

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

MAY 6, 2008

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 3:32 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Don L. Graham, and Mary Jane Griego. Director Dan Logue was absent. 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

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

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| A. | <u>Minutes</u> : Approved minutes of the regular meeting of April 15, 2008, as written. | APPROVE MINUTES |
| B. | <u>McDonough Holland and Allen, PC</u> : Approved waiver of conflict of interest with McDonough Holland and Allen, PC and authorized the Executive Director to execute waiver upon review and approval of Counsel. | APPROVE WAIVER |

ACTION ITEMS

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| A. | <u>Feather River levee Repair Project Findings/Environmental Impact Report (EIR)</u> : Following a brief recap from Executive Director Paul Brunner, upon motion of Director Crippen, seconded by Director Brown, and carried with Director Logue being absent, the Board adopted Resolution No. 08-24, which is entitled: "A RESOLUTION BY THE BOARD OF THREE RIVERS LEVEE IMPROVEMENT AUTHORITY APPROVING FINDINGS IN SUPPORT OF AN ADDENDUM AND APPROVING AN | ADOPT RESOLUTION NO. 08-24 |
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ADDENDUM TO THE FEATHER RIVER LEVEE REPAIR PROJECT FINAL EIR, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, PUBLIC RESOURCES CODE, SECTION 21000 *et seq.*"

B. Resolutions of Necessity/H & H Trenching and Johl: Right-of-way Manager Bob Morrison recapped the process and necessity of property advising parties have provided written waivers. Following Board discussion, Chair Griego requested if there were any public comments. No one came forward.

Upon motion of Director Crippen, seconded by Director Brown, and carried with Director Logue being absent, the Board adopted the following:

- Resolution No. 08-25, 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 (CODE CIV. PROC. §1245.230)," as it relates to Assessor's Parcel Number 014-370-003 (H and H Trenching); and ADOPT RESOLUTION NO. 08-25
- Resolution No. 08-26, 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 014-370-037(Johl). ADOPT RESOLUTION NO. 08-26

Chair Griego directed staff to proceed with actions in eminent domain to acquire the necessary properties for the repair, construction, installation and maintenance of the Phase 4 Levee Repair Project.

C. Notice to Proceed/Nordic Industries, Inc./Feather River Levee Repair Project Segment 1/Site 7: Executive Director Paul Brunner recapped actions taken and project costs. Project Manager Doug Handen recapped status of construction on projects.

Upon motion of Director Crippen, seconded by Director Graham, and carried with Director Logue being absent, the Board ratified the Executive Director's action to award and issue the Notice to Proceed to Nordic Industries, Inc. for the Feather River Levee Repair Project, Segment 1 and alternative for Site 7 Extension Work in an amount of \$8,693,951. RATIFY ACTIONS

D. Economic and Planning Systems, Inc./Amendment No. 3/\$200,000: Following a brief recap from Executive Director Paul Brunner recapping financial services required, upon motion of Director Brown, seconded by Director Crippen and carried with Director Logue being absent, the Board approved Amendment No. 3 in the amount of \$200,000 with Economic and Planning Systems, Inc. for financial consulting services and authorized the Executive Director to execute upon review and approval of Counsel. APPROVE AMNDMNT.

BOARD AND STAFF MEMBERS' REPORTS

Executive Director Paul Brunner reported on the following:

- Executed agreement from Department of Water Resources for \$138.510 million
- Financial status and receipt of \$10.6 million from State
- Award of contract on Segment 3 of the Feather River Levee Phase 4 project
- Department of Water Resources correspondence regarding Section 104 credit application

CLOSED SESSION

The Board retired into closed session at 3:56 p.m. to discuss the following:

A. Conference with real property negotiators pursuant to Government Code §54956.8 – Property: APN 020-360-002/Khang Negotiating Parties: TRLIA/Bob Morrison/Rich Brown Negotiation: Price and Terms

B. Conference with real property negotiators pursuant to Government Code §54956.8 – Property: APN 020-360-050/Cooper Negotiating Parties: TRLIA/Bob Morrison/Rich Brown Negotiation: Price and Terms

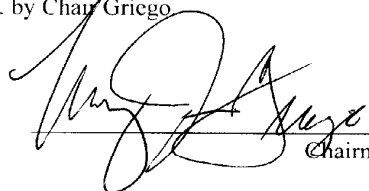
The Board returned from closed session at 4:20 p.m. with all Board and staff members present as indicated above.

Right of way Manager Bob Morrison made the following announcement:

"Direction provided to staff was to amend the real estate plan for Khang and Cooper."

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 4:21 p.m. by Chair Griego


Chairman

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

 Approved: 