

# Policy Briefing Summary

## City Council



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<b>Regarding:</b>	<b>Public Hearing and Resolution to Approve Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements in Service to the East High Streetscape</b>
<b>Staff Contact(s):</b>	Glenn Lee Cooper, Transportation Project Manager, Michael Goddard, Deputy Director
<b>Presenter:</b>	<b>Glenn Lee Cooper, Transportation Project Manager</b>
<b>Date of Proposed Action:</b>	September 15, 2025

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### Issue

The city's right-of-way acquisition consultant has been successful in acquiring right-of-way and easements from 23 of the 26 property owners impacted by the project. The city's consultant has been unable to reach agreement with and recommends eminent domain in order to allow utility relocations to take place in advance of the road improvement project.

### Background / Rule

Hold a public hearing and authorize the exercise of eminent domain for the acquisition of right-of-way and a temporary construction easement for the East High Streetscape Project, including the filing of certificates of deposit, so that utility relocations and construction may begin prior to the commencement of eminent domain proceedings.

### Analysis

If the city proceeds with eminent domain, a certificate of deposit will be filed with the court, which will allow the city to enter and use the right-of-way and easements, so the project can proceed without delay. The city will then be obligated to purchase the right-of-way and a temporary construction easement from the property owner as identified on the accompanying power point presentation. Sufficient funds are available in the budget to pay the anticipated condemnation costs.

### Financial Impact

By implementing the eminent domain process, the project can move towards construction without further delays and impacting construction timeframes and budget.

### Recommendation

Staff recommends that Council authorize the exercise of eminent domain, including the filing of certificate of deposit, for the acquisition of right of-way and easements for the East High Streetscape Project.

### Recommended Motion (if Applicable)

Motion to approve this measure and approve eminent domain after public hearing.

### Attachments

1. easthighstreetcondemnationresolution
2. Project COT Presentation 91525