



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: E-1920-14**

**File ID:** E-1920-14

**Type:** Easement

**Status:** Consent Item

**Version:** 1

**Reference:** Item 17

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:** \$2,474.00

**File Created:** 10/22/2019

**File Name:** Acceptance of Easement for Signalization &  
Intersection Widening Project

**Final Action:**

**Title:** EASEMENT E-1920-14: ACCEPTANCE OF A PERMANENT SIDEWALK EASEMENT FROM DAVID A. HUETTNER, REVOCABLE TRUST WITH DAMAGES IN THE AMOUNT OF \$2,474 FOR THE 24TH AVENUE N.W. AND TEE DRIVE - TEE CIRCLE SIGNALIZATION AND INTERSECTION WIDENING PROJECT, FEDERAL AID PROJECT STP-214B(091)AG, JOB PIECE 30606(04).

**Notes:** ACTION NEEDED: Motion to accept or reject Easement E-1920-14; and, if accepted, direct the filing thereof with the Cleveland County Clerk and payment for damages in the amount of \$2,474 to David A. Huettner Revocable Trust.

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

**Agenda Date:** 11/12/2019

**Agenda Number:** 17

**Attachments:** Easement, Location Map, Requisition

**Project Manager:** Mike Rayburn, Capital Projects 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:
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### Text of Legislative File E-1920-14

Body

**BACKGROUND:** The 2015 - Fixing America's Surface Transportation (FAST) 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. Intersection widening with new traffic signals along federal functionally classified roads are eligible for 80% federal funding.

In early 2012, citizens and area business owners began to request the installation of a traffic signal at the intersection of 24th Avenue NW and Tee Drive / Tee Circle. An aerial photo of this area is included in Attachment No. 1. As customary and required, traffic data was collected and analyzed to determine if the volume of traffic was high enough to justify the need for a new traffic signal. Satisfaction of minimum traffic volume threshold levels is required in order to comply with the City's Code requirements for traffic signal control at an intersection, as established in the *2009 Manual on Uniform Traffic Control Devices*, which is adopted by reference into the City's Code of Ordinances.

On February 8, 2012, City staff completed a traffic study and determined that the volume of traffic and the frequency of traffic collisions were high enough to justify the installation of a traffic signal and the widening of 24th Avenue NW to provide dedicated left turn lanes. Installing the northbound and southbound left turn lanes will require widening of the existing four-lane section at the intersection. Also included with this project will be an upgrade to L.E.D. of the street lighting system from Palmer Circle to Robinson Street, and the relocation of the 24th Avenue NW fiber optic traffic signal interconnect cable.

On November 27, 2013, City Council adopted resolution R-1314-61 requesting federal funds for the widening and signalization of the 24th Avenue NW and Tee Drive / Tee Circle intersection. 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 January of 2016 by both the Intermodal Technical and Policy Committees of ACOG. Transportation federal funds (\$1,211,280) to pay for 80% of the construction cost were secured last year and are included in the Federal Fiscal Year 2019 element of the TIP.

On May 25, 2015, City Council approved contract K-1415-128 with Garver Engineers of Norman, Oklahoma, for the design of the project, and agreed to pay \$149,991 for this service.

Final plans were submitted to ODOT in January of 2019 for a project that includes the following improvements:

- Widening of 24th Avenue NW to provide exclusive left-turn lanes at Tee Drive-Tee Circle
- New concrete pavement on 24th Avenue NW
- New traffic signal interconnected to other nearby signals on 24th Avenue NW
- New sidewalks and wheel chair ramps
- New storm water collection system
- New LED roadway lighting system between Palmer Circle and Robinson Street

On February 26, 2019, City Council approved the Project Maintenance Agreement (Contract K-1819-110) and authorized the transmittal of funds to ODOT for the local share of the project construction cost (\$338,720).

On April 18, 2019, ODOT opened bids and the low bidder was Crossland Heavy Contractors of Tulsa, OK with a bid of \$1,475,000. The Oklahoma Transportation Commission awarded the

bid on May 6, 2019 and construction began on September 30, 2019. Contract time is set at 75 calendar days with substantial completion anticipated by the end of this calendar year.

**DISCUSSION:** The limited right-of-way available on the SW corner of the intersection made the design of the sidewalks and wheelchair ramps somewhat difficult. The configuration of these pedestrian facilities was less than optimal at the time the final construction plans were submitted to ODOT in anticipation of the bid opening. Nonetheless, City staff continued to look for opportunities to improve the design with the acquisition of additional right-of-way involving a small parcel of land from the Peppertree Plaza commercial property. Staff reached out to Mr. David Huettner, owner of the property, to request that he consider donating this right-of-way. Mr. Huettner agreed to do so but requested compensation for damages to existing landscaping and irrigation system. These damages were assessed at \$2,474.99 for the necessary repairs and replantings. The attached letter (Attachment No. 2) to Mr. Huettner provides details of the City's offer and commitment for this donated easement.

City staff prepared a permanent easement document (Attachment No. 3) with accompanying Legal Description and Easement Exhibit of the granted property, and requested Mr. Huettner's signature. The additional right-of-way will accommodate the redesigned ADA-compliant sidewalk and wheel chair ramps on the southwest corner of 24th Avenue NW and Tee Drive. The compensation for damages, in the amount of \$2,474.99, will be funded from the budgeted Right-of-Way Project Account (Account No. 50-9079-431.60-01 - 24th Avenue NW and Tee Drive Intersection with Traffic Signal / Project No. TR-0053).

**RECOMMENDATION:** Staff recommends acceptance of Easement E-1920-14 for the 24th Avenue NW and Tee Drive-Tee Circle signalization and intersection widening project currently in progress. Staff further recommends the issuance of a check in the amount of \$2,474.99 to Mr. David Huettner for damages associated with this right-of-way taking, using funds currently available in Account No. 50-9079-431.60-01 (24th Avenue NW and Tee Drive Intersection with Traffic Signal / Project No. TR-0053).