

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

**BOARD OF DIRECTORS COMMUNICATION
SEPTEMBER 15, 2020 AGENDA**

<p>Subject:</p> <p>Authorizing Use of Eminent Domain on two (2) 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: right;">Bruce T. Moore City Manager</p>
<p>SYNOPSIS</p> <p>FISCAL IMPACT</p> <p>RECOMMENDATION</p> <p>BACKGROUND</p>	<p>To authorize the City Attorney to use eminent domain to complete acquisition of right-of-way, real property, permanent and temporary construction easements for the 13th Street Drainage and Bowman Road Improvements Projects.</p> <p>Funding for these projects are available from 3/8-Cent Capital Improvement Sales and Compensating Use Tax and the Limited Tax General Obligation Capital Improvement Bonds for Streets and Drainage as previously authorized by Resolution No. 14,803.</p> <p>Approval of the resolution.</p> <p>The 13th Street Drainage Project provides a new storm sewer on 13th Street, just west of Rice Street. Two (2) adjacent parcels are required to construct the sewer outfall. Staff has successfully acquired one (1) parcel; however, the owner of the second parcel has refused appraised value for the easement and has been unwilling to negotiate a reasonable settlement.</p> <p>The Bowman Road Improvement Project will improve Bowman Road, from Kanis Road south to Cherry Laurel Drive, to five (5) lanes and includes additional lanes and improvements at the Kanis Intersection.</p>	

**BACKGROUND
CONTINUED**

The project has received Surface Transportation Project Grant funding and is under a deadline to obligate these funds for construction by the end of the Federal Fiscal Year. There are twelve (12) parcels total including one (1) parcel of real estate to be purchased.

Every attempt will be made to reach a negotiated settlement on all of these parcels at or above Fair Market Value; however, the use of eminent domain may be needed to move these projects to construction.