

RESOLUTION NO. 06-09

**A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DELEGATING TO PAUL BRUNNER 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") previously delegated certain duties and responsibilities regarding the acquisition of real property and related matters to Charles K. (Kent) McClain by Resolution No. 05-02.

B. Mr. McClain has retired and Paul Brunner has been named Executive Director of TRLIA.

C. The Board of TRLIA wishes to delegate to Mr. Brunner the same duties and responsibilities regarding the acquisition of real property and related matters as it previously delegated to Mr. McClain.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of TRLIA that:

1. Resolution No. 05-02 is hereby repealed.

2. In order that the administrative functions relating to the acquisition of real property and/or property interests, and the relocation of displaced persons, in connection with the Three Rivers Levee Improvement Project ("the Project") be carried out in a proper manner, Paul Brunner, or any person who he specially authorizes to act on his behalf, is authorized and directed to act on behalf of TRLIA as follows:

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

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

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

D. 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.

E. 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.

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

G. 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.

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

I. 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.

J. 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 27 day of June 2006, by the Board of Directors of TRLIA, by the following vote:

AYES: Directors Brown, Griego, Iogue, Webb

NOES: None

ABSENT: None


ABSTAIN: None


Chairman

ATTEST:


Donna Stottlemeyer
Secretary

APPROVED AS TO FORM:


Daniel Montgomery
General Counsel