



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AGENDA

ADDENDUM TO AGENDA JUNE 7, 2005

Add the following to Action Items:

- H. Property Acquisition: Adopt resolution delegating authority to Executive Director to carry out certain functions with respect to acquisition of property and/or property interest and the relocation of displaced persons in connection with the Three Rivers Levee Improvement Project.

RESOLUTION NO. _____

**A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DELEGATING TO CHARLES K. (KENT) MCCLAIN THE AUTHORITY
TO CARRY OUT CERTAIN FUNCTIONS WITH RESPECT TO
THE ACQUISITION OF PROPERTY AND/OR
PROPERTY INTERESTS AND
THE RELOCATION OF DISPLACED PERSONS IN
CONNECTION WITH THE
THREE RIVERS LEVEE IMPROVEMENT PROJECT**

Facts and Circumstances

This Resolution is adopted with reference to the following facts and circumstances, among others:

A. The Three Rivers Levee Improvement Authority ("TRLIA") has approved the Three Rivers Levee Improvement Project ("the Project"). The Project requires certain property and/or property interests be acquired by TRLIA to enable construction and implementation of the Project.

B. A program for property acquisition, relocation of displaced persons, and certification of the Project for construction must be approved.

C. The commencement of the appraisal process, including authorizing the Right-Of-Way Consultant to send out notices of intent to appraise, must be authorized.

D. Appraisals of the needed property and/or property interests to be acquired by TRLIA for the Project must be reviewed and approved.

E. Just compensation for the property and/or property interests to be acquired by TRLIA must be established, funds for acquisition and relocation must be obligated, and authorization to acquire the needed property and/or property interests must be given.

F. Written offers of just compensation to acquire property and/or property interests needed for the Project based on approved appraised values, as required by Government Code §7262.2, must be approved.

G. Requests for appraisal revisions and administrative settlements must be approved.

H. Agreements for the purchase of property and/or property interests, together with escrow instructions, which set forth the terms and conditions of conveyances of the applicable property and/or property interests to TRLIA, must be executed.

I. Deeds conveying property and/or property interests to TRLIA must be accepted for recording in accordance with Government Code 27281.

J. An appeals board to hear appeals from displaced persons regarding the adequacy of relocation assistance must be created, if necessary.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of TRLIA, in order that the administrative functions described above are performed in a proper manner, that Charles K. (Kent) McClain, or any person who he specially authorizes to act on his behalf, is authorized and directed to act on behalf of TRLIA as follows:

1. To approve a property acquisition and relocation program and certification of the Project for construction.

2. To authorize the commencement of the appraisal process, including authorizing the Right-Of-Way Consultant to send out notices of intent to appraise.

3. To review and approve appraisals of the needed property and/or property interests to be acquired by TRLIA for the Project.

4. To establish just compensation for the property and/or property interests to be acquired by TRLIA, to obligate funds for acquisition and relocation, and to provide authorization to acquire the needed property and/or property interests.

5. To approve the written offers of just compensation to acquire property and/or property interests needed for the Project based on approved appraised values as required by Government Code §7267.2.

6. To approve requests for appraisal revisions and administrative settlements up to those amounts authorized by the Board of Directors from time to time.

7. To execute agreements for the purchase of property and/or property interests, together with escrow instructions, which set forth the terms and conditions of conveyances of the applicable property, or property interests, to TRLIA.

8. To accept deeds and easement documents conveying property and/or property interests to the TRLIA for recording in accordance with Government Code §27281.

9. To recommend to the Board of Directors the creation of an appeals board, if necessary, to hear appeals from displaced persons regarding the adequacy of relocation assistance and to recommend persons to be appointed to such a board.

10. To take such further actions as may be reasonably necessary from time to time to carry out the objectives and purposes previously set forth.

PASSED AND ADOPTED this ___ day of _____ 2005, by the Board of Directors of TRLIA, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairman

ATTEST:

Donna Stottlemeyer
Secretary

APPROVED AS TO FORM:

Daniel Montgomery
General Counsel