

**OFFICE OF THE CITY MANAGER
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION
NOVEMBER 19, 2019 BOARD MEETING**

<p>Subject:</p> <p>Authorizing Use of Eminent Domain on two Street and Drainage Improvement Projects.</p> <p>Submitted By:</p> <p>Public Works Department</p>	<p>Action Required:</p> <p style="text-align: center;">Ordinance ✓ Resolution</p>	<p>Approved By:</p> <p style="text-align: center;">Bruce T. Moore City Manager</p>
<p style="text-align: center;">SYNOPSIS</p> <p style="text-align: center;">FISCAL IMPACT</p> <p style="text-align: center;">RECOMMENDATION</p> <p style="text-align: center;">BACKGROUND</p>	<p>A resolution to authorize the City Manager and City Attorney to use eminent domain to complete acquisition of right-of-way, permanent and temporary construction easements for the Mabelvale Pike and Gamble Road Improvement Projects.</p> <p>Funding for these projects are available from 3/8-Cent Capital Improvement Sales and Compensating Use Tax and the Capital Improvement Bonds for Streets and Drainage as previously authorized by Resolution No. 14,803.</p> <p>Approval of the resolution.</p> <p>Staff has successfully acquired twenty-five (25) of thirty (30) total right-of-way parcels necessary to construct phase 2 of improvements on Gamble Road, from Arthur Lane to Kanis Road. Since acquisition efforts began in May 2019, four (4) parcel owners have refused offers that equal or exceed the full appraised value of the property and one (1) has refused to answer any correspondence.</p> <p>Staff has successfully acquired twenty (20) of thirty-four (34) parcels required to construct improvements on Mabelvale Pike from Helm Street to Rich Smith Lane. This project is on a time sensitive schedule to correspond with the opening of the new Southwest High School.</p>	

**BACKGROUND
CONTINUED**

Staff will continue to make attempts to reach a negotiated settlement on all of these remaining parcels and will attempt to negotiate acquisitions at or above fair market value; however, the use of eminent domain may be needed to move these projects to construction.