



Legislation Text

File #: 22-125, **Version:** 1

A Resolution Authorizing the Acquisition of 1.905 Acres of Land and Easements from Kendal Tatum Rota and Joseph D. Rota Using PPRTA Funds for the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project

Presenter:

Gayle Sturdivant, P.E. City Engineer/Deputy Public Works Director
Mike Chaves, P.E. Engineering Manager
Darlene Kennedy, Real Estate Services Manager

Summary:

The acquisition proposal would authorize the City of Colorado Springs Real Estate Services Manager and Public Works Director to enter into a Real Estate Purchase Agreement with Kendal Tatum Rota and Joseph D. Rota ("Property Owner") to acquire right-of-way and easements in connection with the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project (the "Project").

Background:

The Project consists of transportation capital improvements within and through the jurisdictional boundaries of the City of Colorado 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. Construction activity is anticipated to start in April 2022. The timing of this property acquisition does not impact that start date.

The 0.629-acre parcel being acquired is needed for widening the east side of Black Forest Rd located southeast of the intersection of Black Forest Rd and Research Pky. The permanent easement (1.001 acres) is needed for public improvements, and the temporary construction easement (0.275 acres) is needed to accommodate construction in connection with the Project on the Property Owner's property.

Pursuant to Chapter 9 of The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021 ("RES Manual"), appraisals for the parcel were obtained, which support the purchase price of \$243,050. Pursuant to the RES Manual, City Council must approve property acquisitions if the total acquisition amount exceeds \$100,000.

After City Council approval, the Pikes Peak Rural Transportation Authority Board is scheduled to consider the acquisition at the April 13, 2022, Board meeting.

The Public Works Department requests that City Council adopt the attached Resolution for acquisition of the property from the Property Owner. Additionally, the attached Resolution authorizes

the City's Real Estate Services Manager and the Public Works Director to execute all documents necessary to complete the acquisition.

This item supports the City's strategic goal of investing in infrastructure.

Previous Council Action:

On August 14, 2012, City Council endorsed the extension of the Pikes Peak Rural Transportation Authority Capital Program in Resolution No. 109-12 (Exhibit A). Subsequently, on November 6, 2012, the citizens approved Ballot Issue 5A extending the PPRTA Program until December 31, 2024. Priority "A" Projects include the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project.

On May 12, 2020, City Council approved a resolution authorizing the acquisition of property owned by the Gelles Family Trust and the Gail C. Gelles 2002 Revocable Trust to be used for the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project.

On March 23, 2021, City Council approved a resolution authorizing use of Possession and Use Agreements for the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project.

On January 11, 2022, City Council approved a resolution authorizing the acquisition of property owned by El Paso County School District 20 to be used for the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project.

On February 8, 2022, City Council approved a resolution authorizing the acquisition of property owned by Woodmen Land Development L.L.C., to be used for the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project.

Financial Implications:

This land acquisition cost is accounted for in the PPRTA project budget.

City Council Appointed Board/Commission/Committee Recommendation:

N/A

Stakeholder Process:

Engineering of this multimodal transportation and safety improvement project began in May 2019, followed up with a public meeting on February 27, 2020, and newsletters distributed in February 2020, April 2020, August 2020, February 2021, and October 2021.

Alternatives:

To disapprove of the Resolution and not authorize the City to acquire the property.

To approve the Resolution and authorize the property acquisition.

Proposed Motion:

Move approval of the proposed Resolution.

N/A