



AGENDA STAFF REPORT

Control: 26001587

MEETING DATE: 08/11/2026
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): District 4
SUBMITTING AGENCY/DEPARTMENT: County Executive Office
DEPARTMENT CONTACT PERSON(S): Thomas Miller, 714-834-6019
Kevin Onuma, 714-647-3939

SUBJECT: Partial Rescission of Resolution of Necessity 25-007

CEO CONCUR

Concur

COUNTY COUNSEL REVIEW

Approve resolution to form

CLERK OF THE BOARD

PUBLIC HEARINGS

2/3 Vote

Budgeted: N/A

Current Year Cost: N/A

Annual Cost: N/A

Staffing Impact: No

Sole Source: No

Current Fiscal Year

Funding Source: N/A

County Audit in Last 3

Revenue: N/A

years: No

Levine Act Review

Completed? N/A

Prior Board Action: 1/14/2025 #40

RECOMMENDED ACTION(S):

1. Conduct public hearing.
2. At the conclusion of the hearing, adopt Resolution amending Resolution of Necessity 25-007 to clarify the duration of the actual use for construction of the temporary construction easement on the real property currently owned by Tenbrix, Ltd., located at 7651 Stage Road in the City of Buena Park for the OC Loop Segments O, P, Q of the Coyote Creek Bikeway.

SUMMARY:

Amending Resolution of Necessity 25-007 to clarify the duration of the actual use for construction of the temporary construction easement will conform the scope of the taking to the requirements of the OC Loop Segments O, P, Q of the Coyote Creek Bikeway.

BACKGROUND INFORMATION:

The OC Loop is a planned 66-mile bicycle and pedestrian path that connects people of all ages to local parks, beaches, schools, and shopping. Approximately 88 percent of the OC Loop is in operation and used by thousands of people each year. The existing segments of the OC Loop include the Santa Ana River

Bikeway, the Coastal Bikeway and several miles of the Coyote Creek Bikeway and San Gabriel River Bikeway.

The OC Loop is divided into segments for planning, funding, and construction. This Board item addresses a new 2.7-mile section of bikeway along the Coyote Creek Channel, closing the gap between the Coyote Creek Channel North Fork in Cerritos and La Mirada Boulevard in Buena Park. On January 14, 2025, the Board adopted Resolution of Necessity (RON) 25-007 related to the acquisition of a temporary construction easement (TCE) over certain real property owned by Tenbrix, Ltd., located at 7651 Stage Road in the City of Buena Park (Subject Property Interests), which allowed for the acquisition of the Subject Property Interests through eminent domain for the Project. Attachment A.

On March 21, 2025, the County filed a Complaint in Eminent Domain seeking to condemn the Subject Real Property Interests, entitled *County of Orange v. Dolly Investment Properties, et. al.*, Orange County Superior Court Case No. 30-2025-01470145 (Eminent Domain Action). A First Amended Complaint was subsequently filed on July 25, 2025. In connection with the Eminent Domain Action, an appraisal of the probable amount of just compensation to be awarded for the taking of the Subject Property Interest (Appraisal) was prepared and a Motion for Prejudgment Possession (Motion) was filed. Both the Appraisal and the Motion valued the Subject Property Interests for a 60-month period with actual use for construction to be limited to a 12-month period.

RON 25-007 currently defines the Subject Property Interests as “[a] 60-month temporary construction easement interest in . . . a portion of Orange County Assessor’s Parcel Number 066-584-09.” The construction easement will not be used for construction for the full 60-month period and instead, will be used for only a portion of that time, not to exceed 12 consecutive months. The revised RON proposes a change to accurately reflect the duration of the TCE as follows (new language in ***bold/italics***):

A 12-month temporary construction easement interest in and to that parcel of land identified as Project Parcel TR05B-800.2 a portion of Orange County Assessor’s Parcel Number 066-584-09 (“Temporary Easement”), ***that may be used during the 60-month temporary construction easement period. At least three months’ notice shall be given to property owner, Tenbrix Ltd., prior to usage of the 12-month TCE. The County shall mitigate any parking lost by the Owner during the use of the Temporary Easement by obtaining City approval to provide alternative replacement parking such that up to 32 parking spaces may be available. Additionally, the construction activities within the temporary easement may be completed in stages such that at most only 15 parking spaces are made unavailable for a maximum period of six consecutive months.*** The Temporary Easement is more particularly described in Exhibit A and depicted in Exhibit B attached hereto and by this reference made a part hereof. Attachment B.

All other provisions of RON 25-007 remain in force and effect. The County will take all actions necessary to amend the complaint in the Eminent Domain Action.

COMPLIANCE WITH CEQA: This Project is a necessarily included element of the Project considered in the Final Mitigated Negative Declaration (MND) No. PP 18-145, adopted by the Board on October 19, 2021, for the OC Loop Segments O, P & Q Bikeway Project, which adequately addressed the effects of the proposed Project. No substantial changes have been made in the Project, no substantial changes have occurred in the circumstances under which the Project is being undertaken and no new information of substantial importance to the Project which was not known or could not have been known when the Final

MND No. PP 18-145 was approved and has become known; therefore, no further environmental review is required.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

REVIEWING AGENCIES/DEPARTMENTS:

OC Public Works

ATTACHMENTS:

Attachment A - Resolution of Necessity 25-007

Attachment B - Resolution Partially Rescinding Resolution of Necessity 25-007

Attachment C- Notice of Intent to Partially Rescind a Resolution of Necessity