



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: E-1718-43

File ID: E-1718-43 **Type:** Easement **Status:** Consent Item

Version: 1 **Reference:** Item 13 **In Control:** City Council

Department: Public Works **Cost:** \$8,975.00 **File Created:** 01/30/2018
Department

File Name: Drainage Easement for CDBG-DR Project #2 **Final Action:**

Title: EASEMENT E-1718-43: CONSIDERATION OF ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM BRANDON SCOTT STEPHENS, TRUSTEE OF THE HERITAGE-INFINITY LIVING TRUST DATED SEPTEMBER 17, 2014, IN THE AMOUNT OF \$8,975 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) PROJECT #2 AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Notes: ACTION NEEDED: Motion to accept or reject Easement E-1718-43; and, if accepted, direct the filing thereof with the Cleveland County Clerk and payment in the amount of \$8,975 to Brandon Scott Stephens, Trustee of the Heritage-Infinity Living Trust, and transfer \$8,975 from Project GC0064, Rock Creek/108 NE: 120 NE, Construction (021-4000-463.61-01) to Project GC0065, 120th SE/Etowah: SH-9, Land (021-4000-463.60-01).

ACTION TAKEN: _____

Agenda Date: 02/13/2018

Agenda Number: 13

Attachments: Text File E-1718-43, City and County Projects
Location Map, Easement E-1718-43, Easement Table,
List of Projects 1-7, Projects 8 and 9, 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:

Text of Legislative File E-1718-43

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 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 the attached Projects 1-7 Summary. 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 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 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 the attached Projects 8 and 9 Summary.

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 with 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.

On September 26, 2017, City Council accepted thirteen (13) easements from CDBG-DR Projects #4 (one easement), #7 (eight easements), and #8 (four easements).

After the construction contract was awarded on this project, one of the drainage culverts that was originally going to be used in place under 120th Avenue SE was determined to be in poor condition and needed to be replaced. The proposed replacement drainage structure installation will require some channel work outside of existing right-of-way. As a result, the City must acquire three (3) drainage easements for CDBG-DR Project #2. This item bring before Council consideration of acceptance of a permanent drainage easement from Brandon Scott Stephens, trustee of the Heritage-Infinity Living Trust, dated September 17, 2014, in the amount of \$8,975 for the community development block grant disaster relief (CDBG-DR) project #2 and budget transfer between project accounts

DISCUSSION: 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. Smith-Roberts Land Services was utilized to value the cost of the easements needed for the project. The attached Easement Table provides the details of each easement. Plot Plans are also attached to each easement to illustrate the location of each easement necessary for these projects.

The purchase of these easements will require a transfer of funds in the amount of \$8,975 from CDBG-DR Project 7, Construction (project GC0064; account 021-4000-463.61-01) to CDBG-DR Project 2, Land (project GC0065, account 021-4000-463.60-01). The overall budget for all nine (9) CDBG-DR Projects is more than the expenditures so these projects will be completed at no cost to the City.

RECOMMENDATION NO. 1: Staff recommends that Council transfer funds in the amount of \$8,975 from CDBG-DR Project 7, Construction (project GC0064; account 021-4000-463.61-01) to CDBG-DR Project 2, Land (project GC0065, account 021-4000-463.60-01).

RECOMMENDATION NO. 2: Staff further recommends the above described easement be accepted, the payment in the amount of \$8,975 be authorized and the filing thereof be directed.