



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: E-1314-49**

<b>File ID:</b> E-1314-49	<b>Type:</b> Easement	<b>Status:</b> ATS Paused
<b>Version:</b> 1	<b>Reference:</b> Item No. 35	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b>	<b>File Created:</b> 06/10/2014
<b>File Name:</b> Temporary Easement for Highland Village Drainage Repair Project		<b>Final Action:</b>

**Title:** TEMPORARY EASEMENT NO. E-1314-49: A TEMPORARY CONSTRUCTION EASEMENT DONATED BY JOHN AND JENNIFER DAVENPORT FOR THE HIGHLAND VILLAGE DRAINAGE REPAIR PROJECT.

**Notes:** ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1314-49; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 07/22/2014

**Agenda Number:** 35

**Attachments:** E-1314-49.pdf, Location Map - Highland Village Drainage Repair Project, Easement Map - Highland Village Drainage Repair Project

**Project Manager:** Joe Willingham, Storm Water Engineer

**Entered by:** mallory.day@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File E-1314-49

Body

**BACKGROUND:** In February, 2013, Mr. Damon Hinkle contacted the City of Norman when issues arose with drainage problems in his backyard in Highland Village Section 2. An adjacent development was designed to drain a section of the development through a flume between two (2) homes and then discharge off site directly northwest of Mr. Hinkle's property. This drainage swale was later designed to be a concrete flume to help eliminate erosion issues that were affecting the properties adjacent to the drainage easement. A concrete flume was installed with City of Norman miscellaneous drainage project funds. Mr. Hinkle's house was constructed subsequently to the flume construction. The volume of water from the adjacent neighborhood has caused flooding and erosion of the northern portion of the property. Mr. Hinkle made several attempts to repair the situation but none of the remedies proved to be effective, including, laying sod which was unable to stay in place in this area.

A meeting was held at the site with Don Wells, representing the developer Highland Hills and the Highland

Village Property Owner's Association; Anthony Mirzaie, the builder; Damon Hinkle, the homeowner; and Tom McCaleb, engineer for the developer. During the meeting it was discussed that a successful long-term remedy was necessary in this situation for the property owners. It was also decided that a cost sharing mechanism for the solution should be negotiated between the City, the Developer, the POA and Mr. Mirzaie. The City participation was based on the flume construction and to resolve the concern of the water from public roadways impacting private property.

**DISCUSSION:** An initial design for the modified storm water system from the end of the flume to the detention pond east of Mr. Hinkle's property was drafted. The storm water pipeline design was on the property to the north owned by others. The City was unsuccessful in obtaining an easement from this property owner for the construction of the storm water pipeline. The City did obtain 3 quotes for the construction of the initial storm water system design and the low quote was Central Contracting, at \$18,748.

A second design option was investigated and completed by the City for the modified storm water system. The second design included construction of a box inlet at the end of the existing flume in the neighboring subdivision, installing a storm water pipeline from the box into Mr. and Mrs. Davenport's yard where a manhole would be constructed, and constructing a storm water pipeline from this manhole across Mr. and Mrs. Hinkle's yard to a point where it will enter the Highland Village detention basin. A drawing of the design is attached showing the proposed storm water system which was acceptable to all parties. The City negotiated with Central Contracting, for the new scope of work that includes relocating stockade fence and the construction of the new manhole in the amount of \$24,780.

Contract K-1415-11, with Highland Hills, the developer; Highland Village Property Owner's Association ("POA"), Anthony Mirzaie, the builder; Damon and Cori Hinkle, the homeowners; and John and Jennifer Davenport, adjacent homeowners, provides for a cost sharing arrangement and includes donation of necessary easements for the project. The City of Norman will be responsible for 60% of the cost of the project, not to exceed \$15,000. The POA will be responsible for 20% of the cost of the project, not to exceed \$5,000, plus half of the sod necessary to complete yard repairs in both the Davenport's and the Hinkle's yards. Anthony Mirzaie, the builder, will be responsible for 20% of the cost of the project, not to exceed \$5,000, plus half of the sod necessary to complete yard repairs in both the Davenport's and the Hinkle's yards. Necessary drainage and temporary construction easements will be provided by Mr. and Mrs. Davenport (E-1314-48 and E-1314-49) and Mr. and Mrs. Hinkle (E-1314-46 and E-1314-47) at no cost to the City.

**RECOMMENDATION:** Staff recommends approval of Easement No. E-1314-49.