

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An ordinance finding and determining public convenience and necessity for the acquisition of 13 real property interests (of 34 needed for the project) by gift, dedication, purchase or eminent domain proceedings in connection with the public improvement project known as the Post Oak Boulevard project	Category #	Page 1 of 1	Agenda Item#
	Origination Date		Agenda Date

FROM: (Department or other point of origin): Andrew F. Icken Chief Development Officer	Origination Date	Agenda Date
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CHIEF DEVELOPMENT OFFICER'S SIGNATURE: 	Council Districts affected: G
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For additional information contact: Andrew F. Icken Phone: (832) 393-1064	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
City Council adopt an ordinance finding and determining public convenience and necessity for the acquisition of 13 real property interests (of 34 needed for the project) by gift, dedication, purchase or eminent domain proceedings in connection with the public improvement project known as the Post Oak Boulevard project

Amount of Funding: No Funding Required

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund N/A

SPECIFIC EXPLANATION:

The Post Oak Boulevard project (the "Project") is a public improvement project designed and constructed by the Uptown Development Authority (the "Authority") for the improvement of traffic flow and pedestrian safety and access on Post Oak Boulevard in the Uptown area of the City, which will include six lanes for general traffic and a bi-directional bus service operating in dedicated bus lanes in an expanded median on Post Oak Boulevard. The Project necessitates the acquisition of fee simple title or street easements to certain parcels of land that are necessary for the construction, use, maintenance and operation of the Project.

This action finds a public necessity for the Project; approves and authorizes the acquisition, by gift, dedication, purchase or eminent domain proceedings, of fee simple title or street easements in and to the parcels of land required for the Project; authorizes payment of the costs associated with these acquisitions, including purchase price, relocation assistance, appraisals, title policies/services, recording fees and other costs; and ratifies a public improvement development agreement among Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), the Authority and the City relating to the development and implementation of the Project (the "Agreement"). If negotiations to acquire fee simple title or street easements in and to the parcels of land required for the Project 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 fee simple title or street easements for said purposes, authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings, and authorizes the City Attorney to retain special counsel to assist in the acquisition. All costs of acquisitions associated with the Project will be paid by the Authority pursuant to the Agreement.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Other Authorization:	Other Authorization:	Other Authorization:
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