



## Recommendation for Action

**File #:** 22-2046, **Agenda Item #:** 76.

6/9/2022

### Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the Oak Hill Parkway Water Relocation Project for the public use of accommodating roadway improvements, relocation of wastewater infrastructure in conflict, and the acquisition of one water line easement being approximately an 0.058 acre (2,543 sq. ft.) easement located in the Peter Matson Survey No. 619, Abstract 538, Travis County, Texas being a portion of Lot 15, Forest Park, a subdivision of record in Volume 75, page 245, Plat Records of Travis County Texas as affected by Quitclaim Deed conveyed to Gerald D. Powell and wife, Bettina M. Powell recorded in Document Number 2009171034, Official Public Records of Travis County, Texas and Order of Vacation by instrument recorded in Document Number 2010099167, Official Public Records of Travis County, Texas currently appraised at \$15,258.00 subject to an increase in value based on updated appraisals or a Special Commissioners' award. The owners of the needed property are Gerald Dean Powell and Bettina M. Powell. The property is located at 8504 W. US 290, Austin, Texas 78736. The general route of the project is SH 71 at Silvermine Drive to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas.

### Lead Department

Financial Services Department.

### Fiscal Note

Funding in the amount of \$15,258.00 is available in the Fiscal Year 2021-2022 Capital Budget of Austin Water.

### Prior Council Action:

February 20, 2020 - Approval of 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 a 10-0 vote with Mayor Pro Tem Garza was off the dais.

### For More Information:

Michael Gates, Financial Services Department, (512) 974-5639; Diana Justice, Financial Services Department, (512) 974-7170; Adewale Odufuye, Public Works Department, (512) 974-7119.

### Council Committee, Boards and Commission Action:

February 12, 2020 - Recommended by the Water & Wastewater Commission on a 7-0 vote with Commissioners Ho, Michel, and Schmitt absent and 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 relocated to accommodate the proposed roadway improvements, and the agreement with TXDOT will allow those lines in conflict to be relocated. This project brings together the efforts of TxDOT and Austin Water in the design and construction of the roadway improvements and utility adjustments to minimize impacts to the public and save costs.

The City has attempted to purchase the needed property at 8504 W. US 290, Austin, Texas 78736. The City and property owner have been 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, and to authorize the City to pay for the property interest in an amount determined by the appraisal, updated appraisal(s), or a Special Commissioners' "award."

**Strategic Outcome(s):**

Government that Works for All.