



## Legislation Text

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**File #:** E-1819-61, **Version:** 1

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**EASEMENT E-1819-61:** CONSIDERATION OF ACCEPTANCE OF A PERMANENT EASEMENT FROM THE OKLAHOMA DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES IN THE AMOUNT OF \$7,380 FOR THE 24TH AVENUE EAST BOND PROJECT FROM LINDSEY STREET TO ROBINSON STREET.

**BACKGROUND:** On November 22, 2011, the Norman City Council approved Programming Resolution R-1112-62, requesting federal funds for the 24<sup>th</sup> Avenue East Bond Project. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project including engineering design, acquisition of all necessary rights-of-way and relocation of utilities and encroachments at 100% the City's cost. In return, the Association of Central Oklahoma Governments (ACOG), through the Oklahoma Department of Transportation (ODOT), agrees to provide 80% of the construction cost, estimated at \$7,831,000, and administration of the construction with the matching share from the City of Norman.

On August 28, 2012, the citizens of Norman voted in favor of a Bond Issue to finance the local share of eight transportation/stormwater improvement projects. One of the eight 2012 bond projects is the 24th Avenue East Bond Project. Please see the attached location map showing the project boundaries. The total estimated project cost including design, utility relocations, right-of-way, construction and construction management is \$15,388,000. The City's share is estimated to be \$7,518,000.

Proposed improvements for the 24<sup>th</sup> Avenue East Bond Project include:

1. Widen two miles of roadway from two lanes to four lanes
2. New traffic signal at 24th Avenue East and Meadowood Boulevard
3. Intersection improvements at 24<sup>th</sup> Avenue East/Meadowood Boulevard and 24<sup>th</sup> Avenue East /Robinson Street
4. Interconnect traffic signals on 24<sup>th</sup> Avenue East from Lindsey Street to Robinson Street
5. Continuous sidewalks and accessibility
6. Stormwater improvements
7. On-street bike lanes

On March 13, 2013, City Council approved engineering services Contract K-1213-169 with Atkins North America, Inc., for the design of the 24<sup>th</sup> Avenue East Bond Project between Lindsey Street and Robinson Street in the amount of \$875,266.50.

On January 23, 2018, City Council approved Contract K-1718-63 in the amount of \$45,413 with Oklahoma Natural Gas (ONG) for Phase 1 (Lindsey to Alameda) utility relocations within private easements.

On January 23, 2018, City Council approved the allocation of \$74,200 for acquisition services under On-Call Contract K-1314-103 with Pinnacle Consulting Management Group.

On February 27, 2018, City Council approved Amendment No. 1 to Contract K-1213-169 with Atkins North America in the amount of \$133,455 for additional engineering design services.

On April 10, 2018, City Council approved Resolution R-1718-102 creating a Recoupment District for the 24<sup>th</sup> Avenue East Bond Project.

On June 26, 2018, City Council accepted eight (8) easements from six (6) parcels along the 24<sup>th</sup> Avenue East Project.

On August 28, 2018, City Council approved Contract K-1819-8 in the amount of \$1,583,150.50 for the 24th Avenue East Water Line Relocation Project: Phase 1 with W.E.B. Construction.

On September 11, 2018, City Council accepted one (1) easement from one (1) parcel along the 24<sup>th</sup> Avenue East Project.

On October 23, 2018, City Council accepted eight (8) easements and two (2) Warranty Deeds from four (4) parcels along the 24<sup>th</sup> Avenue East Project.

On November 13, 2018, City Council accepted ten (10) easements from three (3) parcels along the 24<sup>th</sup> Avenue East Project.

On February 12, 2019, City Council approved Contract K-1819-97 in the amount of \$2,330,500 for the 24th Avenue East Water Line Relocation Project: Phase 2 with H & H Plumbing and Utilities, Inc.

The anticipated remaining project schedule is as follow:

- Finish Utility Acquisitions in March 2019
- Continue Utility Relocations thru July 2019
- ODOT Bid opening for both phases of the Bond Project in May 2019
- Construction on both phases of the Bond Project to begin August 2019

**DISCUSSION:** The City must acquire right-of-way (warranty deed) and/or easements from eighteen (18) parcels along 24<sup>th</sup> Avenue East between Lindsey Street and Robinson Street for the construction of the 24<sup>th</sup> Avenue East Bond Project. These easements vary in size and type. To date, sixteen (16) parcels with thirty (30) easements and two (2) Warranty Deeds have been accepted by City Council. Three (3) new easements from one (1) parcel have been recently secured and are being brought to Council tonight for acceptance. Staff requested donations prior to making any offers of fair market value. All three (3) easements accepted compensation for appraised value. The attached table provides the details of these easements. Funds are available within the 24<sup>th</sup> Avenue East Bond Project, Land (account 050-9552-431.60-01; project BP0192) to pay for these easements. Right-of-Way Acquisition Sheets are attached providing the location of each easement necessary for the project.

Acquisitions for the Phase 1 portion of the project between Lindsey Street and Alameda Street were completed in November 2018. With the acceptance of these easements, one (1) remaining parcel with five (easements) is needed to complete the Phase 2 portion of the project between Alameda Street and Robinson Street. This remaining parcel is state-owned and the acquisition is being handled by the State of Oklahoma Office of Management and Enterprise Services (OMES). We anticipate being able to bring these easements to City Council in March 2019.

**RECOMMENDATION:** Staff recommends the above described permanent easement be accepted, and that payment be authorized, where appropriate and the filing be directed thereof.