



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 11/13/2019

District B, District C, District D, District E, District I

Item Creation Date: 10/21/2019

PRD - BG2020 Public Necessity and Convenience

Agenda Item#: 26.

Summary:

ORDINANCE FINDING AND DETERMINING PUBLIC CONVENIENCE AND NECESSITY FOR THE ACQUISITION OF REAL PROPERTY INTERESTS IN CONNECTION WITH THE PUBLIC IMPROVEMENT PROJECT KNOWN AS THE BAYOU GREENWAY 2020 PROJECT; AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLES IN OR PERMANENT EASEMENTS TO THIRTY-THREE PARCELS OF LAND REQUIRED FOR THE PROJECT AND SITUATED IN THE JOHN REINERMAN SURVEY, ABSTRACT 642, THE REELS AND TROBOUGH SURVEY, ABSTRACT 59, THE THOMAS EARLE SURVEY, ABSTRACTS 16 AND 19, THE JAMES GORDON SURVEY, ABSTRACT 291, THE J.L. STANLEY SURVEY, ABSTRACT 700, THE J.W. MOODY SURVEY, ABSTRACT 546, THE MARY OWENS SURVEY, ABSTRACT 611, AND THE A.G. HOLLAND SURVEY, ABSTRACT 347, IN HARRIS COUNTY, TEXAS, SAID PARCELS OF LAND BEING LOCATED ALONG SIMS BAYOU, SAN JACINTO BAYOU, HALLS BAYOU, BUFFALO BAYOU, AND GREENS BAYOU IN HOUSTON, HARRIS COUNTY, TEXAS, BY GIFT, DEDICATION, PURCHASE, OR THE USE OF EMINENT DOMAIN AND FURTHER AUTHORIZING PAYMENT OF THE COSTS OF SUCH PURCHASES AND/OR EMINENT DOMAIN PROCEEDINGS AND ASSOCIATED COSTS FOR RELOCATION ASSISTANCE, APPRAISAL FEES, TITLE POLICIES/SERVICES, RECORDING FEES, COURT COSTS, AND EXPERT WITNESS FEES IN CONNECTION WITH THE ACQUISITION; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY - DISTRICT B - DAVIS; C - COHEN; D - BOYKINS; E - MARTIN and I - GALLEGOS

Background:

The Houston Parks and Recreation Department (HPARD) requests City Council adopt an Ordinance approving and authorizing the acquisition by dedication, purchase, or condemnation of parcels of land needed for the Bayou Greenways 2020 Project.

Bayou Greenways 2020 (BG2020) consists of the acquisition, design and construction of connector trails and related greenways along nine bayous, resulting in approximately 150 miles of interconnected hike and bike trails and greenways throughout the City and eventually impacting every Council district. The Project will be completed in multiple phases according to an approved project schedule included in the previously approved Inter-local Agreement between the City and the Houston Parks Board LGC, Inc. (HPBLGC). All construction plans, trail alignments and design of trail related facilities are subject to the approval of the HPARD Director. Construction contracts are subject to approval by City of Houston Legal and General Services Departments.

Pursuant to the BG2020 Inter-local Agreement (ILA) approved by City Council on June 26, 2013, the City designated HPBLGC to manage the acquisition of real property to complete the project. If good-faith efforts by HPBLGC to acquire property through voluntary transactions are unsuccessful, the ILA further allows HPBLGC to request the Director of HPARD recommend, by action of City Council, the acquisition of property through the City's power of eminent domain.

HPBLGC has completed voluntary transactions to acquire the majority of the land needed and is now requesting the proposed Ordinance. The recommended Ordinance starts a formal process of acquisition to assist HPBLGC in the acquisition of remaining parcels on Hunting Bayou, Greens Bayou, and Halls Bayou in Northeast Houston. See attached maps.

If Council approves the Ordinance, condemnation will be pursued as the last resort and all property owners will be paid fair market value. Funding for all costs involved in the acquisition of the land needed for the project will be provided by the HPBLGC using Private Commitment funds as outlined in the ILA. Land acquisition costs to be paid by the HPBLGC include, but are not limited to, the costs of purchases or, if necessary, eminent domain proceedings, relocation assistance expenses, appraisal fees, title policies/services, recording fees, court costs, expert witness, professional consultant and litigation counsel fees, special commissioners' awards and final judgments in eminent domain.

Director's Signature:

DocuSigned by:


Steve Wright, Director
Houston Parks and Recreation Department

Prior Council Action:

Ordinance 2013-0635, June 26, 2013

Amount of Funding:

No City of Houston funding required.

Contact Information:

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ATTACHMENTS:

Description

Parcel List

PCA Ordinance 2013-365

PCA ILA BG2020

Ordinance

Type

Backup Material

Backup Material

Backup Material

Ordinance/Resolution/Motion