



## Legislation Details

**File #:** 22-0241      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 1/27/2022      **In control:** Board of Supervisors

**On agenda:** 4/5/2022      **Final action:** 4/5/2022

**Title:** HEARING - Department of Transportation recommending the Board consider the following:  
 1) Conduct a Hearing to consider adoption of Resolution of Necessity 048-2022 related to the Diamond Springs Parkway Phase 1B Project, CIP 72334/36105011 (Project) authorizing the commencement of eminent domain proceedings to acquire certain property interests from the parcels identified as Assessor Parcel Numbers 327-270-043, -046, and -050, owned by James E. Teter and Elizabeth Ann Teter, Trustees under The Teter 1991 Revocable Living Trust dated July 22, 1991;  
 2) Make findings pursuant to California Code of Civil Procedure Section 1245.230 that: a) The public interest and necessity require the proposed Project; b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; c) The property described in the Resolution of Necessity is necessary for the proposed Project; and d) The offer required by Section 7267.2 of the Government Code has been made to the owner(s) of record, unless the owner(s) could not be located with reasonable diligence;  
 3) Adopt the Resolution of Necessity (4/5 vote required); and  
 4) Authorize outside Counsel, Meyers-Nave, with cooperation as needed from County Counsel, to proceed with the necessary steps to acquire the required property.

**FUNDING:** Master Circulation and Funding Plan (MC&FP) (41%), Traffic Impact Mitigation Fees - Zone 1-7 (25%), Traffic Impact Fees Zone B (3%), State-Local Partnership Program Funds (16%), SHOPP Funds (3%), Tribe Funds (historical) (<1%), Road Fund (<1%), and to be determined anticipated MC&FP funds (12%).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Resolution Route Sheet, 2. B - Resolution of Necessity, 3. B - Revised - Resolution of Necessity BOS Rcvd 4-1-2022, 4. C - Grant Deeds, Slope & Drainage, Utility Easements, 5. C - Revised - Grant Deeds, Slope & Drainage, Utility Easements, 6. D - NOI Letter & Postponement NOI Letter, 7. E - Presentation, 8. E - Revised - Presentation BOS Rcvd 4-1-22, 9. F - Vicinity Map, 10. G - BOS meeting response letter from Teter, 11. H - Draft Staff Report Final BOS Rcvd 4-1-22, 12. Public Comment BOS Rcvd. 4-4-2022, 13. Teter Trust Agreement, 14. Executed Resolution 048-2022

Date	Ver.	Action By	Action	Result
4/5/2022	1	Board of Supervisors	Approved	Pass