

AGENDA



Thursday, April 5, 2007

**Public Works
RECOMMENDATION FOR COUNCIL ACTION****Item No. 10**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the Austin Bergstrom International Airport Noise Mitigation Program to acquire the fee simple interest in Tract A of Bergstrom Arms Subdivision, a Subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 67, Page 42 of the Plat Records of Travis County, Texas, in the amount of \$4,400,000. The owner of the needed property interest is CJM Investments LLC, a Minnesota Limited Liability Company. The property is located at 2419 Cardinal Loop, Del Valle, TX.

Amount and Source of Funding: Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Aviation Department, including Federal Aviation Administration (FAA) Grant funds.

Fiscal Note: A fiscal note is attached.

For More Information: Lauraine Rizer 974-7078, Laura Bohl 974-7064.

Boards and Commission Action: Recommended by the Austin Airport Advisory Commission.

Prior Council Action: 09/09/99 - Federal Aviation Regulations (FAR) Noise Study; 08/23/01 - Consultant Selection for Noise Mitigation Program.

Approval of the Noise Compatibility Program by the Airport Advisory Board on 08/17/99

The property and apartments located at 2419 Cardinal Loop are part of the approved Airport Noise Mitigation Program. The purpose of the program is to reduce noise impacts and ensure land use compatibility within the airport vicinity. The lot to be acquired is approximately 6.00 acres and the improvements include a 98-unit apartment complex in nine, one and two-story buildings. The fair market value of the property including improvements is \$4,400,000, as determined by an independent appraiser. The owners have not agreed to accept the City's offer. The City of Austin has attempted to purchase the property from the landowner. However, the parties have been unable to agree on an appropriate price. The City of Austin Law Department is requesting authorization to file a suit in eminent domain on behalf of the City of Austin and the Federal Aviation Administration.