BOARD OF DIRECTORS COMMUNICATION
JUNE 6, 2017 AGENDA

Subject: Authorizing Use of Eminent Domain on the Russ Street Improvement Project

Submitted By: Public Works Department

Action Required: Ordinance √ Resolution Approval Information Report

Approved By: Bruce T. Moore City Manager

SYNOPSIS
Authorizes the City Attorney to use eminent domain to complete acquisition of right-of-way and Permanent & Temporary Construction Easements for the Russ Street Improvement Project, Project No. 13-4-106.

FISCAL IMPACT
Funding for this project is available from the 2013 Capital Improvement Bonds for Streets and Drainage and the 3/8-Cent Capital Improvement Sales and Compensating Use Tax as authorized by Resolution No. 13,699, as amended by Resolution No. 14,269.

RECOMMENDATION
Approval of the resolution.

BACKGROUND
City Staff has been successful in acquiring three (3) of the land and right-of-way parcels necessary for the construction of the Russ Street Improvement Project. However at this time, one (1) parcel property owner has refused to accept the appraised value of the property or negotiate and will not answer calls or written correspondence. Staff has sent one last certified letter and made a personal visit to the owner’s address; however, the use of eminent domain will be needed to move the project forward.
The project will reconstruct a two (2)-lane roadway section with curb, gutter, storm sewers and sidewalk on one side on Russ Street from Piggee Street to Cantrell Road.