



## Recommendation for Action

**File #:** 19-1785, **Agenda Item #:** 55.

6/6/2019

### **Posting Language**

Approve a resolution authorizing the filing of eminent domain proceedings for the fee acquisition consisting of approximately 0.252 acres or 10,983 square feet of land being a part of Division "O" of the Original City of Austin Government Out Lots, according to the map on file in the Texas General Land Office in Travis County, Texas, and being more particularly a part of the west 100 feet of East Avenue, a street in the said City of Austin, as depicted on the map of the said Government Out Lots and being a portion of that called 0.9702 acres of land as described in that certain Declaration of Departmental Transfer of Operations and Maintenance Obligations as described in Document Number 20122178335, Official Public Records Travis County, Texas, in the amount of \$164,745. The owner of the needed property interest is WC 56 East Avenue LLC, a Delaware limited liability company. The property is located entirely in District 9, at 55 East Avenue, Austin Texas 78701. The general route of the project is along the south side River Street and north side of Lambie Street, just west of the IH 35 frontage road, in Austin, Travis County, Texas.

### **Lead Department**

Austin Energy

### **Fiscal Note**

Funding is available in the Fiscal Year 2018-2019 Capital Budget of Austin Energy.

### **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 Action:**

May 13, 2019 - Recommended by the Electric Utility Commission on an 8-0 vote, with Commissioner Weldon off the dais and Commissioners Hadden and Stone absent.

### **Additional Backup Information:**

The Downtown Austin Plan, adopted by the Austin City Council in 2012, identified the need for a new electrical substation in the fast-growing Rainey Street District by 2020 to serve this section of downtown including redevelopment activities along Waller Creek. This new substation will strengthen the Downtown 35kV Network which is now supplied from the existing Seaholm and Brackenridge Substations. The new substation also supports the following objectives in Austin Energy's overall Capital Improvement Plan:

- Ensure that businesses and residents have reliable, resilient, and redundant electrical service as the vibrant downtown Austin area continues to develop.
- Allow the aging Seaholm Substation to be upgraded in a timely and efficient manner to meet future needs.
- Provide the capacity needed to allow the 45-year-old Brackenridge Substation to be taken out of service and be rebuilt as a 138 kV substation.
- Allow the existing 69 kV transmission lines into the downtown area, including those which will supply

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the newly-rebuilt Brackenridge Substation, to be converted to 138 kV operation.

The current fair market value of the WC 56 LLC tract, as determined by an independent, third-party appraiser, is \$164,735. The City has attempted to purchase the needed property; however, the City and the property owner were unable to agree on the value of the needed acquisition tract. The Law Department is requesting authorization to file an eminent domain action on behalf of the City of Austin.