

March 23, 2009
Sacramento, California

The Board of Trustees of the American River Flood Control District met in special session in its office at 165 Commerce Circle, Suite D, Sacramento, CA at 11:00 a.m. on Monday March 23, 2009. In attendance were Trustee Simon, Trustee Holloway, and Trustee Minnema. Trustee Moose and Trustee Redway were absent. Trustee Simon presided. Also present from the District were General Manager Tim Kerr, Field Operations Manager Richard Marck, Field Supervisor Ronald Sundberg, Office Manager Michelle Wilder, and District Legal Counsel David Aladjem. Sean West of Riverview International Trucks, LLC was present from the public.

Item No. 1 Public Comments on Non-Agenda Items: There were no comments on non-agenda items from members of the public.

Item No. 2 Award of Bid for 3-axel Dump Truck Purchase: GM Kerr reported to the Board that District staff has reviewed each bid and determined that of the eight bids submitted, six of the bids did not meet specifications. The two bids that met the specifications are Sacramento Kenworth with a Tom's House of Hydraulics Body with a bid of \$110,532.00 before tax and Riverview International Trucks with a Tom's House of Hydraulics Body with a bid of \$108,124.55 before tax. The lowest bid that met the specification was submitted by Riverview International Trucks with a Tom's House of Hydraulics Body. There were two options listed in the specification: a CB radio and an extended warranty. The total costs of the options are as follows: Sacramento Kenworth \$11,425.00 and Riverview International Trucks \$6,419.00. GM Kerr recommended that the Board award a contract for purchase of a 3-axel dump truck to the lowest bidder, Riverview International Trucks with a Tom's House of Hydraulics Body at a base price of \$108,124.55 before tax. GM Kerr also recommended that the Board include the options of a CB radio and 6-year extended warranty. The total purchase price for the 3-axel dump truck will be \$114,543.55 before tax. On a motion by Trustee Holloway seconded by Trustee Minnema, the Board unanimously approved the recommendations and awarded the bid to Riverview International Trucks.

Item No. 3 Staff Reports:

a) *Legal Counsel David Aladjem reported on the following:*

- Update on Central Valley Flood Protection Board JPA Indemnity Policy:

Item No. 4 Correspondence: There was no correspondence.

Item No. 5 Questions and Comments by Trustees: On a motion by Trustee Minnema seconded by Trustee Holloway, the Board unanimously approved adding item 5a: Removal of Black Walnut Tree on Levee Adjacent to 170 Sandburg to the agenda. Trustee Simon requested an update on the progress of the encroachments at 3250 Del Mar Way. GM Kerr responded that he has been in contact with the City of Sacramento and received a verbal report that the homeowner has been asked to stop all construction. He is waiting to receive this declaration in writing. GM Kerr reported that PSOMAS has requested a copy of the title report in order to be able to include the City of Sacramento's easement on the survey report.

Item No. 5a Removal of Black Walnut Tree on Levee Adjacent to 170 Sandburg: Trustee Holloway requested an update on the progress of this item. GM Kerr responded that he has contacted the City of Sacramento about getting a heritage tree permit and was notified that

trees located on levees are not subject to consideration of heritage trees. Therefore, the District does not need a heritage tree permit to proceed with the removal of this tree. GM Kerr reported that he had been contacted by Councilman Cohen's office and they forwarded a letter they had received from the homeowner at 190 Sandburg requesting intervention in order to keep this tree from being removed. GM Kerr reported that he had been in contact with both the arborist hired by the District as well as the arborist hired by the homeowner at 170 Sandburg and came to the conclusion that pollarding the tree would cause a massive wound and water sprouts from the top of the stump. SMUD has notified the District that they will not participate in a partial removal of the tree. SMUD will only help remove the tree if it is to come out permanently. GM Kerr reported that he has contacted the homeowner at 170 Sandburg and requested that they split the cost of a third-party arborist to assess the condition of the tree. Trustee Simon requested District staff provide an example of what the tree would look like if pollarded. Trustee Simon also noted that the opinion of the third-party arborist would not be binding decision of the Board. This item was for informational purposes only and no action was taken.

Item No. 6 Adjourn: There being no further business requiring action by the Board, the meeting was adjourned by President Simon at 11:45 a.m.

Attest:

Secretary

President