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Title: A resolution authorizing the acquisition of property owned by Matthew A., Anna L., and Thomas J. Alimena to be used for the Woodmen Road Corridor Improvements Project (Phase 2) and authorizing a short-term lease of that property to Matthew A. and Anna L. Alimena for less than fair market value after the acquisition

Sponsors:

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Attachments: 1. Resolution--Alimena Acquisition and Lease-back 051314.pdf, 2. Exhibit A Vicinity Map, 3. Exhibit B Alimena Lease Revenue Residential - City Landlord April 2014

Date	Ver.	Action By	Action	Result
5/13/2014	1	City Council	adopted	Pass

A resolution authorizing the acquisition of property owned by Matthew A., Anna L., and Thomas J. Alimena to be used for the Woodmen Road Corridor Improvements Project (Phase 2) and authorizing a short-term lease of that property to Matthew A. and Anna L. Alimena for less than fair market value after the acquisition

From:

Dave Lethbridge, Interim Public Works Director
Stuart King, Capital Projects Engineering Manager

Summary:

The attached Resolution authorizes staff to proceed with the acquisition of property needed for the Woodmen Road Corridor Improvements Project (Phase 2). Matthew A. Alimena, Anna L. Alimena and Thomas J. Alimena are the owners of a 2.117 acre parcel of land known as 7043 Stinson Drive. A parcel vicinity map is attached as Exhibit A. This property includes a two-story house with a two-car garage. The need for this property acquisition was identified during the preliminary and final design process for the Woodmen Road Corridor Improvements Project (Phase 2) and approved by the Colorado Department of Transportation (CDOT). The Resolution also authorizes staff to execute a temporary and revocable lease agreement granting the Alimena family use of the property during construction of their replacement dwelling at a rental rate below fair market value. This lease may need to be in effect for up to 180 days. A sample lease agreement is attached as Exhibit B. The terms of the lease include the agreement that the Alimena family will not pay to lease their property back from the City, but will be responsible for paying all utilities and insuring the contents of the house.

Previous Council Action:

- On February 22, 2000, City Council approved the first phase of funding \$1,788,134 for the widening of Woodmen Road from I-25 to Lexington Drive
- On November 12, 2002, City Council approved increased funding to \$7,033,400 for the widening of

Woodmen Road from I-25 to Powers Boulevard

- On June 22, 2004, City Council approved increased funding to \$7,401,740 for the widening of Woodmen Road from I-25 to Powers Boulevard
- On January 24, 2006, City Council approved a resolution endorsing the proposed action plan to improve Woodmen Road through the Colorado Springs urbanized area as detailed in the Woodmen Road Corridor Improvements Environmental Assessment document (EA)

Previously approved Woodmen Road property Acquisition:

- On August 14, 2007, City Council approved a resolution authorizing the acquisition of property owned by David E. Johnson, Ronald A. Johnson, and Anne H. Flemke to be used for the Woodmen Road Widening Project (Phase 1)
- On September 11, 2007, City Council approved a resolution authorizing the acquisition of property owned by Helen M. Riggs to be used for the Woodmen Road Widening Project (Phase 1).
- On October 23, 2007, City Council approved a resolution authorizing the acquisition of property owned by Steven R. Capehart and Betty Lue Capehart to be used for the Woodmen Road Widening Project (Phase 1).
- On October 23, 2007, City Council approved a resolution authorizing the acquisition of property owned by Alexander S. Christie, Carol E. Castaneda, Kyle Burke Craig, and Danna Lynn Barnes to be used for the Woodmen Road Widening Project (Phase 1).
- On November 13, 2007, City Council approved a resolution authorizing the acquisition of property owned by Emil M. Squazzo to be used for the Woodmen Road Widening Project (Phase 1).
- On January 8, 2008, City Council approved a resolution authorizing the acquisition of property owned by Mike P. Slattery to be used for the Woodmen Road Widening Project (Phase 1).
- On April 8, 2008, City Council approved a resolution authorizing the acquisition of property owned by Rose A. Carlson to be used for the Woodmen Road Widening Project (Phase 1).

Background:

The Woodmen Road Corridor Improvements Project, Phases 1 and 2 extends from I-25 to US Highway 24, a distance of approximately 11 miles. The purpose of this project is to develop roadway improvements that meet the safety and capacity needs of the corridor by widening the roadway to six lanes and improving horizontal and vertical curves.

The City of Colorado Springs and El Paso County developed a National Environmental Protection Act (NEPA) Environmental Assessment (EA) for the project. This was a necessary first step to make use of the federal funds available to both the City and the County for Woodmen Road.

An Environmental Decision of Finding of No Significant Impact (FONSI) was determined by the Federal Highway Administration (FHWA) in February 2007. The Decision Document was released on March 22, 2007. As a result, the Phase 1 project (I-25 through Academy Boulevard) was authorized by CDOT and FHWA to advance to acquire right-of-way and to proceed into construction.

Phase 2 of the project continues from where Phase 1 left off east of Academy Boulevard and continues east to the Lexington Drive intersection. The EA for the project originally identified a Single Point Urban Interchange (SPUI) configuration for the Woodmen Road at Union Boulevard intersection. During the preliminary design for the phase 2 project, a Continuous Flow Intersection (CFI) configuration was identified as an alternative that would deliver acceptable traffic operations through the horizon planning year of 2035 at a significantly lower cost than the SPUI (\$6 million for CFI versus \$24 million for SPUI). Because of this change and a change in how the residences in the Columbine Estates neighborhoods both west and east of Union Boulevard would be accessed, the EA had to be re-evaluated by the Colorado Department of Transportation and the FHWA. This re-evaluation was approved on December 19, 2013 by both CDOT and FHWA. As a result, the Phase 2 project was authorized by both CDOT and FHWA to advance to acquire the necessary right-of-way and to

proceed into construction.

The Alimena parcel was identified as one of three residential full acquisitions necessary to implement the proposed roadway improvements. Two of these three residences were identified as required acquisitions and needing relocation assistance as they are located within the footprint of the proposed roadway for future access to Gail Place, Ruth Place, and Cindy Place.

Following Federal, State and City acquisition regulations, the City and current property owners each obtained an appraisal of the property. An Administrative Settlement in the amount of \$410,000 was established and approved by the Colorado Department of Transportation as the oversight agency for this federally funded project. Applicable Colorado State laws and federal-aid project mandates were followed for this determination.

Financial Implications:

The cost of this parcel acquisition in the amount of \$410,000 and additional relocation assistance estimated to cost \$57,400 is available in the project budget.

Board/Commission Recommendation:

N/A

Stakeholder Process:

Capital Projects Engineering staff and their consultants (URS) have performed an extensive public involvement process for the Woodmen Road Phase 2 project. The project team has conducted three public open house meetings. In addition, staff and their consultants continue to be engaged in their coordination efforts with key residential and commercial stakeholders along the corridor. This effort has included a number of public meetings and individual meetings that are still continuing. Capital Projects Engineering has done extensive coordination with the residential and commercial stakeholders over the last several years in order to arrive at a mutually acceptable plan for the project.

Alternatives:

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

Proposed Motion:

Move approval of the resolution.

N/A