

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

DECEMBER 9, 2008

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 2:24 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Mary Jane Griego, and John Nicoletti. Director Don Graham 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.

CONSENT AGENDA

Minutes: Upon motion of Director Brown, seconded by Director Nicoletti, and carried with Directors Crippen and Graham being absent, the Board approved the minutes of the regular meeting of November 18, 2008, as written. APPROVE MINUTES

ACTION ITEMS

A. Indemnification Agreement: Counsel Scott Shapiro recapped the agreement and preparation of a letter indicating the inappropriate process and inequity of implementing indemnification on other parties seeking permit approval.

Director Crippen joined the meeting at 2:29 p.m.

Upon motion of Director Brown, seconded by Director Nicoletti, and carried with Director Graham being absent, the Board approved an Indemnification Agreement between Three Rivers Levee Improvement Authority, the County of Yuba, Central Valley Flood Protection Board, and Reclamation District Number 784 to allow for the completion of Phase 4 Feather River Levee Setback Project, authorized the Executive Director to execute agreement, approved issuing a letter to the State Board and authorized the Chairman to execute same. APPROVE AGREEMENT

B. Resolution of Necessity/Cooper, Truman: Following Chair Griego recapping the process for consideration of the resolution, Right-of-way Manager Bob Morrison provided a Power Point presentation on the necessity for acquisition.

Mr. Truman Cooper expressed opposition to acquisition of his property.

In response to an inquiry by Ms. Frances Hofman, Mr. Brunner advised the acquisition is related to Segment 3 of Phase 4 improvements.

Upon motion of Director Crippen, seconded by Director Nicoletti, and carried with Director Graham being absent, the Board adopted Resolution No. 08-34 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 CIVIL PROCEDURE §1245.230)," as it relates to Assessor's Parcel Numbers 020-360-059, 060, 061(Cooper, Truman).

ADOPT  
RESOLUTION  
NO. 08-34

#### SPECIAL PRESENTATION

A. Levee Design Standard: Design Manager Larry Dacas and Executive Director Paul Brunner recapped the "deterministic" and "probabilistic" approach in setting the design heights for a 200-year level of protection and responded to Board inquiries.

The following individuals spoke on various criteria issues:

Mr. Tom Eres, Hofman Ranch,  
Ms. Frances Hofman, Hofman Ranch

Following Board discussion, the Chair requested further information at the January 6, 2008 meeting regarding the criteria standards.

B. Western Pacific Interceptor Canal (WPIC) Trenching: Design Manager Larry Dacas recapped the field investigation done to locate a historic culvert in the west levee of the WPIC which was not found.

Mr. Tom Eres, Hofman Ranch, expressed concern regarding the amount of core sampling done.

Ms. Frances Hofman, Hofman Ranch, discussed where the original channel was previously located.

#### BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Counsel Scott Shapiro:

- Public records request related to local credit due by the State

Executive Director Paul Brunner:

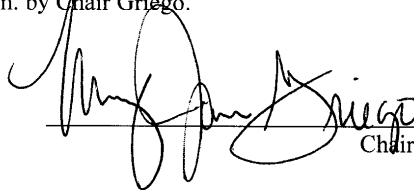
- 404 and 408 permit approval
- Approval of \$10.1 million from Proposition IE funding
- Monitoring equipment installation at the site of the Segment 1 crack
- Location of historic burial site and cooperation with Enterprise Rancheria
- Millionth tree planting riparian habitat
- Meeting with Chamber of Commerce on project update
- Public levee tours

Chair Griego

- Receipt of The Bond Buyer Far West Region Deal of the Year
- Response to assessment surveys
- 1955 flood newspaper articles

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority the meeting was adjourned at 4:07 p.m. by Chair Griego.



Chair

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



Approved: January 6, 2009