



## Legislation Text

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**File #:** R-1819-98, **Version:** 1

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**RESOLUTION R-1819-98:** A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DEPOSITING DEFERRAL FUNDS TOTALING \$118,301.50 PAID BY THE DEVELOPERS OF ALAMEDA PARK ADDITION, SECTION III, ROYAL OAKS ADDITION NO. 8 AND ROYAL OAKS ADDITION NO. 9 AND APPROPRIATING THOSE FUNDS TO THE PROJECT ACCOUNT TO BE USED FOR 24TH AVENUE EAST WIDENING 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 General Obligation 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:

- Widen two miles of roadway from two lanes to four lanes
- Intersection improvements at 24<sup>th</sup> Avenue East/Meadowood Boulevard and 24<sup>th</sup> Avenue East /Robinson Street
- Interconnect traffic signals on 24<sup>th</sup> Avenue East from Lindsey Street to Robinson Street
- Continuous sidewalks and accessibility
- Stormwater improvements
- On-street bike lanes

On March 12, 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.

On February 26, 2019, City Council accepted three (3) easements from one (1) parcel along the 24<sup>th</sup> Avenue East Project.

In companion agenda items tonight, City Council is being asked to consider the following items:

- 24<sup>th</sup> Avenue East Phase 1: ODOT Funding Agreement
- 24<sup>th</sup> Avenue East Phase 2: ODOT Funding Agreement
- 24<sup>th</sup> Avenue East Phase 1: ODOT Right-of-Way and Utility Agreement
- 24<sup>th</sup> Avenue East Phase 2: ODOT Right-of-Way and Utility Agreement

The anticipated remaining project schedule is as follows:

- ODOT Bid opening for both phases of the Bond Project in June 2019
- Finish Phase 2 Water Line Utility Relocations in July 2019
- Construction on both phases of the Bond Project to begin no later than September 2019

**DISCUSSION:** In accordance with Section 19-602 B2(b)(c) of the City Code, there is a mechanism to defer public improvements if certain conditions are met. Section 19-602 B entitled "Deferral of Public Improvements" states, "The City Council, after recommendation from the Director of Public Works and the Planning Commission, may accept a final plat and authorize the issuance of building permits prior to the construction of such deferred public improvements required by the Code of the City of Norman in the following situations: (a) where incompatible grades exist; (b) where there are inadequate or lack of connecting facilities; (c) where construction of the improvement would not immediately function for its intended use; or (d) where such improvement would be replaced by a planned future improvement." The following plats included Deferral Funds for the widening of 24<sup>th</sup> Avenue East:

- Alameda Park Section 3 funds in the amount of \$18,146.50
- Royal Oaks Section 8 funds in the amount of \$29,707.40
- Royal Oaks Section 9 funds in the amount of \$70,447.60

If these above deferral funds in the amount of \$118,301.50 are approved by City Council, they will be used toward the City's 20% Participation in the costs for the construction of the 24<sup>th</sup> Avenue East Widening Project. The ODOT bid opening for this project is scheduled to occur on June 20, 2019. Construction is anticipated to begin no later than September 2019.

The total estimated cost of the 24<sup>th</sup> Avenue SE Bond Project is \$15,388,000, of which the City's share is estimated to be \$7,518,000 or 49%. The City's share of the project includes 100% of the engineering design, land acquisition and utility relocation; and 20% of construction and construction inspection.

**RECOMMENDATION No. 1:** Staff recommends authorizing the liquidation of the Certificate of Deposit from Alameda Park Section 3 and depositing \$18,146.50 into Donations/Organization (Revenue Account 050-0000-366.12-29).

**RECOMMENDATION No. 2:** Staff further recommends authorizing the liquidation of the Certificate of Deposit from Royal Oaks Section 8 and depositing \$29,707.40 into Reimbursement/Other City Expenses (Revenue Account 050-0000-366.12-29).

**RECOMMENDATION No. 3:** Staff further recommends authorizing the liquidation of the Certificate of Deposit from Royal Oaks Section 9 and depositing \$70,447.60 into Reimbursement/Other City Expenses n (Revenue Account 050-0000-

366.12-29).

**RECOMMENDATION No. 4:** Staff further recommends approval of Resolution R-1819-98 appropriating \$118,301.50 from Reimbursement/Other City Expenses (Revenue Account 050-0000-366.12-29) to the 24th Avenue East Widening Project, Construction (account 050-9552-431.61-01; project BP0192).