

RESOLUTION NO. 2008-21

**A FURTHER RESOLUTION BY THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AUTHORIZING
SPECIFIC ACTIONS IN REGARD TO THE FUNDING PROGRAM
FOR PHASE 4 FEATHER RIVER AND YUBA RIVER LEVEE IMPROVEMENTS**

WHEREAS, the Three Rivers Levee Improvement Authority (the "Authority"), a joint exercise of powers authority of which the County of Yuba and Reclamation District 784 (RD 784) are the members, has constructed over \$130,000,000 of levee improvements resulting in the certification of levees on the Western Pacific Interceptor Canal, the Bear River, and significant portions of the levees on the Yuba River, thereby significantly improving public safety in Southern Yuba County; and

WHEREAS, the Authority, the County of Yuba, RD 784, and certain landowners in south Yuba County, previously executed the Second Agreement for Advanced Funding and Reimbursement of Costs for Levee Improvements ("Second Funding Agreement") which was to provide for up to \$135 million of funds to be advanced by the landowner signatories thereto to strengthen-in-place the remaining RD 784 levees and complete the Authority's levee improvement program; and

WHEREAS, in February 2007 the Authority certified the final environmental impact report for the Feather River Levee Repair Project, the fourth and final phase of levee improvements, which included a Feather River setback levee, and selected the setback levee over the strengthen-in-place alternative; and

WHEREAS, in order to fund the setback levee the Authority applied to the State of California for, and has been tentatively selected to receive, funding in the amount of \$138.51 million to construct levee improvements including a setback levee along the Feather River as the fourth and final phase of the Authority's work; and

WHEREAS, the Authority had expected that the local share required to obtain the State grant would come from a combination of funds from the County and certain landowners, but the Authority was recently informed that not all of the landowners are willing to provide the expected funding; and

WHEREAS, the County and the Yuba County Water Agency (YCWA) are willing to provide the necessary funds to make up the local share and the County is willing to provide a bridge loan to the Authority to assist with cashflow.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Three Rivers Levee Improvement Authority as follows:

Section 1. The Board hereby authorizes its Executive Director to take all appropriate actions to accept the bridge loan offered by the County.

Section 2. The Board hereby authorizes its Executive Director to take any all necessary actions to inform the State of California of the changes in the sources of the local share.

Section 3. The Board hereby authorizes its Executive Director to execute an agreement with the County and YCWA which specifies the terms of the funding to be provided by the County and YCWA for the Levee Improvement Program.

PASSED AND ADOPTED this 1st day of April, 2008, by the Board of Three Rivers Levee Improvement Authority by the following vote:

AYES: Directors Brown, Crippen, Graham, Griego, Logue

NOES: None

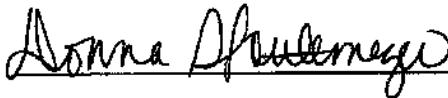
ABSENT: None

ABSTAIN: None



Chair

**ATTEST: DONNA STOTTLEMEYER,
CLERK OF THE BOARD**



**APPROVED AS TO FORM: GENERAL COUNSEL
SCOTT SHAPIRO**

