

City Council
March 10, 2026

Community & Economic Development

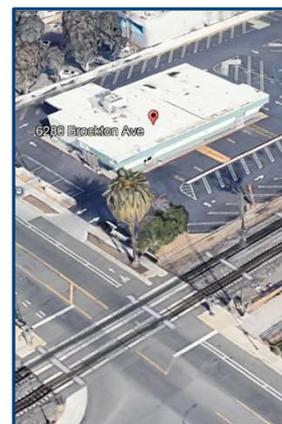
**NOTICE OF HEARING:
Resolution Finding and Determining
the Public Interest and Necessity for Acquiring and
Authorizing the Condemnation of Real Property
Interests for the Brockton Avenue to
Palm Avenue Railroad Quiet Zone Project**

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BACKGROUND

- April 10, 2018 – Project Prioritization
 - City Council received a report and reviewed potential Concept Design Approval and Project Authorization for the Quiet Zone along the Union Pacific Railroad Corridor at Brockton Avenue to Palm Avenue crossings
 - Following discussion, City Council:
 1. Approved the concept design for the Palm Avenue/Union Pacific rail crossing;
 2. Approved the concept design Alternative 1 for the Brockton Avenue/Union Pacific rail crossing; and;
 3. Directed the Public Works Department to complete the project design and file a Notice of Intent to create a new quiet zone at the Brockton Avenue and Palm Avenue rail crossings.



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DISCUSSION

- Brockton Avenue to Palm Avenue Railroad Quiet Zone
 - Two Acquisitions at both corners of Brockton and Palm Avenues railroad crossing
 - 1)** Pluim Family Trust **2)** State Department of Motor Vehicles (DMV);
 1. Pluim Family Trust is in condemnation awaiting settlement
 2. State of California – Department of Motor Vehicles (DMV)
 - a) APN: 225-041-007
 - b) Address: 6280 Brockton Avenue, Riverside, CA 92506
 - c) Zoning: Office(0), General Plan Designation: MU-N (Neighborhood Mixed-Use)



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DISCUSSION

- To date, the above required real property interests have not been obtained, and the City was notified by the owner's representative, the Department of General Services (DGS), that they have been addressing the required notification process required by the authority, California Government Code §14664(b)(1)(A), which states:
- Allows the director to execute grants to real property belonging to the state. This includes the authority to sell, convey, or exchange properties that are not needed by any state agency at fair market value, following a 30-day notice to the Joint Legislative Budget Committee and the relevant members of the Senate and Assembly.



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DISCUSSION

- Negotiations are ongoing since Fall of 2024; however, the timeline for the Department of General Services (DGS) to secure all necessary approvals from the Joint Legislative Budget Committee and the relevant Senate and Assembly members remains uncertain.
- Because negotiations and escrows may be prolonged or fail to close, it is recommended that the Resolution of Necessity be adopted and eminent domain proceedings initiated to secure the required property interests by Q2 2026, ensuring compliance with the construction schedule tentatively agreed upon with Union Pacific Railroad.



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STATE OF CA – DMV (APN 225-041-007)

- Proposed interests:
 - 156 sf Street and Highway Easement
 - 150 sf Temporary Construction Easement (12-month duration)
- Total appraised value: \$7,200

Quiet zones help reduce noise pollution and improve quality of life



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Required Findings

- Whether the public interest and necessity require the proposed public project
 - The Project will improve safety, and elimination of the routine sounding of the train horns.
- Whether the proposed Project is planned and located in a manner that would be most compatible with the greatest public good and least private injury
 - The design of the Project was selected based on significant input from staff at Federal Railroad Administration, California Public Utilities Commission and Union Pacific railroad.
- Whether the property sought to be acquired is necessary for the proposed Project
 - The real property interests are necessary for the construction of the proposed Project as without them, the Project cannot be constructed as proposed.
- Whether the offer required by Section 7267.2 of the Government Code has been made to each of the owners of record
 - Confirmation and identity of the record owners affected by the proposed Project were made by obtaining litigation guarantees and obtaining the last equalized tax rolls.



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RECOMMENDATIONS

That the City Council:

1. Conduct the noticed public hearing to consider the adoption of one (1) Resolution of Necessity (Attachment 3) and hear all interested parties;
2. Find and determine, based on substantial evidence in this report and administrative record: (a) the public interest and necessity require the Project; (b) the Project is planned/located for greatest public good and least private injury; (c) the described property interests are necessary for the Project; and (d) the statutory offer under Government Code §7267.2 has been made and refused;



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RECOMMENDATIONS

3. Adopt, by at least five (5) votes, the Resolution, in the form presented at this meeting, declaring each finding under CCP §1240.030;
4. Authorize the City Attorney to prepare, file, and prosecute the eminent domain complaint in Riverside Superior Court and seek prejudgment possession under CCP §1255.410 et seq; and
3. Authorize the City Manager or designee to execute related documents, except policy matters.

