

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MINUTES – BOARD OF DIRECTORS

DECEMBER 15, 2009

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority was held on the above date, commencing at 3:53 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 John Nicoletti 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.

CLOSED SESSION

The Board retired into closed session at 3:54 p.m. to discuss the following:

Pending litigation pursuant to Government Code §54956.9(a) regarding the following:

- a. TRLIA vs Naumes, Inc. YCSCCVED 08-0000361
- b. TRLIA vs. Davit, et al., YCSCCVED 07-000437, Court of Appeal Case No. C060898, APN No. 013-010-014
- c. TRLIA vs. Thomas A. Rice, et al., YCSCCVED 07-0000633
- d. TRLIA vs. Jourbee Khang, et al., YCSCCVED 07-000313
- e. TRLIA vs. Danna Investment Company, et al., YCSCCVED 08- 00024
- f. TRLIA vs. Mann YCSCCVED 07-0000438. APN 013-010-013

Director Griego left closed session at 4:54 p.m.

The Board returned from closed session at 5:03 p.m. with all Board members present as indicated above.

PUBLIC COMMUNICATIONS

No one came forward.

ACTION ITEMS

Amendment No. 14/MBK Engineers/\$569,020: Following Executive Director Paul Brunner advising of continued project management with inclusion of the Goldfields area, upon motion of Director Crippen, seconded by Director Brown, and carried with Director Nicoletti being absent, the Board approved Amendment No. 14 to agreement with MBK APPROVE AMNDMNT.

Engineers in the amount of \$569,020 for project and design management and authorized the Executive Director to execute same.

Riparian Restoration Planting/Feather River Setback Mitigation and Design Features/Request for Qualifications: Following Executive Director Paul Brunner and Anja Raudabaugh recapping the design plan which would include walnut orchards and Board inquiries, upon motion of Director Crippen, seconded by Director Brown, and carried with Director Nicoletti being absent, the Board authorized the Executive Director to release request for qualifications for Riparian Restoration Planting of the habitat mitigation and restoration components of the Feather River Levee Repair Project. APPROVE RFQ

Amendment No. 4/Handen Co./\$254,730: Following a brief recap from Executive Director Paul Brunner, upon motion of Director Crippen, seconded by Director Brown, and carried with Director Nicoletti being absent, the Board approved Amendment No. 4 to agreement with Handen Co., Inc. in the amount of \$254,730 for construction management services and authorized the Executive Director to execute same. APPROVE AMNDMNT.

#### CONSENT AGENDA

Minutes: Upon motion of Director Graham, seconded by Director Crippen, and carried with Director Nicoletti being absent, the Board approved the minutes of November 17, 2009, as written. APPROVE MINUTES

#### CLOSED SESSION

The Board returned to closed session at 5:17 p.m. to continue discussion on the above listed matters.

Director Nicoletti joined closed session discussion at 5:59 p.m.

The Board returned from closed session at 6:43 p.m. with all Board and staff members present including Director Nicoletti.

Counsel Scott Shapiro advised the Board gave counsel direction on the matters of Naumes Inc. and Danna Investment Company and other matters were information only. There were no further announcements.

V ACTION ITEMS

- A. Adopt resolution declaring the public necessity for acquisition of the oil, gas, mineral and other hydrocarbons and substances lying below a depth of 500 feet from the surface of the property identified as APN 013-010-013-000 (Mann) for the Three Rivers Phase 4 Levee Repair Project. Counsel Max Steinheimer requested Item 5A withdrawn pursuant to the Department of Water Resources request.
- B. Approve minutes of the meeting of December 15, 2009.  
MOTION: Move to approve MOVED: Jerry Crippen SECOND: Rick Brown  
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti NOES: None ABSTAIN: None

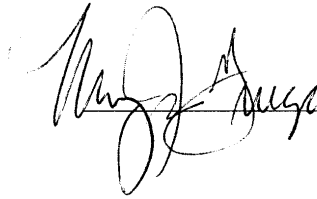
VI BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Public Outreach Officer Sarah Modeste, Kim Floyd Communications, provided a presentation on the updates to the TRLIA website and responded to Board inquiries:

Executive Director Paul Brunner:

- TRLIA Project Summary Report Dated January 19, 2010
- TRLIA will post an update on local reservoirs and river levels from recent storms
- Repair of soft spots on the Feather River Levee patrol road completed by Teichert, will return in the spring to tear out and re-compact
- Submitted Feather River Project to American Society of Civil Engineers (ASCE) for award consideration

VII ADJOURN – 3:35 p.m.



Chair

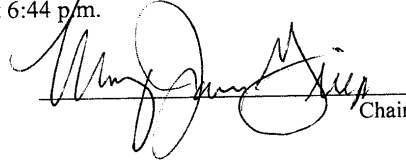
ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS  
AND SECRETARY OF THE PUBLIC AUTHORITY

  
Deputy Clerk Rachel Ferris

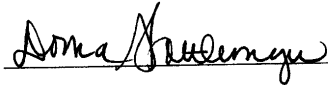
Approved:  Feb 2, 2010

ADJOURNMENT

There being no further business to come before the Three Rivers Levee Improvement Authority Chair Griego adjourned the meeting at 6:44 p.m.

  
Chair

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

  
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Approved: January 19, 2010