



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: E-1415-12

File ID: E-1415-12	Type: Easement	Status: Consent Item
Version: 1	Reference: Item No. 15	In Control: City Council
Department: Public Works Department	Cost: \$6,640.00	File Created: 08/13/2014
File Name: Temp Construction Easement from DeBerry for McGee Sidewalk Improvement Project		Final Action:

Title: TEMPORARY EASEMENT NO. E-1415-12: A TEMPORARY CONSTRUCTION EASEMENT FROM JAMES VINCENT AND KYM B. DEBERRY FOR THE MCGEE DRIVE SIDEWALK IMPROVEMENT PROJECT.

Notes: ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1415-12; and, if accepted, direct the filing thereof with the City Clerk and payment in the amount of \$6,650 to James Vincent and Kym B. DeBerry.

ACTION TAKEN: _____

Agenda Date: 09/09/2014

Agenda Number: 15

Attachments: Text File E-1415-12.pdf, Norman Sidewalk Completion Plan, Easement Details.pdf, Easement Location Map, E-1415-12 Easement, E-1415-12 Map

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	08/26/2014					

Text of Legislative File E-1415-12

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately \$21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. New sidewalks along federal functionally classified roads are eligible for 80% federal funding.

On November 13, 2012, City Council adopted resolution R-1213-69 requesting federal funds for the construction of sidewalks along McGee Drive, between State Highway 9 and Lindsey Street. The project was submitted to the Association of Central Oklahoma Governments (ACOG) with a request to include it in the Regional Transportation Improvement Plan (TIP). This request was approved in June of 2013 by both the Intermodal Technical and Policy Committees of ACOG. Transportation federal safety funds (\$160,000) to pay

for 80% of the construction costs have been secured in Federal Fiscal Year 2014.

The proposed project is one of the high priority projects identified in the Norman Sidewalk Completion Plan that was adopted with the City's Comprehensive Transportation Plan on May 13, 2014. It fills critical gaps along one of the City's more important multi-modal transportation corridors linking Monroe Elementary and Whittier Middle Schools to nearby residential and commercial areas. An aerial photo of the project area and the Norman Sidewalk Completion Map included in the Comprehensive Transportation Plan are attached.

On August 26, 2014, City Council approved the Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation for the McGee Drive Sidewalk Improvement project (Contract K-1415-29), which addresses the responsibilities of both the City and ODOT in matters related to the acquisition of the eleven temporary construction easements needed for the construction of the project, the relocation of public utilities and the removal of encroachments. During the same meeting, Council accepted seven of the eleven temporary easements (all donated) needed for the project.

Construction of the new sidewalks is anticipated to begin in the spring of 2015 and be completed by the end of July of 2015. The new sidewalks will be fully accessible to disabled users.

DISCUSSION: The City must secure the four remaining temporary easements for the placement of the new sidewalk and modification of existing driveways. Staff requested donations prior to making any offers of fair market value. City Council discussed this matter during the September 2, 2014 Executive Session. The final settlements for compensation to two of the property owners reflect the direction from Council. The details of each easement, including the remaining four easements which are the subject of this agenda item and a location map depicting the location of each easement are included as attachments.

RECOMMENDATION NO. 1: Staff recommends acceptance of Easements No. E-1415-10 through 13 by City Council. It is further recommended that staff be authorized to issue payment to the property owners, if applicable, and the filing of the easements, if appropriate.

RECOMMENDATION NO. 2: Staff also recommends that Council authorize an appropriation from the Capital Fund Balance in the amount of \$22,005 to compensate the property owners at 2400 McGee Drive (\$15,365) and 2410 McGee Drive (\$6,640) for the temporary construction easements including damages to the remainder of their property (damages related to the acquisition of easements E-1415-10 and E-1415-12). If approved, the appropriated \$22,005 from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0096, McGee Drive Sidewalks, Right of Way (050-9712-431.60-01).