



Recommendation for Action

File #: 22-2239, Agenda Item #: 105.

7/28/2022

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the Circuit 811 Transmission Electric Line Upgrade Project from Justin Lane Substation to McNeil Lane Substation for the public use of providing reliable, safe electricity service, which requires acquisition of the real property rights of an electric transmission and distribution easement consisting of approximately 0.028 of an acre (1,233 square feet), and a temporary construction easement consisting of approximately 0.187 of an acre (8,131 sq.ft) being a portion of Lots 10 through 16, Block A, North Gate Addition, a subdivision in Travis County, Texas, according to the plat recorded in Plat Cabinet 3, Page 196, Plat Records Travis County, Texas and being a part of that called 0.555 acres, which is part of the said lots 10 through 16, Block A, of the said subdivision, as described to R&K Investments, a Texas general partnership in that certain warranty deed with vendor's lien as recorded in Volume 12132, page 2123, Real Property Records of Travis County Texas for the Austin Energy Transmission Circuit 811 JL-MC 138kV upgrade project, currently appraised at \$98,410 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is R&K Investments, a Texas general partnership. The property is located at 7544 North Lamar Boulevard, Austin, Texas 78752. The general route of the project is along the east side of North Lamar Boulevard from U.S. Highway 183 to the McNeil Substation.

Lead Department

Austin Energy

Fiscal Note

Funding in the amount of \$98,410 is available in the Fiscal Year 2021-2022 Capital Budget of Austin Energy.

For More Information:

Thomas Pierpoint, VP Electric Service Delivery, (512) 972-9507; Pamela England, Manager, Public Involvement & Real Estate Services, (512) 322-6442.

Council Committee, Boards and Commission Action:

June 13, 2022- Recommended by the Electric Utility Commission on an 8-0 vote, with Commissioners Funkhouser and Hadden absent and one vacancy.

Additional Backup Information:

The project includes upgrade of the 4.0 mile transmission line with bundled 795 ACSS Drake conductor rated for 3000 amps, and to reinsulate the line and make-ready for ultimate operation at 138kV. The project will provide redundancy and increase reliability. The downtown service area could be seriously jeopardized if one of Austin Energy's four autotransformers fails and is unavailable for an extended period of time while a replacement unit is being secured. In that scenario CKT811 loads could reach 151 percent of its 120 MVA thermal limit risking outages and fluctuating service. Additional easement widths are necessary for safety and clearance requirements pursuant to the National Electric Safety Code, and for access and maintenance.

The current fair market value of the 7544 N. Lamar tract, as determined by an independent, third-party appraiser is \$98,410. The City attempted to purchase the needed property for this amount and negotiations have come to an impasse. The Law Department requests 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.