



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District H

Item Creation Date: 8/17/2017

### 20MRH10/ACQUISITION OF RIGHT OF WAY FOR CLARK ROAD DRAINAGE AND PAVING IMPROVEMENTS PROJECT

Agenda Item#:

#### **Background:**

**SUBJECT:** Recommendation that an ordinance for the ACQUISITION OF RIGHT OF WAY FOR CLARK ROAD DRAINAGE AND PAVING IMPROVEMENTS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

WBS M-000284-0002-2

#### **RECOMMENDATION: (Summary)**

An ordinance for the ACQUISITION OF RIGHT OF WAY FOR CLARK ROAD DRAINAGE AND PAVING IMPROVEMENTS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

#### **SPECIFIC EXPLANATION:**

The Department of Public Works and Engineering is requesting that an ordinance for the ACQUISITION OF RIGHT OF WAY FOR CLARK ROAD DRAINAGE AND PAVING IMPROVEMENTS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase or condemnation.

The project is needed in order to address and reduce the risk of structural flooding in the Airline Drive area. This project provides for the design and construction of storm drainage improvements, necessary concrete paving, curbs, sidewalks, driveways and underground utilities. Additional improvements include providing storm water detention as needed. The project will mitigate the impact of storm water and reduce the potential of flooding in the area.

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 ACQUISITION OF RIGHT OF WAY FOR CLARK ROAD DRAINAGE AND PAVING IMPROVEMENTS PROJECT.

#### **Prior Council Action:**

Ordinance 2016-757, passed October 5, 2016

#### **Amount of Funding:**

No additional funding required

#### **Contact Information:**

Darrin Ward  
Acting Senior Assistant Director – Real Estate Services  
(832)395-3154

A handwritten signature in black ink, appearing to read "Carol Ellinger Haddock".

Carol Ellinger Haddock, P.E.  
Acting Director  
Department of Public Works and Engineering

WBS M-000284-0002-2

**ATTACHMENTS:**

**Description**

SURVEYS, METES AND BOUNDS

LOCATION MAP

PRIOR ORDINANCE 2016-757

**Type**

Backup Material

Backup Material

Backup Material