

27TH BOARD OF REPRESENTATIVES CITY OF STAMFORD

President
DAVID R. MARTIN
Clerk of the Board
ANNIE M. SUMMERVILLE

Majority Leader
JOHN J. BOCCUZZI
Minority Leader
ROBERT "GABE" DELUCA

RESOLUTION NO. 3280 AUTHORIZING THE ACQUISITION BY NEGOTIATION OR EMINENT DOMAIN OF RIGHTS OF WAY FOR PHASE II OF THE STAMFORD URBAN TRANSITWAY PROJECT

WHEREAS, the City of Stamford has recognized that there is a need for a new or reconstructed Transitway that will provide a link at East Main Street between Lockwood Avenue and Myrtle Avenue, along Myrtle Avenue to Elm Street (the easternmost project limit of Phase I) leading to the Stamford Transportation Center which will include Bus/HOV lanes in addition to general-use travel lanes, bike lanes, and pedestrian sidewalks;

WHEREAS, the City has recognized that this Transitway will require property acquisition including full and partial takings and permanent easements;

WHEREAS, the Board of Representatives of the City of Stamford has by Resolution No. 2573 adopted on May 1, 2000 authorized the Mayor to file an application with the Secretary of Transportation for a grant to aid in the financing of planning, capital and/or operating assistance for the Stamford Urban Transitway;

WHEREAS, Phase I of the Transitway, south of I95 between Elm Street and the Transportation Center is currently under construction;

WHEREAS, The Board of Representatives of the City of Stamford has by Resolution No. 2887 adopted on May 3, 2004 and by Resolution No. 2978 Adopted on May 2, 2005 authorized acquisition by negotiation or eminent domain of rights of way for Phase I of the Transitway, which acquisitions have been accomplished;

WHEREAS, after newspaper notice, the City conducted a Public Information Meetings on January 24, 2006 & July 17, 2007 to explain Phase II of the Stamford Urban Transitway and the impact upon the parcels located between on East Main Street between Myrtle Avenue and Lockwood Avenue (the easternmost project limit of Phase II) along Myrtle Avenue to Elm Street (the westernmost project limit of Phase II) and the residential family relocations and business relocations that have been identified;

WHEREAS, the City conducted, after newspaper notice, a Public Hearing on the draft amended Environmental Assessment and 4(f) Evaluation on July 13, 2006 for Phase II of the Stamford Urban Transitway;

WHEREAS, the Federal Transit Administration has issued FONSI Approval (Finding of No Significant Impact Issued on amended project Environmental Assessment Document) on September 18, 2006;

WHEREAS, FTA has issued an approval to enter into Final Design on November 8, 2007;

WHEREAS, the City has provided public information by creating and updating information to the website on the Phase II of the Stamford Urban Transitway project;

WHEREAS, there have been meetings at various times to receive all necessary approvals from the Planning Board, Board of Finance and Board of Representatives to approve funding of the City's 20% share of the Stamford Urban Transitway project;

WHEREAS, the City has entered into an intergovernmental agreement with various parties to perform property acquisition services on approximately sixty-one (61) parcels, fifty-five (55) of which are partial acquisitions and six (6) of which are total acquisitions, relocation of approximately ten (10) businesses, and relocation of approximately eight (8) residential households, for the Stamford Urban Transitway Right of Way,

WHEREAS, the Engineering Bureau has prepared or caused to be prepared preliminary taking maps for approximately sixty one (61) parcels required for the construction of Urban Transitway Right of Way.

WHEREAS, the Board of Representatives has held a public hearing on March 26, 2009 after publication in the local newspaper on March 23, 2009 to authorize the acquisition or condemnation of the parcels necessary for the Stamford Urban Transitway project;

NOW, THEREFORE, the Board of Representatives hereby declares pursuant to Charter Sections 1-50-1 and 8-60-1 and 8-60-3 that the public necessity, safety, health and welfare require that the Stamford Urban Transitway project go forward;

THAT the Mayor, Office of Operations and Director of Administration are hereby instructed to prepare a report pursuant to Charter Sections 8-60-3 and 8-60-4;

THAT such report include engineering, surveys, plans, profiles, specifications, cost estimates, estimates of the value of any land proposed to be taken and the amount of damages which should be assessed in favor of each piece of property affected;

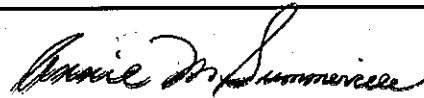
THAT such report shall be filed for public inspection, mailed to all interested persons and that all interested persons be provided with notice of a time and place to be heard in respect to the price of any land proposed to be taken or acquired or in respect to the assessment of damages as well as any benefits under the Uniform Relocation and Real Properties Acquisition Policies Act of 1970, as amended; and Connecticut Uniform Relocation Act;

THAT the Director of Administration shall make a final report to the Board of Representatives pursuant to Charter Sec. 8-60-5 concerning the amounts that should be paid for each of the properties and the cost of Phase II of the Stamford Urban Transitway project.

This resolution was approved on the Consent Agenda at the regular monthly meeting of the 27th Board of Representatives held on Monday, April 6, 2009.



David R. Martin, President



Annie M. Summerville, Clerk

cc: Mayor Dannel P. Malloy
Benjamin Barnes, Director of Operations
Thomas M. Cassone, Director of Legal Affairs
William Callion, Director of Public Safety, Health & Welfare
Sandy Dennies, Director of Administration
Sybil Richards, Esq., Deputy Corporation Counsel
Robin Stein, Land Use Bureau Chief
Rachel Goldberg, Urban Redevelopment Commission