
 REDEVELOPMENT AGENCY

 GOVERNMENTAL CENTER
 TOM BURNS
 AGENCY ADMINISTRATOR


 COUNTY OF SANTA CRUZ

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November 12, 1998

Agenda: November 24, 1998

 Board of Directors
 County of Santa Cruz Redevelopment Agency
 701 Ocean Street
 Santa Cruz, CA 95060

Agency Eminent Domain Authority

Dear Members of the Board:

As Board members are aware, considerable progress has taken place over the past decade in implementing the Redevelopment Plan for the Live Oak and Soquel areas. That plan, in addition to providing a funding mechanism for financing the various implementation projects, also empowers the Agency with special eminent domain authority. Under the current Plan, all properties within the Project Area are subject to eminent domain acquisition if it is determined that the acquisition is required for the orderly implementation of the Redevelopment Plan. Of course, utilization of this authority can only take place under very narrow circumstances, with special notice and findings, and only with a 4/5 vote of the Board. Over the eleven years since adoption of the Plan, your Board has used this authority on one occasion — to assist businesses in Soquel Village retain public parking and safe vehicle access.

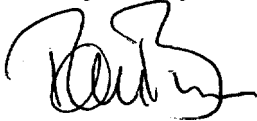
While the current plan provides for eminent domain authority for all properties within the Project Area, that authority will expire next year. State law provides a process, through amending the Redevelopment Plan, for extending eminent domain authority. Rather than considering an extension for all properties, however, it is suggested that it would be most appropriate to continue the authority only within existing business areas which still have potential redevelopment needs. Without this authority in these areas, it is possible that future revitalization efforts would be extremely limited.

In order to provide extended eminent domain authority, it will be necessary to amend the current Redevelopment Plan. The plan amendment process requires CEQA review, further consideration of a "final report" by the Board of Supervisors, review by the Planning Commission, and a final joint public hearing of the County Board of Supervisors and Agency Board of Directors. This final hearing is subject to public notice and direct notification of all affected property owners.

Board of Directors
October 26, 1998
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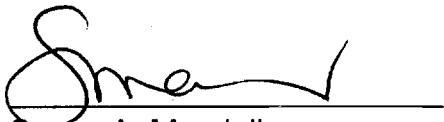
While the use of eminent domain can be controversial, it can also provide the key ingredient for important community and business area improvement projects. It is therefore **RECOMMENDED** that your Board, as the Board of Directors for the Redevelopment Agency, adopt the attached resolution initiating the Redevelopment Plan amendment outlined in this letter, following the process established by State Law.

Very truly yours,



Tom Burns
Redevelopment Agency Administrator
TB:PH

RECOMMENDED:



Susan A. Mauriello
Redevelopment Agency Director

cc. RDA

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ATTACHMENT 1

REDEVELOPMENT AGENCY OF THE COUNTY OF SANTA CRUZ
RESOLUTION NO. 98- _____

On the motion of Director _____
duly seconded by Director _____
the following resolution is adopted.

A RESOLUTION INITIATING A PLAN AMENDMENT TO EXTEND LIMITED
EMINENT DOMAIN AUTHORITY

WHEREAS, the Redevelopment Agency of the County of Santa Cruz adopted a Redevelopment Plan for the Live Oak/Soquel Project Area on May 12, 1987; and

WHEREAS, pursuant to the Community Redevelopment Law there is a time limit of 12 years from the adoption of the Redevelopment Plan for commencement of eminent domain proceedings to acquire property within the project area, which may be extended by amendment of the Redevelopment Plan; and

WHEREAS, the Agency's eminent domain authority within the Live Oak-Soquel Project Area will expire in May, 1999; and

WHEREAS, certain areas exist within the Project Area, as illustrated in the attached Exhibit A, which may require the use of eminent domain to alleviate blighted conditions;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Redevelopment Agency of the County of Santa Cruz does hereby initiate the Plan Amendment process, to extend eminent domain authority within the areas illustrated in the attached Exhibit A; and

BE IT FURTHER RESOLVED that the Redevelopment Agency Administrator is authorized to take all necessary actions to continue the Plan Amendment process to extend eminent domain authority within the areas illustrated in the attached Exhibit A.

PASSED AND ADOPTED by the Board of Directors of County of Santa Cruz Redevelopment

Agency, State of California, this the ___th day of _____ 1998, by the following vote:

AYES:

NOES:

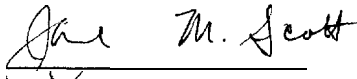
ABSENT:

ABSTAIN:

Jan Beautz, Chair, Board of Supervisors

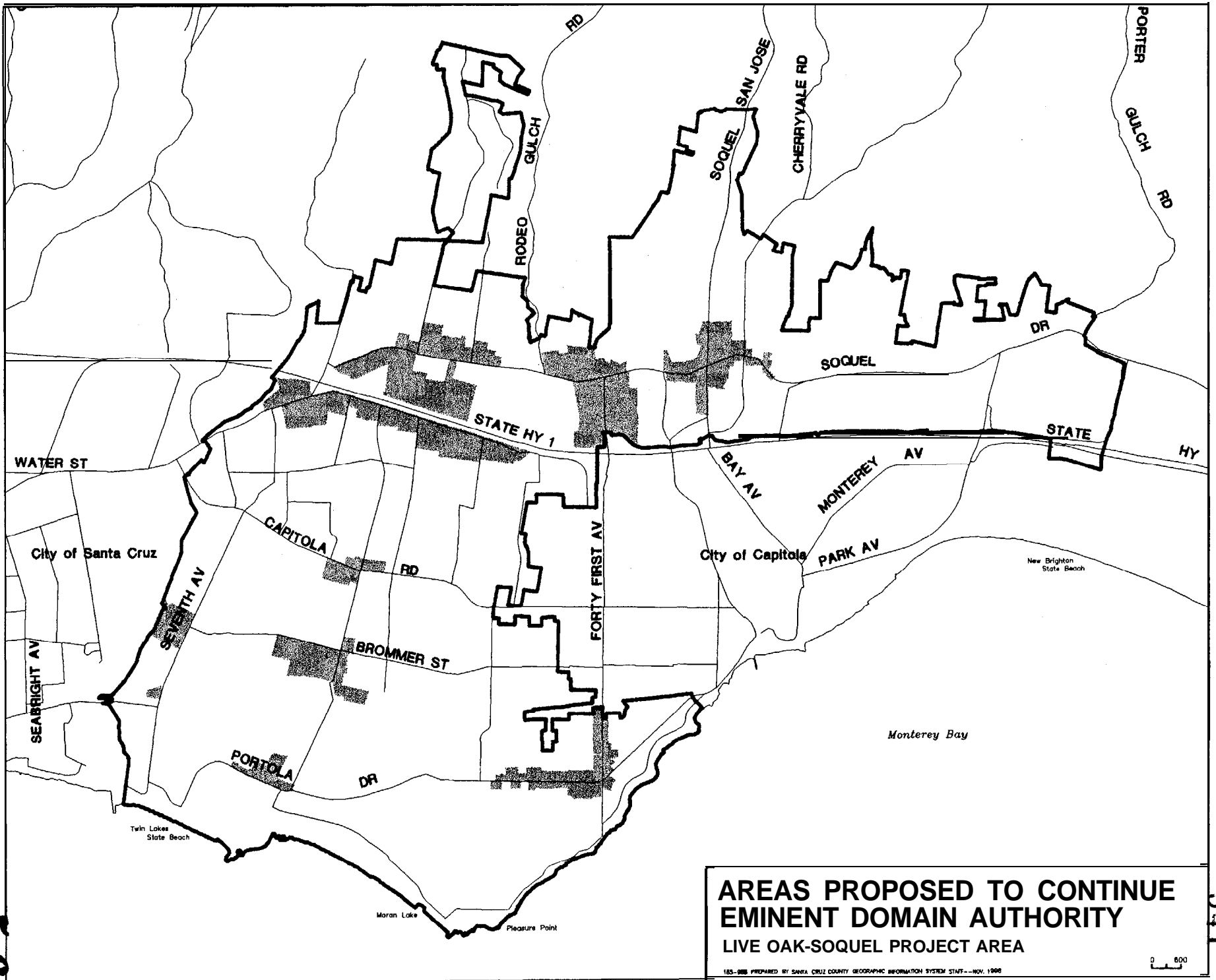
ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:



County Counsel

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AREAS PROPOSED TO CONTINUE EMINENT DOMAIN AUTHORITY
LIVE OAK-SOQUEL PROJECT AREA

183-088 PREPARED BY SANTA CRUZ COUNTY GEOGRAPHIC INFORMATION SYSTEM STAFF--NOV. 1998

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