

Legislation Details (With Text)

File #: 18-279 **Version:** 1

Type: Resolution **Status:** Agenda Ready

In control: City Council

On agenda: 6/25/2018 **Final action:** 6/25/2018

Title: Acquisition of Property for the Brown Road NE Corridor Improvement Project.

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): NOLA

Sponsors:**Indexes:****Code sections:**

Attachments: 1. Attachment 1 - Vicinity Map, 2. Attachment 2 - Identified Properties, 3. Attachment 3 - Property Acquisition Summary, 4. Attachment 4 - Resolutions 2018-30 through 2018-68

Date	Ver.	Action By	Action	Result
6/25/2018	1	City Council	adopted	Pass

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Acquisition of Property for the Brown Road NE Corridor Improvement Project.

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): NOLA

ISSUE:

Shall City Council adopt Resolution Nos. 2018-30 through 2018-68, 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 temporary easements for the Brown Road NE Corridor Improvement project?

RECOMMENDATION:

Adopt Resolution Nos. 2018-30 through 2018-68, 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 temporary easements for the Brown Road NE Corridor Improvement project.

SUMMARY AND BACKGROUND:

The Brown Road NE Corridor Improvement project between San Francisco Drive NE and Sunnyview Road NE is included in the FY 2017-18 construction budget and is funded with federal grants and City funds. The scope of the project includes widening the current roadway between San Francisco Drive NE and Sunnyview Road NE to accommodate bike lanes, sidewalks, and a left-turn lane on Brown Road NE at the Sunnyview Road NE intersection (Attachment 1, Vicinity Map). The project will also provide stormwater system modifications, utility relocations, and traffic signal modifications.

FACTS AND FINDINGS:

- The project is being designed and constructed in the public interest and there is a public need to acquire right-of-way from four properties and temporary easements from 39 properties in order to construct the required improvements. The addition of bike lanes, sidewalks, and a left-turn lane on Brown Road NE at Sunnyview Road NE, will increase accessibility for the adjacent neighborhood, promote alternative modes of travel, and increase public safety, which objectives and benefits are identified in the Transportation System Plan, and serve the public interest.
- The locations of the right-of-way acquisitions and temporary easements are shown on Attachment 2. The property owners of record are identified in Attachment 3.
- The City will negotiate with property owners to acquire the required right-of-way and temporary easements, and will pay just compensation for all acquisitions.
- Because this is a federal aid project that will be completed under the Oregon Department of Transportation Local Agency Certification process, a single resolution for each right-of-way acquisition and temporary easement is required in order to authorize eminent domain proceedings if the City and property owners cannot reach an agreement through the standard right-of-way negotiation process.

Brian D. Martin, PE
City Engineer

Attachments:

1. Attachment 1 - Vicinity Map
2. Attachment 2 - Identified Properties
3. Attachment 3 - Property Acquisition Summary
4. Attachment 4 - Resolutions 2018-30 through 2018-68