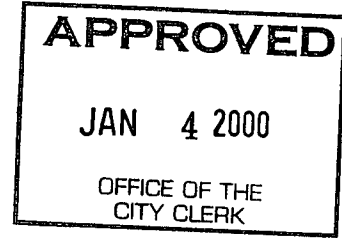


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January 4, 2000



Redevelopment Agency of the City of Sacramento  
Sacramento, California

Honorable Members in Session:

SUBJECT: RESOLUTION OF NECESSITY FOR ACQUISITION OF VACANT LOT ON  
THE SOUTH SIDE OF FORD ROAD BETWEEN NORWOOD AVENUE AND  
TAYLOR STREET, APN 250-0220-009 (DEL PASO NUEVO)

**LOCATION & COUNCIL DISTRICT**

Del Paso Heights Redevelopment Area, District 2

**RECOMMENDATION**

Staff recommends adoption of the attached resolution of necessity for Agency acquisition of the real property on Ford Road, identified as assessor's parcel number 250-0220-009, which authorizes the Executive Director or her designee to acquire parcel number 250-0220-009 by eminent domain in the event that continuing negotiations do not result in a voluntary sale.

**CONTACT PERSONS**

John Dangberg, Director of Community Development-City, 440-1347  
Lisa Bates, Program Manager, 440-1328

**FOR COUNCIL MEETING OF** January 4, 2000

**SUMMARY**

This report recommends the authority to use eminent domain, as a means of last resort, to acquire parcel number 250-0220-009 on Ford Road for the Del Paso Neuvo Project.

**BACKGROUND**

On September 7, 1999, the Redevelopment Agency authorized the Executive Director to take actions necessary to complete the voluntary sale and purchase of parcel number 250-0220-009 at a purchase price not substantially greater than the amount of just compensation. In addition, a resolution of necessity was adopted giving the Executive Director or her designee authority to acquire the above parcel along with six (6) other parcels and to acquire all seven (7) parcels by eminent domain in the event that continuing negotiations do not result in voluntary sales.

## **SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY**

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Legal counsel has advised Agency staff that because the resolution of necessity for parcel number 250-0220-009 did not recite that an offer had been made to the owner of record of APN 250-0220-009 (because such an offer had not yet been made), the action did not technically meet the requirements of Code of Civil Procedure Section 1245.230(c). Since September 1999, two offers of just compensation for parcel number 250-0220-009 have been made to the owner. Continuing negotiations have been unsuccessful, and staff anticipates proceeding to eminent domain to acquire parcel number 250-0220-009.

### **FINANCIAL CONSIDERATIONS**

The funding for purchase of this property was previously approved as part of the Del Paso Nuevo Project.

### **POLICY CONSIDERATIONS**

The action recommended in this report authorizes the Agency to use its eminent domain powers to acquire parcel number 250-0220-009 for the Del Paso Nuevo Project.

### **ENVIRONMENTAL REVIEW**

The proposed project is a furtherance of the Del Paso Nuevo Project, which was analyzed in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Per CEQA guidelines Sections 15162 and 15163, no further environmental documentation is required at this time.

**SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY**

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**M/WBE CONSIDERATIONS**

There are no M/WBE considerations associated with this action

Respectfully submitted,



ANNE M. MOORE  
Executive Director

Transmittal approved,

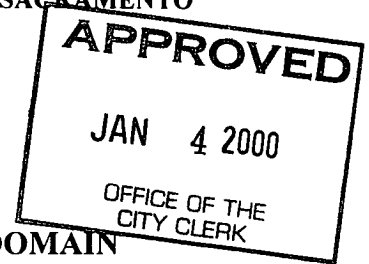
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ROBERT P. THOMAS  
City Manager

**RESOLUTION NO. 2000-003**

**ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO**

ON DATE OF



**DEL PASO NUEVO:  
RESOLUTION OF NECESSITY TO USE EMINENT DOMAIN  
TO ACQUIRE APN 252-0220-009**

WHEREAS, the Redevelopment Plan ("Redevelopment Plan") for the Del Paso Heights Redevelopment Project Area ("Project Area") was adopted by the City Council of the City on May 12, 1970, by City Ordinance No. 2884 and amended on August 5, 1970 by City Ordinance No. 2913, Fourth Series and amended on May 21, 1985 by City Ordinance No. 85-047, Fourth Series.

WHEREAS, three goals of the Redevelopment Plan for the Project Area are:

- (a) To improve the neighborhood environment and image;
- (b) To eliminate blighted and blighting conditions; and
- (c) To increase and develop the supply of affordable housing;

WHEREAS, the Agency adopted the Del Paso Heights Five Year Revitalization Strategy for the Project Area on November 22, 1994:

WHEREAS, the Del Paso Heights Revitalization Strategy identifies the Del Paso Nuevo Project area as a key housing development site, which site includes all of the real property which is the subject of this resolution;

WHEREAS, by its Resolution No. 99-027 adopted on September 7, 1999, the Agency has authorized the purchase of, and determined the amount of just compensation for, the real property located on Ford Road and identified as APN 250-0220-009, for the express purpose of developing Del Paso Nuevo (the "Subject Parcel");

WHEREAS, the Agency has, through its counsel, engaged a qualified appraiser who has prepared an appraisal of the fair market value of the Subject Parcel;

WHEREAS, the Agency has engaged in negotiations with the owner of the Subject Parcel for the purpose of purchasing the Subject Parcel, which negotiations have heretofore proven futile and without effect; and

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_ (4)

WHEREAS, the Subject Parcel is properly zoned and situated for redevelopment, and there are no other sites in the Project Area which would be as compatible with the greatest public good and the least private injury as the Subject Parcels and the Additional Parcel for the following reasons, among others:

- (a) The Del Paso Heights Redevelopment Project Area lacks an adequate supply of high quality affordable housing, parks and flood control facilities, and would benefit from improvement of its roads and other infrastructure and better utilization of underutilized real property;
- (b) The Del Paso Nuevo project has been redesigned specifically to incorporate community concerns as well as the highest principles of planning and redevelopment to address the conditions cited in the foregoing paragraph with the least private injury; and

The Subject Parcel is needed for the park, drainage, and roadway improvements and for housing that will allow for future development of Del Paso Nuevo.

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. The above statements are true and correct;

Section 2. The Redevelopment Agency is empowered to acquire the Subject Parcel by eminent domain pursuant to Health and Safety Code Section 33391.

Section 3. The public purpose for which the Subject Parcel is to be acquired is redevelopment, and more specifically the assembly of parcels for development of the Del Paso Nuevo Project within the Del Paso Height Redevelopment Project Area to eliminate blight, to better utilize underutilized parcels, and to provide a new affordable homeownership community.

Section 4. For the foregoing reasons, the Redevelopment Agency finds and determines that:

- (a) The public interest and necessity requires the Del Paso Nuevo project, which will include new and upgraded infrastructure, new homes and removal of the blighting influence of underutilized property;
- (b) The Del Paso Nuevo project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- (c) The Subject Parcel is necessary for the proposed project; and
- (d) Just compensation has been established for the Subject Parcel by Resolution No. 99-027; offers have been made to the owner of record of the Subject Parcel, as required by Section 7267.2 of the Government Code; and such owner of the

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_ (5)

Subject Parcel has been given reasonable opportunity to consider, reject or accept such offers.

Section 5. While continuing to make every reasonable effort to expeditiously acquire the Subject Parcel by negotiation, the Executive Director is authorized to institute and prosecute to conclusion an action in eminent domain to acquire the Subject Parcel and to take any action necessary or desirable for such purpose in accordance with California eminent domain law.

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CHAIR

ATTEST:

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SECRETARY

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_  
DATE ADOPTED: \_\_\_\_\_ (6)