

Smith Canal Gate Project: Proposed Resolution of Necessity



SJAFCA BOARD MEETING
MARCH 28, 2019

The Property and Project

- The Project: Smith Canal Gate Project
- The Property:
 - Owner: Stockton Golf & Country Club
 - Location: 3800 Country Club Blvd, Stockton, California 95204
 - APN: 109-020-06
 - Current Use: Golf Course

Procedure for Public Hearing on Resolution of Necessity (RON)

- Property Owner receives notice of the hearing
- Staff Presentation
 - Legal requirements
 - Project overview
 - Property details
- Board question and answer period
- Presentation by Owner
- Public comment period
- Board votes on proposed resolution
- Affirmative votes of 2/3rds of all Board Members required for adoption

Required Findings for Exercise of Power of Eminent Domain

1. The public interest and necessity require the Project;
2. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The property interests are necessary for the proposed Project; and
4. The offer required by Government Code section 7267.2 has been made to the owner or owners of record of the property.

Finding 1:

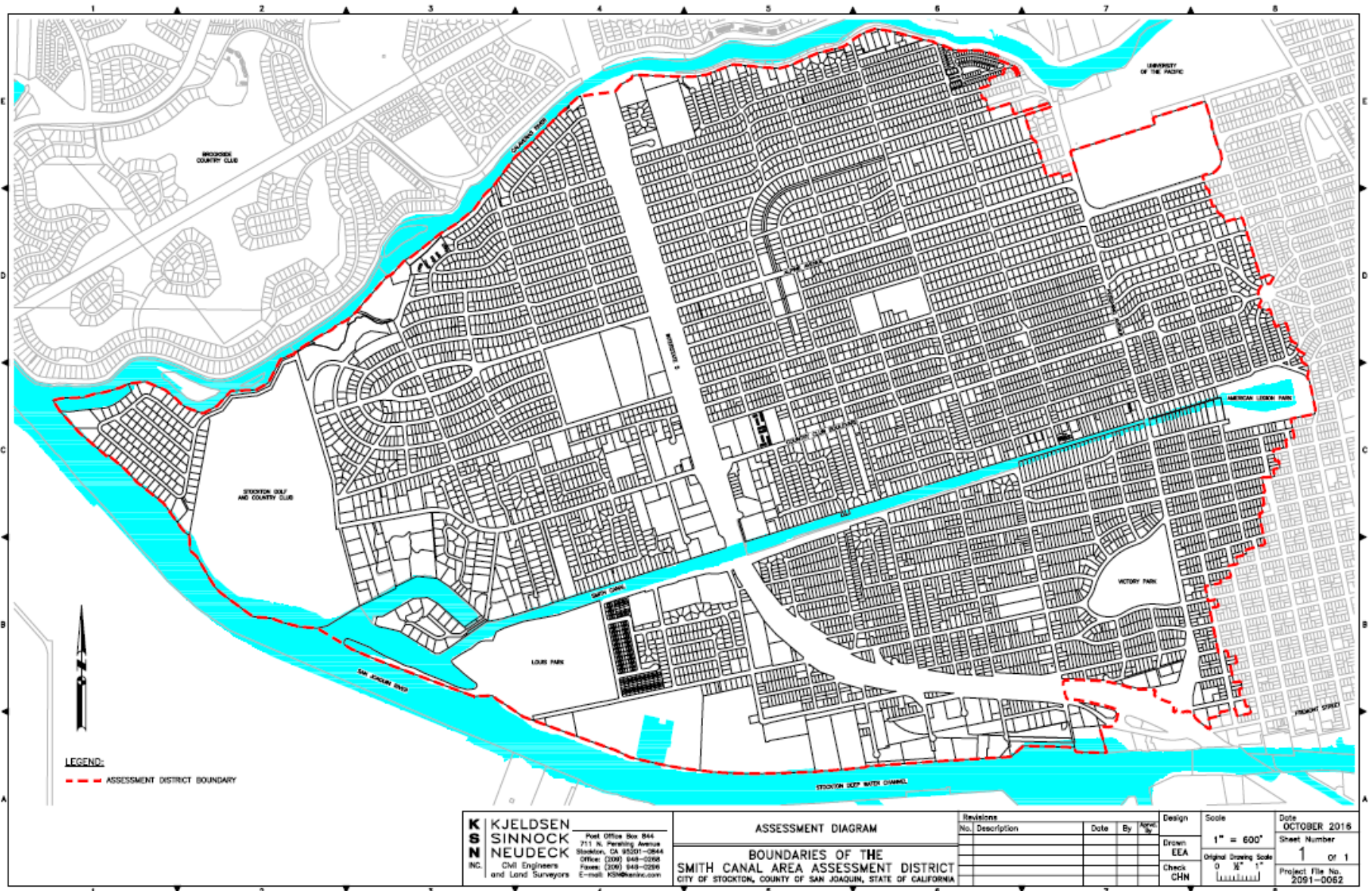
The Project is Necessary to Improve Flood Protection and Secure FEMA Accreditation

- Existing levees along the Smith Canal are heavily encroached upon and cannot be certified as meeting FEMA standards or the state of California's Urban Levee Design Criteria.
- Loss of FEMA accreditation requires mandatory flood insurance for the residents of the affected area carrying Federally-backed mortgages.
- Loss of FEMA accreditation restricts building and improvements in the area.
- CVFPB will require 200-year flood protection by 2025 for urban and urbanizing areas, with building limitations taking effect after July 2016 if adequate progress toward achieving this standard is not made.

Solution: The Project

- Floodwall extending from Dad's Point and tie into the Stockton Golf & Country Club levee.
- Gate structure at the mouth of Smith Canal adjacent to the San Joaquin River in and adjacent to the city of Stockton.

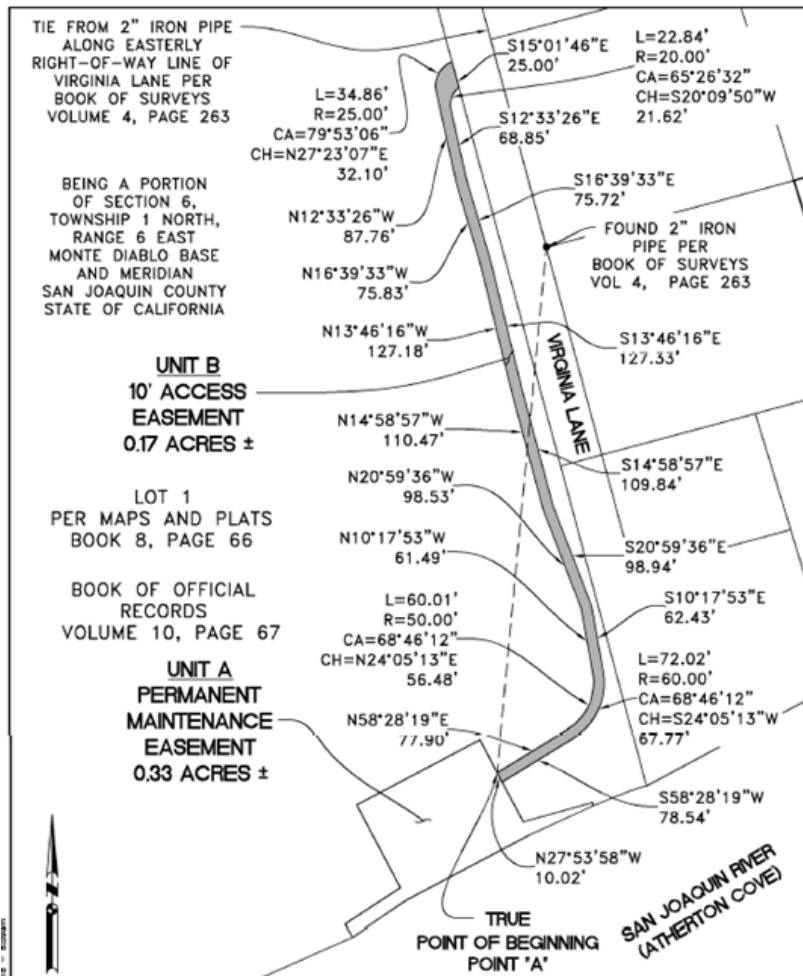




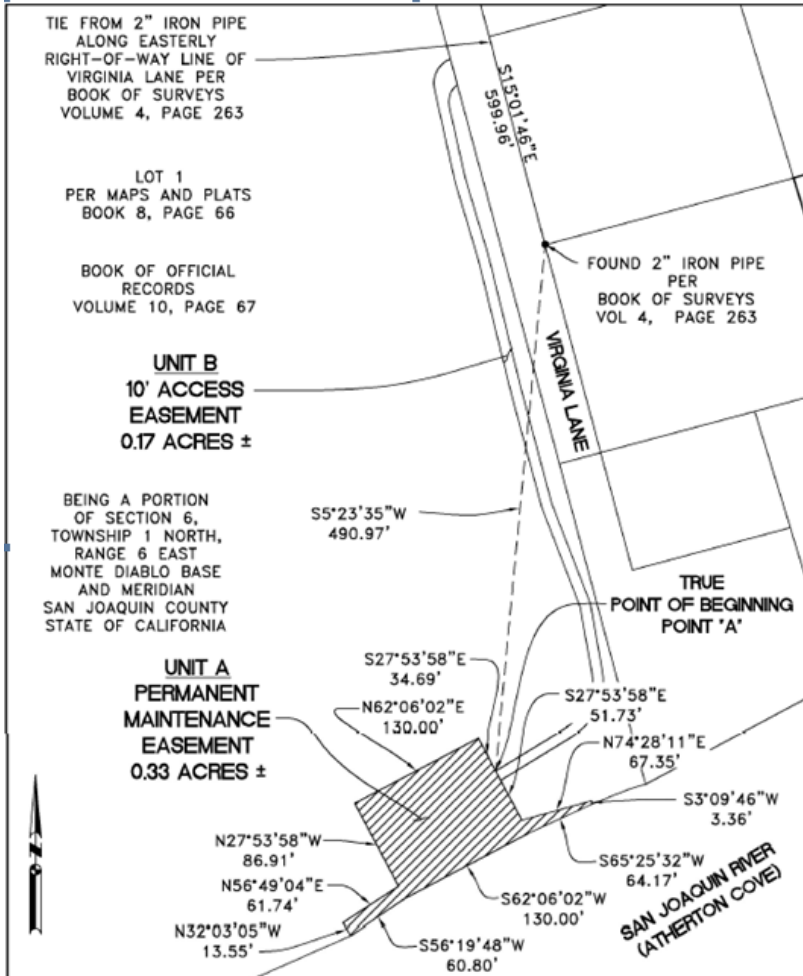
Area Benefitted by the Proposed Project

Proposed Acquisition from Stockton Golf & Country Club

- 0.17 acre permanent access easement
- 0.33 acre permanent maintenance easement
- 0.19 acre temporary construction easement



 711 N. Peeding Avenue Stockton, CA 95203 209-946-0281 1000 River Drive, Suite 212 West Sacramento, CA 95691 916-453-9000 www.kns.com	SAN JOAQUIN AREA FLOOD CONTROL AGENCY SMITH CANAL FLOOD GATE PROJECT CITY OF STOCKTON ACCESS EASEMENT APN 109-020-005	DESIGN BY: BAS DRAWN BY: DRC CHECK BY: BAS	DRAWING SCALE 1" = 100'	DATE OCTOBER 2018 SHEET IDENTIFICATION 3
		HORIZONTAL DATUM CGCS83, ZONE 3 VERTICAL DATUM NAVD83	ORIG. DRAWING SCALE 0 1/4" = 10'	SHEET OF 3 KSN PROJECT FILE NO. FILE NO. 2091-006



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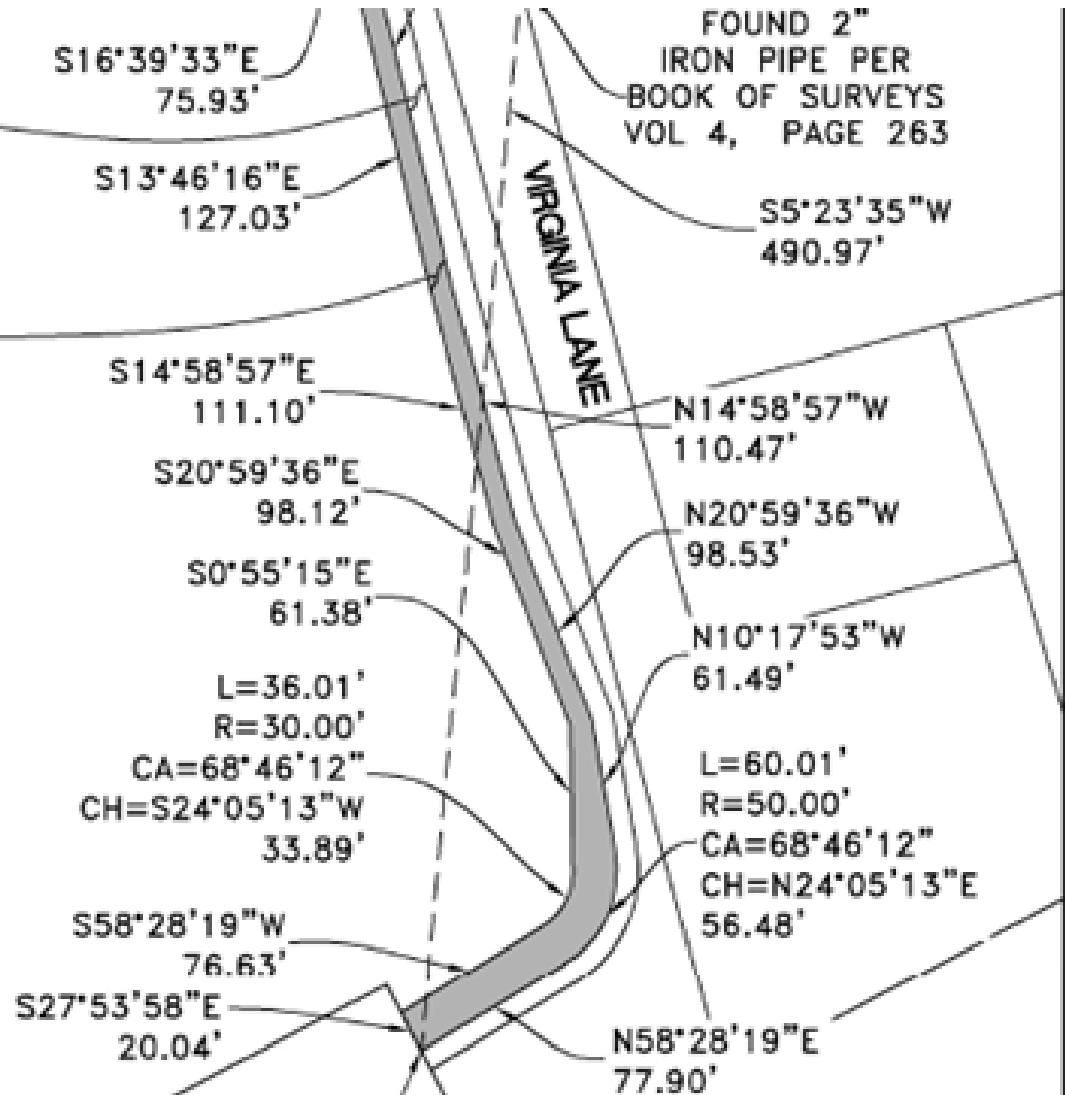
**10' ACCESS
EASEMENT
0.17 ACRES ±**

**TEMPORARY
CONSTRUCTION
EASEMENT
0.19 ACRES ±**

**LOT 1
PER MAPS AND PLATS
BOOK 8, PAGE 66**

**BOOK OF OFFICIAL
RECORDS
VOLUME 10, PAGE 67**

**UNIT A
PERMANENT
MAINTENANCE
EASEMENT**



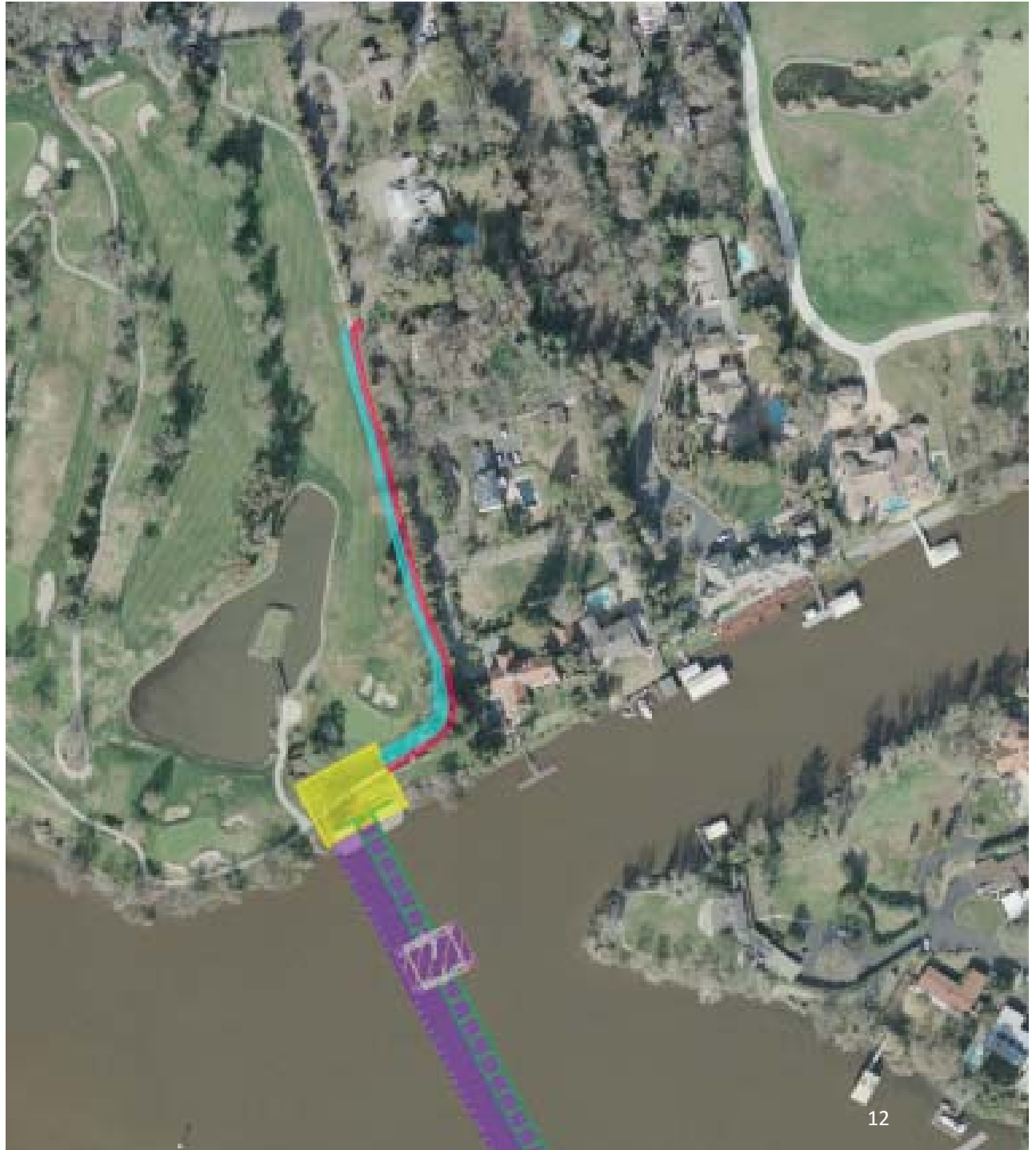
Finding 2:

Compatible with Greatest Public Good and Least Private Injury

- The proposed floodwall and gate structure would isolate the Smith Canal area from the San Joaquin River during high tide and flow events, and is designed to:
 - Reduce Flood Risk for approximately 8,000 properties
 - Secure FEMA accreditation, and remove the Special Flood Hazard Area designation from a large portion of central Stockton
 - Contribute to obtaining 200-year level of flood protection as defined by DWR

Finding 2 (Continued)

- The proposed easements are limited in size and scope to what is necessary to meet the Project goals, and will not interfere with the continued use of the property as a golf course.



Finding 3:

Proposed Acquisitions are Necessary for the Project

- The proposed permanent access and service road and maintenance easements are located along the 7th and 8th holes of the golf course.
- The proposed temporary construction easement is located along the western side of the cart path on the 7th hole of the golf course.
- These easements are necessary for the Project in order to access the Project gate structure from the north for construction purposes, and for long-term operation and maintenance of the gate structure.

Finding 4:

The Offer Required by Government Code Section 7267.2 Has Been Made

- Offer required by Government Code was made to the Stockton Golf & Country Club November 16, 2018.
- A negotiation process has occurred, and is on-going.
- The Agency has been unable to date to reach an agreement to purchase the necessary property interests from the Stockton Golf & Country Club.



Questions from the Board.

Property Owner Presentation.

Board Vote on Resolution.
