

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: December 13, 2018

Item Number: 051

Eminent Domain

Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of three tracts (Tract #1 being 0.012 acres (520 square feet), Tract #2 being 0.071 acres (3,110 square feet), and Tract #3 being 0.121 acres (5,274 square feet) for a total of approximately 0.204 acres (8,904 square feet) of land located in the Francisco Garcia Survey No. 60, Travis County, Texas, and being out of and in a portion of that called 4.06 acres of land as described to Saeed Moshfegh in that certain warranty deed with vendor's lien and recorded as Document No. 2017045033, official public records Travis County, Texas, in the amount of \$17,718. The owner of the needed property interest is Saeed Moshfegh. The property is located entirely in District 7, at 13700 Pansy Trail, Austin, Texas 78727. The general route of the project is along the south side of Avenue N and West Howard Lane from the Howard Lane Substation on Gardenia Drive to the east side of Center Line Pass into the Techridge Substation, in Austin, Travis County, Texas.

District(s) Affected: District 7

Lead Department	Austin Energy
Fiscal Note	Funding in the amount of \$17,718 is available in the Fiscal Year 2018-2019 Capital Budget of Austin Energy.
Prior Council Action	
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, Angela Rodriguez, Staff Attorney, Law Department (512) 974-6032.
Council Committee, Boards and Commission	November 19, 2018 - Recommended unanimously by the Electric Utility Commission on an 8-0 vote with Commissioners Osborne and

Action	Wray absent, and one vacancy.
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Additional Backup Information:

This project will upgrade the 1.7 mile Techridge-Howard Lane 138kV transmission line. One of the upgraded circuits (Circuit 1004) will be terminated at Howard Lane. The second circuit will bypass Howard Lane and tie into the existing Howard Lane-Jollyville 138kV transmission line (Circuit 961) to create a new Techridge-Jollyville circuit.

The upgrades are necessary for increased safety and reliability, as well as improved connectivity within the overall electric service system. Austin Energy identified 11 easement tracts required for this project. To date, six property owners have accepted appraised values. The remaining tracts are in negotiations for acquisition.

The current fair market value of the Moshfegh tract, as determined by an independent, third-party appraiser, is \$17,718. 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.