

AGENDA



Thursday, October 11, 2007

**Public Works
RECOMMENDATION FOR COUNCIL ACTION****Item No. 14**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 1 – South 2nd Street Reroute: Phase I Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 2,816 square foot permanent wastewater line easement out of Lot 11, Block A, South Heights, a subdivision Recorded in Volume 1, Page 121, Plat Record, of Travis County, Texas, in the amount of \$16,800. The owners of the needed property interest are Nassour Investments, L.P., The Estate of H. R. Nassour, Jr., M.D., Jimmy Nassour, and 1400 SF, L.L.C., a Texas limited liability company. The property is located at 1400 S. 1st Street, Austin, Travis County, Texas.

Amount and Source of Funding: Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility.

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 Water and Wastewater Commission.

The City of Austin is upgrading its wastewater collection system as mandated by the U.S. Environmental Protection Agency's Administrative Order, received April 29, 1999.

In response to this order, the City has assembled the Austin Clean Water Program to plan, design, and construct sustainable wastewater collection system improvements that will result in a collection system free from Sanitary Sewer Overflows.

The design plans for the Govalle 1 – South 2nd Street Reroute: Phase I Wastewater Improvement Project, a portion of the Austin Clean Water Program, require acquisition of a permanent wastewater line easement on the property located at 1400 South 1st Street, Austin, Travis County, Texas. The City has attempted to purchase the needed permanent wastewater line easement. However, the parties have been unable to agree on an appropriate price. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.