

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

JANUARY 27, 2009 – SPECIAL MEETING

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, Don L. Graham, and John Nicoletti. Directors Jerry Crippen and Mary Jane Griego were absent. Also present were Executive Director Paul Brunner, Counsel Scott Shapiro, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Vice-chair Brown presided.

CONSENT AGENDA

At the request of Director Nicoletti, Vice-chair Brown continued the matter of out-of-state travel for the Cap to Cap conference to February 3, 2009.

CONTINUE
TO 2/3/09

Minutes: Upon motion of Director Nicoletti, seconded by Director Graham, and carried with Directors Crippen and Griego being absent, the Board approved the minutes of the meeting of January 6, 2009, as written.

APPROVE
MINUTES

ACTION ITEMS

1) Amendment No. 13/Task 2/MBK Engineers/\$269,280: Following a recap from Executive Director Paul Brunner regarding management activities, the following individuals spoke:

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

Following Board discussion, upon motion of Director Nicoletti, seconded by Director Graham, and carried with Directors Crippen and Griego being absent, the Board approved Amendment No. 13, Task 2, to the agreement with MBK Engineers, in the amount of \$269,280 for design management activities and authorized the Executive Director to execute same.

APPROVE
TASK 2
AMNDMNT.

2) Amendment No. 4/Economic Planning Systems, Inc./\$300,000: Following a recap from Executive Director Paul Brunner regarding financial consulting services and administration of Proposition 1E funding, Mr. Brunner responded to Board inquiries. The following individuals spoke:

- Ms. Frances Hofman, Olivehurst

Following Board discussion, upon motion of Director Graham, seconded by Director Nicoletti, and carried with Directors Crippen and Griego being absent, the Board approved Amendment No. 4 to the agreement with Economic Planning Systems, Inc. in the amount of \$300,000 for administration of Proposition 1E State Funding Agreement and authorized the Executive Director to execute upon review and approval of Counsel.

APPROVE
AMNDMNT.
NO. 4

3) Amendment No. 3/Handen Company, Inc./\$197,540: Following a recap from Executive Director Paul Brunner regarding construction management services needed, Mr. Brunner responded to Board inquiries. The following individuals spoke:

- Ms. Frances Hofman, Olivehurst

Following Board discussion, upon motion of Director Nicoletti, seconded by Director Graham, and carried with Directors Crippen and Griego being absent, the Board approved Amendment No. 3 to the agreement with Handen Company, Inc. in the amount of \$197,640 for construction management services and authorized the Executive Director to execute upon review and approval of Counsel.

APPROVE
AMNDMNT.
NO. 3

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Executive Director Paul Brunner: Feather River Levee Project summary on Segments 1, 2, and 3

CLOSED SESSION

The Board retired into closed session at 3:24 p.m. to discuss the following:

A. Personnel pursuant to Government Code §54957 – Appointment of Eminent Domain Special Counsel

B. Pending litigation pursuant to Government Code §54956.9(a) – TRLIA vs. Nordic Industries, Inc./Case No. YCSCCVED 08-0000236

The Board returned from closed session at 4:22 p.m. with all Board and staff members

present as indicated above.

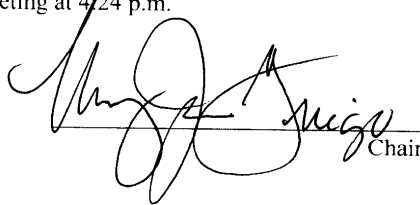
Executive Director Paul Brunner made the following announcement:

"The Board has made its selection of Downey Brand with regards to eminent domain counsel. For the record I would like to make it clear that Scott Shapiro was not part of the interview or selection process."

Counsel Scott Shapiro made the following announcement: "The second announcement. In regard to the TRLIA versus Nordic matter, the Board has provided additional directions to negotiate in that matter."

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority, Vice-chair Brown adjourned the meeting at 4:24 p.m.


Chair

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



Approved: February 3, 2009