

## RESOLUTION NO. 2009-216

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.

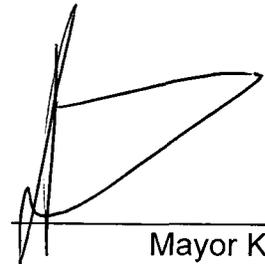
Adopted by the City of Sacramento City Council on April 14, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:

  
Shirley Concolino, City Clerk