



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District F

Item Creation Date: 10/14/2021

HPW 20AB10081 / Assignment of Real Property – City and Harris County Flood Control
District/Parcel SY22-049

Agenda Item#:

Background:

SUBJECT: Recommendation that an ordinance be passed approving and authorizing the assignment and transfer of a 20 foot-wide drainage easement to Harris County Flood Control District as part of the Asset Exchange Program. **Parcel SY22-049**

RECOMMENDATION: (Summary) That an ordinance be passed approving and authorizing the assignment and transfer of a 20 foot-wide drainage easement to Harris County Flood Control District as part of the Asset Exchange Program. **Parcel SY22-049**

SPECIFIC EXPLANATION:

The City and Harris County Flood Control District (the "Parties") entered into an Interlocal Agreement, Ordinance 2020-0286, passed and adopted on April 1, 2020 (the "Agreement"), whereby the Parties have agreed to exchange certain drainage facilities and real property interests within their respective inventories as part of an Asset Exchange Program (the "Program"). Pursuant the Program, the City, from time to time, will transfer selected open channels to the District for future ownership and maintenance. In exchange, the City, from time to time, will accept selected enclosed storm sewer systems for future ownership and maintenance.

The Program recognizes the Parties share overlapping jurisdiction for planning, implementing, and maintaining flood damage reduction and drainage infrastructure. The District's expertise lies in design, construction, and maintenance of primary drainage systems such as open channels and detention basins, while the City has expertise in design, construction and maintenance of enclosed storm sewer systems. The City has determined that the exchange of drainage facilities and real property interests with the District will benefit the public interest of the City and help with effectively maintaining its public purpose.

All initial costs to make any repairs necessary to bring an accepted drainage facility and property into compliance with the accepting Party's standard criteria, and all costs to maintain the facility and property shall be borne by the accepting Party. Under no circumstances will the City or the District be obligated to appropriate or expend any funds for, or in the performance of the Agreement.

The Agreement establishes the processes and procedures necessary to facilitate an exchange, which include, but are not limited to i) identification, ii) inspection, iii) survey of encroachments (if any), iv) encroachment removal, and v.) final inspection (the "pre-exchange activities"). The pre-exchange activities for the subject parcels have been completed, and the City now desires to assign, or convey the following interests and properties to the District:

Assignment to the District for Channel D126-00-00. In 1967, Johnnie E. Attaway and L.C. Owens, President and Secretary respectively of Kirkwood Development Co. Inc. dedicated a 20 foot-wide drainage easement adjacent to the lots thereon, in that certain instrument filed and recorded on July 19, 1967, under Clerk's File No. C519113 of the Harris County Real Property Records. The City of Houston assigns the portion of this easement beginning 235 feet west of Belle Park Dr continuing west to South Kirkwood Road to Harris County Flood Control District, and the City retains the portion of the same easement beginning 235 feet west of Belle Park Drive continuing east to Brays Bayou.

Therefore, it is recommended that an ordinance be passed approving the assignment and transfer of a 20 foot-wide drainage easement to Harris County Flood Control District as part of the Asset Exchange Program.

DocuSigned by:

A blue ink signature of Carol Ellinger Haddock.

11/8/2021

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

Prior Council Action:

Ordinance 2020-0286, passed April 1, 2020

Contact Information:

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Assistant Director-Real Estate
(832) 395-3130

ATTACHMENTS:

Description

AERIAL MAP
PARCEL MAP
COUNCIL DISTRRACT MAP
PLAT C519113
Ordinance 2020-0286
HCFCD Acceptance Letter

Type

Backup Material
Backup Material
Backup Material
Backup Material
Backup Material
Backup Material