



Legislation Text

File #: Res 2018-108, Version: 1

RESOLUTION AUTHORIZING NEGOTIATIONS, PURCHASE, AND THE EXERCISE OF THE CITY'S POWERS OF EMINENT DOMAIN TO ACQUIRE CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE CDBG SIDEWALK PROJECT

Summary and Background Information:

Commerce City is seeking to improve pedestrian connections and walkability for residents within our community. One way to achieve this goal is to add new sidewalks and improve existing connections in compliance with the American with Disabilities Act in the neighborhoods of Rose Hill, Kearney, and Kemp. This project is being funded by a U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG) and is part of the city's 2018 administrative work plan. The design phase of the project was completed in Q3 2018. The attached design plans include a base scope of work, with bid alternatives to maximize available CDBG funding. Property acquisition should occur prior to bidding the construction phase of the project. Remaining federal funds allocated to this project must be expended by June 30, 2019.

Some of the planned sidewalks are adjacent to or planned to be installed on private property and will require the city to acquire property to complete this work. This affects five properties, representing a total of 1,896 square feet. Six properties within the base scope of work require temporary construction easements for a total of 4,420 square feet. The bid alternatives would affect three property owners, with 250 square feet in needed temporary easements. To provide uniform and equitable treatment for persons whose property is acquired for public use, the City follows the policies and provisions of the [federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 \(the Uniform Act\)](https://www.fhwa.dot.gov/real_estate/uniform_act/acquisition/) <https://www.fhwa.dot.gov/real_estate/uniform_act/acquisition/> and amended in 1987.

Property ID	PIN	SITE ADDRESS	OWNER NAME	ROW (SF)	TE (SF)
BASE BID					
Rose Hill #1					
R1	182308412007	5804 POPLAR ST	MARTINEZ ORLANDO SR	531	1022
Central #3					
R2	182308203010	6301 E 62ND AVE	PAPADIMITROPOULOS KASTANTINOS PAPADIMITROPOULOS MYROFORA C	505	1955
R3	182308203022	TBD VACANT LOT	D AND L INVESTMENTS 10 LLC C/O LORRAINE MC CANN	712	688
Kemp #1					
R4	182305425033	6900 E 66TH AVE	PEREZ AMODA	26	131
R5	182305414017	6600 ONEIDA ST	CORONA YOLANDA AND MENDOZA JUAN CORONA	122	473
T1	182305413011	6601 ONEIDA ST	SRP SUB LLC	0	151
BID ALTERNATIVES					
Bid Alt #1 Rose Hill #1					
T2	182308411019	5801 POPLAR ST	WILLIAMS AMIR LAMOND	0	56
Bid Alt #2 Central #3					
T3	182308221028	6191 LOCUST ST	GONZALES JOYCE	0	92
T4	0182308214001	6190 LOCUST ST	MORRIS ELLA MAY AND MORRIS BRADFORD L	0	102

Pending city council action, the City will engage with identified property owners to share detailed construction drawings and seek to negotiate a market-value purchase agreement for needed acquisitions. A letter was sent to property owners last week informing them of the project, the City's desire to acquire these properties consistent with the Uniform Act, and of the pending council action.

Attached are the 90% construction drawings, an acquisition list of the needed right-of-way (ROW) and temporary easements (TE), and a resolution authorizing negotiations, purchase, and the exercise of the City's powers of eminent domain (if needed) to acquire property interests associated with the sidewalk project.

Staff Responsible (Department Head): Director of External Affairs Halstead

Staff Member Presenting: Director of External Affairs Halstead

Financial Impact: Approximately \$23,000 for all proposed ROW and TE acquisitions

Funding Source: CDBG

Staff Recommendation: Approve as presented.