

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 21-261	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	11/8/2021	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	12/21/2021	<b>Final action:</b>	12/21/2021
<b>Title:</b>	An Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to execute the same. (PWC 12/13/21)		
<b>Sponsors:</b>	Public Works Admin & Engineering		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Agreement (Exhibit 1 to Ordinance)		

Date	Ver.	Action By	Action	Result
12/21/2021	1	City Council - Regular Session	for second reading	Pass
12/21/2021	1	City Council - Regular Session	adopted and numbered	Pass
12/13/2021	1	Public Works Committee	recommended for approval	Pass

An Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to execute the same. (PWC 12/13/21)

### Issue/Request:

An Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to execute the same.

### Key Issues:

- The City is engaged in the design of the Chipman Road Improvements from View High Drive to Bent Tree Drive (hereinafter "Project").
- During preliminary survey and design, it was determined that Evergy's facilities are in conflict along the corridor of the Project.
- Evergy intends to relocate 30 poles throughout the corridor, half of which are currently located in dedicated electric easements which the City is responsible for paying for this adjustment.
- The City desires to enter into an agreement with Evergy to perform the relocation of their facilities for the agreed upon payment estimate where final costs are dependent upon actual construction (hereinafter "Utility Agreement").

Proposed Committee Motion:

I move to recommend to City Council approval of an Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to execute the same.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of an Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to execute the same.

SECOND MOTION: I move for adoption an Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to execute the same.

Background:

In July 2018, the City entered into an agreement with Wilson & Company to re-start the design work on the Chipman Road Improvements from View High Drive to Bent Tree Drive. During preliminary survey and design, Wilson & Company determined potential conflicts with Evergy's facilities along the corridor.

Through plan sharing and meetings with Evergy during the design process, it was concluded that Evergy's facilities throughout the corridor would need to be relocated and rebuilt due to conflicts with the City's project. These conflicts include poles in new roadway alignment, poles in new sidewalk alignment, poles interfering with new retaining walls and grading issues with cut and fill. Evergy has finalized their relocation design for the corridor. There are 30 poles being replaced on this project, 15 are currently located in dedicated electric easements (City pays for relocation) and 15 are currently located in City ROW (Evergy pays for relocation). City staff agrees with the 50/50 cost share of Evergy's relocation.

Evergy has estimated the City's responsibility of the relocation cost. City staff desires to enter into the negotiated Evergy Utility Agreement which requires the City Manager's signature prior to relocation work beginning. Upon completion of the relocation work, the City will reimburse Evergy for the actual cost of the City's share of the work.

Michael Park, Director of Public Works

Recommendation:

Staff recommends approval of an Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to

execute the same.

Committee Recommendation:

The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of an Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to execute the same.