

DATE ISSUED: June 15, 2001

REPORT NO: 01-130

ATTENTION: Honorable Mayor and City Council
Docket of June 19, 2001

SUBJECT: Carmel Mountain Road Interchange

SUMMARY

Issue - Should the City Council authorize condemnation from acquisition of property for the Carmel Mountain Interchange?

Manager's Recommendation - Authorize condemnation for acquisition of the properties.

Other Recommendations - None

Fiscal Impact - Funds in the amount \$ 500,000 are estimated to be necessary for acquisition, litigation and miscellaneous costs. Funds are available in Fund 39063 the Sorrento Hills Development Agreement.

BACKGROUND

The acquisition of the parcels will provide the remaining property required for the construction of the Carmel Mountain Road Interchange Project. The project will provide an essential transportation connection with the Sorrento Valley business park to west and the Sorrento Hills Community to the east as it intersects with Interstate 5.

By Council Resolution R-292567 approved March 13, 2000 , the City entered into a "Contribution Agreement" with the State of California (CalTrans) that it would acquire all necessary right of way required for the construction of the I-5/Carmel Mountain Road Interchange.

The Real Estate Assets Department will continue to negotiate with the property owners, however, condemnation is requested over all impacted properties to insure acquisition of the land prior to award of the construction contract for the project.

DISCUSSION

Eminent Domain Law requires that any person subject to condemnation proceedings be given the opportunity to speak and be heard regarding the following questions to which the Council must address itself:

1. Does the public interest and necessity require the proposed project?

Yes. Approval of the eminent domain action serves the public interest and is necessary for development of the Carmel Mountain Road Interchange. The project will provide an essential transportation connection between the Sorrento Valley Business Park, the Sorrento Hills Community and Interstate 5. The completion of the interchange will improve local traffic and relieve congestion on local arterial streets, thereby decreasing travel time and increasing motorist safety, and provide capacity for projected traffic in accordance with circulation plans.

2. Is the proposed project planned or located in a manner that will be most compatible with the greatest public good and the least private impact?

Yes. The location of the interchange is at the intersection of Carmel Mountain Road and Interstate 5. The exit and on ramps for the interchange will be located on the north and south sides of Carmel Mountain Road on the east and west side of Interstate 5. The development of the interchange is in conjunction with the construction and widening of Interstate 5/805 by the California Department of Transportation. The final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS) for the project was completed in march 1991. In accordance with the California Environmental Quality Act (CEQA), a Notice of Determination was filed on May 23, 1991; on December 11,1991, a Record of Decision was completed in accordance with the National Environmental Policy Act (NEPA).

3. Is the property sought to be acquired necessary for the proposed project?

Yes. The property sought for the Carmel Mountain Road Interchange will provide the remaining area necessary to construct the on and off ramps required for the interchange.

ALTERNATIVE

Do not condemn for the land and remove the interchange construction from the overall project.

Respectfully submitted,

William T. Griffith
Real Estate Assets Director

Approved: Bruce Herring
Deputy City Manager

GRIFFITH/BLM

Attachments (No attachment distributed with hard copy.)