



City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: R-1314-12

File ID: R-1314-12

Type: Resolution

Status: Consent Item

Version: 1

Reference: Item No. 38

In Control: City Council

Department: Public Works
Department

Cost:

File Created: 03/11/2013

File Name: Robinson St. Surplus Property

Final Action:

Title: RESOLUTION NO. R-1314-12: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING PROPERTY FROM THE ROBINSON STREET GRADE SEPARATION PROJECT AS SURPLUS PROPERTY.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-12.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 38

Attachments: R-1314-12.pdf, Exhibit 1 to R-1314-12, Attachment A.pdf, Attachment B.pdf, Attachment C.pdf

Project Manager: Scott Sturtz, City Engineer

Entered by: pam.jones@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 R-1314-12

body

BACKGROUND: The City of Norman acquired 53 parcels of property from Fall of 2008 to Spring 2009 for the construction of the Robinson Street Underpass Project. Subsequent to the completion of the underpass, the City Manager requested city staff to evaluate the existence and marketability of surplus property within the project area. Staff identified three potential parcels of surplus property (labeled on the attached map as Parcel A, Parcel B, and Parcel C).

Parcel A, consisting of 0.93 acres, is bounded by Robinson Street to the south, Dale Street and single-family homes to the north, Fay Avenue and single-family homes to the east, and single-family homes to the west. The only access to this property is from Dale Street. Parcel B, consisting of 0.35 acres, is bounded on the north by Robinson Street, on the south by Hayes Street, and single-family homes, on the east by Stubbeman Avenue, and on the west by undeveloped land zoned C-2 and the railroad tracks. Parcel C, consisting of 0.15 acres, is bounded on the north by undeveloped property owned by the City zoned C-2, but also designated as Institutional on the Norman 2025 Plan, on the south by Hayes Street, and single-family homes, on the east by James Garner Avenue right-of-way, and on the west by single-family homes. Please find the attached detailed staff reports provided to the committee in December 2012 referenced as Attachment A and Attachment B.

The City Council Community Planning and Transportation Committee met on December 17, 2012 to discuss this topic. At that meeting, the committee recommended that the City of Norman move forward with the sale of these parcels according to the procedure recommended by the City Attorney's Office. The first step in that process is to acquire written permission for the sale from the Right-of-Way Division Chief for the Oklahoma Department of Transportation ("ODOT") as required by the Right-of-Way, Utility, and Encroachment Agreement between the City of Norman and ODOT for the underpass project. That written permission is reflected in the attached letter from ODOT dated June 10, 2013 referenced as Attachment C.

DISCUSSION: Following approval from ODOT, City Council must declare the property surplus via Resolution. Under Chapter 8, § 8-301 of the City of Norman Code of Ordinances, Council must declare "any supplies, materials, or equipment" as surplus prior to the sale of such items if their value exceeds one thousand dollars. Subsequent to this declaration by Council, the property may then be sold through competitive bidding at a public auction that is conducted either in person or online. Chapter 8, § 8-302 of the Code of Ordinances.

The attached Resolution, R-1314-12, recites that the parcels were acquired by the City of Norman as part of the Robinson Street Grade Separation Project in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. In addition, Resolution R-1314-12 states that the parcels are no longer needed for the successful functioning of the project, and the City of Norman is currently responsible for the maintenance and upkeep of parcels. For those reasons, if adopted by the City Council, the Resolution declares the parcels as surplus that may then be sold at auction.

If City Council chooses to declare the parcels as surplus, the next step in the surplus property disposal process is to offer the parcels to the person or persons from whom the property was acquired or those persons' heirs pursuant to Title 27, Section 17(A) of the Oklahoma statutes. If those persons refuse first rights to purchase the parcels, the parcels may then be sold for cash to the highest bidder after notice by publication pursuant to Title 69, Section 101(C) of the Oklahoma statutes.

If Council approves the attached resolution, Staff recommends the following schedule of events going forward:

July 24 - October 25, 2013: Staff coordinates with previous property owners regarding possible acquisition of surplus property

November 12, 2013: City Council considers sale of property

November 13 - December 30, 2013: Staff pursues bidding process for remaining parcels

January 14, 2014: City Council considers sale of property to highest bidder

RECOMMENDATION: If City Council desires to move forward with the eventual sale of these parcels, Staff recommends adoption of Resolution R-1314-12 that declares the parcels as surplus property.