



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Resolution to Authorize the Department of Transportation Director to Execute Appraisal Cost Reimbursement Agreements

WHEREAS, the the County of El Dorado Department of Transportation (Department) intends to pursue improvements, maintenance, and operations of public facilities; and

WHEREAS, the Department manages and oversees public works, Capital Improvement Program (CIP) projects, and contracts for public facilities; and

WHEREAS, the Department intends to purchase necessary real property interests for CIP and public facility projects; and

WHEREAS, it is necessary for the Department to negotiate with property owners to purchase the necessary real property interests using the values in the County appraisals; and

WHEREAS, the California Code of Civil Procedure Section 1263.025 states a public entity shall offer to pay the reasonable costs, not to exceed five thousand dollars (\$5,000), of an independent appraisal ordered by the owner of a property that the public entity offers to purchase under a threat of eminent domain, at the time the public entity makes the offer to purchase the property; and

WHEREAS, in order to clearly set out the rights and obligations of the parties regarding reimbursement, the County has commonly required property owners who request reimbursement for costs to obtain an independent appraisal to enter into an Appraisal Cost Reimbursement Agreement (ACRA); and

WHEREAS, on August 28, 2012, the Board previously delegated to the Director of Transportation (Director) the authority to execute an ACRA as necessary, but the Board did not adopt a resolution to delegate that power; and

WHEREAS, the Department seeks to clarify the existing authority of the Director to execute ACRA's on behalf of the Department, in order to efficiently process requests for reimbursement from property owners, subject to periodic review and approval of the ACRA template by County Counsel.

NOW, THEREFORE, BE IT RESOLVED that the County of El Dorado Board of Supervisors hereby authorizes the Director of Transportation (Director) to execute Appraisal Cost Reimbursement Agreements (ACRA) to reimburse property owners up to five thousand dollars (\$5,000) who obtain an independent appraisal for the necessary real property interests for the Department of Transportation's Capital Improvement Program projects and contracts for public facilities. The Board of Supervisors further delegates the authority to the Director to make modifications to the ACRA as necessary, subject to approval of County Counsel as to form.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors