

INTRODUCED: April 12, 2021

AN ORDINANCE No. 2021-092

To declare that a public necessity exists and to authorize the acquisition of certain fee simple interests and easements for the public purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement project.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 26 2021 AT 6 P.M.

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of certain fee simple interests, permanent slope easement, temporary construction easements, bridge maintenance easement, permanent right-of-way easements, and utility easements, each hereinafter referred to as an “Interest” and all hereinafter referred to as the “Interests,” as shown on sheets C-1a and C-5 of a drawing designated as DPW Drawing No. O-28948, dated March 31, 2021, and entitled “E. Richmond Rd. (Gillies Creek),” for the public purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement project;

NOW, THEREFORE,

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: APR 26 2021 REJECTED: _____ STRICKEN: _____

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a public necessity exists for the acquisition the Interests as shown on a sheets C-1a and C-5 of a drawing designated as DPW Drawing No. O-28948, dated March 31, 2021, and entitled “E. Richmond Rd. (Gillies Creek),” copies of which sheets are attached to and hereby incorporated into this ordinance, for the public purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement project.

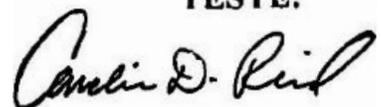
§ 2. That the Chief Administrative Officer or the designee thereof is hereby authorized and directed to, within the constraints imposed by this ordinance, (i) acquire, by gift, purchase, condemnation or otherwise, the aforementioned interests, (ii) act for and on behalf of the City of Richmond in agreeing or disagreeing with the owners of the properties from whom such Interests must be acquired upon the compensation to be paid therefor, and (iii) to execute the deeds and other documents necessary to complete the acquisition and acceptance of such Interests, provided that all such deeds and other documents first must be approved as to form by the City Attorney or the designee thereof.

§ 3. That in the event the City cannot agree with any owner of an Interest to be acquired pursuant to this ordinance on the terms of purchase thereof, the City Attorney is authorized to acquire such interest or easement by undertaking appropriate condemnation proceedings to exercise the City’s power of eminent domain for the purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement project.

§ 4. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE:



City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: March 12, 2021 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney; Mayor *[Signature]*

THROUGH: J.E. Lincoln Saunders; Acting Chief Administrative Officer *JELS*

THROUGH: Robert C. Steidel; Deputy Chief Administrative Officer-Operations *ACS*

THROUGH: Bobby Vincent; Director of Public Works *[Signature]*

THROUGH: M.S. Khara, PE; City Engineer *[Signature]*

THROUGH: Lamont Benjamin, PE; Capital Projects Administrator *[Signature]*

FROM: Thomas A. Westbrook, PE; Project Manager *[Signature]*

Digitally signed by Thomas Westbrook
DN: cn=Thomas Westbrook, o=City of
Richmond, ou=Public Works,
email=twestbro@richmond.gov,
c=US
Date: 2021.03.12 16:08:01 -0500

RE: TO DECLARE THAT A PUBLIC NECESSITY EXISTS AND TO AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER (CAO) OR DESIGNEE THEREOF, TO ACQUIRE CERTAIN FEE SIMPLE INTERESTS, PERMANENT, TEMPORARY AND UTILITY EASEMENTS BY VOLUNTARY CONVEYANCE OR BY CONDEMNATION PROCEEDINGS, FOR THE CONSTRUCTION OF THE E. RICHMOND ROAD OVER GILLIES CREEK BRIDGE REPLACEMENT PROJECT.

ORD. OR RES. No. _____

PURPOSE: To declare that a public necessity exists and to authorize the Chief Administrative Officer, or designee thereof, to acquire certain fee simple interests, permanent, temporary easements and utility easements by voluntary conveyance or condemnation proceedings for the construction of the E. Richmond Road over Gillies Creek Bridge replacement project. The right of way, permanent and temporary easements are illustrated on plans prepared by Timmons Group and designated as DPW Dwg. No. O-28948.

REASON: Additional right of way and easements are required to construct and maintain this bridge.

RECOMMENDATION: Public Works recommends approval of this Ordinance.

BACKGROUND: The East Richmond Road Bridge over Gillies Creek is located in the east end of the City near Evergreen Cemetery east of Jennie Scher Rd. East Richmond road is the main access to the Henrico County Water Tank located south of Evergreen Cemetery. The existing bridge – built in 1932 – is structurally deficient. The existing typical section over the bridge is two 10'-0" lanes with no shoulder or sidewalks.

During the design process, various typical sections were evaluated. As such, the preferred typical section will widen the crossing to two 11'-0" travel lanes and two 3'-0" shoulders. Guardrail will be installed in accordance with current standards.

The project improvements will require additional right-of-way, temporary easements, permanent easements from four parcels, as part of the project. These acquisitions are shown in the attached plan sheet prepared by Timmons Group and designated as DPW Drawing Number O-28949, Sheet(s) C-1A and C-5.

In 2018, the City received Revenue Sharing funds to replace the bridge. The City received \$ 900,000 in VDOT Revenue Sharing funds for the design and implementation of the bridge replacement. With the City match of \$ 900,000, the total funding for the project is \$ 1,800,000.

FISCAL IMPACT / COST: None. The costs for acquiring right-of-way and easements are included in the project budget. The actual acquisition cost is to be negotiated with the property owner and will be set at fair market value.

FISCAL IMPLICATIONS: None. These easements are necessary to complete the bridge replacement project. By not adopting this ordinance the City will not be able to acquire this needed fee take and easements.

BUDGET AMENDMENT NECESSARY: No.

REVENUE TO CITY: None.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: April 12, 2021.

CITY COUNCIL PUBLIC HEARING DATE: April 26, 2021.

REQUESTED AGENDA: Consent Agenda.

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission

AFFECTED AGENCIES: Public Works; Law Department; Planning & Community Development; Economic Development; Public Utilities; Finance Department; Budget and Strategic Planning. Copies also sent to: City Mayor (Honorable Levar M. Stoney); Chief Administrative Officer and City Attorney (2).

RELATIONSHIP TO EXISTING ORD. OR RES.: Resolution 2017-R068 "To support the application for an allocation of \$9,900,000 through the Virginia Department of Transportation Revenue Sharing Program to provide maintenance and construction assistance to certain transportation projects" adopted September 25, 2017; Ordinance 2018-221 "To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to accept funds in the total amount of \$3,532,880.00 from the Virginia Department of Transportation, and to appropriate the increase to the Fiscal Year 2018-2019 Capital Budget by increasing estimated revenues and the amounts appropriated to various projects in various categories as set forth on the attachment by \$3,532,880.00 for the purpose of appropriating funding received from the Virginia Department of Transportation's Fiscal Year 2019 Revenue Sharing Program for various projects" adopted September 24, 2018; and Ordinance 2020-223 "To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Programmatic Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation for the purpose of the development and administration of previously authorized and future Revenue Sharing Program projects" adopted November 09, 2020.

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Drawing O-28948, Sheets C-1A and C-5.

STAFF: M. S. Khara, P.E.; City Engineer, 646-5413
Lamont L. Benjamin, P.E.; Capital Projects Administrator, 646-6339
Thomas A. Westbrook, P.E.; Sr. Civil Engineer, 646-3421 (Project Manager)



COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF PUBLIC WORKS
 DIVISION OF HIGHWAYS
 1000 EAST MAIN STREET
 RICHMOND, VIRGINIA 23219

PRELIMINARY RIGHT-OF-WAY DATA SHEET

PARCEL NO.	LANDOWNER	SHEET NO.	TOTAL ACRES	AREA		PERMANENT SLOPE	EASEMENTS		TEMPORARY CONSTRUCTION	TEMPORARY ENTRANCES	PROFEERS
				PERMANENT SLOPE	PERMANENT SLOPE		BRIDGE MAINTENANCE	BRIDGE MAINTENANCE			
			ACRES	ACRES	SF.	ACRES	ACRES	SF.	ACRES	ACRES	YES / NO
00	JAMES NELSON	C-3	4000	1007		0.0263	0.0279	0.0234	5M		
00E	SAMMY R. REESE	C-3	2000	2000		0.0629	0.0719	0.0204	3M		
00S	PARTY LLC	C-3	26,000	26,000		0.0043	0.01	0.0238	5M		
00W	SAMMY R. REESE	C-3	1,000	1,000		0.0083	0.022	0.0083	5M		

*ACREAGES ARE APPROXIMATE AND ARE BASED OFF OF GS RECORDS

PROJECT NO. _____ SHEET NO. _____		E RICHMOND RD (GILLIES CREEK) RIGHT-OF-WAY DATA SHEET	
DATE: _____ DRAWN BY: _____		SCALE: _____ SHEET NO. _____ OF _____	
CHECKED BY: _____ APPROVED BY: _____		PROJECT NO. _____ SHEET NO. _____ OF _____	

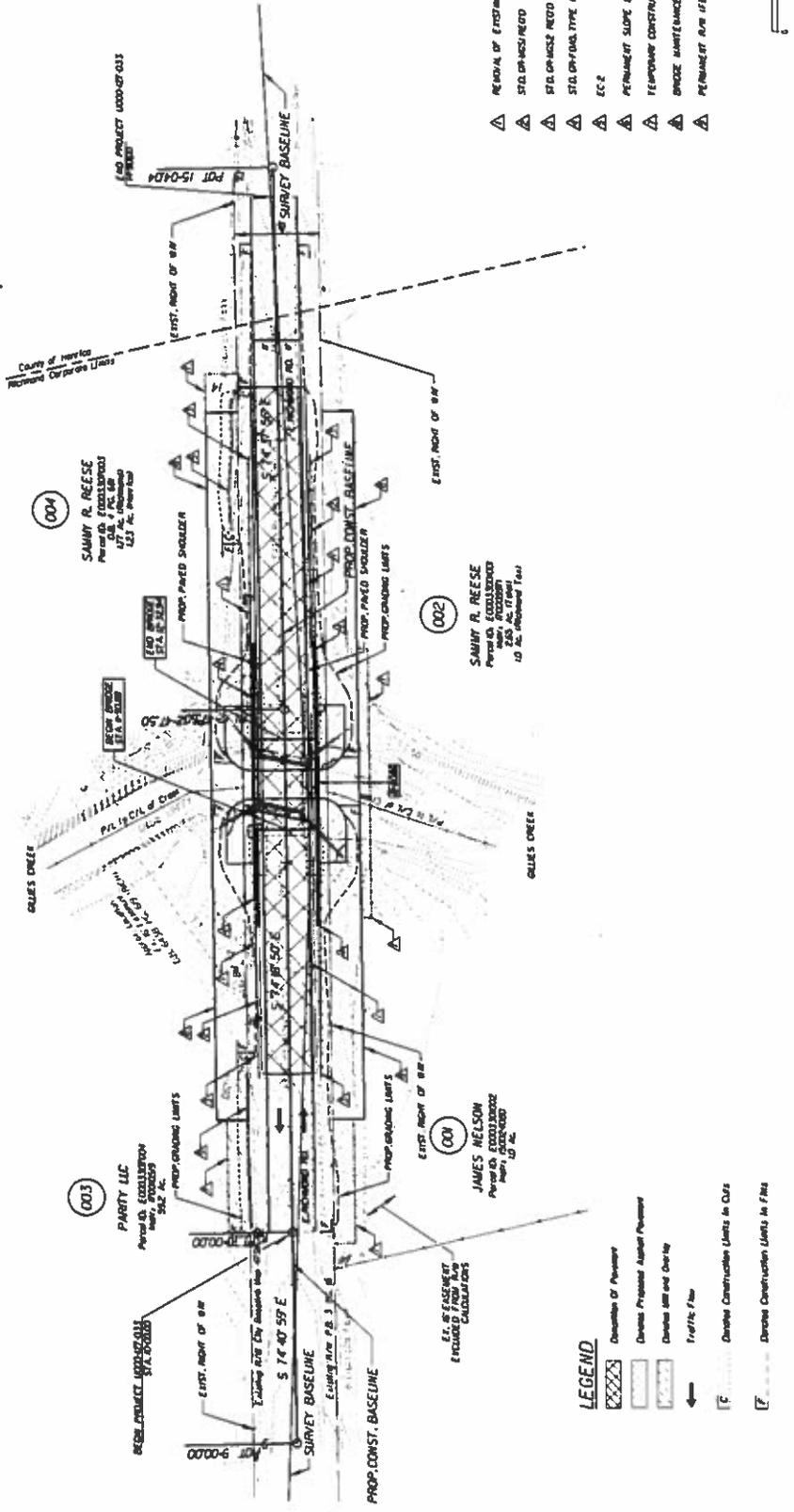
SHEET NO. _____ OF _____
 DATE: _____



PLAN

UTILITY OWNERS
 Telephone 5 / Fax
 2602 Britton Hill Rd
 Richmond, VA 23230
 (804) 772-4000

NOTE:
 ADDITIONAL EASEMENTS FOR UTILITY RELOCATION
 MAY BE REQUIRED BEYOND THE PROPOSED RIGHT
 OF WAY SHOWN ON THE PLANS



- △ PERMANENT OF EROSION CONTROL
- △ STD. ON-HOLD NEED
- △ STD. ON-HOLD NEED
- △ STD. ON-QUALITY NEED
- △ ECC
- △ PERMANENT SLOPE EASEMENT
- △ TEMPORARY CONSTRUCTION EASEMENT
- △ BRIDGE MAINTENANCE EASEMENT
- △ PERMANENT ROW USE



LEGEND

- ▨ Division Of Property
- ▭ Division Proposed Asphalt Pavement
- ▭ Division Sidewalk and Driveway
- ← Traffic Flow
- ⌈ Division Construction Limits In CURS
- ⌈ Division Construction Limits In PWS

<p>PROJECT NO. 15-0424</p> <p>DATE: 12/11/19</p> <p>SCALE: AS SHOWN</p>		<p>E. RICHMOND RD. (COLLIES CREEK)</p> <p>PLAN</p>		<p>DATE: 12/11/19</p> <p>BY: CAS</p> <p>CHECKED BY: CAS</p> <p>PROJECT NO. 15-0424</p> <p>DATE: 12/11/19</p> <p>SCALE: AS SHOWN</p>
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DEPARTMENT OF PUBLIC WORKS
 RICHMOND VIRGINIA

NO.	DATE	DESCRIPTION	BY	CHECKED BY
1	12/11/19	ISSUED FOR PERMIT	CAS	CAS

DATE: 12/11/19
 BY: CAS
 CHECKED BY: CAS

SURVEYED BY: _____
 SUPERVISED BY: _____
 DESIGNED BY: _____