

**AGENDA**



**Recommendation for Council Action (Real Estate)**

Austin City Council	Item ID:	57064	Agenda Number	9.
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Meeting Date:	May 5, 2016
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Department:	Office of Real Estate Services
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**Subject**

Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple the property located at 4502 Raleigh Circle, in the Indian Hills Subdivision, from Mark Hejl, in an amount not to exceed \$250,000, subject to the guidelines of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and related federal regulations, and waiving the requirements of City Code Chapter 14-3 (District 2).

**Amount and Source of Funding**

Funding is available in the Fiscal Year 2015-2016 Capital Budget of the Watershed Protection Department.

**Fiscal Note**

A fiscal note is attached.

Purchasing Language:	
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Prior Council Action:	
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For More Information:	Mike Kelly, Watershed Protection Department, (512) 974-6591; Joe Pantaloni, Watershed Protection Department, (512) 974-3438; Lauraine Rizer, Office of Real Estate Services, (512) 974-7078; Amanda Glasscock, Office of Real Estate Services, (512) 974-7173.
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Boards and Commission Action:	
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MBE / WBE:	
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Related Items:	
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**Additional Backup Information**

The Watershed Protection Department, in its mission to protect lives, property, and the environment of our community, has identified in its Capital Improvement Project plan the need to acquire the property at 4502 Raleigh Circle, in Austin, Travis County, Texas, located in the Indian Hills Subdivision. Acquisition of this property will provide permanent access for construction and long-term maintenance of a planned stream stabilization and restoration project to benefit 66 single-family properties along 1800 linear feet of stream. The stream, a tributary to Williamson Creek, suffers from severe erosion that threatens property along the entire reach. The project will also improve a historic stock tank to provide enhanced pollution removal from storm water entering Williamson Creek upstream of McKinney Falls. The project is located in Council District 2.

Purchase of this property accomplishes three specific goals: 1) project cost savings, 2) minimizing risk to the City and private property owners, and 3) providing long term maintenance access to critical infrastructure

Currently, suitable access for construction of such a large project is not available. The entire stream length is located behind single-family houses that are spaced less than 15 feet apart. Construction access between houses would cause significant disturbance and possible damage to private structures for the duration of the 9 to 12 month construction process. Access from the right-of-way at either end of the project would likely increase project construction costs significantly due to the length of the project, the narrow channel width at the upstream end, and the pond at the downstream end. Further, permanent adequate access is necessary in order to provide long-term maintenance of the completed project.

The buyout of 4502 Raleigh Circle was selected for the following reasons:

- The property has an existing storm drain through the lot. This storm drain was incorrectly placed when the subdivision was constructed (1970s) and is not located in a drainage easement. Additionally, the storm drain has separated, causing a large sinkhole to form very close to the owner's house. The storm drain would need to be fixed with the project and drainage easement purchased. Due to the misplacement of the storm drain, it is very close to the residence and repair would be expensive because traditional trenching techniques could compromise the house.
- The lot is located in the midpoint of the project, allowing construction traffic to easily access the entire project facilitating construction in the ideal sequence of upstream to downstream.
- This location is one of the few lots that has mild slopes to the creek, allowing for safe and stable access.

This acquisition is voluntary in nature and the property owners will be offered the fair market value for their home, as determined by a third-party independent appraisal, in the amount of \$145,000. The City will also pay closing costs, relocation payments, and replacement housing payments associated with this acquisition in addition to the fair market value of the home in a total amount not to exceed \$250,000.