

Silva Valley Parkway Interchange Resolution of Necessity Hearing



El Dorado County

Department of Transportation

January 4, 2013

Presentation Agenda

- Purpose of Hearing – To consider adoption of the proposed resolution of necessity, authorizing the filing of an eminent domain action for acquisition of certain real property interests from EDH 52 for the Silva Valley Parkway Interchange Project;
- Consider all evidence presented and determine whether each of the following findings are met;
 - The Public interest and necessity require the proposed Project
 - The Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
 - The property sought to be acquired is necessary for the Project;
 - The offer required by Section 7267.2 of the Government Code has been made to the owner of record;
 - Authorizing outside Counsel; Meyers, Nave, with cooperation as needed from County Counsel, to proceed with the necessary steps to acquire the proposed property.
- Project Overview
- Design Features & Alternatives
- Public Need - Greatest Public Good / Least Private Harm
- Project R/W needs from EDH 52 – Acquisition needed for project
- EDH 52 Offer / Negotiations – May 15, 2012
- Public Testimony
- If evidence presented meets these findings, adopt the Resolution of Necessity (4/5 Vote Required)

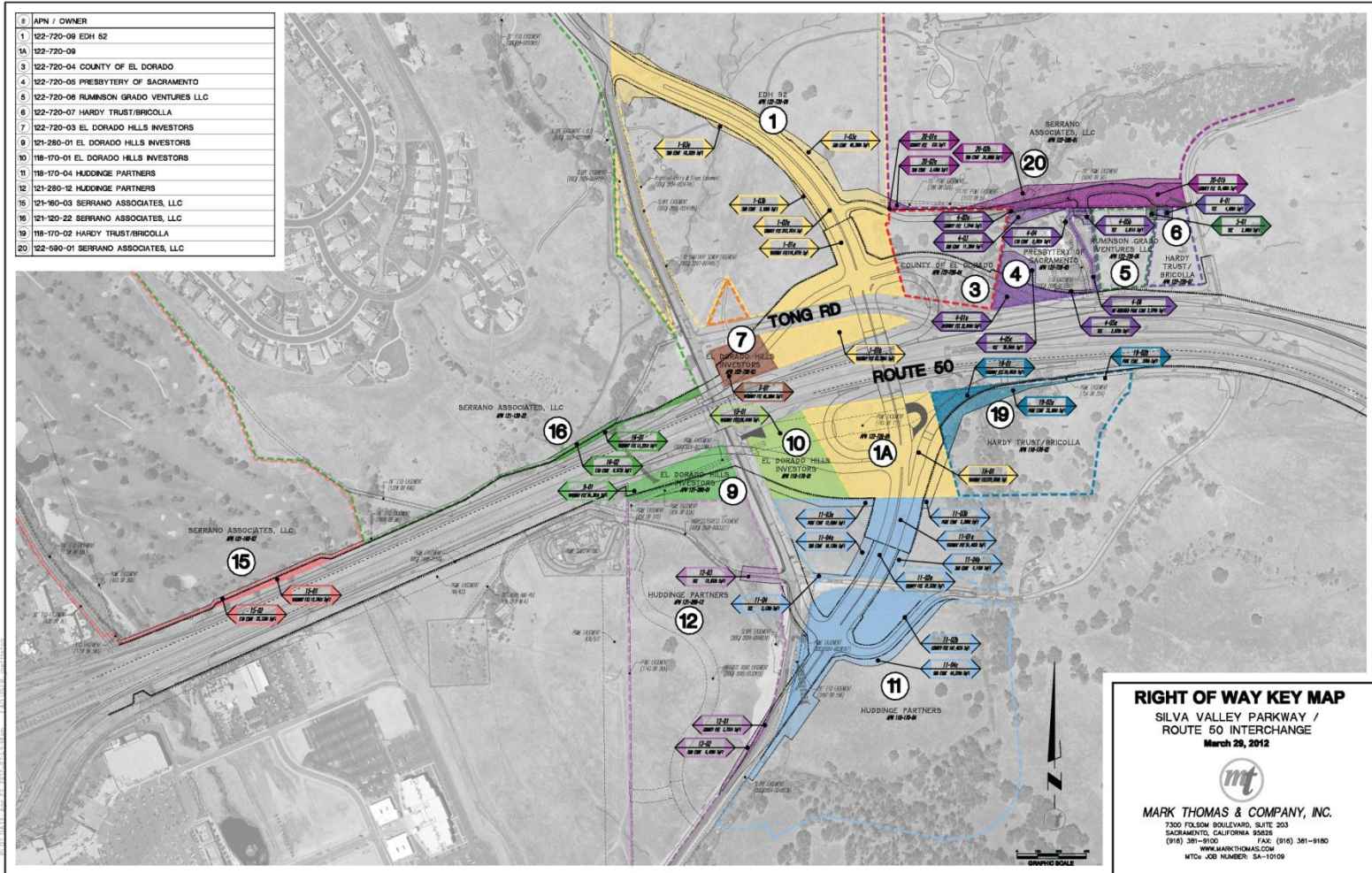
Silva Valley Parkway Interchange



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Project R/W



EDH 52 Negotiations

- First Written Offer presented May 15, 2012
- Negotiations have reached impasse
- Project needs to move forward / SLPP Funding
- Notice of Intent to Adopt Resolution of Necessity provided 11-20-12
- Technical Meeting with EDH52 held 12-17-12
 - EDH 52 representatives confirm they do not oppose project, but have concerns relate to mitigation of damages
 - Damages are a compensation issue to be determined outside of this process
 - Staff is reviewing technical request and will address issues on a case by case basis.
 - Negotiations will continue concurrent with condemnation process. If issues cannot be resolved through negotiations, a jury will determined amount of damages, should you authorize filing of eminent domain action.

Resolution of Necessity Findings

- After hearing staffs presentation and any public testimony, staff recommends the Board adopt the resolution and findings contained there-in; and further authorize outside Counsel, Meyers Nave, to proceed with the necessary steps to acquire the required property.
- (4/5 Vote Required)