



## Legislation Details (With Text)

**File #:** 17-1359      **Version:** 2      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 11/2/2017      **In control:** City Council  
**On agenda:** 12/12/2017      **Final action:** 12/12/2017  
**Title:** A resolution authorizing the acquisition of property utilizing the use of possession and use agreements, for the West Colorado Avenue Reconstruction Project (Westside Avenue Action Plan)

**Presenter:**  
Mike Chaves, Engineering Programs Manager

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ColoradoAvePosUseAgrRES-2017-11-3, 2. Exhibit A - West Co Ave - City of COS Parcels 11-16-2017-PU, 3. Signed Resolution 153-17

Date	Ver.	Action By	Action	Result
12/12/2017	2	City Council	adopted	
11/27/2017	2	Council Work Session	referred	

A resolution authorizing the acquisition of property utilizing the use of possession and use agreements, for the West Colorado Avenue Reconstruction Project (Westside Avenue Action Plan)

**Presenter:**  
Mike Chaves, Engineering Programs Manager

**Summary:**  
City Engineering staff requests City Council approval of a resolution authorizing the acquisition of property utilizing possession and use agreements, for the West Colorado Avenue Reconstruction Project (Westside Avenue Action Plan).

**Previous Council Action:**  
On June 13, 2017, City Council approved a resolution authorizing the use of eminent domain to acquire real property owned by Francisco Serna needed for the West Colorado Avenue Reconstruction, 31st Street to U.S. Highway 24, project.

**Background:**  
The City of Colorado Springs ("City"), along with other participating governments, is working to complete the West Colorado Avenue Reconstruction, 31st Street to U.S. Highway 24 Project ("Project"). The Project consists of capital improvements to transportation and other systems and ways within and through the jurisdictional boundaries of the City of Colorado Springs, the City of Manitou Springs, and El Paso County, essential for the public health, safety and welfare of those communities. The Project was identified by the Pikes Peak Rural Transportation Authority ("PPRTA")

as a Priority “A” Regional Collaborative Project, and the PPRTA committed funding for engineering and construction of the Project on January 1, 2015. The project was phased into three parts for construction, a western section in Manitou Springs, center section encompassing the Colorado Ave. bridge over Fountain Creek, and eastern section in Colorado Springs. Work began on the western section as fewer ROW parcels were needed and the ROW acquisition was further along in this area. The contractor is finishing up the western section and making significant progress in the center section, with a completion target of May 2018 for these phases. Approximately 50 parcels in Colorado Springs are needed to complete the project, and offerors on most of them have been made. Negotiations continue and owners for the most part are not opposed to the project or reaching a settlement. They are seeking more detail of the impacts of the project and land acquisition. It is expected working through these issues will extend the time to reach an agreement. Utilizing Possession and Use agreements will give the project access the properties in a timely manner for construction while allowing for final settlements to be negotiated.

This Project supports the City’s strategic goal of investment in infrastructure by: reconstruction of West Colorado Avenue/Manitou Avenue from 31st Street to U.S. Highway 24; construction of park trails and sidewalks; construction of drainage facilities; reconstruction of the Colorado Avenue Bridge over Fountain Creek; and, in conjunction with Colorado Springs Utilities, upgrades to utility infrastructure to include undergrounding of electric along Colorado Avenue.

**Financial Implications:**

These properties will be acquired using PPRTA funds. Project cost increases and schedule delays may occur if property acquisitions do not proceed in a timely and efficient manner. The use of possession and use agreements are intended to minimize time delays and potential increased project costs.

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

Construction of this multimodal transportation and safety improvements Project began in January 2017 following completion of a three-year collaborative, citizen engaged study and design process.

**Alternatives:**

City Council may approve, modify or deny approval of the attached resolution.

**Proposed Motion:**

Approve the proposed resolution as presented.

N/A