

APPROVED
BY THE CITY COUNCIL

JAN 6 1998



1.11

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
PUBLIC WORKS

TECHNICAL SERVICES DIVISION
FUNDING AND PRIORITIES

CITY OF SACRAMENTO
CALIFORNIA

927 10TH STREET
ROOM 100
SACRAMENTO, CA
95814-2702

916-264-5521
FAX 916-264-8357

December 17, 1997

City Council
Sacramento, California

Honorable Members In Session:

**SUBJECT: ARDEN - GARDEN CONNECTOR PROJECT (PN: TA81, TA84, TA87) –
AUTHORIZATION TO AMEND THE 1997/98 CITY ATTORNEY'S OPERATING
BUDGET**

LOCATION AND COUNCIL DISTRICT:

South Natomas and North Sacramento. Council Districts 1 and 2.

RECOMMENDATION:

This report recommends that the City Council adopt the resolution, which increases the City Attorney's operating budget \$123,800 to provide legal services for the project.

CONTACT PERSON: Tim Mar, Funding and Priorities Specialist, 264-5521

FOR COUNCIL MEETING OF: January 6, 1998

SUMMARY:

Eminent domain proceedings are anticipated for the project. In order to keep the project on schedule; a full-time City Attorney and legal secretary are necessary. The City Attorney recommends that a limited term attorney and legal secretary be retained for a period of one year at a cost of \$123,800 to absorb staff workload so that a staff attorney and legal secretary can be devoted full time to this project. It is recommended that outside counsel not be retained to perform the eminent domain work since in-house counsel is more experienced.

BACKGROUND INFORMATION:

The Arden Garden Connector Project is the highest priority transportation project in the City. Final design and right-of-way acquisition is underway. The project is scheduled for bid advertising in February 1998 with construction commencing in July 1998 and completing in fall 1999. Acquisition of property through eminent domain proceedings will ensure that the project is completed on schedule.

FINANCIAL CONSIDERATIONS:

There is no net impact to the general fund for this proposed budget increase.

It is proposed to increase the City Attorney's operating budget \$123,800 which will be reimbursed from current budgeted State Grant Funds in the project.

Sufficient funding exists in the Arden Garden project to cover the \$123,800 increase to the City Attorney's operating budget.

The existing project budget is \$24,972,000. The remaining unencumbered balance is \$18,983,000.

ENVIRONMENTAL CONSIDERATIONS:

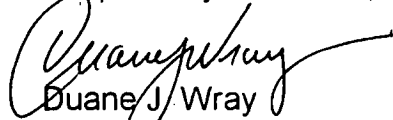
An Environmental Impact Report was certified by the City Council.

POLICY CONSIDERATIONS:

The City of Sacramento has authority to proceed with eminent domain proceedings after performing an appraisal, making an offer of just compensation and making the appropriate findings in a Resolution of Necessity.

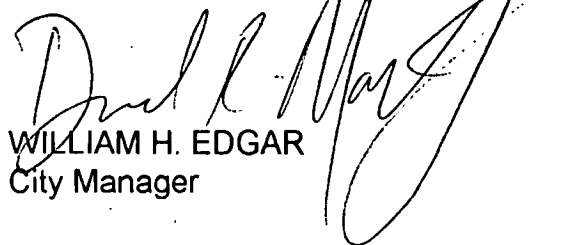
MBE/WBE EFFORTS: Not Applicable.

Respectfully submitted,



Duane J. Wray
Technical Services Manager

RECOMMENDATION APPROVED



WILLIAM H. EDGAR
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

APPROVED
BY THE CITY COUNCIL

RESOLUTION NO. 98-003

JAN 6 1998

ADOPTED BY THE SACRAMENTO CITY COUNCIL

OFFICE OF THE
CITY CLERK

ON DATE OF _____

**A RESOLUTION AUTHORIZING AN AMENDMENT OF THE 1997/98 CITY ATTORNEY'S
OPERATING BUDGET TO PERFORM EMINENT DOMAIN PROCEEDINGS FOR THE
ARDEN-GARDEN CONNECTOR PROJECT**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AS
FOLLOWS:**

1. That the City Attorney's operating budget is amended as follows:

101-050-0500-4101(Employee Services)	\$123,800
101-050-0500-4710 (CIP Reimbursement)	<u>(123,800)</u>
	-0-

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____