



City of Placerville

3101 Center Street
Placerville, California 95667

May 18, 2010

Mr. Jim Ware
El Dorado County
Department of Transportation
2850 Fair Lane
Placerville, CA 95667

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SUBJECT: Point View Drive Extension

Dear Jim,

As you are aware, the City of Placerville is currently actively engaged in the development of the "Point View Drive Extension Project" between the interchange at US Hwy. 50, and the intersection of Smith Flat Road and Jacquier Road. The northerly terminus of the project on Jacquier Road is located beyond the City limits of Placerville, within the unincorporated area of El Dorado County.

The project was originally initiated by the Developer (Edward Mackay) of the hotel and gas station project, and the road improvement requirements were made a Condition of Approval of the project. The City recognized however, that the connection of Point View Drive to Smith Flat Road and Jacquier Road was of regional significance, and as such, included those roadway improvements into the City's Traffic Impact Mitigation (TIM) Fee program. The project was subsequently submitted as a candidate project under the "State and Local Partnership Program" (SLPP), and as you know, the City was successful in obtaining a \$750,000 grant for the completion of this project. The project Developer was able to construct the on-site portion of the roadway, and had agreed to provide all necessary rights-of-way for the off-site portion of the road to be constructed by the City under the SLPP program. Unfortunately, the Developer went broke on the project and both the hotel property, and the gas station/mini mart properties were lost in foreclosure. The current owners of those two properties have agreed to complete the necessary Offers of Dedication, however there are two other properties from which right-of-way will be necessary, and that right-of-way must be obtained by the City through a conventional Public Agency Right-of-Way Acquisition process. The two affected properties are

located at the northerly end of the project beyond the Placerville City limits, which brings me to the subject of this letter.

There are various provisions within the California Streets and Highways Code that address this very circumstance; an incorporated City constructing a road improvement project that extends into an unincorporated County area. Section 1710 et seq. of the code allows that "A City and County may agree that the City shall construct a County highway within the unincorporated territory of the County, and include provisions for cost-sharing". Section 1680 et seq. of the code allows that "County Board of Supervisors may by resolution, determine that the construction of a street extending across the boundary of the City is of general County interest, and that the County may therefore extend aid". And finally, Section 1810 et seq. of the code provides that "A City may acquire, by purchase or eminent domain, property outside its boundaries in the unincorporated area of the County in which the City is located, if it is necessary to connect or widen the existing streets of the acquiring City, and if the County consents to the acquisition".

Therefore, pursuant to the above outlined sections of the Streets and Highways Code, I hereby request that El Dorado County, Department of Transportation (DOT) prepare an agenda item for Board consideration requesting that the Board of Supervisors grant their consent to allow the City of Placerville, and its agents to acquire any necessary right-of-way for the completion of the subject project. Also, although the above cited sections of the Streets and Highways Code provide a mechanism for the County to contribute to the cost of this project, the only aid that I request from the County at this time would be the waiver of any plan checking and inspection fees, and any fees associated with the preparation and adoption of any necessary Road Improvement Agreement to be entered into between City and County for the ownership and long-term maintenance responsibilities of the improvements constructed to Smith Flat Road and Jacquier Road outside the City limits. I also request a waiver of the fees required for a Summary Vacation action as described below.

One of the properties from which right-of-way is being acquired (Conforti and Pearl, APN: 048-290-01), is located adjacent to a parcel of excess County right-of-way (APN: 048-290-04) and at one time was part of a triangular intersection between Smith Flat Road and Jacquier Road, and the subject property is actually located on the interior of the triangle created by those road intersections (see attached exhibits). At some time in the 1980's the one leg of the triangle fell into disrepair and that roadway was blocked for traffic use. However, that property still remains under County ownership. Conforti and Pearl have requested that the City petition El Dorado County to summarily vacate that unused portion of County right-of-way pursuant to the provisions of Section 8330 et seq. of the Streets and Highways Code, and quitclaim the underlying fee to Conforti and Pearl as valuable consideration for the acquisition of the necessary right-of-way in lieu of the payment of the appraised property value of \$25,000. It is my understanding that this property meets the requirements of Section 8331 et seq. of the code, "In that for a period of five consecutive years the street or highway has been impassable for

vehicular travel, and no public money was expended for maintenance on the street or highway during such period”.

Members of City staff have had meetings with representatives of the County’s Development Services and Right-of-Way Units regarding this project. Everyone has been very helpful and cooperative in working with the City towards the development of this project. I want to specifically thank Pete Field, Eileen Crawford, and Greg Hicks for the assistance they have provided thus far.

In our discussions we recognized the need for formal action by the Board of Supervisors regarding those issues outlined above. As you know, there are fairly tight time frames required under the SLPP program for the use of funds, therefore, the City does request the early attention of your staff to this request, and the City stands ready to provide any additional documents or other information necessary to process this request to the Board of Supervisors.

Thank you in advance for your assistance in bringing forward this regionally significant transportation project. If you have any questions, or require additional information, please contact me at (530)642-5557.

Very truly yours,


Randy Pesses
Director of Public Works

cc: John Driscoll, City Manager/City Attorney
Nate Stong, Associate Engineer, City of Placerville
Pete Field, Right of Way Unit Supervisor, El Dorado County, DOT
Eileen Crawford, Supervising Civil Engineer, El Dorado County, DOT

Attachments: Exhibits