

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
14	12/10/12	Open	Action	11/20/12

Subject: Setting a Public Hearing to Consider Adoption of Resolution of Necessity for Property Located at 7651 Laurie Way

ISSUE

Setting a public hearing to consider adoption of a Resolution of Necessity for property located at 7651 Laurie Way, further identified as Sacramento County Assessor's Parcel Number 053-0053-024 – Ike C. Bell, Jr.

RECOMMENDED ACTION

Adopt Resolution No. 12-12- _____, Setting a Public Hearing to Consider Adoption of a Resolution of Necessity for Property located at 7651 Laurie Way, Further Identified as Sacramento County Assessor's Parcel Number 053-0053-024.

FISCAL IMPACT

None.

DISCUSSION

A portion of the property located at 7651 Laurie Way, (Sacramento County Assessor's parcel Number 053-0053-024) "the Subject Property" is needed for construction of RT's South Sacramento Corridor Phase 2 Project (Project).

On May 23, 2012, pursuant to authority granted by the Board, RT made a formal offer in the amount of its approved appraised value to the owner-of-record's Trustee to purchase a portion of the subject property pursuant to Government Code Section 7267.2. Trustee countered RT's offer at over double the appraised value stating that the value of the Subject Property's landscaping had not been adequately assessed. Trustee was advised of his right to have his own appraisal done, but not yet exercised his right to have his own appraisal done at RT's expense. Owner does not object to the Project, but takes issues with the offer price. Negotiations with the Trustee are ongoing; however, staff believes that moving forward with a Resolution of Necessity is in the best interest of the Project.

State law requires that RT hold a public hearing regarding the intent to adopt a Resolution of Necessity prior to filing an action in eminent domain, give notice to all persons listed on the last equalized County assessment roll, and allow at least 15 days for owners to respond to the notice. At the hearing, staff will present the need and necessity for the property. Owners and any others with an interest in the property will be given an opportunity to be heard. Adoption of the Resolution of Necessity requires a two-thirds vote of the Board.

Approved:

Presented:

Final 12/03/12

General Manager/CEO

Director, Project Management

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Subject: **Setting a Public Hearing to Consider Adoption of Resolution of Necessity for Property Located at 7651 Laurie Way**

The action currently before the Board is setting the date and time for the public hearing, which will be held at the regularly scheduled Board meeting on January 14, 2013. Staff recommends approval of the attached resolution setting a public hearing for adoption of a Resolution of Necessity for the property located at 7651 Laurie Way (APN: 053-0053-024).

RESOLUTION NO. 12-12-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

December 10, 2012

**SETTING A PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION OF
NECESSITY FOR PROPERTY LOCATED AT 7651 LAURIE WAY, FURTHER
IDENTIFIED AS SACRAMENTO COUNTY ASSESSOR'S
PARCEL NUMBER 053-0053-024**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, a public hearing is set for January 14, 2013 to hear public testimony regarding adoption of a Resolution of Necessity for the property located at 7651 Laurie Way, (further identified as Sacramento County Assessor's Parcel Number 053-0053-024) owned by Ike C. Bell, Jr.

BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary