

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: May 24, 2018

Item Number: 047

Eminent Domain

Approve a resolution authorizing the filing of eminent domain proceedings for the Barton Creek-Oak Park Flood Risk Reduction Project for the fee simple title acquisition of Lot 25, Block 4 Resubdivision of Section No. 2 and Lots 1-21 Section No.3 of Oak Park Subdivision, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 26, Page 24, Plat Records of Travis County, Texas, in the amount of \$20,000. The owners of the needed property are Minoo R. and Lita R. Cooper. The property is located entirely in District 8, at 6109 Oakclaire Drive, Austin Texas 78735. The public uses necessitating, this acquisition is development of flood risk reduction structures, ecosystem restoration features and recreation features. The general route of the project is at the intersection of Oakclaire Drive and Highway 290.

District(s) Affected: District 8

Lead Department	Office of Real Estate Services.
Fiscal Note	Funding is available in the Fiscal Year 2017-2018 Capital Budget of the Watershed Protection Department. A Fiscal Note is Attached.
Prior Council Action	March 22, 2018- Ordinance No. 20180322-017 was approved on consent on Council Member Casar's motion, Council Member Houston's second on a 9-0 vote. Council Member Alter abstained. Council Member Pool was absent..
For More Information	Alex Gale , Office of Real Estate Services, (512) 974-1416; Megan Herron, Office of Real Estate Services, (512) 974-5649; Reem Zoun, Watershed Protection Department (512) 974-3354.
Council Committee, Boards and Commission	n/a.

Action	
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Additional Backup Information:

The Watershed Protection Department's mission is to protect lives, property, and the environment of our community by reducing the impact of floods, erosion, and water pollution. To address an existing flood risk in the Oak Park Subdivision located in southwest Austin, the Department has identified in its Capital Improvement Program the need to acquire several properties including the subject property located at 6109 Oakclaire Drive. This property is located in Council District 8, within the Gaines Tributary of the Barton Creek Watershed.

Council authorized acquisition and relocation of the six properties in the project area including this subject property on March 22, 2018. Authorization to acquire properties through condemnation proceedings was not included in the prior request.

The -Oak Park Flood Risk Reduction Project requires the fee simple title acquisition of Lot 25, Block 4 Resubdivision of Section No. 2 and Lots 1-21 Section No.3 of Oak Park Subdivision, a subdivision in Travis County Texas, according to the map or plat recorded in Volume 26, Page 24, Plat Records of Travis County, Texas, and locally known as 6109 Oakclaire Drive, for the construction of a flood risk reduction solution consisting of engineered vegetated channel, and culvert improvements in the Oak Park neighborhood.

The City of Austin has attempted to purchase the needed property at 6109 Oakclaire Drive, a vacant lot. The City and the property owner were unable to agree on the value of the needed acquisition. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.