



Legislation Text

File #: 11-370, **Version:** 1

Resolution of the City Council of the City of San Leandro, California, Seeking Authorization from the State to Conduct Resolution of Necessity Hearings for East 14th Street/Hesperian Boulevard/150th Avenue Street Improvements Project

WHEREAS, on September 9, 2008, by Resolution 2008-108, the City Council of the City of San Leandro approved the East 14th Street/Hesperian Boulevard/150th Avenue Street Improvements Project ("Project") to improve circulation and vehicular and pedestrian safety; and

WHEREAS, the Project will be constructed on the State Highway System as it will construct improvements relating to East 14th Street, which is a State Highway pursuant to California Streets and Highways Code Section 485, and falls within the jurisdiction of the State of California, Department of Transportation; and

WHEREAS, the City of San Leandro is vested with the power of Eminent Domain to acquire real property by virtue of Article, 1, Section 19 of the Constitution of the State of California; Sections 37350.5 and 40404 of the Government Code of the State of California; and, Sections 1240.010 and 1240.110 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the City for the Project; and

WHEREAS, timely completion of the Project requires that the City proceed to acquire certain real property and real property interests for the Project; and

WHEREAS, the State of California, Department of Transportation is requiring the City Council of cities acquiring real property for a project relating to a State Highway to pass a resolution determining that the City Council will hear any resolutions of necessity to acquire real property for a project relating to a State Highway, if any are necessary; and

WHEREAS, to proceed with the Project and the acquisition process, and in light of the Project's schedule, critical deadlines, and necessary acquisitions, it may be necessary to conduct Resolution of Necessity hearings.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Leandro, County of Alameda, hereby agrees to conduct Resolution of Necessity hearings, and to adopt or reject the proposed resolutions of necessity to obtain the real property and real property interests determined to be necessary for the Project. The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.