



## Recommendation for Action

**File #:** 21-3393, **Agenda Item #:** 57.

11/18/2021

### Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings for the Oak Hill Parkway Water and Wastewater Relocation Project and the public use of accommodating roadway improvements, relocation of water and wastewater infrastructure in conflict, and the acquisition of one Water Line Easement being approximately an 0.179 of an acre (7,795 square feet) located in the Jesse Williams Survey No.62, Abstract 788 Travis County, Texas, being a portion of Lot 3, Scenic Brook West Commercial, a subdivision of record in Volume 78, Page 71, Plat Records of Travis County, Texas, as described in a deed to Cielo Paso Oak Hill, L.P., A Texas Limited Partnership, recorded February 20, 2013 in Document No. 2013031028, Official Public Records of Travis County, Texas in the amount of \$32,404. The owner of the needed property is Cielo Paso Oak Hill, L.P., a Texas Limited Partnership. The property is located within District 8, at 7100 W Highway 290, Austin, Texas 78749. The general route of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon, in Travis County, Texas.

### Lead Department

Office of Real Estate Services.

### Fiscal Note

Funding in the amount of \$32,404 is available in the Fiscal Year 2021-2022 Capital Budget of Austin Water.

### Prior Council Action:

February 20, 2020: Approval of and Advance Funding Agreement with Texas Department of Transportation for Relocation of Existing Utilities in conflict with the Oak Hill Parkway Improvement Projects: approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

### For More Information:

Michael Gates, Office of Real Estate Services, (512) 974-5639; Megan Herron, Office of Real Estate Services, (512) 974-5649; Adewale Odufuye, Public Works Department, (512) 974-7119.

### Council Committee, Boards and Commission Action:

Water and Wastewater Commission; 2.12.21- Recommended by the Water & Wastewater Commission on Commissioner Castleberry's motion and Commissioner Turrieta's second on a 7-0 vote. Commissioners Ho, Michel and Schmitt were absent with Commissioner Parton off the dais.

### Additional Backup Information:

This project is for the relocation and adjustments of existing water and wastewater lines and appurtenances in conflict with Texas Department of Transportation's (TxDOT) Oak Hill Parkway project, located at the convergence of US Highway 290 and US Highway 71. The work consists of relocating approximately 561 linear feet of 30-inch diameter water line, 2,712 linear feet of 24-inch diameter water line, 23,904 linear feet of 16-inch diameter water line, 5,954 linear feet of 12-inch diameter water line, 908 linear feet of 8-inch diameter water line, 4,987 linear feet of 36-inch diameter wastewater line, 66 linear feet of 30-inch diameter wastewater line, 110 linear feet of 18-inch diameter wastewater line, 200 linear feet of 15-inch diameter wastewater line,

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6,674 linear feet of 8-inch diameter wastewater line, and 269 linear feet of 6-inch diameter wastewater line, including appurtenances. Austin Water's existing water and wastewater lines are required to be adjusted to accommodate the proposed roadway improvements. The construction necessary to adjust Austin Water's lines will be handled under the TxDOT contract.

The City of Austin has attempted to purchase the needed property at 7100 W Highway 290. Negotiations have come to an impasse. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.

**Strategic Outcome(s):**

Government that Works for All.