



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 6/14/2022

**REQUESTER:** Paul D'Andrea, Capital Projects Engineer

**PRESENTER:** Shawn O'Leary, Public Works Director

**ITEM TITLE:** CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2122-67: A PERMANENT PUBLIC SIDEWALK AND UTILITY EASEMENT DONATED BY NORMAN REGIONAL HOSPITAL AUTHORITY FOR THE PORTER AVENUE STREETScape 2019 BOND PROJECT.

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### **BACKGROUND:**

The Porter Avenue Corridor from Robinson Street south to Alameda Street along with the intersection of Porter Avenue and Acres Street has been the subject of much discussion and study over the years, due to concerns over traffic and pedestrian safety.

In 2010, Ochsner Hare & Hare prepared a Porter Avenue Corridor Study, which sought to analyze the area and provide a vision for future improvements to the corridor.

An evaluation of traffic control needs revealed that traffic volumes had reached levels that justify the installation of a new traffic signal at Porter Avenue and Acres Street. Approximately 20,000 vehicles pass through the intersection every day. An aerial photograph of the two 2019 Bond projects within the Porter Avenue Corridor is included in the exhibits to this agenda item.

On April 2, 2019, the citizens of Norman voted in favor of a Bond Issue to finance the local share of nineteen transportation improvement projects. Two of the nineteen 2019 bond projects are the Porter Avenue and Acres Street Intersection Bond Project and the Porter Avenue Streetscape Bond Project. The Porter Avenue Streetscape Bond Project consists of design and construction of streetscape elements along the Porter Avenue corridor between Robinson Avenue on the north and Alameda Street on the south. Proposed improvements include:

- New sidewalks
- Driveway consolidation or elimination (access management)
- Decorative roadway and pedestrian lighting
- Landscaping
- New curb and gutter
- Street furniture (e.g., benches, trash receptacles, ash urns, etc.)

The Porter Avenue and Acres Avenue Intersection Project began construction in November of 2020 and was completed in January of 2022. The Porter Avenue Streetscape project has been approved to receive federal funds to aid in the construction costs and is anticipated to be out for bid in summer of 2022 pending right of way and utility relocations and ODOT environmental review.

On September 10, 2019, the Norman City Council approved Amendment No. 2 to Contract K-1213-165 with Garver Engineers, in the amount of \$185,500.00, for a total contract amount of \$400,800.00, for the design of the Porter Avenue Streetscape project including the portion of the project from Robinson Avenue to Hughbert Street, which coincides with the northern boundary of the Porter Avenue and Acres Street Intersection Project.

On April 28, 2020, the Norman City Council approved Amendment No. 3 to Contract K-1213-165 with Garver Engineers, in the amount of \$175,000.00, for a total contract amount of \$575,800.00, for the design of the Porter Avenue Streetscape project, which expands the design scope to encompass the full project, adding the section of Porter Avenue from the southern boundary of the Porter Avenue and Acres Street Intersection Bond Project to Alameda Street.

On July 13 2021, the Norman City Council approved Authorization for Expenditure No. Six under on-call Contract K-1314-102, with Smith-Roberts Land Services (SRLS), in the amount of \$89,055, for right-of-way acquisition services.

On October 26, 2021, City Council approved Authorization for Expenditure No. Seven, under Contract K-1314-102 between the City of Norman, OK and Smith-Roberts Land Services, Inc., in an amount not-to-exceed \$10,884.00, to provide acquisition services under an on-call contract utilizing funds from the Porter Avenue Streetscape Bond Project.

On March 8, 2022, City Council accepted easements for parcels 6, 9, 14, and 15, for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$45,425.

On March 22, 2022, City Council accepted easements for parcels 1, 2, 3, 5, 10, 11 and 16, for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$110,145.

On April 12, 2022, City Council accepted easements for parcels 7, 18, 19, and 21, for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$9,830.

On May 24 2022, City Council accepted an easement for parcel 4 for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$2,585.

On June 8, 2022, The City deposited funds matching the Commissioners' Award associated with eminent domain proceedings for Parcel 8 for the Porter Streetscape 2019 Bond Project, thus acquiring rights to access the parcel for the purpose of the project.

Two parcels originally identified as requiring right of way, parcels 12 and 17, did not require right of way due to changes made during final design.

## **DISCUSSION:**

Right-of-way acquisition necessary for the Porter Avenue Streetscape 2019 Bond Project consists of thirty-three (34) separate easements on nineteen (19) parcels. Smith-Roberts Land Services (SRLS) oversaw and reviewed the appraisal of each parcel, and assisted the City staff in the preparation of offer letters to each property owner affected, based on the appraised values and damages. These easements are typically small in size and have minimal impact on the existing property. The easements are usually needed to properly construct public sidewalks and driveways.

Offer letters were sent on January 10, 2022, and contained information identifying the required easements and encouraged each property owner to consider donation of the property. City staff and SRLS have met with the affected property owners individually, to answer questions and aid them in understanding the right of way acquisition process, as well as the effect it will have on their properties.

This project has been approved for federal funding for FYE 2022. In order to meet the project schedule to secure the federal funds, the City needs to acquire all associated parcels by June 2022. Previously, seventeen (17) parcels, consisting of twenty-eight (28) separate easements, have been acquired by the City, totaling \$179,900.00. The secured easements were for parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 18, 19, and 21.

This item, and related items, is for the acceptance for the remaining two (2) parcels (parcels 13 and 20) consisting of six (6) easements. These parcels are the Norman Regional Hospital Authority properties. As part of the purchase agreement with the City, Contract K-2122-82, these easements are being donated by NRHA in advance of the final platting for the property involved; therefore, and there is no acquisition cost to the City for this item.

## **RECOMMENDATION**

Staff recommends the above described easement be accepted and the filing be directed thereof.