



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: E-1415-4

File ID: E-1415-4	Type: Easement	Status: Consent Item
Version: 1	Reference:	In Control: City Council
Department: Utilities Department	Cost:	File Created: 08/13/2014
File Name: Temp Driveway Easement from Hiehm for McGee Sidewalk Project		Final Action:

Title: TEMPORARY EASEMENT NO. E-1415-4: A TEMPORARY DRIVEWAY EASEMENT FROM BOBBY L. AND L. ELIZABETH DIEHM FOR THE MCGEE DRIVE SIDEWALK IMPROVEMENT PROJECT.

Notes: ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1415-4; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Agenda Date: 08/26/2014

Agenda Number:

Attachments: Norman Sidewalk Completion Plan, Easement Location Map, E-1415-4 Easement, E-1415-4 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:

Text of Legislative File E-1415-4

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 in 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 in the Comprehensive Transportation Plan are included as attachments.

As part of this agenda, City Council is also considering approval of 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 three temporary right-of-way easements needed for the construction of the project, the relocation of public utilities and the removal of encroachments.

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 nine temporary driveway easements and two temporary construction 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. Details of each easement and a map depicting the location of each easement are included as attachments.

As of August 21, 2014, City staff has secured six of the eleven easements required for the project. Negotiations for easements E-1415-4, E-1415-10, E-1415-11, E-1415-12 and E-1415-13 are still under way and should be completed by Council meeting time on August 26, 2014.

It is critical for City Council to accept all the easements during the August 26, 2014 City Council meeting in order to meet the ODOT deadline for obligation of the federal funds. Executed easements must be submitted to the ODOT Right-of-Way Division by no later than August 29, 2014. Failure to meet this deadline will result in the loss of the federal funds secured for the current fiscal year. If this happens, staff would need to resubmit the funding application through ACOG which would cause a minimum two-year delay in the construction of the project.

RECOMMENDATION: Staff recommends acceptance of Easements No. E-1415-4 through 14 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.

Staff also recommends that Council authorize an appropriation from the Capital Fund Balance in the amount of \$16,133 to compensate the property owners at 2400 and 2412 McGee Drive for landscaping damages associated with the construction of the new sidewalks (damages related to the acquisition of easements E-1415-10 and E-1415-12). If approved, the following adjustment to the FYE 2015 budget will be made:

Losing Account:
050-0000-253.20-00
(Capital Fund Balance) - \$16,133

Gaining Account:
050-9712-431.60-01 (McGee Drive Sidewalks - Right-of-Way) Project No. TR-0096 - \$16,133