



# CITY OF SALEM

585 Liberty St SE  
Salem, OR 97301

## Staff Report

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File #: 17-5

Date: 2/13/2017

Version: 1

Item #:

**TO:** Mayor and City Council  
**FROM:** Peter Fernandez, PE, Public Works Director

**SUBJECT:**

**Acquisition of Property for the 12<sup>th</sup> Street SE Southbound Widening Project (Hoyt Street SE to Fairview Avenue SE).**

Ward(s): Ward 2

Councilor(s): Andersen

Neighborhood(s): SCAN, Morningside

**ISSUE:**

Shall City Council adopt Resolution Nos. 2017-4, 2017-5, 2017-6, 2017-7, 2017-8, 2017-9, 2017-10, 2017-11, 2017-12, 2017-13, 2017-14, and 2017-15, declaring a public need to acquire; the City of Salem's intent to negotiate; and if necessary authorize the City Attorney to commence eminent domain proceedings, for the acquisition of right-of-way and easements for the 12th Street SE Southbound Widening project?

**RECOMMENDATION:**

Staff recommends Council adopt Resolution Nos. 2017-4, 2017-5, 2017-6, 2017-7, 2017-8, 2017-9, 2017-10, 2017-11, 2017-12, 2017-13, 2017-14, and 2017-15, declaring a public need to acquire; the City of Salem's intent to negotiate; and if necessary authorize the City Attorney to commence eminent domain proceedings, for the acquisition of right-of-way and easements for the 12th Street SE Southbound Widening project.

**SUMMARY AND BACKGROUND:**

The 12th Street SE Southbound Widening project between Hoyt Street SE and Fairview Avenue SE is included in the FY 2016/2017 Construction Budget and is funded with federal grants and City funds. The scope of the project includes widening the current roadway, between McGilchrist Street SE and Fairview Avenue SE, to accommodate a southbound right-turn lane to Fairview Avenue SE. The project will also replace the culvert under 12th Street SE at Clark Creek; extend sidewalks along the west side of 12th Street SE between McGilchrist Street SE and Hoyt Street SE; and modify the traffic signal at Fairview Avenue SE (Attachment 1, Vicinity Map).

Design has progressed to the point where it is necessary to begin the right-of-way acquisition process.

## **FACTS AND FINDINGS:**

1. The project is being designed and constructed in the public interest and there is a public need to acquire right-of-way from 9 properties and easements from 12 properties in order to construct the required improvements. The locations of the right-of-way acquisitions and easements are shown on Attachment 2. The property owners of record are identified in Attachment 3.
2. The City will negotiate with property owners to acquire the required right-of way and easements, and will pay just compensation for all acquisitions.
3. Because this is a federal aid project that will be completed under the Local Agency Certification process, the Oregon Department of Transportation has required the City to approve a single resolution for each right-of-way acquisition and easement that authorizes eminent domain proceedings if the City and property owners cannot reach an agreement through the standard right-of-way negotiation process.

James L. Bonnet, PE  
City Engineer

### Attachments:

1. Attachment 1-Vicinity Map.
2. Attachment 2-Identified Properties.
3. Attachment 3-Property Acquisition Summary
4. Attachment 4- Resolutions 2017-4 through 2017-15

Prepared by John Echeverri, PE, Senior Project Manager  
January 23, 2017