

Legislation Details (With Text)

File #: 22-92 **Version:** 1
Type: Resolution **Status:** Agenda Ready
In control: City Council
On agenda: 3/14/2022 **Final action:** 3/14/2022
Title: Acquisition of Property for the Hilfiker Lane SE at Commercial Street SE Improvement Project.

Ward(s): 3
 Councilor(s): Phillips
 Neighborhood(s): Faye Wright, 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 2022-15, 5. Resolution 2022-15 Exhibits, 6. Resolution 2022-16, 7. Resolution 2022-16 Exhibits, 8. Resolution 2022-17, 9. Resolution 2022-17 Exhibits, 10. Resolution 2022-18, 11. Resolution 2022-18 Exhibits, 12. Resolution 2022-19, 13. Resolution 2022-19 Exhibits, 14. Resolution 2022-20, 15. Resolution 2022-20 Exhibits, 16. Resolution 2022-21, 17. Resolution 2022-21 Exhibits

Date	Ver.	Action By	Action	Result
3/14/2022	1	City Council		
3/14/2022	1	City Council	adopted	Pass

TO: Mayor and City Council

THROUGH: Kristin Retherford, Interim City Manager

FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Acquisition of Property for the Hilfiker Lane SE at Commercial Street SE Improvement Project.

Ward(s): 3
 Councilor(s): Phillips
 Neighborhood(s): Faye Wright, Morningside
 Result Area(s): Safe, Reliable, and Efficient Infrastructure

SUMMARY:

The Hilfiker Lane SE at Commercial Street SE Improvement Project will construct bike lanes and left-turn lanes on Hilfiker Lane SE and replace the traffic signal to enhance safety and operational efficiency at the intersection. 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. 2022-15 through 2022-21 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 Hilfiker Lane SE at Commercial Street SE Improvement Project?

RECOMMENDATION:

Adopt Resolution Nos. 2022-15 through 2022-21 (Attachments 4-17) 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 Hilfiker Lane SE at Commercial Street SE Project.

FACTS AND FINDINGS:

The Hilfiker Lane SE at Commercial Street SE Improvement Project is shown on the Project Location Map, Attachment 1.

The project is being designed in the public interest, and there is a public need to acquire right-of-way and easements from seven properties in order to construct the required improvements. The locations of the right-of-way and easements are shown on Attachment 2 and 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 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 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. At this time, eminent domain is not expected to be necessary to complete the property acquisitions.

Council approval to execute the Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the project is 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 pedestrian and bicycle safety improvements at the intersection of Hilfiker Lane SE and Commercial Street SE.

Brian D. Martin, PE
City Engineer

Attachments:

1. Project Location Map
2. Identified Properties
3. Property Ownership Summary
- 4-17. Resolution Numbers 2022-15 through 2022-21 with Exhibits