS LEVEE IMPROVEMENT PROJECT (CODE CIV. PROC. §1245.230; CODE CIV. PROC §1240.610)" as it relates to APN 020-330-008 (California State Department of Transportation). ADOPT RESOLUTION NO. 07-20

Upon motion of Director Griego, seconded by Director Brown, and carried with Director Crippen being absent, the Board adopted Resolution No. 07-21, 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 THREE RIVERS LEVEE IMPROVEMENT PROJECT (CODE CIV. PROC. §1245.230)" as it relates to APN 020-360-002 (Jourbee Khang and True Y. Kyang). ADOPT RESOLUTION NO. 07-21

Upon motion of Director Logue, seconded by Director Brown, and carried with Director Crippen being absent, the Board adopted Resolution No. 07-22, 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 THREE RIVERS LEVEE IMPROVEMENT PROJECT (CODE CIV. PROC. §1245.230)" as it relates to APN 020-360-047, 020-360-050, and 020-360-053 (Trumon G. Cooper, as Truman G. Cooper Family Trust). ADOPT RESOLUTION NO. 07-22

BOARD AND STAFF MEMBERS' REPORTS

No reports were received.

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 3:37 p.m. by Chairman Webb.

  
Chairman

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

 Approved: 