



10.7

DEPARTMENT OF  
PUBLIC WORKS  
  
ENGINEERING DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

927 TENTH STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2705

916-449-8220  
FAX 916-449-8678

CONSTRUCTION SECTION  
640 BERKUT DRIVE  
SUITE B  
SACRAMENTO, CA  
95814-0131

916-449-5282

APPROVED  
BY THE CITY COUNCIL

DEC 10 1991

OFFICE OF THE  
CITY CLERK

December 10, 1991

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT** WILLIAM J.KINNEY POLICE FACILITY (PN:EB51 & EB52) - HEARING ON  
RESOLUTION OF NECESSITY FOR ACQUISITION OF 25 PARCELS

**LOCATION**

The project is located on Marysville Boulevard in Del Paso Heights, within Council District 2.

**SUMMARY**

It is requested that the City Council conduct a hearing and consider adoption of the attached Resolution of Necessity which initiates the eminent domain procedure necessary to assure timely property acquisition for the Kinney Police Facility. Staff will continue to meet with owners to discuss acquisitions and to resolve concerns. Adoption of this resolution will also allow payment to property owners with whom agreement has been reached so that they can purchase new homes and begin their relocation. Agreements have been executed on 9 of the 25 parcels, and another 5 are expected to be signed soon.

**STAFF RECOMMENDATION**

Staff recommends that City Council make the necessary findings and adopt the attached Resolution of Necessity by the required 2/3 vote.

City Council

William J. Kinney Police Facility (PN:EB52)-Hearing on Resolution of Necessity for Acquisition of 25 Parcels  
December 10, 1991

## **BACKGROUND**

The William J. Kinney Police Facility project requires the acquisition of the entire block bounded by Marysville Boulevard, South Avenue, Sheldon Street, and Rosalind Street, which includes 25 parcels of real property.

On May 21, 1987, City Council approved the Police Department report titled Precinct Plan 88, which proposed dividing the City into four patrol areas and selected general locations for each of the four police facilities necessary to implement the plan.

On June 8, 1988, City Council awarded the construction contract for the Joseph E. Rooney Police Facility, on Franklin Boulevard, the first of the four facilities, which was occupied for use on September 8, 1989.

Beginning in August, 1990, Police Department and other City staff met numerous times to consider potential sites for the William J. Kinney Police facility. From a large list of initial candidates, the potential sites were reduced to six in December, 1990, and then, after field inspection, the list was reduced to three preferred sites:

Site 1: Marysville Boulevard at North Avenue, southeast corner.

Site 2: Marysville Boulevard at South Avenue, southeast corner.

Site 3: Raley Boulevard at Bell Avenue, northeast corner.

Those three sites were reviewed by the Planning and Development Department, the Environmental Planning Division, and the Real Property Section. Schematic site plans were developed for each site, and it was determined that Site 2, at the southeast corner of Marysville Boulevard and South Avenue, was the preferred site.

On September 13, 1990, Councilmember Lyla Ferris and various City staff attended the regularly scheduled Redevelopment Advisory Committee (RAC) meeting, described the proposed project, the three potential sites, the project schedule, and solicited comments from the group. The group expressed support for the preferred site and the hope that the project schedule could be shortened.

On March 13, 1991, Councilmember Lyla Ferris and various City staff met with several community leaders at the Joseph E. Rooney Police Facility, on Franklin Boulevard, to again review the proposed project and the three possible sites. Support for the project on the preferred site was again expressed.

On April 3, 1991, a general community meeting was held at Grant High School. This meeting was attended by many citizens from the Del Paso Heights area. The project in general, and the preferred site, again received positive support, and there was another expression of the hope that the project could be accelerated.

**City Council**

**William J. Kinney Police Facility (PN:EB52)-Hearing on Resolution of Necessity for Acquisition of 25 Parcels  
December 10, 1991**

On June 4, 1991, City Council adopted Resolution 91-404 which preliminarily selected this site, considered in the initial study accompanying the Negative Declaration for the project, and authorized the beginning of the real estate appraisal process.

On November 5, 1991, City Council adopted three resolutions: Resolution 91-888 ratified the Negative Declaration and approved the project; Resolution 91-889 adopted the Mitigation Monitoring Plan; and Resolution 91-890 established just compensation, authorized execution of acquisition agreements, and authorized expenditure of \$1,950,000 for the acquisition of the 25 parcels.

Since then, written purchase offers have been made, or seriously attempted, on all 25 parcels. Those offers are contingent on approval of the Resolution of Necessity which, if adopted, would allow escrows to close on pending agreements, and would also allow initiation of condemnation proceedings on certain parcels, where necessary to ensure acquisition in a timely manner.

Possession of the parcels will be needed by about June 1, 1992.

City staff will continue discussions with owners in the attempt to reach agreement and avoid condemnation wherever possible. As of December 4, acquisition agreements had been signed by 9 owners and 5 appear close to signature.

There are 23 relocations involved, 21 dwelling units and 2 businesses. Staff will be submitting a Relocation Assistance and Last Resort Housing Plan for City Council approval in the near future.

**FINANCIAL CONSIDERATIONS**

City Council previously adopted Resolution 91-890 which authorized expenditure of \$1,950,000 for the acquisition of the 25 parcels needed for the project.

**POLICY CONSIDERATIONS**

This action is consistent with legal requirements for the acquisition of private property for public projects including Section 7267.2 and 37350.5 of the Government Code of the State of California.

Public interest and necessity require the project, the project is to be located in the manner that will be most compatible with the greatest public good and the least private injury, and the 25 parcels are necessary for the project.

The preferred site has been selected for the following reasons:

1. It will create high police visibility in the neighborhood.

City Council

William J. Kinney Police Facility (PN:EB52)-Hearing on Resolution of Necessity for Acquisition of 25 Parcels  
December 10, 1991

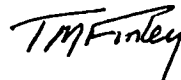
2. It is a strategic location as a base for police patrol activities.
3. It has good access to the highway system.
4. It has frontage on two major streets.
5. It allows access directly onto Marysville Boulevard at a signalized intersection.
6. It will allow a self-contained facility without adjacent property owners.

Affected property owners and tenants will receive just compensation and/or relocation assistance entitlements as provided by State law. Written purchase offers, contingent upon adoption of the Resolution of Necessity for all 25 parcels, have been made to the property owners .

**MBE/WBE**

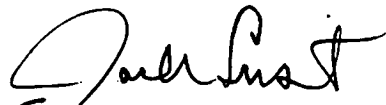
Not applicable - no goods or services are being purchased.

Respectfully Submitted By:



THOMAS M. FINLEY  
Engineering Division Manager

Recommendation Approved By:



FOR WALTER J. SLIPE  
City Manager



MELVIN H. JOHNSON  
Acting Director of Public Works

**CONTACT PERSON**

Craig Thurston, Real Property Supervisor  
449-5629

CT:ec  
RE1-03.C  
11.2091

Attachment

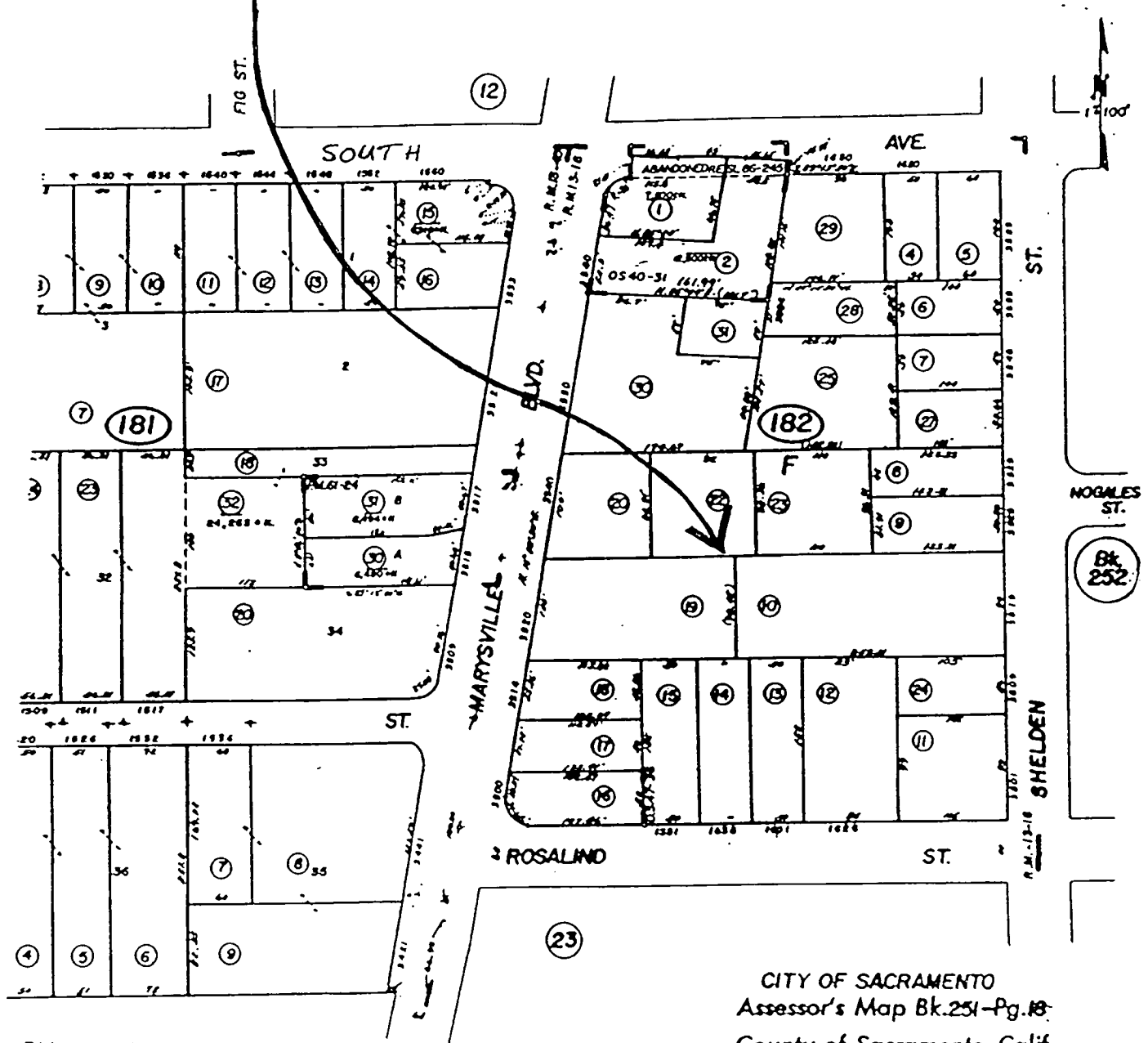
**FOR COUNCIL MEETING OF:**  
December 10, 1991

# PROPERTY LOCATION

(Project Requires All Parcels in Entire Block)

Tax Area Code

251-18



g. 31 (1-28-86)  
 R.M. Bk. 13, Pg. 16  
 Pg. 45

NOTE—Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.

CITY OF SACRAMENTO  
 Assessor's Map Bk. 251—Pg. 18  
 County of Sacramento, Calif.

**RESOLUTION NO. 91-994**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

APPROVED  
BY THE CITY COUNCIL

DEC 10 1991

OFFICE OF THE  
CITY CLERK

**RESOLUTION OF NECESSITY  
ACQUISITION OF 25 PARCELS  
FOR  
WILLIAM J. KINNEY POLICE FACILITY PROJECT  
(PN:EB52)**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, TWO-THIRDS OF ALL MEMBERS OF SAID COUNCIL VOTING IN FAVOR THEREOF:

1. That the City of Sacramento intends to acquire through the exercise of the power of eminent domain the real property or interest in real property hereinafter identified as the "Subject Parcels", more particularly described in paragraph 8.
2. That the City of Sacramento intends to acquire the interest in the Subject Parcels as expressly specified in the description of said Subject Parcels in paragraph 8.
3. That the Subject Parcels are to be taken for, or in connection with, the construction of the William J. Kinney Police Facility.
4. That the statute authorizing the City of Sacramento to acquire the Subject Parcels for the above-mentioned public purposes is Government Code, Section 37350.5.
5. That the Subject Parcels are generally located in the block bounded by Marysville Boulevard, South Avenue, Shelden Street, and Rosalind Street, in Sacramento.
6. That the City Council declares that it has found and determined each of the following:
  - a. The public interest and necessity requires the property acquisition for the planned improvements for the William J. Kinney Police Facility.
  - b. The property to be acquired is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

6

- c. The Subject Parcels are necessary for the planned improvements.
  - d. The offer required under Section 7267.2 of the Government Code has been made to the owners of record.
7. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are hereby authorized and empowered:
- a. To acquire in the name of the City of Sacramento, a municipal corporation, the Subject Parcels by condemnation in accordance with the provisions of the Eminent Domain Law of the State of California. Said parcels shall be acquired in the interests and for the purposes shown in paragraph 8.
  - b. To prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as are necessary for the acquisition of the Subject Parcels.
  - c. To deposit the probable amount of compensation, as fixed by the City Council in accordance with law, with the Clerk of the appropriate court and to make application to said court for an order permitting the City of Sacramento to take immediate possession and use of the Subject Parcels.
8. The Subject Parcels, being the fee simple absolute title in the real property or interest therein which the City is by this Resolution authorized to acquire, are situated in the City of Sacramento, State of California, and described as follows:

<u>RPS FILE</u>	<u>OWNER</u>	<u>STREET ADDRESS</u>	<u>ASSESSOR PARCEL</u>	<u>APPROXIMATE SIZE SQUARE FEET (NET)</u>
ACQ-7213-01	Granico	3500 Marysville Blvd.	251-0182-016,017	12,000
ACQ-7213-02	Reinhardt	3514 Marysville Blvd.	251-0182-018	5,980
ACQ-7213-03	Corin/Works Castle/Deville	3520 Marysville Blvd.	251-0182-019,022	26,600
ACQ-7213-04	Johnson	3540 Marysville Blvd.	251-0182-020	8,800
ACQ-7213-05	Aranda	3550 Marysville Blvd.	251-0182-030	19,000
ACQ-7213-06	Massa	3560 Marysville Blvd.	251-0182-001,002	19,600
ACQ-7213-07	Gowin	3548 Sharon Lane	251-0182-025	9,654
ACQ-7213-08	Tate	3545 Sharon Lane	251-0182-031	4,078

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

<u>RPS FILE</u>	<u>OWNER</u>	<u>STREET ADDRESS</u>	<u>ASSESSOR PARCEL</u>	<u>APPROXIMATE SIZE SQUARE FEET (NET)</u>
ACQ-7213-09	Hixon	3554 Sharon Lane	251-0182-028	4,035
ACQ-7213-10	Fuller	1630 South Avenue	251-0182-029	5,789
ACQ-7213-11	Campos	1620 South Avenue	251-0182-004	5,000
ACQ-7213-12	Boone	1531 Rosalind Street	251-0182-015	7,750
ACQ-7213-13	Kuhlman	1535 Rosalind Street	251-0182-014	7,750
ACQ-7213-14	Diaz	1601 Rosalind Street	251-0182-013	7,750
ACQ-7213-15	McCall	1625 Rosalind Street	251-0182-012	12,385
ACQ-7213-16	Ballin	3501 Shelden Street	251-0182-011	10,395
ACQ-7213-17	McLane	3509 Shelden Street	251-0182-024	5,880
ACQ-7213-18	Daunton	3519 Shelden Street	251-0182-010	24,375
ACQ-7213-19	Gage	3525 Shelden Street	251-0182-009	6,300
ACQ-7213-20	Diller	3538 Sharon Lane	251-0182-023	10,740
ACQ-7213-21	Fleshman aka Johnson	3529 Shelden Street	251-0182-008	5,550
ACQ-7213-22	McClenahan	3535 Shelden Street	251-0182-027	5,880
ACQ-7213-23	Bryant	3545 Shelden Street	251-0182-007	5,000
ACQ-7213-24	Moraga	3555 Shelden Street	251-0182-006	5,000
ACQ-7213-25	Rice	3585 Shelden Street	251-0182-005	6,000

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MAYOR

ATTEST:

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CITY CLERK

CT:ec  
RE1-03.C  
11-2091

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

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DEPARTMENT OF  
PUBLIC WORKS  
  
ENGINEERING DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

RPS File: ACQ-7213-15

927 TENTH STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2705

916-449-8220  
FAX 916-449-8678

CONSTRUCTION SECTION  
640 BERGUT DRIVE  
SUITE B  
SACRAMENTO, CA  
95814-0131

916-449-5282

NOTICE OF PUBLIC HEARING  
ON ADOPTION OF RESOLUTION  
AUTHORIZING ACQUISITION OF PROPERTY  
BY EXERCISE OF THE POWER OF EMINENT DOMAIN  
KINNEY POLICE FACILITY  
(PN:EB52)

Robert & Betty McCall  
1625 Rosalind Street  
Sacramento, CA 95838

Dear Mr. & Mrs. McCall:

NOTICE IS HEREBY GIVEN that a public hearing will be held at 7:30 P.M. on December 10, 1991, in the Council Chamber, City Hall, 915 I Street, Sacramento, California, at which time the Council of the City of Sacramento will consider the adoption of the attached resolution authorizing the acquisition by the City of Sacramento of the real property, or interests therein, pursuant to the exercise of the power of Eminent Domain. For your convenience, a map is attached to this notice showing the property described in said resolution and the relationship of such property to the project for which it is proposed to be taken.

You are hereby notified that the Council of the City of Sacramento may adopt the attached resolution unless objections thereto are raised and sustained by the City Council.

You are further notified that the law affords you the right to appear at the above-mentioned public hearing and to be heard in reference to each of the matters referred to in Section 1240.030 of the Code of Civil Procedure of the State of California, which matters may be generally stated as follows:

NOTICE OF PUBLIC HEARING ON ADOPTION OF  
RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY  
BY EXERCISE OF THE POWER OF EMINENT DOMAIN  
Project EB52: Kinney Police Facility  
Page 2

1. That the public interest and necessity require the public project described in the attached proposed resolution.
2. That the proposed public project is planned or located in the manner that will be the most compatible with the greatest public good and least private injury.
3. That the properties described in the attached proposed resolution are necessary for the public project.
4. That the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

You are further notified that you must file with the City Clerk of the City of Sacramento, Room 300, City Hall, 915 I Street, Sacramento, California, a written request to appear and be heard at the City Council hearing not later than 5:00 P. M. on December 2, 1991. Your failure to file a timely written request will result in the waiver of your right to appear and be heard at the City Council hearing.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written request to appear and be heard, if any, may be filed with the City Clerk on time.

Date of Mailing: November 15, 1991

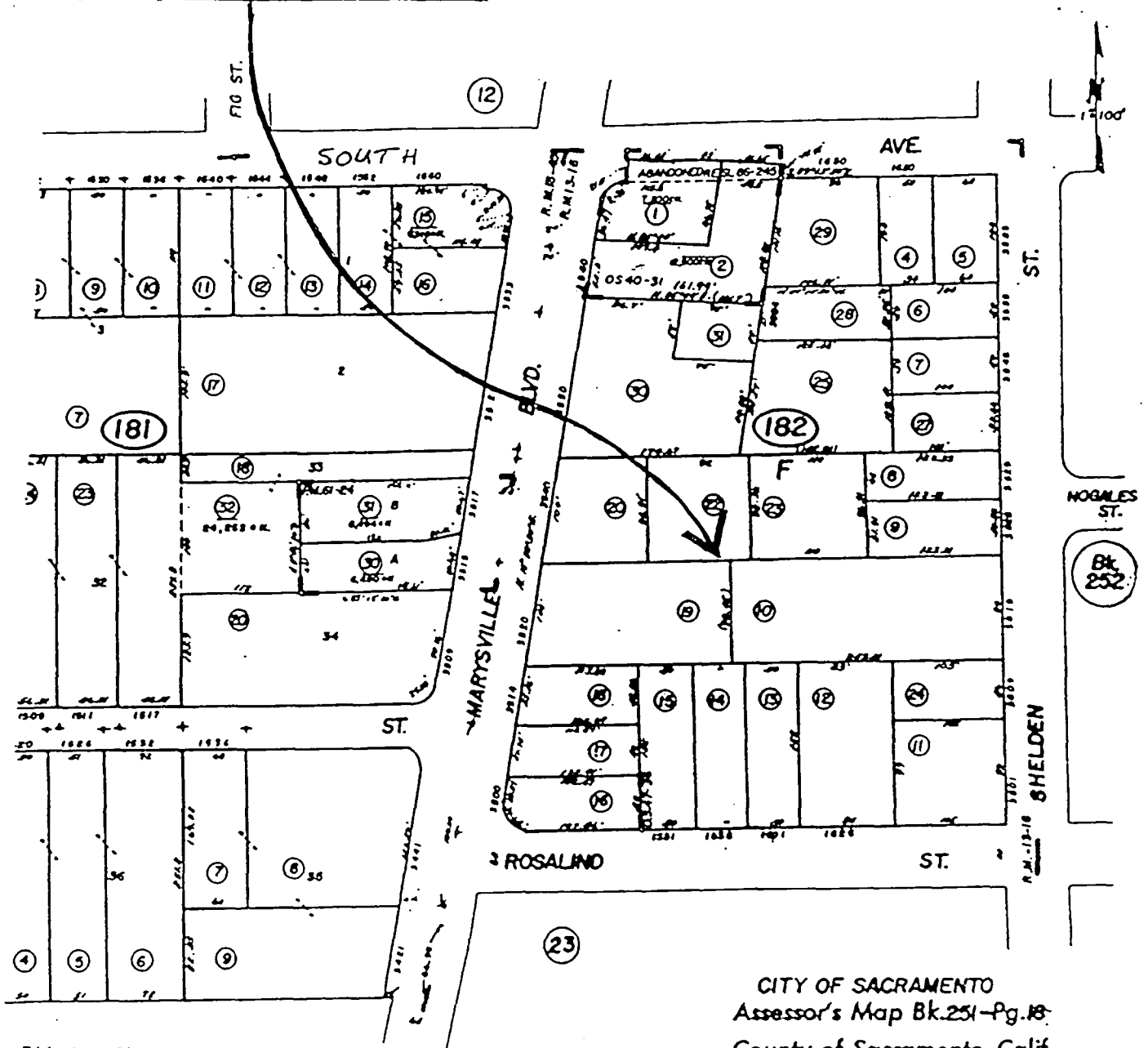
  
CRAIG THURSTON  
Real Property Supervisor

# PROPERTY LOCATION

(Project Requires All Parcels in Entire Block)

Tax Area Code

251-18



9.31(1-28-86)  
R.M. Bk.13, Pg.16  
Pg. 45

NOTE—Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

CITY OF SACRAMENTO  
Assessor's Map Bk.251-Pg.18  
County of Sacramento, Calif.





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CITY CLERKS OFFICE  
CITY OF SACRAMENTO  
Nov. 26 8 32 AM '91

DEPARTMENT OF  
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

RPS File: ACQ-7213-15

927 TENTH STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2705

916-449-8220  
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CONSTRUCTION SECTION  
640 BERCUT DRIVE  
SUITE B  
SACRAMENTO, CA  
95814-0131

916-449-5282

November 22, 1991

MEMORANDUM

TO: Mary Lou Silva, Typist Clerk III, City Clerk's Office

FROM: Craig Thurston, Real Property Supervisor 

SUBJECT: City Council Meeting of December 10, 1991 - Kinney Police Facility - Hearing on Resolution of Necessity - Request To Appear - Robert and/or Betty McCall

As we discussed today on the phone, attached is the handwritten request from Betty McCall, a property owner who will be displaced by the project, to appear and be heard at the hearing.

If any other persons visit your office to make a similar request, the notice provides that they would be requesting "To Appear and Be Heard", and, as you suggested, they will need to write a short note indicating that request and indicating their name, address, and phone number.

For your file, the information on this party is:

Robert and Betty McCall  
1625 Rosalind Street  
Sacramento, CA 95838  
(916) 927-7308

If there is anything else I need to know about this procedure, please call: 5629.

CT:ec  
CT8-23.C.RE

Attachment

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF SACRAMENTO

JUN 20 8 35 AM '21

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CITY CLERKS OFFICE  
CITY OF SACRAMENTO

November 22, 1991

City Clerk  
Nov 26/ 8:33 AM '91

City Hall, Room 304  
City of Sacramento  
915 I Street  
Sacramento, California

We, Robert +/or Betty  
McCall, would like to  
appear and be heard at  
the Hearing on Kinney  
Police Facility on December  
10, 1991, at 7:30 PM,  
City Council meeting.

Signed

Accepted:  
Craig Stender

~~Betty McCall~~  
Betty McCall

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF SACRAMENTO

MAY 20 8 33 AM '21

RECEIVED  
CITY CLERKS OFFICE  
CITY OF SACRAMENTO

Nov 27 10 11 AM '91

November 24, 1991

To: City of Sacramento  
915 I Street Room 300  
Sacramento, CA 95814  
Attn: City Clerk

From: Howard Ballin  
3958 Weybridge Way  
Sacramento, CA 95842-4571

Subj: RPS File: ACQ-7213-16  
Public Hearing on Adoption of Resolution Authorizing  
Acquisition of Property by Exercise of the Power of Eminent  
Domain **KINNEY POLICE FACILITY**

Please be advised that this is my written request to  
appear and be heard at the City Council hearing regarding  
the above subject matter at 7:30 PM on December 10, 1991  
in the Council Chamber, City Hall.



HOWARD BALLIN  
Property Owner: 3501 Sheldon Street



December 1, 1991

Attn: City Clerk  
City of Sacramento  
City Hall  
915 I Street Room 304  
Sacramento, CA. 95814

Please accept this letter as our written request to appear and be heard at the City Council Hearing on December 10, 1991 at 7:30PM in the City Council Chamber Hall regarding the Adoption of Resolution Authorizing Acquisition of Property by exercise of the power of Eminent Domaine/Kinney Police Facility.

Thank you,  
Ruben Aranda  
Francisco Aranda  
Robert Aranda  
Roldan F. Vigil  
Property Owners  
of Parcel#251-0182-030  
3550 Marysville Blvd.  
Sacramento, CA. 95838  
Reference Ph#(510)481-5170

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CITY OF SACRAMENTO  
DEC 2 2 12 PM '91