



## Legislation Details (With Text)

**File #:** 18-0078      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 2/1/2018      **In control:** City Council  
**On agenda:** 2/27/2018      **Final action:** 2/27/2018  
**Title:** A resolution amending resolution No. 153-17 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. West Co Ave -Res- Attachment A-Feb 1, 2. RES 153-17, 3. WestsideActionPlanAmendingRES-2018-02-05, 4. Signed Resolution 10-18

Date	Ver.	Action By	Action	Result
2/27/2018	1	City Council	adopted	
2/12/2018	1	Council Work Session	referred	

A resolution amending resolution No. 153-17 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:

The staff within the City Engineering Division of Public Works requests City Council approval of an amendment of a resolution authorizing the acquisition of property utilizing possession and use agreements, for the West Colorado Avenue Reconstruction Project (Westside Avenue Action Plan). Additional properties are requested to be included in the previously approved resolution. The affected properties, operating under one ownership as a recreational vehicle campground, are located in the City of Colorado Springs and the City of Manitou Springs.

### Previous Council Action:

On December 12, 2017, City Council approved a resolution authorizing the acquisition of property utilizing possession and use agreements for 58 properties needed for the West Colorado Avenue Reconstruction project.

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 project.

### **Background:**

The City of Colorado Springs ("City"), along with other participating governments, is working to complete the West Colorado Avenue Reconstruction 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 right of way parcels were needed and the right of way 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 59 parcels in Colorado Springs and one in Manitou Springs are needed to complete the project, and offers 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 that working through these issues will extend the time to reach an agreement. Utilizing possession and use agreements will give the Project access to the properties in a timely manner for construction while allowing for final settlements to be negotiated. A total of 58 parcels were approved for utilization of possession and use agreements in prior Council action. The remaining acquisitions are for portions of parcels and no full properties are needed.

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 the 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