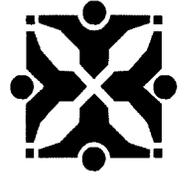


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 358-14

Department Source: Parks and Recreation

To: City Council

From: City Manager & Staff

Council Meeting Date: November 17, 2014

Re: Easement Acquisition and Amendment No. 1 to the Engineering Services Agreement:
Grindstone Creek Trail Phase I

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution Only

Supporting documentation includes: Plat/Plan, Legal Description

Executive Summary

Parks and Recreation staff is requesting Council authorization to allow the City Manager to execute Amendment No. 1 with Allstate Consultants, LLC for additional design services for the Grindstone Creek Trail Phase I development. The total not-to-exceed amount of the amendment is \$34,200 which brings the total not-to-exceed amount of the agreement to \$284,200. Staff is also requesting authorization from the City Council to proceed with the acquisition of an additional easement for property located at 2309 Bluff Pointe Drive. Since the start of the project, this property has changed ownership and the new owner is willing to work with staff on an easement through their property which will result in significant construction savings. Allstate Consultants has completed the detailed construction drawings and required easement description for this portion of the trail. Project funding for the Grindstone Creek Trail Phase I development, in the amount of \$1,570,000, has already been appropriated and is funded by the 2010 Park Sales Tax.

Discussion

Parks and Recreation staff officially began planning the first phase of the Grindstone Creek Trail on December 3, 2010. The construction of the trail was the only trail construction project on the 2010 Park Sales Tax ballot and was specifically identified in Council Resolution R166-10. A complete history of the trail, public meetings, public comments, and plan development may be found at the Department's website at:

http://www.gocolumbiamo.com/ParksandRec/Trails/cip_grindstonetrail.php.

The original scope of services provided by Allstate Consultants, LLC consists of the consultant providing final construction plans, specifications, and easement descriptions necessary to construct the Grindstone Creek Trail Phase I project. An amendment to the agreement is required to complete additional services as outlined below.

- Complete the administrative replat of the Bluff Creek Estates Common Area to combine the two properties into one lot and remove the two portions of the area that extend into the Bluff Creek Estates Subdivision. The two small extensions will remain as property owned by the

City of Columbia

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Bluff Creek Neighborhood Association, and the two large lots will be donated to the City of Columbia for the Phase I construction of the Grindstone Creek Trail.

- Revise the final plat for property owned by Odle and Associates to divide the property into two separate pieces on the north and south side of the Grindstone Creek. The Parks and Recreation Department is in negotiations to acquire the portion of the plat on the north side of the Grindstone Creek for the development of the trail.
- Complete additional design and easement work to create an alternate access to the Grindstone Creek Trail from the Bluff Creek Subdivision. As requested by the Bluff Creek Neighborhood Association, Allstate Consultants, LLC. is developing a potential access route from Bluff Creek Drive to the Grindstone Creek Trail.
- Provide additional support for the bidding of the trail components including the bidding of the five bridges on the trail, elevated trail section and other necessary construction components. Additional services are needed due to changes in project access, elevated trail length and construction and bridge design.
- Complete necessary work associated with the revised trail design and easement description for Lot 37, East Pointe Plat 1-B (2309 Bluff Pointe Drive). This property was formerly owned by the Baker family who were opposed to the trail. The new owners are willing to work with the City on an easement through their property. The new design will reduce the amount of elevated trail adjacent to the Grindstone Creek and will be replaced by 8 ft. concrete trail within the homeowner's property as identified in the easement.
- Complete additional construction support and staking for original design changes associated with the additional easement, replat and final plat within the trail corridor.
- Additional costs associated with project administration, meetings and correspondence.

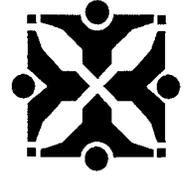
In addition to Amendment no. 1 with Allstate Consultants, LLC., staff is requesting Council authorization for the acquisition of an additional easement required to construct Phase I of the Grindstone Creek Trail. The permanent trail easement located at 2309 Bluff Pointe Drive was not included in the original Council ordinance because the homeowners of the property at that time expressed no interest in having the trail located within their property. The property is now under different ownership and the homeowner is willing to grant a permanent easement for the trail on their property. Once Council approves the ordinance, staff will finalize the acquisition.

Fiscal Impact

Short-Term Impact: Overall there is no fiscal impact to this action. Project funds were appropriated over a two year period with \$350,000 in fiscal year 2011 and \$1,220,000 in fiscal year 2012 for a total budget of \$1,570,000. The project includes approximately \$100,000 for easement acquisition. Staff is in negotiation with the property owner for the easement and expects the easement will be

City of Columbia

701 East Broadway, Columbia, Missouri 65201



purchased at fair market value. However, by purchasing this easement, staff will not have to construct an elevated boardwalk on the edge of the creek bed which will result in construction savings of approximately \$200,000. The total cost of the engineering contract will be increased by \$34,200 bringing it to a total of \$284,200. This is all for additional services as directed by City staff and the hourly cost is within usual and customary guidelines for this type of work.

Long-Term Impact: None

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Parks, Recreation and Greenways

Strategic Plan Impact: Customer Focused Government, Health, Safety and Wellbeing

Comprehensive Plan Impact: Mobility, Connectivity, and Accessibility, Livable & Sustainable Communities

Suggested Council Action

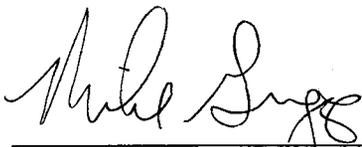
Approve the Council legislation authorizing the City Manager to execute Amendment No. 1 to the agreement with Allstate Consultants, LLC for additional design services for the Grindstone Creek Trail Phase I development and authorize the acquisition of a trail easement located at 2309 Bluff Pointe Drive.

Legislative History

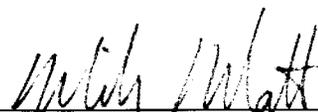
Council Bill # R143-11; resolution passed August 15, 2011 authorizing agreement with Allstate Consultants, LLC for the planning and design of Grindstone Creek Trail
<http://www.gocolumbiamo.com/CMS/codemaster/attachment.php?ordid=19499>

Ordinance #21781, passed August 19, 2013 authorizing construction of Grindstone Creek Trail
<http://www.gocolumbiamo.com/CMS/codemaster/attachment.php?ordid=20690>

Ordinance #22034, passed April 21, 2014 authorizing easement acquisition for Grindstone Creek Trail
<http://www.gocolumbiamo.com/CMS/codemaster/attachment.php?ordid=21128>



Department Approved



City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 358-14

AN ORDINANCE

declaring the need to acquire additional easements for construction of the Grindstone Creek Trail Phase I project between the Grindstone Nature Area and Maguire Boulevard; authorizing acquisition by negotiation or, if necessary, by condemnation; authorizing the City Manager to obtain and execute all instruments necessary for acquisition of such land; and fixing the time when this ordinance shall become effective.

WHEREAS, the Constitution and Statutes of the State of Missouri and the Home Rule Charter for the City of Columbia, Missouri, authorize the City Council to exercise the power of eminent domain, within or without the City, and among other things, to acquire, and maintain any property, real or personal within or without the City for all public uses or purposes, and to acquire, receive and hold any estate or interest in any such property; and

WHEREAS, the Council deems it necessary for the welfare and improvement of the City and in the public interest that certain private property be acquired by negotiation or by condemnation for public improvement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby declares the need to acquire additional easements for construction of the Grindstone Creek Trail Phase I project between the Grindstone Nature Area and Maguire Boulevard, described as follows:

**PERMANENT TRAIL EASEMENT
JEFFERY D. AND LISA K. BROWN**

TWO TRACTS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF LOT 37, EAST POINTE PLAT 1-B, RECORDED IN PLAT BOOK 22, PAGE 27 AND BEING PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4308, PAGE 144, BOTH OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 37; THENCE WITH THE WEST LINE OF SAID LOT 37, N0°11'55"E, 50.00 FEET; THENCE LEAVING SAID WEST LINE, S64°02'00"E, 111.02 FEET TO THE SOUTH LINE OF SAID LOT 37; THENCE WITH SAID SOUTH LINE, S89°11'55"W, 100.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,500 SQUARE FEET;

TRACT 2

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 37; THENCE WITH THE SOUTH LINE OF SAID LOT 37, N89°11'55"E, 127.00 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID SOUTH LINE, N75°16'35"E, 125.64 FEET TO THE EASTERNMOST CORNER OF SAID LOT 37; THENCE WITH THE LINES OF SAID LOT 37, S52°45'50"W, 50.90 FEET; THENCE S89°11'55"W, 81.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,224 SQUARE FEET.

**TEMPORARY CONSTRUCTION EASEMENT
JEFFERY D. AND LISA K. BROWN**

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF LOT 37, EAST POINTE PLAT 1-B, RECORDED IN PLAT BOOK 22, PAGE 27 AND BEING PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4308, PAGE 144, BOTH OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 37; THENCE WITH THE WEST LINE OF SAID LOT 37, N0°11'55"E, 92.80 FEET; THENCE LEAVING SAID WEST LINE, S74°39'45"E, 142.82 FEET; THENCE S79°04'45"E, 112.49 FEET TO THE EASTERNMOST CORNER OF SAID LOT 37; THENCE WITH THE LINES OF SAID LOT 37, S52°45'50"W, 50.90 FEET; THENCE S89°11'55"W, 208.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 8,745 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE PROPOSED PERMANENT TRAIL EASEMENT OR THE SEWER EASEMENT RECORDED IN BOOK 523, PAGE 20 AS SHOWN BY SAID EAST POINTE PLAT 1-B.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation.

SECTION 3. The City Manager is authorized to obtain, execute and record all deeds and other instruments necessary to acquire the land described in Section 1.

SECTION 4. If the City cannot agree with the owners, or those claiming an interest in the land described in Section 1, on the proper compensation to be paid for such land, or if the owner is incapable of contracting, is unknown, or cannot be found, or is a non-resident of the State of Missouri, the City Counselor is authorized to petition the Circuit Court of Boone County, Missouri, to acquire the land described in Section 1 by condemnation.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

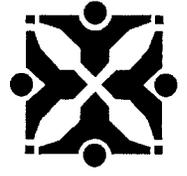
ATTEST:

City Clerk

Mayor and Presiding Officer

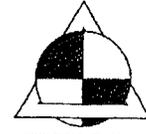
APPROVED AS TO FORM:

City Counselor



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Plat/Plan



**ALLSTATE
CONSULTANTS**
3312 LEMONE INDUSTRIAL BLVD.
COLUMBIA, MO. 65201
(573) 875-8799
ENGINEERING • PLANNING • SURVEYING • GEOTECHNICAL • INVESTIGATION

SEPT. 18, 2014

BLUFF POINTE DR.

OWNERS
JEFFERY D. & LISA K. BROWN

16' SEWER ESMT.
AS SHOWN BY EAST
POINTE PLAT 1-B

20' SEWER ESMT. REC. IN
BK. 523, PG. 20
AS SHOWN ON EAST
POINTE PLAT 1-B

TRACT 1

PROP. TEMPORARY
CONSTRUCTION ESMT.

TRACT 2

PROPOSED
TRAIL
EASEMENT

**GRINDSTONE TRAIL
EASEMENT DISPLAY
LOT 37 EAST POINTE PLAT 1-B**

COLUMBIA, MISSOURI



1" = 50'

DESCRIPTION FOR PROPOSED PERMANENT TRAIL EASEMENT
FOR: CITY OF COLUMBIA PARKS AND RECREATION
OWNER: JEFFERY D. AND LISA K. BROWN
JOB: 11112.02

SEPTEMBER 18, 2014

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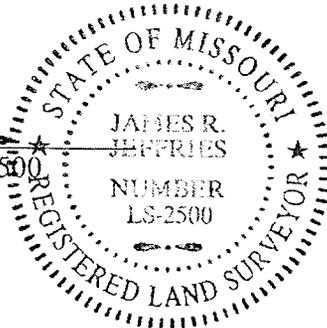
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ALLSTATE CONSULTANTS LLC


JAMES R. JEFFRIES, PLS-2500

Sept. 18, 2014
DATE



DESCRIPTION FOR PROPOSED TEMPORARY CONSTRUCTION EASEMENT
FOR: CITY OF COLUMBIA PARKS AND RECREATION
OWNER: JEFFERY D. AND LISA K. BROWN
JOB: 11112.02

SEPTEMBER 18, 2014

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ALLSTATE CONSULTANTS LLC

James R. Jeffries
JAMES R. JEFFRIES, LS-2500

SEPT. 18, 2014
DATE

