



## Staff Report

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**File #:** 19-472

**Version:** 1

**Date:** 10/14/2019

**Item #:**

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Peter Fernandez, PE, Public Works Director

### **SUBJECT:**

Acquisition of Property for the McGilchrist Street SE (12<sup>th</sup> Street SE to 25<sup>th</sup> Street SE) Corridor Improvement Project.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

Result Area(s): Safe, Reliable, and Efficient Infrastructure

### **ISSUE:**

Shall the City Council adopt Resolution Nos. 2019-28 through 2019-77 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 McGilchrist Street SE Corridor Improvement Project?

### **RECOMMENDATION:**

Adopt Resolution Nos. 2019-28 through 2019-77, 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 McGilchrist Street SE Corridor Improvement Project

### **SUMMARY:**

The McGilchrist Street SE Corridor Improvement Project between 12<sup>th</sup> Street SE and 25<sup>th</sup> Street SE is included in the FY 2019-20 construction budget. The proposed improvements will widen McGilchrist Street SE to a 3-lane arterial roadway with additional turn lanes and an additional eastbound travel lane east of 22<sup>nd</sup> Street SE. The project will also realign the intersection at 22<sup>nd</sup> Street SE at McGilchrist Street SE as shown on Attachment 1.

At this time project design is partially funded and right-of-way acquisition is fully funded. Design has progressed to the point where all right-of-way needs have been identified and it is necessary to begin the acquisition process.

## **FACTS AND FINDINGS:**

- The project is being designed in the public interest and there is a public need to acquire right-of-way from 39 properties and easements from 50 properties in order to construct the required improvements.
- The locations of the required right-of-way and easements are shown on Attachment 2. The property owners of record are identified in Attachment 3.
- The City will negotiate with the 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 acquisition that authorizes eminent domain proceedings if the City and property owners cannot reach an agreement through the standard right-of-way negotiation process.

## **BACKGROUND:**

The City was awarded more than \$4.5 million in Federal funds from SKATS to acquire right-of-way for this important project. Urban Renewal funds have been used to design the project to 60 percent and provide the local match for the federal funds. The City continues to actively pursue construction funding for the entire project through the federal government's BUILD (Better Utilizing Investments to Leverage Development) grant program. A separate application was made to SKATS in July 2019 to construct the realigned 22<sup>nd</sup> Street SE at McGilchrist Street SE intersection.

Brian D. Martin, PE  
City Engineer

### **Attachments:**

1. Vicinity Map
2. Identified Properties
3. Property Acquisition Summary
4. Resolution Nos. 2019-28 through 2019-77