

# Policy Briefing Summary

## City Council



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<b>Regarding:</b>	<b>Public Hearing and Resolution to Consider the Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements for the Barracks and Emmet Streetscape Project</b>
<b>Staff Contact(s):</b>	Glenn Lee Cooper, Transportation Project Manager
<b>Presenter:</b>	<b>Glenn Lee Cooper, Transportation Project Manager, Michael Goddard, Deputy Director</b>
<b>Date of Proposed Action:</b>	December 1, 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 9 of the 11 property owners impacted by the project. The city's consultant has been unable to reach agreement with Meadowbrook Shopping Center, LLC and Greenshire Holdings, LLC and recommends eminent domain in order to allow 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 Barracks and Emmet Streetscape Project, including the filing of certificates of deposit, so that 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 a temporary construction easement, so the project can proceed without delay. The city will then be obligated to purchase the right-of-way and easements from the property owner as identified on the accompanying PowerPoint 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 Barracks and Emmet Streetscape Project property.

### Recommended Motion (if Applicable)

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

### Attachments

1. Project COT Presentation 003 004
2. RES. ACQUISITION FOR PUBLIC PURPOSES - Barracks Emmet