Staff Report

File #: 21-396
Version: 1

Date: 9/13/2021
Item #: 3.2a.

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Resolution to initiate vacation of public right-of-way located on the northeast corner of the intersection of Liberty Road S and Pembrook Street SE.

Ward(s): 7
Councilor(s): Nordyke
Neighborhood(s): Faye-Wright
Result Area(s): Good Governance

SUMMARY:

The area proposed for vacation is the site of former Fire Station Number 7. Vacating this right-of-way is necessary for the City to surplus former Fire Station No. 7. Resolution No. 2021-34 initiates the vacation proceedings.

ISSUE:

Shall City Council adopt Resolution No. 2021-34 (Attachment 1), which initiates vacation of the right-of-way located at the site of former Fire Station Number 7?

RECOMMENDATION:

Adopt Resolution No. 2021-34, which initiates vacation of the right-of-way located at the site of former Fire Station Number 7.

FACTS AND FINDINGS:

The city governing body may initiate a right-of-way vacation proceeding per *Oregon Revised Statute* 271.130.

The *Salem Revised Code* (SRC) 255.065(b)(1)(B) establishes that a vacation initiated by the City is a Class 2 Vacation. A Class 2 Vacation is initiated by resolution of the City Council.

Resolution No. 2021-34 initiates the vacation of right-of-way located on the northeast corner of the intersection of Liberty Road S and Pembrook Street SE.

Following adoption of Resolution No. 2021-34, a public hearing date will be set and notice of the hearing will be provided as required by SRC 255.065(b)(5).

The criteria for approving a vacation of right-of-way are contained in SRC 255.065(b)(6) and will be reviewed by City Council at the public hearing.

BACKGROUND:

The area proposed for vacation is the site of former Fire Station Number 7. In preparing to surplus this property in 2009, staff recommended that City Council dedicate additional right-of-way along the frontage of both Pembrook Street SE and Liberty Road S for future transportation needs. Resolution 2009-47, approved by Council on May 26, 2009, made this dedication (Attachment 2). While the map attached to the resolution showed the correct area to be dedicated, the text of the resolution mistakenly referred to the entire lot, including the former fire station. A vacation is required for the City to surplus this property. Vacation proceedings were initiated in December 2009. These proceedings were suspended in 2010 following a decision to use the former fire station to store Police Department Bomb Squad vehicles. With construction of the new police facility, there is no longer a City use for the former fire station.

Robert D. Chandler, PhD, PE
Assistant Public Works Director

Attachments:
1. Resolution No. 2021-34
2. Resolution No. 2009-47