

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

BOARD OF DIRECTORS - MINUTES

AUGUST 7, 2007

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority 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 Rick Brown, Jerry Crippen, Mary Jane Griego, Dan Logue, and Richard Webb. Also present were Executive Director Paul Brunner, Special Counsel Rich Brown, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chairman Webb presided.

CONSENT AGENDA

Minutes: Upon motion of Director Griego, seconded by Director Crippen, and unanimously carried, the Board approved the minutes of the regular meeting and budget hearings of July 17, 2007, as written. APPROVE MINUTES

ACTION ITEMS

A. Lucy and Company/Public Outreach Services/\$124,935: Executive Director Paul Brunner and Client Services Manager Kim Floyd, Lucy and Company, recapped the proposed agreement and services and responded to Board inquiries.

Upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board approved an agreement with Lucy and Company in the amount of \$124,935 for public outreach services and authorized the Chairman to execute same. APPROVE AGRMNT.

Chairman Webb left the meeting at 3:59 p.m. Vice-chairman Logue presided.

B. Resolution of Necessity/APN 014-250-029 (Rice)/Phase 4 Levee Repair Project: Project Manager Ric Reinhardt provided a Power Point presentation recapping the proposed property and necessity and responded to Board inquiries.

Mr. Brian Manning, Counsel for property owners, recapped current levee funding issues, felt there had not been proper negotiations and there was lack of necessity at this time to proceed with the proposed resolution.

Mr. Manning requested the matter be continued until October to allow further negotiations regarding location of the setback levee and the use of their property and responded to Board inquiries.

Special Counsel Rich Brown responded to Board inquiries regarding the process for eminent domain and negotiations.

Following Board discussion, upon motion of Director Crippen, seconded by Director Griego, and following a roll call vote with Directors Brown, Crippen, Griego, and Logue voting in support, the Board adopted Resolution No. 07-25, 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," as it relates to APN 014-250-029 (Rice).

ADOPT
RESOLUTION
NO. 07-25

Upon motion of Director Griego, seconded by Director Crippen, and following a roll call vote with Directors Brown, Crippen, Griego, and Logue voting in support, the Board directed staff to proceed to initiate eminent domain action to acquire necessary property.

DIRECT
ACTION

Chairman Webb rejoined the meeting at 5:08 p.m.

C. Feather River Levee Repair Project Segment 3/Award of Contract/Nordic Industries, Inc.: Executive Director Paul Brunner provided a Power Point presentation recapping the proposed project, costs and funding, conditions of award, and responded to Board inquiries.

Construction and Invoice Manager Doug Handen recapped the bid process which included phased work, award of contracts, and advised completion of work for other segments would not be completed until 2008.

Following Board discussion, upon motion of Director Crippen, seconded by Director Logue, and unanimously carried, the Board delegated authority to the Executive Director to award a contract to Nordic Industries, Inc. for all/or portion(s) of Feather River Levee Repair Project, Segment 3, in an amount not to exceed \$6,183,057 with a notice to proceed subject to funding, authorized the Executive Director to execute same upon submittal and review of Counsel, and directed staff to agendize segments 1 and site 7 for the upcoming Board meeting.

Mr. Rex Archer, Linda, felt Director Logue had a conflict of interest on this matter.

D. Land Owner Funding Proposal/Feather River Levee: Executive Director Paul Brunner updated the Board on Yuba County Board of Supervisors' consideration regarding a guarantee for funding of the Segments 1, 3 and Site 7 and responded to Board inquiries. *INFO ONLY*

Following Board discussion, no action was taken.

Mr. Rex Archer, Linda, felt the citizens should not be responsible for the cost of levee repairs and construction should wait for funding from Proposition 1E.

BOARD AND STAFF MEMBERS' REPORTS

No reports were received.

CLOSED SESSION

The Board retired into closed session at 6:15 p.m. to discuss the following:

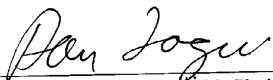
Conference with Real Property Negotiator pursuant to Government Code §54956.8 -
Property: APN 020-360-047, 050, and 053 (Cooper)/Negotiating Parties: TRLIA/Kathy Ormsby/Rich Brown Negotiation: Price and Terms of Payment

The Board returned from closed session at 6:18 p.m. with all Board and staff members present as indicated above.

There was no announcement from closed session.

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 6:18 p.m. by Chairman Webb.



Vice-Chairman

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

Donna Stottlemeier Approved: August 28, 2007