

RESOLUTION NO. 2021-07

**A RESOLUTION BY THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DECLARING INTENT TO LEASE REAL PROPERTY**

WHEREAS, the Three Rivers Levee Improvement Authority (“TRLIA”) is a public entity organized and existing under the Joint Exercise of Powers Act (Cal. Government Code, §§ 6500 *et seq.*) for the purpose of providing flood control improvements located in the County of Yuba, including improvements to the levee system and related drainage infrastructure; and

WHEREAS, during the design and construction of the Feather River Set Back Levee Project, TRLIA acquired fee simple interest in several parcels now in the Feather River Set Back Area (FRSBA) within Yuba County; and

WHEREAS, there are five parcels within the FRSBA (the “Properties”), identified more specifically in **Exhibit A**, that are subject to flowage easements and remain necessary for TRLIA’s flood protection purposes, but are suitable for agricultural leases; and

WHEREAS, the exercise of TRLIA’s powers is limited in the manner applicable to the County of Yuba, pursuant to TRLIA’s designation of the county in its Joint Powers Authority agreement and Government Code section 6509; and

WHEREAS, Government Code Section 25526 requires a county to adopt a resolution declaring its intent to lease any county-owned real property in a regular meeting by a two-thirds vote of the members of its legislative body; and

WHEREAS, the terms upon which TRLIA intends to lease the Properties are further set forth in the Lease Offering and Bid Instructions and are generally summarized here as follows:

1. **Proposed annual rental**. Applicants must identify a percentage of gross crop proceeds as proposed rental. The minimum percentage of the gross crop proceeds that must be offered is 20%, unless otherwise noted.
2. **Agreement to proposed lease terms**. Attached to these instructions are proposed lease terms that will be binding and to which all Bidders must agree in advance. Leases shall be for a period of 25 years, commencing on 1/1/2022.
3. **Tenant Compensation**. There may be a required payment to the current tenant to compensate for the costs of certain improvements to the Property.
4. **Qualifications**. Bidders must submit additional information regarding their qualifications and experience, in order to demonstrate that they are responsible/qualified.

Interested parties should submit sealed, written proposals to the TRLIA Secretary at 1114 Yuba Street, Suite 218, Marysville, California 95901. Proposals may be submitted by mail to, or filed in person with, the Secretary; however, in order to be considered, any written proposal must be received by the Secretary on or before September 21, 2021 at 12:00 p.m.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Three Rivers Levee Improvement Authority hereby declares its intention to award a lease for one or more of the five Properties identified above to the most qualified individuals or entities meeting all the terms and conditions set forth above and in greater detail in the Lease Offering and Bid Instructions, and in accordance with the process contained in the Lease Offering and Bid Instructions.
2. The Board shall hold a public hearing at its regular board meeting on September 21, 2021, at 2:30 p.m. at the Yuba County Government Center, during which time it will open and consider all sealed, written proposals to lease the Properties. Before accepting any written bids, the Board will call for oral bids. If, upon the call for oral bidding, any responsible person offers to lease the property for a price exceeding the highest written bid by at least five percent (5%), then the oral bid which is the highest shall be accepted for consideration.
3. The Board hereby authorizes and directs the Executive Director and TRLIA staff to post copies of this resolution and notice in three public places in the TRLIA service area, not less than 15 days before the September 21, 2021 public meeting, and to publish this resolution and notice pursuant to Government Code section 6063, as required under Government Code section 25528.

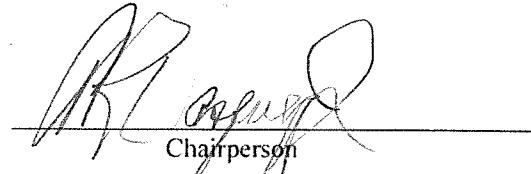
PASSED AND ADOPTED this 17th day of August, 2021, by the Board of Directors of Three Rivers Levee Improvement Authority, by the following vote:

AYES: Directors Bradford, Brown, Ledbetter, Vasquez

NOES: None

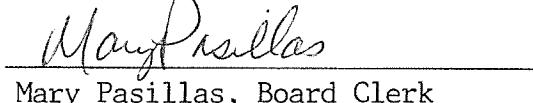
ABSENT: Director Atwal

ABSTAIN: None



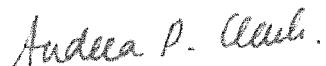
Chairperson

SECRETARY OF THE BOARD



Mary Pasillas, Board Clerk

APPROVED AS TO FORM: GENERAL COUNSEL
ANDREA P. CLARK



Andrea P. Clark.

Exhibit "A"
Feather River Set Back Area Long Term
Agricultural Lease Properties

Property Identification	APN {s}
FRSB Property A	013-010-068 014-370-003, 014-370-037, 014-370-024, 014-370-026
FRSB Property B	
FRSB Property C	014-370-033, 014-370-059
FRSB Property D	016-010-034
FRSB Property E	016-010-033, 016-020-019, 014-370-051

