

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: December 13, 2018

Item Number: **054**

Eminent Domain

Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.084 acres (3,679 square feet) parcel of land situated in the J.P. Wallace Survey No. 57, in Travis County, Texas, and being a portion of a called 3.444 acre tract of land described in a warranty deed to Ryder Truck Rental, Inc., recorded in Vol. 7292, pg. 594 of the deed records of Travis County, Texas, in the amount of \$63,357. The owner of the needed property interest is Ryder Truck Rental, Inc. The property is located entirely in District 4, at 8305 N. Lamar Blvd., Austin, Texas 78753. The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas.

District(s) Affected: District 4

Lead Department	Austin Energy
Fiscal Note	Funding in the amount of \$63,357 is available in the Fiscal Year 2018-2019 Capital Budget of Austin Energy.
Prior Council Action	April 12, 2018 - Approved the acquisition of easement property for the Circuit 811 upgrade project for the appraised value of \$97,298.
For More Information	Jeff Vice, Director, Local Government Issues (512) 322-6087; Dan Smith, VP Electric Service Delivery, (512) 505-7009; Pamela England, Manager, Public Involvement & Real Estate Services, (512) 322-6442.
Council Committee, Boards and Commission Action	November 19, 2018 - Recommended unanimously by the Electric Utility Commission on an 8-0 vote with Commissioners Osborne and Wray absent, and one vacancy.

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Additional Backup Information:

This project will upgrade the four-mile Circuit 811 transmission line from 69kV to 138kV to provide redundancy and increase reliability of the electric service system.

Additional easement widths are necessary for safety and clearance requirements pursuant to the National Electric Safety Code, and for access and maintenance of Circuit 811. Austin Energy identified 103 easement tracts necessary for this upgrade project. To date, 34 property owners have accepted appraised values; 19 are unwilling to accept the appraised values; and 53 are in negotiations.

The current fair market value of the 8151 North Lamar, L.P. tract, as determined by an independent, third-party appraiser, is \$63,357. The City attempted to purchase the needed property for this amount however; the City and the property owner were unable to agree on the value of the tract. The Law Department requests authorization to file an action in eminent domain on behalf of the City of Austin.