

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

APRIL 1, 2008

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, Don L. Graham, Mary Jane Griego, and Dan Logue. Also present were Executive Director Paul Brunner, Counsel Scott Shapiro, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chair Griego presided.

PUBLIC COMMUNICATIONS

No one came forward.

CONSENT AGENDA

Minutes: Upon motion of Director Crippen, seconded by Director Logue, and unanimously carried, the Board approved the minutes of the regular meeting of March 18, 2008, as written. APPROVE MINUTES

ACTION ITEMS

1) Declaration of Public Necessity: Executive Director Paul Brunner recapped the public necessity and responded to Board inquiries.

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

- Resolution No. 08-19 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 Assessor's Parcel Number 014-290-033 (Dang); and ADOPT RESOLUTION NO. 08-19

- Resolution No. 08-20 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)," as it relates to Assessor's Parcel Number 014-290-034 (Uppal). ADOPT RESOLUTION NO. 08-20

2) Phase 4 Feather River and Yuba River Levee Project: Executive Director Paul Brunner recapped the revised financing plan for improvement projects and responded to Board inquiries.

Upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board adopted Resolution No. 08-21, which is entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AUTHORIZING SPECIFIC ACTIONS IN REGARD TO THE FUNDING PROGRAM FOR PHASE 4 FEATHER RIVER AND YUBA RIVER LEVEE IMPROVEMENTS." ADOPT RESOLUTION NO. 08-21

3) Right-of-way Agreement/California Department of Transportation: Following a brief recap from Executive Director Paul Brunner, upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board approved a right-of-way agreement with California Department of Transportation in the amount of \$30,600 and authorized the Executive Director to execute same. APPROVE AGRMNT.

4) Fill Acquisition/Platter and JTS: Executive Director Paul Brunner recapped the agreement for soil rights for fill material for the improvement project and responded to Board inquiries.

Upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board adopted Resolution No. 08-22, which is entitled: "A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY IN REGARD TO ACQUISITION OF FILL FROM THE PLATTERS." ADOPT RESOLUTION NO. 08-22

5) Waiver of Conflict of Interest/Sutter Butte Flood Control Agency: Following a brief recap from Executive Director Paul Brunner, upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the Board approved a waiver of potential conflict of interest in simultaneous representation by Downey Brand LLP or Three Rivers Levee Improvement Authority and Sutter-Butte Flood Control Agency and authorized the Executive Director to execute same. APPROVE WAIVER

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Director Griego:

- Financing plan for funding projects

Executive Director Paul Brunner:

- Schedule of financing, work plan, and timelines for construction of Segment 1, 2, and the setback levee
- Press release on projects
- Letter from County of Yuba to participating landowners of Second Funding Agreement

Director Logue left the meeting at 4:05 p.m. and did not return.

Counsel Scott Shapiro:

- Cap to Cap trip to Washington DC April 4 – 9, 2008 regarding flood control
- Meeting with Naumes regarding acquisition of property on April 11, 2008

At the request of Counsel Scott Shapiro, and upon motion of Director Crippen, seconded by Director Graham, and carried with Director Logue being absent, the matter of out of state travel was added to the agenda as the need to take action arose subsequent to the agenda being posted.

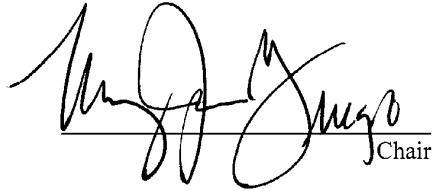
ADD  
TO  
AGENDA

Upon motion of Director Graham, seconded by Director Crippen, and carried with Director Logue being absent, the Board authorized out of state travel to Medford, Oregon on April 11, 2008 for Executive Director Paul Brunner, Counsel Scott Shapiro, GEI Engineer Dan Wanket, Program Manager Ric Reinhardt, and Right of Way Manager Bob Morrison regarding meeting with Naumes on the acquisition of property.

AUTHORIZE  
TRAVEL

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 4:15 p.m. by Chair Griego.

  
Chair

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

Donna Stottmeyer Approved: April 15, 2008