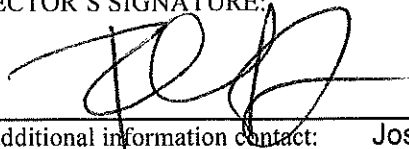
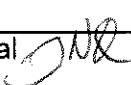
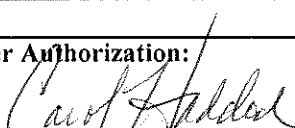
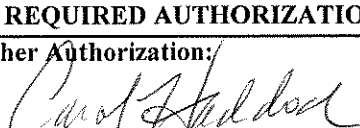
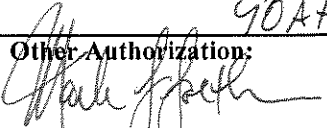


REQUEST FOR COUNCIL ACTION

SUBJECT: Parcel AY15-060, AY15-064, AY15-065, AY15-065A; City of Houston v. St. Luke's Methodist Church Foundation, a Texas not-for-profit corporation; Cause No. 1074492; West Alabama Street Paving & Drainage Project; WBS/CIP No. N-000751-0001-2-01; Legal Department File No. 052-1500041-006.		Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Legal Department - General Litigation Section Ronald C. Lewis, City Attorney		Origination Date 02/14/17	Agenda Date
DIRECTOR'S SIGNATURE: 		Council District affected: "C"; Ellen R. Cohen; Key Map No. 492T	
For additional information contact: Joseph N. Quintal  Phone: 832-393-6286 Michelle Grossman 832-393-6216 Steven Beard 832-393-6295		Date and identification of prior authorizing Council action: Ordinance Number 2015-737, passed 08/05/15; Ordinance Number 2014-240, passed 03/26/14	
RECOMMENDATION: (Summary) Authorize the City Attorney by Motion to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the City's costs of court. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
Amount and Source of Funding: \$229,805.00; Funds previously appropriated under Ordinance No. 2014-240 out of the Street & Traffic Control and Storm Drainage Fund DDSRF. Fiscal Note: There is no anticipated operating and maintenance impact associated with this site acquisition.			
SPECIFIC EXPLANATION: The West Alabama Street Paving and Drainage Project provides for right-of-way acquisition, design and reconstruction of an undivided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control and the necessary underground utilities. The project will replace a street that has deteriorated beyond economic repair and normal maintenance. It will improve traffic circulation, mobility and drainage in the service area and upgrade the existing roadway to Major Thoroughfare and Freeway Plan standards. This eminent domain proceeding involves the acquisition of permanent easements to four parcels of land containing a total of 875 square feet of land. The property is owned by St. Luke's Methodist Church Foundation, Inc., and is located at West Alabama's intersection with Edloe Street and West Alabama Court. Efforts by Public Works and Engineering to negotiate the purchase failed, and the matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the needed property. The Legal Department filed the eminent domain case and served notice on the parties as required by law. City's Testimony for the Special Commissioners: \$172,983.00 Landowner's Testimony for the Special Commissioners: \$250,760.00 Award of Special Commissioner: \$208,010.00 Court & Misc. Costs: Special Commissioners' fees; \$3,375.00 (\$1,125.00 x 3); Process Service; \$220.00; Appraisal costs; \$18,200.00; Total Court & Misc. Costs: \$21,795.00. It is recommended that the City Attorney be authorized by Motion to deposit the amount of the Award of Special Commissioners into the registry of the Court to gain possession of the needed land and pay the costs of Court. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
REQUIRED AUTHORIZATION			
Other Authorization:  Carol Ellinger Haddock, P.E., Interim Director Department of Public Works and Engineering	Other Authorization:  Carol Ellinger Haddock, P.E., Deputy Director Engineering and Construction Division, PWE	Other Authorization:  Mark L. Loethen, P.E., CFM, Deputy Director Planning and Development Services Division, PWE	

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