



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2671  
[www.CityofSacramento.org](http://www.CityofSacramento.org)

CONSENT  
 April 14, 2009

Honorable Mayor and  
 Members of the City Council

**Title: Resolution to Agree to Conduct Resolution of Necessity Hearings:  
 I-5/Cosumnes River Boulevard Extension and Interchange Project  
 (T15018000) – Two Thirds Vote Required**

**Location/Council District:** Along Interstate 5, one mile south of Pocket Road/Meadowview Road in the Pocket and Airport Meadowview Planning Areas, Council Districts 7 and 8.

**Recommendation:** Adopt a **Resolution** to agree to conduct Resolution of Necessity hearings for the I-5/Cosumnes River Boulevard Extension and Interchange Project.

**Contacts:** Marianne Wetzel, Supervisor, Real Estate Services, 808-6270; Nader Kamal, Special Projects Engineer, 808-7035

**Presenter:** N/A

**Department:** General Services and Transportation

**Division:** Facilities and Real Property Management; Engineering Services

**Organization No:** 13001551 and 15001131

### **Description/Analysis**

**Issues:** Construction of the I-5/Cosumnes River Boulevard Extension and Interchange Project (Project) requires the acquisition of real property interests on approximately forty properties held by eight separate ownerships. In order to facilitate acquisition of real property interests, it may become necessary to conduct Resolution of Necessity hearings. According to the Cooperative Agreement executed by the City and the State of California Department of Transportation (Caltrans) for delivery of the Project, the City must receive authorization from Caltrans to conduct such hearings. Caltrans authorization is obtained only after the City Council adopts a resolution by two thirds vote to agree to conduct Resolution of Necessity hearings.

**Policy Considerations:** The statute authorizing the City to acquire the subject parcels for the Project is Government Code section 37350.5. Written offers of just compensation, as required under Government Code section 7267.2, have



been made to the owners of record. This action is consistent with legal requirements for the acquisition of private property for public projects.

**Committee/Commission Action:** Not applicable

**Environmental Considerations:**

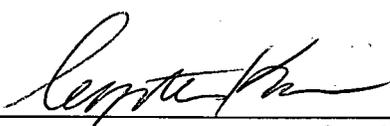
**California Environmental Quality Act (CEQA):** An Environmental Impact Statement/Final Environmental Impact Report (EIS/EIR) was prepared for the Project. City Council approved the final EIR on May 15, 2007.

**Sustainability Considerations:** The Project is consistent with the Sustainability Master Plan focus areas of climate protection and air quality. By improving access and providing route continuity, the Project will reduce overall vehicle miles traveled in the south area of Sacramento. By increasing the City's urban forest canopy and constructing new sidewalks and bike lanes, the Project will create an environment more conducive to pedestrian and bicycle trips and increase the use of alternate modes of transportation.

**Rationale for Recommendation:** Acquisition of the subject property interests is necessary for the construction of the Project. Contract bidding and construction cannot take place until the City has obtained the right of possession over all of these property interests.

**Financial Considerations:** This report does not result in any financial impact to the City.

**Emerging Small Business Development (ESBD):** No goods or services are being purchased as a result of this report.

Respectfully Submitted by:   
Cynthia Kranc  
Facilities and Real Property Manager

Approved by:   
Reina J. Schwartz  
Director, Department of General Services

Approved by:   
Jerry Way  
Director, Department of Transportation

Recommendation Approved:

*bn*   
Ray Kerridge  
City Manager

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**Attachment 1**

**BACKGROUND INFORMATION:**

In March 2001, the Capital Improvement Project (CIP) was approved for the Cosumnes River Boulevard extension west of Franklin Boulevard. The current I-5/Cosumnes River Boulevard Extension and Interchange Project extends Cosumnes River Boulevard from its westerly terminus at Franklin Boulevard to an at-grade intersection with Freeport Boulevard, and includes the construction of a new interchange at I-5 and a new bridge crossing over Morrison Creek and the Union Pacific Railroad tracks.

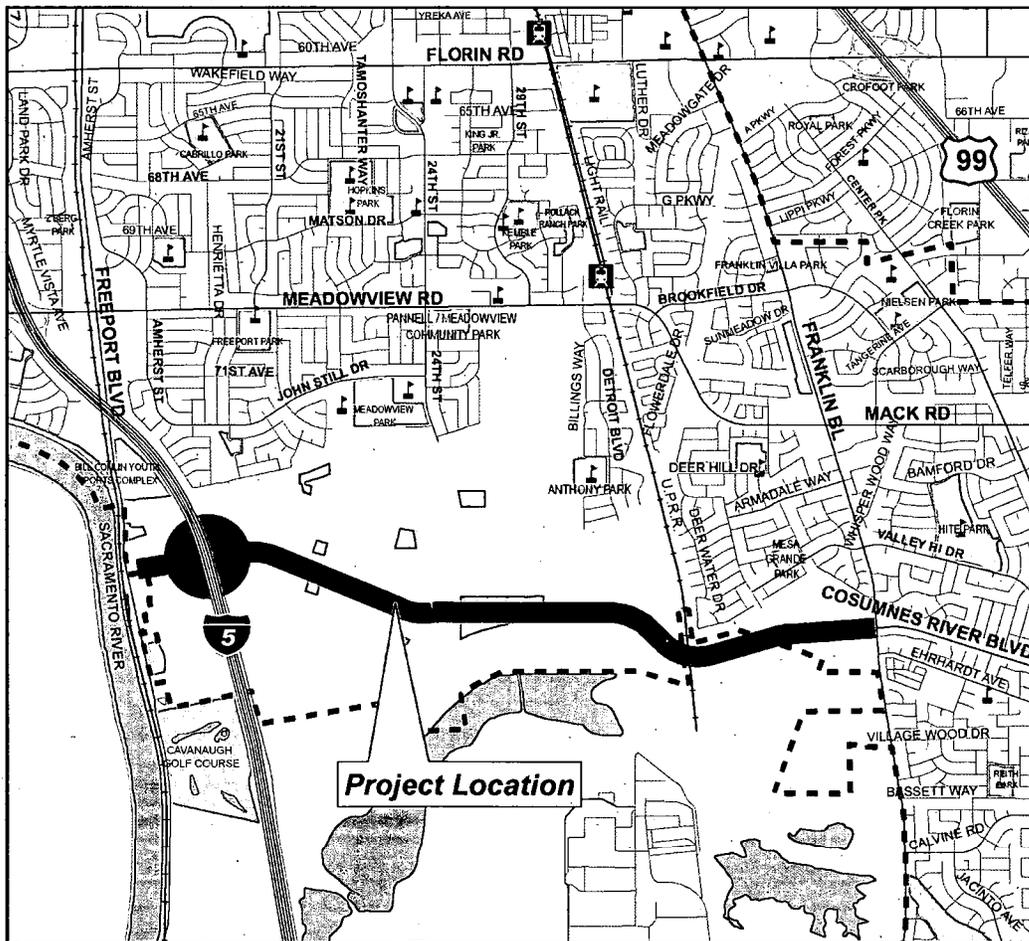
On January 22, 2008, the City Council authorized the City Manager to execute a Cooperative Agreement between the City and State of California Department of Transportation (Caltrans). The Cooperative Agreement described the responsibilities of each agency relating to project construction, funding and contract administration for the I-5/Cosumnes River Boulevard Extension and Interchange Project.

Construction of the Project requires the acquisition of real property interests on approximately 40 properties held by eight separate ownerships. As of the date this report was prepared, the City of Sacramento had not reached agreement to purchase the required interests. Contract bidding and construction cannot take place until the City has obtained the right to possession over all of these property interests. In order to maintain the Project schedule, it may become necessary to adopt Resolutions of Necessity.

The City has agreed, through the Cooperative Agreement between the City and Caltrans, to perform all Project work and Right of Way acquisition in accordance to Caltrans regulations. These regulations stipulate that the City must pass a resolution by two-thirds vote to agree to conduct Resolution of Necessity hearings (ref. *Caltrans Right of Way Manual, sec. 17.04.09.00*). Upon passing of the resolution, City will request authorization from Caltrans to conduct the Resolution of Necessity hearings.

### Overview of Project Location

Location Map for  
**I-5/COSUMNES RIVER BOULEVARD EXTENSION  
AND INTERCHANGE PROJECT**  
(PN: T15018000)



Department of  
**TRANSPORTATION**  
City of Sacramento

Map Contact: S. Tobin  
Map Date: FEB, 2009

0 750 1,500 3,000 4,500 6,000 Feet



**RESOLUTION NO. 2009-**

Adopted by the Sacramento City Council

April 14, 2009

**RESOLUTION TO AGREE TO CONDUCT RESOLUTION OF  
NECESSITY HEARINGS FOR THE I-5/COSUMNES RIVER  
BOULEVARD EXTENSION AND INTERCHANGE PROJECT  
(T15018000)**

**BACKGROUND**

- A. The I-5/Cosumnes River Boulevard Extension and Interchange Project (T15018000) extends Cosumnes River Boulevard from its westerly terminus at Franklin Boulevard to an at-grade intersection with Freeport Boulevard, and includes the construction of a new interchange at I-5 and a new bridge crossing over Morrison Creek and the Union Pacific Railroad tracks.
- B. The California Streets and Highways Code sections 114 and 130 authorize the State of California Department of Transportation (Caltrans) and the City to enter into a contract regarding the acquisition, construction, improvement or maintenance of any state route.
- C. The City, by Resolution No. 2008-030 dated January 22, 2008, authorized the City Manager to execute a Cooperative Agreement with Caltrans to construct the I-5/Cosumnes River Boulevard Extension and Interchange Project (T15018000). Said Cooperative Agreement sets forth the responsibilities of the City and the State regarding Plans, Specifications; and Estimates (PS&E), Right of Way, and construction work necessary for the Project.
- D. The City has agreed, through the Cooperative Agreement between the City and Caltrans, to perform all Project work and Right of Way acquisition in accordance to Caltrans regulations. These regulations stipulate that the City must pass a resolution by two-thirds vote to agree to conduct Resolution of Necessity hearings (ref. *Caltrans Right of Way Manual, sec. 17.04.09.00*).
- E. The statute authorizing the City of Sacramento to acquire the real property rights required for the Project is Government Code section 37350.5. Offers as required under Government Code section 7267.2 have been made to the owners of record.

- F. Negotiations to acquire the real property rights required for the Project have not, thus far, been successful. In order to ensure timely progress of the Project, it may become necessary to conduct Resolution of Necessity hearings.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. City Council agrees to conduct Resolution of Necessity hearings for the I-5/Cosumnes River Boulevard Extension and Interchange Project, as needed, subject to Caltrans authorization.