



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: E-1718-25**

**File ID:** E-1718-25

**Type:** Easement

**Status:** Consent Item

**Version:** 1

**Reference:** Item 20

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:** \$40.00

**File Created:** 09/06/2017

**File Name:** Temporary Construction Easement for the CDBG  
Project No. 7

**Final Action:**

**Title:** TEMPORARY EASEMENT E-1718-25: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT E-1718-25 FROM PHILLIP ALLEN HILLIAN AND PAMELA GRACE HILLIAN IN THE AMOUNT OF \$40.00 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) PROJECT NO. 7 LOCATED AT ROCK CREEK ROAD FROM 108TH AVENUE N.E. TO 120TH AVENUE N.E.

**Notes:** ACTION NEEDED: Motion to accept or reject Temporary Easement E-1718-25; and, if accepted, direct the filing thereof with the City Clerk and payment in the amount of \$40 to Phillip Allen Hillian and Pamela Grace Hillian.

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

**Agenda Date:** 09/26/2017

**Agenda Number:** 20

**Attachments:** Easement E-1718-25, Easement Table, Att A -  
Projects 1-7, Att B - Projects 8 and 9, Attachment C  
Funding Table, City and County Projects Location  
Map, Project #7 Right-of-Way Sheets, Requisition

**Project Manager:** Tim Miles, Capital Projects Engineer

**Entered by:** rachel.warila@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-1718-25

Body

**BACKGROUND:** The City of Norman and Cleveland County both received damages to roads after the natural disasters including a May 19, 2013 tornado and multiple (six or more) wildfires in August of 2012. These disasters were all located in the same general area of eastern Norman/Cleveland County. Damages to these roads with thin pavement sections were caused by heavy equipment providing aid during the disaster and recovery phases of the responses.

In June 2014, the U.S. Department of Housing & Urban Development (HUD) released its allocations and program requirements for the Community Development Block Grant - Disaster Recovery (CDBG-DR) 2013 Program. After

learning that this aid was available to repair damages from the two previous natural disasters, both the City of Norman and Cleveland County completed applications to receive funding. On January 26, 2015, the City of Norman was notified by the Oklahoma Department of Commerce (ODOC) that they received a total of \$12,054,090 to fully fund engineering, right-of-way, administration and construction for seven separate projects totaling approximately 11.5 miles in length, as shown for reference in Attachment A. Cleveland County received \$10,774,160 in grant funds for nine road repair projects that are currently being administered by the County.

In November 2015, the City of Norman applied for a second round of CDBG-DR 2013 Program funds made available from the U.S. Department of Housing & Urban Development (HUD). These additional funds were a surplus that HUD had available for this program after the first round of funds were allocated to cities and counties. On January 25, 2016, the City of Norman was notified by the Oklahoma Department of Commerce (ODOC) that they received an additional \$5,004,821 to fully fund engineering, administration and construction for two more projects totaling approximately five miles in length, as shown for reference in Attachment B.

Between these two HUD allocations the City of Norman will receive a total of \$17,058,911 to repair approximately 16.5 miles of roads. The above-mentioned nine projects and Cleveland County's nine projects included in the current CDBG-DR program are illustrated in the attached map labeled City and County Disaster Relief Project Locations.

On April 12, 2016, City Council accepted Contract K-1516-129 by and between the City of Norman and ODOC for a portion of the first round, Tranche Two CDBG-DR 2013 Program funds. There is a twenty-four month timeline attached to these funds beginning from the time of acceptance. These funds are for five of the seven first round projects (1, 2, 3, 5, and 6) in the amount of \$10,293,600 for construction and construction monitoring and \$308,808 in City administration funds for a combined total award of \$10,602,408.

On May 24, 2016, City Council awarded contract K-1516-145 (Projects 3, 5, and 6) and contract K-1516-146 (Projects 1 and 2) to Silver Star Construction Company, Inc. for a total amount of \$7,797,350.85 including Change Order No. 1 to increase the pavement thickness from 4 inches to 6 inches.

On August 22, 2017, City Council Awarded contract K-1718-40 (Projects 8 and 9) to Silver Star Construction Company, Inc. for a total amount of \$2,226,480.45.

**DISCUSSION:** The City must acquire one (1) easement for CDBG-DR Project #4, eight (8) easements for CDBG-DR Project #7 and four (4) easements for CDBG-DR Project #8. These easements vary in size and usage.

On CDBG-DR Project #4, the southern portion of this existing road is in a curve that requires additional easement beyond statutory right-of-way to complete the proposed work.

On CDBG-DR Project #7, a portion of the existing road within the project limits was unintentionally constructed outside of the existing right-of-way. As a result, easements are required to complete road and ditch improvements on areas originally believed to be within the statutory right-of-way. These seven (7) road easements provide the necessary permanent easements south of Rock Creek Road to construct and maintain the proposed improvements.

On CDBG-DR Project #8, four (4) drainage easements are needed to complete this project. Two (2) of these drainage easements are on tonight's agenda item. The other two (2) easements are located on school lands and will be brought to City Council at a later date after the easements are signed by the Commissioners of the Land Office.

Staff requested donations prior to making any offers of fair market value. All landowners elected to be paid fair market value instead of donating their property. The attached Easement Table provides the details of each easement. Right-of-way sheets are also attached to illustrate the location of each easement necessary for these projects. Funds are available in the respective CDBG-DR Projects to pay for these easements as shown in Attachment C.

**RECOMMENDATION:** Staff recommends the above described easements be accepted, the payment be authorized and the filing be directed thereof.