



## Recommendation for Action

**File #: 22-2241, Agenda Item #: 107.**

**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 the Justin Lane Substation to the McNeil Lane Substation for the public use of providing reliable, safe electricity service, which requires the acquisition of real property rights of one electric transmission and distribution easement consisting of approximately 0.239 of an acre (10,396 square feet) and a temporary construction easement consisting of approximately 0.706 of an acre (30,745 sq.ft) of land, in the John Applegait survey number 58, and being a portion of Lot 2, Northwend Phase "B" Section One-A, a subdivision in Travis County, Texas, according to the plat recorded in Volume 83, Page 115-D, plat records Travis County, Texas, the said Lot 2, being described to Corsair Lamar, LLC, in that certain special warranty deed as recorded in Document No. 2019202088 Official Public Records, Travis County, Texas, for the Austin Energy Transmission Circuit 811 JL-MC 138kV Upgrade Project, currently appraised at \$485,554 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Corsair Lamar, LLC. The property is located at 9717 North Lamar Boulevard, Austin, Texas 78753. 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 \$485,554 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 9717 N. Lamar tract, as determined by an independent, third-party appraiser is \$485,554. 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.