



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: October 12, 2021
SUBJECT: Resolution authorizing the acquisition of property interests necessary for the construction of the improvements for the York Street Improvements Project – East 78 th Avenue to East 88 th Avenue
FROM: Brian Staley, P.E., PTOE, RSP, Public Works Director Janet Lundquist, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON:
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners authorizes the acquisition of property interests for the York Street Improvements Project by resolution.

BACKGROUND:

Adams County has submitted and received funding from the Adams County Board of County Commissioners for the York Street Capital Improvements Program Project – East 78th Avenue to East 88th Avenue (hereinafter “Project”). The County has prepared construction plans, right-of-way plans and legal descriptions that determined the need to acquire various property interests from seventy-five (75) property ownerships. Negotiations with one fee owner of record, to Zayac Properties I LLLP, have not moved forward. Adams County sent a Notice of Intent to Acquire Property to Zayac Properties I LLLP, on September, 29, 2020, pursuant to C.R.S. § 38-1-121(1), and sent a Final Offer to Purchase to acquire Parcel RW-273 and TE-273, Zayac Properties I LLLP, on July 23, 2021, based on an appraisal of such property, to which Adams County received no response. To assure that the acquisitions can be obtained in a timely manner and not jeopardize project deadlines, County staff needs to have authority to use the power of eminent domain to acquire the property interests necessary for the Project should good faith negotiations be unsuccessful. The resolution allows the Board of County Commissioners to authorize the use of eminent domain to acquire property interests for the York Street Project.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works and Office of the County Attorney

ATTACHED DOCUMENTS:

Draft resolution
Legal Description of Parcel RW-273 and TE-273

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

Additional Note: