



Staff Report

File #: 20-486

Version: 1

Date: 12/7/2020

Item #:

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Acquisition of Property for the Broadway Street NE (Spruce Street NE to Salem Parkway NE) Improvement Project.

Ward(s): Wards 1(Vacant) and 5

Councilor(s): Councilor Ausec

Neighborhood(s): Highland Neighborhood Association

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

ISSUE:

Shall City Council adopt Resolution Nos. 2020-51 through 2020-54 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 Broadway Street NE Improvement Project?

RECOMMENDATION:

Adopt Resolution Nos. 2020-51 through 2020-54, 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 Broadway Street NE Improvement Project.

SUMMARY:

The Broadway Street NE Improvement Project between Spruce Street NE and Salem Parkway NE (also known as the Broadway Street NE at Pine Street Northbound Right-turn Lane and Bike Lanes Project) is included in the FY 2020-21 construction budget. This is a federally funded project that will convert Broadway Street NE from a 4-lane roadway to a 3-lane roadway (road diet) with a continuous center turn lane and bike lanes as shown on Attachment 1, Vicinity Map. The project will also provide new ADA compliant ramps and replace the existing traffic signal at the intersection of

Broadway Street NE and Pine Street NE.

Design has progressed to the point where it is now necessary to begin the right-of-way 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 two properties and temporary construction easements from four properties in order to construct the required improvements. The location of the right-of-way acquisitions and 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 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.

BACKGROUND:

Broadway Street NE has been identified as a corridor that will benefit by implementing road diet safety improvements. Road diets reduce crashes by separating left-turning traffic from through traffic, reducing the number of oncoming lanes through which a left-turning driver must search for a gap, and providing bicycle lanes that reduce conflicts between motor vehicles and other road users.

At the August 24, 2020, City Council meeting, Council approved an Intergovernmental Agreement for Right of Way Services allowing ODOT staff to assist the City with the property acquisition phase. Council also directed staff to eliminate the proposed right-turn lane at the intersection of Broadway Street NE and Pine Street NE. The design has been updated per Council direction and a right-turn lane is no longer included in the project.

Brian D. Martin, PE
City Engineer

Attachments:

1. Vicinity Map
2. Identified Properties

- 3. Property Ownership Summary
- 4. Resolution Numbers 2020-51 through 2020-54