

# MEMORANDUM

DEPARTMENT OF PUBLIC WORKS  
County of Placer

TO: BOARD OF SUPERVISORS                      DATE: January 8, 2013  
FROM: KEN GREHM / <sup>YO</sup>PETER KRAATZ  
SUBJECT: **KINGS BEACH COMMERCIAL CORE IMPROVEMENT PROJECT,  
PROPERTY ACQUISITION**

---

## ACTION REQUESTED / RECOMMENDATION

1. Adopt a Resolution agreeing to hear Resolutions of Necessity in conjunction with the Kings Beach Commercial Core Improvement Project. There is no net county cost.

## BACKGROUND / SUMMARY

The Kings Beach Commercial Core Improvement Project is proposing to construct curb, gutter, sidewalk, water quality improvements and other pedestrian enhancements to revitalize the commercial corridor on Highway 28 from Highway 267 to Chipmunk Street. Off-street parking lots will be constructed to mitigate for the loss of parking associated with the other proposed improvements.

Right-of-way acquisition is required from twelve properties to accommodate the proposed roundabouts and drainage improvements, and from six properties identified for parking lots. All are in escrow or have closed escrow, except for one property on the northwest corner of Highway 28 and Coon Street, and one parking lot site. The corner parcel is owned by a company in New York, but is leased to the Southland Corporation in Texas. Although all indications are the owners will grant a Right-of-Entry which will allow project construction prior to reaching an eventual settlement, the project schedule may require consideration of the acquisition by eminent domain. In order to exercise eminent domain authority on a project on a state highway, Caltrans requires the local agency to furnish a resolution, approved by a 4/5ths vote by your Board, agreeing to hear all Resolutions of Necessity that may be required for the project.

## ENVIRONMENTAL CLEARANCE

The County has prepared an Environmental Impact Report (EIR) pursuant to the requirements for CEQA and the Placer County Environmental Review Ordinance; and Environmental Impact Statement (EIS) to meet the requirements of the Tahoe Regional Planning Agency; and an Environmental Assessment (EA) to meet the requirements of the Federal Highway Administration. The EIR was adopted by the Board of Supervisors on September 23, 2008, and included review of the parcels being purchased.

## FISCAL IMPACT

The acquisition costs are funded through a FHWA/Caltrans Southern Nevada Public Land Management Act. The project is estimated to cost in excess of \$48 million. A wide range of partners has been assembled to deliver and fund the project, including federal, state and local funding.

Attachments: Resolution  
Acquisition Map    t:\dpw\roadwaysandbridges\abandonments\8599northlakeblvd.kingsbeach.bm.doc

231

**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of: **A Resolution agreeing to hear Resolutions of Necessity in conjunction with the Kings Beach Commercial Core Improvement Project.**

Resol. No:.....

The following RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held \_\_\_\_\_, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:  
Clerk of said Board

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
\_\_\_\_\_  
**WHEREAS, California Streets and Highways Code Sections 114 and 130 authorize the State of California, Department of Transportation ("Caltrans"), and the County of Placer, to enter into a Cooperative Agreement for the acquisition of right-of-way, and construction of improvements to the State Highway System;**

**WHEREAS, Government Code Section 25350.5 authorizes the County board of Supervisors to exercise the powers of eminent domain necessary to carry out any of the powers and functions of the County;**

**WHEREAS, Streets and Highways Code Section 943 authorizes the County Board of Supervisors to acquire any property necessary for the use and purposes of County highways;**

Resolution No. \_\_\_\_\_

A Resolution agreeing to hear Resolutions of Necessity in conjunction with the Kings Beach Commercial Core Improvement Project.

WHEREAS, Streets and Highways Code Section 116 authorizes Caltrans to delegate to a County any part of the powers and jurisdiction vested by law in the Department inclusive of the power of eminent domain with respect to any portion of the State Highway System within that County.

WHEREAS, the Kings Beach Commercial Core Improvement Project is on the State Highway System located within the County of Placer and will necessitate acquisition of property, or portions thereof, from the following parcel located within the unincorporated County of Placer: APN 090-123-023;

WHEREAS, in accordance with Caltrans requirements for projects on the State Highway System where County will conduct right-of-way acquisitions inclusive of acquisition through condemnation proceedings, County is required to furnish Caltrans with a Resolution passed by a 4/5ths vote agreeing to hear all Resolutions of Necessity for the project;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER hereby agrees to conduct right-of-way acquisition for the Kings Beach Commercial Core improvement project, including Resolutions of Necessity to condemn rights-of-way should negotiations for the purchase and sale of the real property interests at issue prove unsuccessful.

t:\dpw\roadwaysandbridges\abandonments\bblc.kingsbeach.res.doc

**PLACER COUNTY - KBCCIP ACQUISITION MAP**

