



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District K

Item Creation Date: 6/30/2020

HPW20JDF39 / SPELLMAN DETENTION BASIN PROJECT

Agenda Item#:

Background:

SUBJECT: An ordinance for the SPELLMAN DETENTION BASIN PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

RECOMMENDATION: (Summary) An ordinance for the SPELLMAN DETENTION BASIN PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

SPECIFIC EXPLANATION:

This project requires the acquisition of three tracts of land, in fee, for the SPELLMAN DETENTION BASIN PROJECT (the Project). The Project is located near the 6400 block of West Bellfort Avenue and adjacent to the Fondren Diversion Channel north of Willow Waterhole. The detention basin has a proposed maximum volume of 208 acre-feet, which will help mitigate flood risk to residential and commercial structures in the Willow Waterhole Bayou drainage area of the Brays Bayou watershed.

The Project will utilize funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG-DR15) program. These funds are administered by the City's Housing and Community Development Department (HCDD). HCDD has requested the Release of Funds from HUD and has received the Authority to Use Grant Funds (AUGF). Real estate acquisition costs and expenditures for the Project will come from the Dedicated Drainage and Street Renewal Capital Fund-Ad Valorem Tax (Fund 4046) and will cause a transfer of funds from the Dedicated Drainage and Street Renewal Fund-Ad Valorem Tax (Fund 2311) when expenditures are presented for payment. The reimbursement to the City of such eligible expenditures, costs, and bills for the Project will be deposited into Fund 2311 and expenditures will be reimbursed by CDBG-DR15 funds once the Letter of Agreement (LOA) between HCDD and HPW for the Project has been executed.

This action authorizes payment for costs of land purchases/condemnations, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a dedication or purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire land, rights-of-way and/or easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceeds the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land, rights-of-way and/or easements in support of the SPELLMAN DETENTION BASIN PROJECT.

DocuSigned by:

Tom McCasland

Tom McCasland, Director

Housing and Community Development Department

DocuSigned by:

Carol Haddock

8/17/2020

Carol Ellinger Haddock, P.E., Director
Houston Public Works

WBS No. M-420HUD-005A-2

Prior Council Action:

Ordinance 2019-931, passed November 20, 2019

Amount of Funding:

No additional funding required. (Funds were appropriated under Ordinance 2019-931)

Contact Information:

Marjorie L. Cox
Assistant Director – Real Estate Services
Phone: (832) 395-3130

ATTACHMENTS:

Description

Parcel Location Map
Parcel Exhibits/Maps and legal descriptions
Ordinance 2019-931 w/cover sheet

Type

Backup Material
Backup Material
Ordinance/Resolution/Motion