

Legislation Details (With Text)

File #: 22-68 **Version:** 1
Type: Resolution **Status:** Agenda Ready
In control: City Council
On agenda: 2/28/2022 **Final action:** 2/28/2022
Title: Acquisition of Property for the Commercial Street SE Buffered Bike Lanes Project.

Ward(s): 2, 3, and 7
Councilor(s): Andersen, Phillips, and Nordyke
Neighborhood(s): SCAN, SWAN, Faye Wright, and Morningside
Result Area(s): Safe, Reliable, and Efficient Infrastructure

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

Attachments: 1. Project Location Map, 2. Identified Properties, 3. Property Ownership Summary, 4. Resolution No. 2022-6, 5. Exhibits A1-A3 and B1-B3 to Resolution No. 2022-6, 6. Resolution No. 2022-7, 7. Exhibits A and B to Resolution No. 2022-7

Date	Ver.	Action By	Action	Result
2/28/2022	1	City Council		
2/28/2022	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 Commercial Street SE Buffered Bike Lanes Project.

Ward(s): 2, 3, and 7
Councilor(s): Andersen, Phillips, and Nordyke
Neighborhood(s): SCAN, SWAN, Faye Wright, and Morningside
Result Area(s): Safe, Reliable, and Efficient Infrastructure

SUMMARY:

The Commercial Street SE Buffered Bike Lanes Project will construct buffered bike lanes on Commercial Street SE from Superior Street SE to Madrona Avenue SE, along with a new bicycle signal south of Alice Avenue SE, a pedestrian crossing with a Rectangular Rapid Flashing Beacon at Triangle Drive SE, and new streetlights in areas needing illumination improvements (Attachment 1, Project Location Map). Design has progressed to the point where it is now necessary to begin the

right-of-way acquisition process.

ISSUE:

Shall City Council adopt Resolution Nos. 2022-6 and 2022-7 declaring a public need to acquire; the City of Salem's intent to negotiate; and if necessary, authorizing the City Attorney to commence eminent domain proceedings for the acquisition of right-of-way and easements for the Commercial Street SE Buffered Bike Lanes Project?

RECOMMENDATION:

Adopt Resolution Nos. 2022-6 and 2022-7 declaring a public need to acquire; the City of Salem's intent to negotiate; and if necessary, authorizing the City Attorney to commence eminent domain proceedings for the acquisition of right-of-way and easements for the Commercial Street SE Buffered Bike Lanes Project.

FACTS AND FINDINGS:

- The project is being designed in the public interest, and there is a public need to acquire easements from two properties in order to construct the required improvements. The location of the 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 easements and will pay just compensation for all acquisitions.
- 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 and easement acquisition which authorizes eminent domain proceedings if the City and property owners cannot reach an agreement through the standard right-of-way negotiation process. At this time, eminent domain is not expected to be necessary to complete the property acquisitions.

Council approval to sign the Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the project will be addressed under a separate staff report.

BACKGROUND:

Pedestrian and bicycle fatalities account for a significant portion of Oregon fatalities. Oregon's Transportation Safety Action Plan identifies pedestrian and bicycle crashes as a primary safety focus area. This project will provide improvements to improve pedestrian and bicycle safety along Commercial Street SE.

Brian D. Martin, PE
City Engineer

Attachments:

1. Project Location Map
2. Identified Properties
3. Property Ownership Summary
4. Resolution No. 2022-6
5. Exhibits A1-A3 and B1-B3 to Resolution No. 2022-6
6. Resolution No. 2022-7
7. Exhibit A to Resolution No. 2022-7