



## Legislation Details (With Text)

**File #:** 22-247      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 4/7/2022      **In control:** City Council  
**On agenda:** 5/24/2022      **Final action:** 5/24/2022

**Title:** A Resolution Authorizing the Acquisition of a 0.844-acre Permanent Easement from 4225 Sinton Road Properties, LLC for the North Douglas Creek Channel Restoration: I-25 to Union Pacific Railroad Project

**Presenter:**  
Richard Mulledy, P.E. Stormwater Enterprise Manager  
Darlene Kennedy, Real Estate Services Manager

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 4225 Sinton Rd Properties Easement - Resolution for City Council 2022-04-13, 2. 4225 Sinton Rd Properties Easement - Council Working Session Powerpoint, 3. Signed Resolution No. 68-22

Date	Ver.	Action By	Action	Result
5/24/2022	1	City Council	adopted	Pass
5/9/2022	1	Council Work Session	referred	

A Resolution Authorizing the Acquisition of a 0.844-acre Permanent Easement from 4225 Sinton Road Properties, LLC for the North Douglas Creek Channel Restoration: I-25 to Union Pacific Railroad Project

### Presenter:

Richard Mulledy, P.E. Stormwater Enterprise 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 Memorandum of Agreement with 4225 Sinton Road Properties, LLC (the "Property Owner") to acquire an 0.844-acre permanent easement (the "Easement") in connection with the North Douglas Creek Channel Restoration: I-25 to Union Pacific Railroad Project (the "Project").

### Background:

The Project consists of stormwater capital improvements within and through the jurisdictional boundaries of the City of Colorado Springs essential for the public health, safety, and welfare of the community. The Project was identified in the City and Pueblo County's Inter-Governmental Agreement (IGA) entered in April of 2016. The Project is also identified in the 2013 EPA audit of the City's MS4 program. Construction activity is anticipated to start in July 2022. The start date for construction is dependent on the acquisition of this Easement.

The Easement being acquired is needed to repair the severely eroded natural channel of North Douglas Creek. The Easement is located along the northern bank of North Douglas Creek east of I-25.

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 by the City and the Property Owner, which support the purchase price of \$193,549.50. Pursuant to the RES Manual, City Council must approve acquisitions if the total acquisition amount exceeds \$100,000.

The Public Works Department requests that City Council adopt the attached Resolution for acquisition of the Easement 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:**

City Council approved Resolution No. 36-16, dated April 20, 2016, authorizing the Mayor to execute the Stormwater IGA with Pueblo County.

**Financial Implications:**

This project is partially funded by a FEMA Pre-disaster Mitigation Grant. However, the cost of the Easement acquisition will be paid for by the Stormwater Enterprise project budget.

**City Council Appointed Board/Commission/Committee Recommendation:**

N/A

**Stakeholder Process:**

The Property Owner has been engaged with the project dating back to 2019.

**Alternatives:**

To disapprove of the Resolution and not authorize the City to acquire the property and return any unused grant funds to FEMA.

**Proposed Motion:**

Move approval of the proposed Resolution.

N/A