

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve an ordinance appropriating funds, and approving and authorizing payments for land acquisition costs, appraisal fees, title services, relocation expenses and/or other services for various street and storm drainage projects in connection with the construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF Fund.
WBS N-320663-00RE-2

Page
1 of ____

Agenda Item
#

FROM: (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE: *Dale A. Rudick*

Council District affected:

Dale A. Rudick, P.E., Director, PW&E

All

For additional information contact:

Date and identification of prior authorizing Council Action:

Nancy P. Collins *(NPC)* Phone: (832) 395-3130
Senior Assistant Director

RECOMMENDATION: (Summary) Approve an ordinance appropriating funds, and approving and authorizing payments for land acquisition costs, appraisal fees, title services, relocation expenses and/or other services for various street and storm drainage projects in connection with the construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF Fund.

Amount and Source of Funding: \$ 5,000,000.00 Fund 4042- Street & Traffic Control and Storm Drainage DDSRF *M.P. 11/10/2015*

SPECIFIC EXPLANATION:

The Department of Public Works and Engineering (PWE) utilizes an appropriation allocation to expedite the real estate acquisition process associated with the construction of street and drainage projects in the Capital Improvement Plan (CIP). PWE periodically brings an action before City Council adding appropriations to this allocation. These funds are available for land acquisition costs, appraisal fees, title services, relocation expenses and/or other services necessary to implement construction for drainage and non-drainage projects. These construction projects include, but are not limited to, those described in Exhibit "A" attached.

PWE has instituted a process to ensure that real estate acquisitions are paid for from the appropriate funding source within the Dedicated Drainage and Street Renewal Fund. Given the nature of most real estate acquisitions, the majority of these costs will be paid for out of ad valorem taxes. While most of the routine expenses are paid against this allocation with no additional action required, payments for the acquisition of parcels with a consideration of \$50,000.00 or greater (purchases as they are negotiated or condemnation awards to be deposited) require further Council action and approval. The same appropriation ordinance will apply to all acquisitions made using these funds.

A separate blanket ordinance authorizing condemnation of parcels that cannot be negotiated as purchases may also be submitted for Council approval for each project as needed at a later time. This action is required for compliance with Chapter 21 of the Texas Property Code.

Therefore, it is recommended that a blanket appropriation ordinance be passed appropriating \$5,000,000.00 for the various street and storm drainage projects, finding a public necessity for the projects and approving and authorizing payments for land acquisition costs, appraisal fees, title policy premiums, relocation expenses, and/or other services in connection with negotiations to settle purchases, recording fees, and court costs and expert witness fees associated with condemnations for the projects and other services for various street and storm drainage projects in connection with the construction of facilities financed by the Street and Traffic Control and Storm Drainage DDSRF Fund. This action will add \$5,000,000.00 to the Street & Traffic Control and Storm Drainage DDSRF Fund 4042 real estate allocation for use in related projects in the CIP. Additional appropriations will be made as needed until all parcels have been acquired. This action will expedite the process of acquiring land in support of the capital improvements projects.

DAR: NPC:rv
cc. Marta Crinejo

LTS#14997

REQUIRED AUTHORIZATION

CUIC #20REV03

Financial Department:

Other Authorization:

Other Authorization:

(Signature)
Daniel R. Menendez, P.E.
Deputy Director
Engineering and Construction Division

(Signature)
Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning and Development Services Division