



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

FEBRUARY 7, 2012

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) 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, Mary Jane Griego, and John Nicoletti. Also present were Counsel Scott Shapiro, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chair Griego presided.

I ROLL CALL – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti – All present

II PUBLIC COMMUNICATIONS

Mr. Monty Hecker regarding property located at 5548 Feather River Boulevard related to encroachment and drainage issues.

Ms. Debra Hecker regarding request to the State Flood Control Board to suspend permit and encroachment notices.

Ms. Carol Miller, Virgilia Lane, regarding replacement of oak trees removed by flood control projects.

Chair Griego advised correspondence from the Heckers dated January 26 and February 6, 2012 had been received.

III CONSENT AGENDA: All matters listed under the consent agenda are considered to be routine and can be enacted by one motion.

MOTION: Move to approve Consent Agenda MOVED: John Nicoletti SECOND: Jerry Crippen
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

A. Approve minutes of the meeting of January 17, 2012. Approved as written.

B. Approve Amendment No. 10 to agreement with Bender Rosenthal, Inc, for a date extension of December 31, 2013 and authorize the Executive Director to execute same. Approved.

C. Adopt resolution approving Yuba Feather Flood Protection Project Application for Proposition 13 funding. Adopted Resolution No. 2012-01 entitled: "A RESOLUTION BY THE BOARD OF DIRECTORS OF THREE RIVERS LEVEE IMPROVEMENT AUTHORITY APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE YUBA FEATHER FLOOD PROTECTION PROGRAM UNDER THE SAFE DRINKING WATER, CLEAN WATER, WATERSHED PROTECTION, AND FLOOD PROTECTION ACT (PROPOSITION 13)."

D. Approve Amendment No. 3 to agreement with Floyd Communications in the amount of \$58,000 and authorize the Executive Director to execute same. Approved.

- E. Approve River Partners Contract Change Order No. 3 for the Feather River Levee Setback for an additional two years of maintenance and monitoring of the Feather River Elderberry Transplant site and authorize the Executive Director to execute same. Approved.
- F. Approve Amendment No. 3 to agreement with River Partners in the amount of \$116,000 for maintenance and monitoring of the Bear River Set Back Levee and authorize the Executive Director to execute same. Approved.

IV ACTION ITEMS

- A. Approve Modification No. 4 to agreement with Magnus Pacific in the amount of \$226,030.62 and authorize the Executive Director to execute upon review and approval of Counsel. Construction Manager Doug Handen briefly recapped the need for modifications.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Jerry Crippen
 AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
 NOES: None ABSTAIN: None ABSENT: None

V BOARD AND STAFF MEMBERS' REPORTS

Counsel Scott Shapiro:

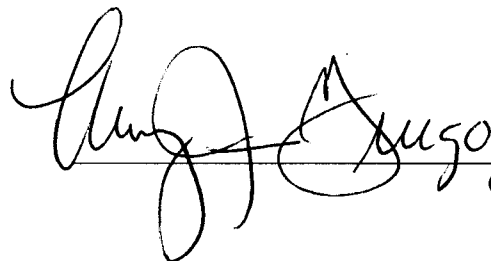
- o Summary of Construction Change Orders below \$210,000 and above \$25,000
- o Independent Audit FY 10/11 – Revised Wording regarding cost of the Yuba Goldfields Project

VI CLOSED SESSION: The Board retired into closed session at 3:55 p.m. to discuss the following:

- A. Conference with real property negotiator pursuant to Government Code §54956.8 - Negotiating Parties: TRLIA/McElhern/Morrison; Terms of Payment; Regarding Upper Yuba Levee Improvement Project:
 - APN 018-210-014 - Wilke
 - Property bordered to north by APN 018-150-032 and to south by APN 018-150-035/Unknown APN and Owner
 - APN 021-042-027/Humam El Sharif
 - APN 021-041-006/Willis
 - APNs 018-150-035 and 018-190-104/Barker
- B. Conference with real property negotiator pursuant to Government Code §54956.8 - Negotiating Parties: TRLIA/McElhern/Morrison; Terms of Payment; Regarding Segment 2 of the Feather River Levee Repair Project: APN 014-250-027 and 014-250-028 -OXY USA, Inc.
- C. Pending litigation pursuant to Government Code section 54956.9 (a) - Luis -YCSCCVED 10-0000903; Bains -YCSCCVED 10-0000977
- D. Conference with Real Estate Property Negotiators pursuant to Government Code §54956.8 - Property 014-360-011, 013; Negotiating parties: TRLIA/McElhern/Bob Morrison; Terms of Payment

The Board returned from closed session at 4:32 p.m. Chair Griego advised there was no action to report.

VII ADJOURN: 4:32 p.m. by Chair Griego.


Chair

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



Approved: 2-21-12