

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

AUGUST 19, 2008

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 2:00 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, Assistant Counsel Andrea Clark, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chair Griego presided.

ACTION ITEMS

A. Resolution of Necessity/Khang, Jourbee and True Y.: Following a brief recap from Chair Griego regarding hearing process, Right-of-way Manager Bob Morrison recapped the proposed action, location, and advised of waiver of notice requirements.

In response to inquiries from Ms. Frances Hoffman, Executive Director Paul Brunner recapped available funding for acquisition.

Upon motion of Director Logue, seconded by Director Crippen, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 08-32, which is entitled: "AMENDED RESOLUTION NO. 08-32, 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 020-360-002 (Khang, Jourbee and True Y.).

ADOPT
RESOLUTION
NO. 08-32

Chair Griego directed staff to proceed with eminent domain action.

PUBLIC COMMUNICATIONS

In response to inquiries from Ms. Frances Hoffman, Marysville, Executive Director Paul Brunner recapped reimbursements included in agreement with State of California regarding the early implementation funding and local share requirements.

Mr. Tom Eres, Hofman Ranch, opposed any efforts of eminent domain actions regarding the Hofman property due to the easement held by the State of California.

Director Logue requested a chart outlining revenues and expenditures regarding early implementation funds from Proposition 1E.

Mr. Craig Denisoff, Westervelt Ecological Services, recapped habitat restoration services offered including giant Garner snake mitigation and encouraged an open process for request of proposals.

Director Logue left the meeting at 2:35 p.m. and did not return.

ACTION ITEMS CONTINUED

B. Teichert Construction/Phase 4 Feather River Set Back levee Project: Executive Director Paul Brunner recapped additional construction required on setback levee and recommended the proposed contract be amended to include addition of 1,700 linear feet at a cost of \$2.7 million. Mr. Brunner responded to Board inquiries.

Upon motion of Director Graham, seconded by Director Crippen, and carried with Director Logue being absent, the Board awarded contract amendment to Teichert Construction, the apparent low bidder, for additional work on Phase 4 Feather River Set Back Levee Project; amended the contract to include \$2.7 million for 1,700 linear feet; authorized the Chair to execute upon review and approval of Counsel; and authorized the Executive Director to take the necessary actions to implement amendment and issue Notice to Proceed upon review and approval of Counsel.

AWARD
CONTRACT
AMNDMNT.

C. River Partners/Elderberry Relocation/\$387,500: Environmental Manager Anja Kelsey and Executive Director Paul Brunner recapped need for elderberry relocation and responded to Board inquiries.

Upon motion of Director Brown, seconded by Director Griego, and carried with Director Logue being absent, the Board approved an agreement with River Partners in the amount of \$400,000 for elderberry relocation and maintenance and authorized the Executive Director to execute upon review and approval of Counsel.

APPROVE
AGRMNT.

C. Bender Rosenthal, Inc. (BRI)/Amendment No. 7/\$825,000: Executive Director Paul Brunner recapped services required for the acquisition process and workload and responded to Board inquiries.

Ms. Frances Hoffman, Marysville, recapped recent offers from BRI, opposed acquisition of her property due to the easement held by the State and urged the Board to establish policies regarding acquisitions and easements which the Director would implement.

Following Board discussion, upon motion of Director Crippen, seconded by Director Graham, and carried with Director Logue being absent, the Board approved Amendment No. 7 to the agreement with Bender Rosenthal, Inc., in the amount of \$825,000 for right of way services and authorized the Executive Director to execute upon review and approval of Counsel. APPROVE AMDMNT.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Right of way Manager Bob Morrison:

- Release of request for proposal regarding agriculture leases for property within the floodway

Executive Director Paul Brunner:

- Various upcoming meetings and construction tours
- Funding request to Department of Water Resources for Segment 1 of the Feather River Levee Repair Project
- July 2008 Newsletter

Director Griego:

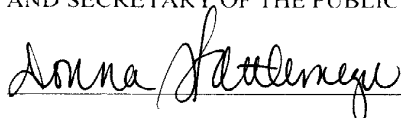
- Levee tour for state and federal officials held August 14, 2008

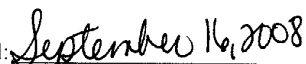
ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 3:12 p.m. by Chair Griego.


Chair

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



Approved:  September 16, 2008