




## City of Tacoma

## City Council Action Memorandum

**TO:** Elizabeth A. Pauli, City Manager  
**FROM:** Kandi Bremer, Senior Real Estate Specialist, Public Works  
Ramiro A. Chavez, P.E. PgMP, Public Works Director/City Engineer   
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance – Condemnation Authorization – Sheridan Arterial Improvements Phase I Project  
(South Sheridan Avenue from South 72nd to South 64th Streets) - City Project No. PWK-G0043-03 -  
April 22, 2025  
**DATE:** April 1, 2025

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### SUMMARY AND PURPOSE:

An emergency ordinance authorizing the use of eminent domain as may be required for the acquisition of fee interests and/or easement interests for rights of way necessary to construct the pedestrian crossing ramps and signals, sidewalks, driveway approaches, and landscape restoration in connection with the Sheridan Arterial Improvements Phase I project, reconstructing South Sheridan Avenue from South 72nd to South 64th Streets.

### BACKGROUND:

**This Department's Recommendation is Based On:** The City is planning to improve South Sheridan Avenue from South 72nd Street to South 64th Street. The area of improvement is approximately a quarter of a mile in length. The project will include reconstructing the roadway surface to arterial traffic standards and installing or upgrading traffic and pedestrian signals, street lights, sidewalks, ADA-accessible curb ramps, stormwater and water utilities, striping, and a shared-use path. While nineteen (19) out of the twenty-three (23) parcel negotiations have been completed successfully, there are currently four (4) parcel negotiations in which negotiations have come to an impasse. Property right acquisitions on the four remaining parcels are comprised of temporary construction easements, minor right of way fee acquisitions, or a combination thereof. The outstanding parcel negotiations are necessary to allow the project to proceed and to avoid impacts to grant funding timelines and deadlines. Negotiations will continue with the property owners up until trial or final settlement. If a property owner settles, they will be removed from the condemnation action.

### COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

Public Works has worked with our Tacoma community members to identify and achieve a number of accessibility options, road safety improvement goals, and road improvement projects, which this project will accomplish. This project helps to complete the citywide Street Rehabilitation Program, which is included in Tacoma's Six-Year Comprehensive Transportation Improvement Program.

### 2025 STRATEGIC PRIORITIES:

#### **Equity and Accessibility:**

The Sheridan Arterial Improvements Phase I project (from South 72nd Street to South 64th Street) represents an opportunity to improve pedestrian safety, access, and roadway conditions in an area of the city that historically has been under-represented.

#### **Economy/Workforce: High Opportunity**

Increase the number of infrastructure projects and improvements that support existing and new business developments. Increase positive public perception related to the City of Tacoma.



**Livability:** High Opportunity

Improve access and proximity by residents to diverse income levels and race/ethnicity to community facilities, services, infrastructure, and employment. Increase positive public perception of safety and overall quality of life.

**Explain how your legislation will affect the selected indicator(s).**

Authorization to use eminent domain will allow the project to proceed with construction so that the community has access to new safety infrastructure and improvements and accessibility options. Authorization for use of eminent domain will assure the public that the City is maintaining good stewardship of taxpayer dollars by using fair market value as the basis for compensation to individual property owners so that all property owners are treated consistently and equitably.

**ALTERNATIVES:**

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Council could deny the use of eminent domain.	None.	<p>1. The City would have to pay, using City funds, in excess of fair market value in order to obtain necessary property rights, thereby creating inherent inequity for those property owners who have already accepted fair market value as compensation.</p> <p>2. The City would stop the project and attempt to design a build-around option which would be costly in terms of both time and money and may not be feasible. Funding deadlines would be missed, and the City may lose the state funding, thereby cancelling the project.</p> <p>3. The City would need to forego the application of state funds and not receive reimbursement of construction funding for failure to assemble the necessary property rights.</p>

**EVALUATION AND FOLLOW UP:**

N/A

**STAFF/SPONSOR RECOMMENDATION:**

Staff recommends authorization for use of eminent domain when (1) property owners cannot be identified or located, (2) property owners are non-responsive to repeated requests for contact, or (3) no agreement concerning compensation can be reached within thirty (30) days of receipt of offer packages by property owners.



**FISCAL IMPACT:**

This action is requested for authorization to use the legislative powers of eminent domain. There is no fiscal impact directly associated with this request.

Fund Number & Name	COST OBJECT (CC/WBS/ORDER)	Cost Element	Total Amount
N/A – seeking authority to use eminent domain			
<b>TOTAL</b>			

**What Funding is being used to support the expense?**

N/A

**Are the expenditures and revenues planned and budgeted in this biennium's current budget?**

N/A

**Are there financial costs or other impacts of not implementing the legislation?**

Yes, inability to assemble the necessary property rights up to and including the use of eminent domain will likely result in the loss of funding for this project. The project is primarily funded through Transportation Improvement Board (TIB).

For this project specifically, the funding total of \$3,560,000 would ultimately be lost if the project cannot move forward. The City would also be required to use City dollars to fund the project if the TIB funds are lost.

**Will the legislation have an ongoing/recurring fiscal impact?**

No.

**Will the legislation change the City's FTE/personnel counts?**

No.

**ATTACHMENTS:**

- Aerial Map