

APPROVED
BY THE CITY COUNCIL

DEC 16 1997

OFFICE OF THE
CITY CLERK



10.2

DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
ROOM 200
SACRAMENTO, CA
95814-2700

TECHNICAL SERVICES DIVISION
REAL ESTATE SERVICES

PH 916-264-5710
FAX 916-264-5573

December 2, 1997

City Council
City of Sacramento

Honorable Members in Session

SUBJECT: RATIFY NEGATIVE DECLARATION FOR ROBLA PARK LAND ACQUISITION; CONDUCT HEARING ON RESOLUTION OF NECESSITY FOR ACQUISITION OF FEE TITLE TO SEVEN (7) LAND PARCELS TWO-THIRDS VOTE REQUIRED; AND AMEND CIP BUDGET (PN:LN61) TO TRANSFER QUIMBY FUNDS

LOCATION/COUNCIL DISTRICT:

North side of Bell Avenue between Norwood Avenue and Rio Linda Boulevard, in Council District 2.

RECOMMENDATION:

This report recommends that City Council:

- A. Ratify the Negative Declaration for acquisition of the Robla Park site.
- B. Conduct a hearing on Resolution of Necessity and make the necessary findings to acquire fee title to the following land parcels for the project:

APNs: 237-0070-014,015, 016	4.70 +/- acres
237-0070-023, 024	2.99 +/- acres
237 0070 025	3.79 +/- acres
237-0070-026	6,398 +/- square feet

City Council
Robla Park Site Acquisition (PN:LN61) – Resolution of Necessity
December 2, 1997

- C. Adopt the attached Resolution of Necessity for these acquisitions.
- D. Adopt the attached Resolution to amend the FY 1997/98 CIP budget (PN:LN61) to transfer Quimby funds for site acquisition and development.

CONTACT PERSONS: Rhonda R. Lake, Real Property Agent, 264-7902
Vic Edmisten, Parks & Recreation Manager, 264-5336

FOR THE COUNCIL MEETING OF: December 16, 1997

SUMMARY:

In 1996 the Robla Park Site Development project was included by City Council, through CIP (PN:LN61), in the Capital Improvement Plan budget. It is requested that City Council ratify the Negative Declaration for the Robla Park Project land acquisition and conduct a hearing on the proposed Resolution of Necessity. The purpose of the hearing is to receive public testimony and take action on the Resolution of Necessity to acquire certain real property required for the project. Offers of just compensation have been made to all property owners. It is necessary to obtain a Resolution of Necessity to initiate eminent domain proceedings although staff will continue to make every effort to reach agreement with the property owners. Two-thirds vote by Council is required for adoption of the Resolution of Necessity. In addition, it is requested that Council adopt the attached resolution to amend the Parks and Recreation Capital Improvement Program Budget for Fiscal Year 1997/98 to transfer Quimby funds for acquisition and development of the Robla Park site.

COMMITTEE/COMMISSION ACTION:

The assessment for a need of a community park in the Robla community has been reviewed by the Citizens Advisory Committee for Parks and Recreation (CAC) on numerous occasions in the past, which resulted in support for the acquisition of a park. At the December 4, 1997 meeting, this item was presented to the CAC as an announcement item only.

BACKGROUND INFORMATION:

The need for a park and recreational facility in the Robla community was first identified in the 1984 Master Plan for Park Facilities and Recreation Services and then again in the 1989 Master Plan Update. Following is a brief chronology of activities since then:

City Council

Robla Park Site Acquisition (PN:LN61) – Resolution of Necessity

December 2, 1997

- In January 1995, Council member Kerth, District 2, hosted a meeting of the Community Advisory Group to discuss the need to locate a park in the Robla community. Residents discussed site location, acquisition cost, access, safety and priorities for a community park. Five (5) park sites were identified for staff to evaluate. Staff considered costs of land acquisition, utilities infrastructure, transportation improvements, environmental mitigation, and relocation costs. Sites which required relocation of residents and/or property were seen as less favorable by staff and the community. Additionally, community input about the adaptability of each site for park use and joint use potential was factored into the analysis.
- In June 1995, Council Member Kerth, the Robla Community Association and a Park Advisory Group met to review and discuss the proposed sites and, ultimately, select a preferred site. The parcels along Bell Avenue were identified by the community as the preferred park site. Staff was instructed to identify property owners of the site and proceed with an appraisal and Preliminary Site Assessment. In early 1996, unfavorable weather conditions underscored the need for additional assessment of potential flooding impacts at the preferred site and City's Department of Utilities and the Sacramento Area Flood Control Agency (SAFCA) were consulted to provide such information.
- In June 1996, the Robla Park Site Project was included as a potential project through the Capital Improvement Program budget.
- In March 1997, residents at a community meeting reaffirmed selection of the Bell Avenue parcels as the preferred site for Robla Park.

Acquisition of the site has been undertaken in consideration of the following facts and will provide the following benefits:

1. The concept of a community park in the Robla community was adopted with the 1984 Master Plan and the 1989 Master Plan Update. In addition, park acquisition in this area is consistent with City policy regarding park acreage per population. The Robla community area is currently served by four joint use school sites and mini-park in the Northpointe subdivision, representing approximately fourteen (14) acres. The population of the Robla area is estimated to be fifteen thousand. This is insufficient for meeting the recreational needs of the community.

2. Staff has completed an analysis of the five sites chosen by the community and determined that the preferred site is planned and located in the manner that will be most compatible with the greatest public good and least private injury. A copy of the analysis entitled "Robla Community Park Overview of Sites" is on file with the City Clerk, and is incorporated into this report by this reference.
3. Acquisition of the site will provide park, open space, and recreational facilities which meet the needs and desires of the community. The project will require acquisition of fee title to all seven parcels.

Appraisals of the subject parcels have been completed and the Director of Public Works has established just compensation for the acquisition of these parcels. All owners have been provided written offers for the full amount determined as just compensation in accordance with Section 7267.2 of the Government Code. In order for the project to proceed in a timely manner, staff recommends that Council adopt the Resolution of Necessity to use the power of eminent domain for acquisition of the parcels should negotiations fail.

FINANCIAL CONSIDERATIONS:

The full amount of just compensation for the seven (7) parcels is Four Hundred Sixty Three Thousand Five Hundred Dollars (\$463,500). Sufficient Quimby funds are available for land acquisition. It is anticipated that development of the site will be phased as additional funding becomes available.

ENVIRONMENTAL CONSIDERATIONS:

The Office of Environmental Affairs in the City's Neighborhoods, Planning and Development Services Department prepared and circulated a Negative Declaration for the proposed acquisition of the Bell Avenue properties on November 6, 1997. The Initial Study of the Negative Declaration addressed potential impacts that would arise from the purchase of the Bell avenue properties. No impacts or mitigation measures were identified in the Initial Study.

The Negative Declaration was circulated for a 21 day comment period beginning on November 6, 1997 and continued through November 27, 1997. The City did not receive any comments on the Negative Declaration during the comment period.

City Council
Robla Park Site Acquisition (PN:LN61) – Resolution of Necessity
December 2, 1997

POLICY CONSIDERATIONS:

This action is consistent with legal requirements for the acquisition of private property for public projects.

MBE/WBE: None. No goods or services are being purchased.

Respectfully Submitted,



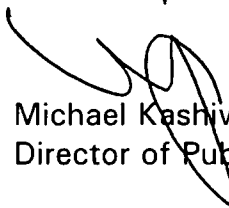
Gary Alm, Manager
Development Services

RECOMMENDATION APPROVED:



for
WILLIAM H. EDGAR
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

APPROVED
BY THE CITY COUNCIL

DEC 16 1997

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 97-688

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION RATIFYING THE BELL AVENUE PROPERTIES
NEGATIVE DECLARATION AND APPROVING THE
BELL AVENUE PROPERTIES PROJECT**

WHEREAS, the City of Sacramento has determined the need for the Bell Avenue acquisition project (hereinafter called the "Project"), and has conditionally included the Project in the City of Sacramento Capital Improvement Program pending CEQA compliance, and

WHEREAS, the City of Sacramento has conducted an initial study to determine if the Project may have a significant effect on the environment, and

WHEREAS, the Initial Study concludes that there is no substantial evidence that the Project, or any of its aspects, may cause a significant effect on the environment and a Negative Declaration is therefore appropriate, and

WHEREAS, the Initial Study concluded that the Project involves no potential for any adverse effect, either individually or cumulatively on wildlife resources, and

WHEREAS, the City of Sacramento has provided for public review to accommodate response to the proposed Negative Declaration on the Project,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The City Council hereby ratifies and approves the Bell Avenue Properties Negative Declaration, finding on the basis of the Initial Study and comments received that there is no substantial evidence that the Project may have a significant effect on the environment.

2. The City Council hereby approves the implementation of the Bell Avenue Properties Acquisition Project.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

3. The City Council hereby finds that there is no evidence before them that the Bell Avenue Properties Acquisition Project, located in Sacramento County, will have any potential for adverse effect on wildlife resources.

MAYOR

ATTEST:

CITY CLERK

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

APPROVED
BY THE CITY COUNCIL

DEC 16 1997

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 97-689

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
BY EMINENT DOMAIN FOR ROBLA PARK
(PN:LN61)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That the City of Sacramento intends to acquire through the exercise of the power of eminent domain the real property hereinafter identified as the "Subject Parcels", more particularly described in paragraph 7. The interest to be acquired is a fee interest in these parcels.
2. That the Subject Parcels are to be taken for, or in connection with, the Robla Park Site Development project.
3. That the statute authorizing the City of Sacramento to acquire the Subject Parcels for the above-mentioned public purpose is Government Code, Section 37350.5.
4. That the Subject Parcels are located along Bell Avenue between Norwood Avenue and Rio Linda Boulevard in Sacramento, California and are more specifically described in Exhibits "A" & "B".
5. That the City Council declares that it has found and determined each of the following:
 - a. The public interest and necessity requires the land acquisition for the project known as Robla Park Site Development.
 - b. The project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____ 8

DATE ADOPTED: _____

- c. The Subject Parcels are needed for the project.
 - d. The offer required under Section 7267.2 of the Government Code has been made to the owners or representatives of the owners of record.
6. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are hereby authorized and empowered to:
- a. Acquire in the name of the City of Sacramento, a municipal corporation, the Subject Parcels.
 - b. Prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as necessary for the acquisition of the Subject Parcels.
 - c. Deposit the probable amount of just compensation, as fixed by the Director of Public Works in accordance with law, with the State Treasurer's Condemnation Fund and to make application to said court for an order permitting the City of Sacramento to take immediate possession and use of the Subject Parcels.
7. That the City, by this resolution is authorized to acquire certain real property situated in the County of Sacramento, State of California, and described as follows:

SEE ATTACHED LEGAL DESCRIPTIONS MARKED EXHIBIT "A" AND DIAGRAMED IN THE CORRESPONDING ATTACHMENT EXHIBIT "B".

MAYOR

ATTEST:

CITY CLERK

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT "A"

LEGAL DESCRIPTION

The land herein referred to is situated in the State of California, County of Sacramento, City of Sacramento and is described as follows:

PARCEL NO. 1:

The East one-half of Lot 26 of Subdivision of Section No. 11 of the Rancho Del Paso, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on April 18, 1913, in Book 14 of Maps, Map No. 5. The subdivision of said Lot 26 being made on the basis that the lot area includes one-half of the adjoining roads as shown on said plat.

PARCEL NO. 2:

The West one-half of Lot 27 of Subdivision of Section No. 11 of the Rancho Del Paso, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on April 18, 1913, in Book 14 of Maps, Map No. 5. The subdivision of said Lot 26 being made on the basis that the lot area includes one-half of the adjoining roads as shown on said plat.

PARCEL NO. 3:

The East one-half of Lot 27 of Subdivision of Section No. 11 of the Rancho Del Paso, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on April 18, 1913, in Book 14 of Maps, Map No. 5. The subdivision of said Lot 26 being made on the basis that the lot area includes one-half of the adjoining roads as shown on said plat.

EXCEPTING THEREFROM the East 16.50 feet of said Lot 27.

APN: 237-0070-014,015,016

EXHIBIT "A"

LEGAL DESCRIPTION

The land herein referred to is situated in the State of California, County of Sacramento, City of Sacramento, and is described as follows:

Lot B of Sunrise Northwind Unit No. 1, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on September 10, 1985, in Book 165 of Maps, Map No. 3.

APN: 237-0070-023,024

EXHIBIT "A"

LEGAL DESCRIPTION

The land herein referred to is situated in the State of California, County of Sacramento, City of Sacramento and is described as follows:

Lot C of Sunrise Northwind Unit No. 1, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on September 10, 1985, in Book 165 of Maps, Map No. 3.

APN: 237-0070-025

EXHIBIT "A"

LEGAL DESCRIPTION

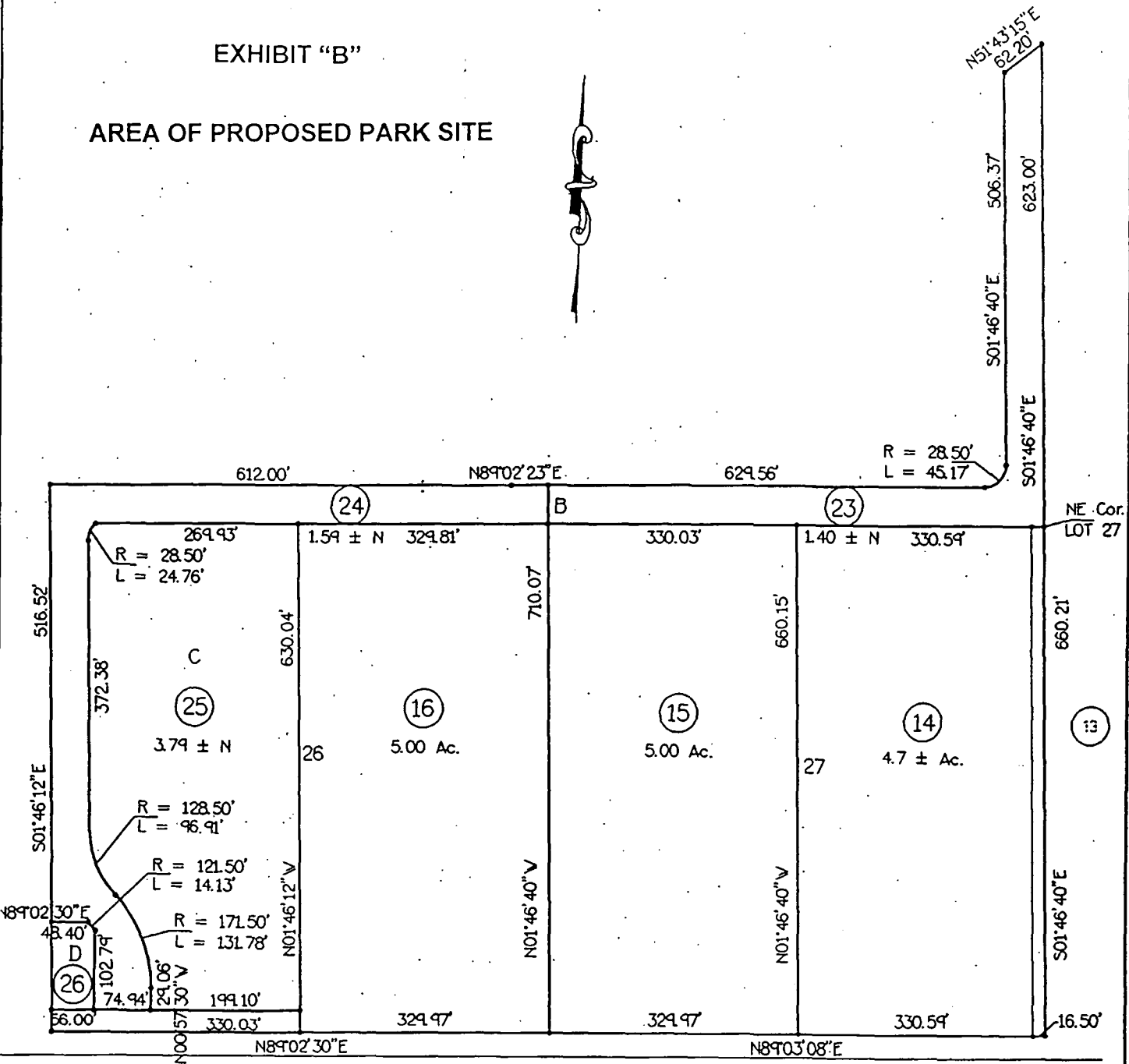
The land herein referred to is situated in the State of California, County of Sacramento, City of Sacramento and is described as follows:

Lot D of Sunrise Northwind Unit No. 1, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on September 10, 1985, in Book 165 of Maps, Map No. 3.

APN: 237-0070-026

EXHIBIT "B"

AREA OF PROPOSED PARK SITE



AREA: 934,730.12 Sq. Ft. **BELL AVENUE**
 SCALE: 1" = 200' 60' R/V

PLAT MAP

- | | |
|----------------------|----------------------|
| A.P.N. #237-0070-014 | A.P.N. #237-0070-024 |
| A.P.N. #237-0070-015 | A.P.N. #237-0070-025 |
| A.P.N. #237-0070-016 | A.P.N. #237-0070-026 |
| A.P.N. #237-0070-023 | |

A Portion of Lots 10, 22, 23, 24, 26 & 27 Rancho Del Paso 14BM5
 CITY OF SACRAMENTO PUBLIC WORKS DEPT.

APPROVED
BY THE CITY COUNCIL

DEC 16 1997

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 97-690

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION AMENDING THE PARKS AND RECREATION
CAPITAL IMPROVEMENT PROGRAM BUDGET
FOR FISCAL YEAR 1997/98

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the 1997/98 Capital Improvement Program is hereby amended to transfer \$500,000 in Quimby Funds (710) from North Sacramento Park Improvement Planning (PN:LK56) to Robla Park Site Development (PN:LN61) for the acquisition and development of the proposed Robla Park site.

North Sacramento Park Improvement Planning:	710-500-LK56	[\$500,000]
Robla Park Site Development	710-500-LN61	\$500,000

MAYOR

CITY CLERK

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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
BY EMINENT DOMAIN FOR ROBLA PARK
(PN:LN61)

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5. That the City Council declares that it has found and determined each of the following:
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 - b. The project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

10.2

Ramirez Rosenthal
Company
Real Property Appraisal and Consulting

2051 Gunn Road ♦ Carmichael, CA 95608 ♦ 916.488.6234 (voice or fax)

May 10, 1995

KVA Corporation, Ltd.
33 New Montgomery Street, #880
San Francisco, CA 94105

Re: Appraisal of Bell Avenue property
APNs: 237-0070-014, 015 and 016

Dear Sir or Madam:

As I believe you are aware, the City of Sacramento has retained me to appraise your owned property, identified above. If you have information or opinions concerning the property that you think I should be aware of as I undertake this assignment, I would appreciate your sharing them with me. I would be happy to meet with you at your convenience if you plan to be in the Sacramento area, or to have a telephone discussion about the property.

Also, I would like your permission to enter the property for inspection purposes. I plan to be at the site Friday afternoon, May 12, and possibly several times the following week. If you like, I can meet you at the property at a specific time. I can usually be reached at the above telephone number.

Thank you for any assistance you can provide.

Sincerely yours,

Stephen A. Rosenthal, MAI

Copy: Gary L. Ransom



DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

1023 J STREET
ROOM 200

LANDSCAPE ARCHITECTURE
AND REAL ESTATE DIVISION

SACRAMENTO, CA
95814-2700

PH 916-264-5710
FAX 916-264-8266

*5/5/95
Please # not in information!*

May 5, 1995

KVA Corporation, Ltd.
33 New Montgomery Street, #880
San Francisco, CA 94105

**RE: NORTH AREA PARK SITE ACQUISITION: NOTICE OF DECISION TO
APPRAISE (APN: 237-0070-014, 237-0070-015 AND 237-0070-016).**

Dear Sir/Madam:

As you may be aware, the City of Sacramento has undertaken a park site acquisition project by the above captioned name. The project will result in the purchase of a new park site for the area. The City may need to acquire your property for this project. The area needed is shown on the attached parcel map.

This letter is your notice that we intend to appraise your property. The appraiser we have selected for this task is Stephen A. Rosenthal, MAI. Mr. Rosenthal can be contacted at 488-6234. His assignment will be to estimate the fair market value of the property that may be acquired from you for the project. Mr. Rosenthal will attempt to contact you to set up an appointment to discuss the appraisal. You are invited, and Mr. Rosenthal will repeat the invitation, to accompany him when he inspects your property and/or to furnish him with any property information or real estate market data which you feel may be relevant to the appraisal.

KVA Corporation, Ltd.

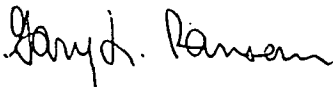
BELL AVENUE PARK SITE ACQUISITION: NOTICE OF DECISION TO
APPRAISE (APN: 237-0070-014, 237-0070-015 AND 237-0070-016).

May 5, 1995

Page Two

It is anticipated that this appraisal will be completed by the end of May. Thereafter, just compensation will be established in the full amount of the appraisal and a formal purchase offer may be made to you. Meanwhile, if you have any questions about this City project, please contact me at 264-7800.

Sincerely,



GARY L. RANSOM
Real Property Agent

GLR:jd

Enclosure

P.S. I am also including information entitled "Real Estate Acquisition Procedures" which may be of assistance to you in this process.

RES FILE: ACQ-7465-01
A:GR6-29.DRE

= METROSCAN PROPERTY PROFILE =
Sacramento County

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OWNERSHIP INFORMATION

=====

Parcel Number: 237 0070 014 0000
Owner : KVA CORP LTD
 CoOwner :
 Site Address : 659 BELL AVE SACRAMENTO 95838
Mail Address : 33 NEW MONTGOMERY ST #880 SAN FRANCISCO CA 94105
 Telephone : Owner Tenant

=====

SALES AND LOAN INFORMATION

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Transferred: 10/17/85 Loan Amount :
 Document # : 813 MULTI-PARCEL Lender :
 Sale Price : \$383,500 FULL Loan Type :
 Deed Type : GRANT DEED Interest Rate:
 % Owned : Vesting Type :

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ASSESSMENT AND TAX INFORMATION

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Land : \$134,737 Exempt Type :
 Structure : Exempt Amount:
 Other : Tax Rate Area: 03251
 Total : \$134,737 94-95 Taxes : \$2,162.52
 % Improved:

=====

PROPERTY DESCRIPTION

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Map Grid: 277 H1 Recorder's Bk-Pg:
 Census : Tract 67.01 Block 1
 Zoning : R1A CITY R1A.. SINGLE FAMILY TOWNHOUSE
 Land Use: IAFDFA VACANT, RESIDENTIAL 2-5AC SITE
 Sub/Plat:
 Legal : E 1/2 LOT 27 SUB OF SEC 11 RANCHO
 : DEL PASO EXC E 16.5 FT

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PROPERTY CHARACTERISTICS

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TotalRms:	Other Rms :	Lot Acres:	Condition:
Bedrooms:	Patio :	Lot SqFt :	Appliance:
Bathrms :	Stories :	Bldg SqFt:	Roof Type:
DiningRm:	Fireplace :	Garage SF:	CntlHt/AC:
Entry :	Pool :	Garage Sp:	SolarHeat:
FamilyRm:	Spa/HotTub:	BsmtTotSF:	Foundatn :
Utility :	Year Built:	Units :	1st FlrSF:
			2nd FlrSF:



CITY OF SACRAMENTO

INTER-OFFICE ROUTING

To: _____ Attn: _____

Dept/Div _____

- For Your Information Date _____
- Per Your Request
- Please Comment
- Take Necessary Action

Comments Val: _____

Attached,

1 clean copy of Reso (10.2)

take your choice } 1 dirty - underlined
1 dirty - highlighted

They prepared both, just in case

Let me know of any problems w/ these.

Thanks! Rhonda Jaker
x7902

SIGNATURE

TITLE OR DEPT.

FOR CITY CLERK USE ONLY

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
BY EMINENT DOMAIN FOR ROBLA PARK
(PN:LN61)

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8

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