



Legislation Text

File #: 23-0663, **Version:** 1

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **073-2023** authorizing the County to declare that certain property is exempt surplus land located in El Dorado Hills as part of the Silva Valley Parkway Interchange Project, County Capital Improvement Project number 36104002. (District I)

FUNDING: N/A

DISCUSSION / BACKGROUND

The construction of the Silva Valley Parkway Interchange Project (Project) was completed in Fiscal Year 17/18, though ongoing right of way (ROW) project closeout work is still underway. On April 10, 2012, Legistar 12-0420, Item 18, as part of the Project, the Board authorized the Chair to sign Cooperative Agreement No. 03-0459 (Agreement), between the County and the California Department of Transportation (Caltrans). The Agreement, dated June 6, 2012, provided for the County to obtain the necessary ROW for the installation of the new interchange ramps and overcrossings and ultimately transfer the ROW from the County to Caltrans. The property to be transferred is described in Exhibit A (Attachment C).

Per Government Code Sections 54220-54234, the Surplus Land Act, prior to taking any action to dispose of property, the land must be declared as either surplus or surplus land. A Resolution must be adopted by the Board and provided to the California Department of Housing and Community Development (HCD) for their concurrence. HCD will have 30 days to review the Resolution prior to the County's relinquishment of the property to Caltrans. As defined in Government Code Section 54221 subd. (f)(1)(D), exempt surplus land includes land that a local agency is transferring to another local, state, or federal agency for the agency's use. As part of the Project, the Agreement states the County must transfer title of the ROW acquired to Caltrans. The transferring for portions of certain parcels acquired for the Project is exempt surplus land since the County is transferring it to Caltrans, a state agency.

These actions are not subject to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by Public Resources Code Section 21065 and CEQA Guidelines Section 15378. The transferring of the property does not have the potential of resulting in a direct physical damage to the environment or reasonably foreseeable indirect physical change in the environment.

ALTERNATIVES

The Board could choose not to adopt this Resolution; however, the County will be unable to relinquish the ROW to Caltrans and violate the Agreement.

PRIOR BOARD ACTION

See Discussion / Background section.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel has reviewed and approved the Resolution.

CAO RECOMMENDATION / COMMENTS

Approve staff recommendation.

FINANCIAL IMPACT

There is no change to net County cost associated with this item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on the original Resolution.
- 2) The Clerk of the Board will forward one (1) copy of the executed Resolution to Transportation, Fairlane Engineering, attention Shanann Findley.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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Department of Transportation