

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: August 9, 2018

Item Number: **030**

Office of Real Estate Services

Approve an ordinance vacating approximately 4.44 acres of certain portions of Congress Avenue, 16th Street, 17th Street, and 18th Street, all out of Division E of the Government Tract adjoining the Original City of Austin, to the Texas Facilities Commission, and waiving City Code Sections 14-11-74 (Appraisal of Property) and 14-11-75 (Payment for Right-of-Way).

District(s) Affected: District 1

Lead Department	Office of Real Estate Services.
Fiscal Note	A fiscal note is not required.
Prior Council Action	<p>June 22, 2017: Council authorized negotiation of an interlocal agreement with the State of Texas, acting by and through the Texas Facilities Commission, for development of Phase One of the 2016 Texas Capitol Complex Master Plan.</p> <p>December 14, 2017: Council authorized execution of an interlocal agreement with the Texas Facilities Commission for development of Phase One of the 2016 Texas Capitol Complex Master Plan, and approved Ordinance No. 20171214-090 waiving fees in an amount not to exceed \$6,800,000 and requirements related to the vacation of right-of-way associated with the development of Phase One of the 2016 Texas Capitol Complex Master Plan..</p>
For More Information	Alex Gale, Interim Officer, Office of Real Estate Services, (512) 974-1416; Megan Herron, Office of Real Estate Services, (512) 974-5649.

Council Committee, Boards and Commission Action	Council waived City Code Section 14-11-73, the required review of application for right-of-way by certain Commissions in Ordinance No. 20171214-090.
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Additional Backup Information:

On December 14, 2017, Council authorized execution of an interlocal agreement with the Texas Facilities Commission for development of Phase One of the 2016 Texas Capitol Complex Master Plan project. Council also approved Ordinance No. 20171214-090 waiving temporary use of right-of-way permit fees in an amount not to exceed \$6,800,000 as well as requirements related to the vacation of right-of-way associated with the development of the project.

A request has been received for the vacation of approximately 4.44 acres of right-of-way consisting of certain portions of Congress Avenue, 16th Street, 17th Street and 18th Street, all out of Division E of the Government Tract adjoining the Original City of Austin.

Property owners within 300 feet of the vacation tract were notified on May 17, 2018. No objections were received by the Office of Real Estate Services.

All affected City departments and utility franchise holders have reviewed the right-of-way vacation request and recommend approval subject to retaining a drainage easement, water and wastewater easement and public utility easement. The easements to be retained as part of the right-of-way vacation are for existing utilities and will envelope the entire vacation tract.

The right-of-way vacation is carried out in keeping with Section 1.7 of the Interlocal Cooperation Agreement between the Texas Facilities Commission and the City of Austin. The agreement contemplates the vacation of right-of-way as well as property interests associated with easements for utility tunnels needed for the project in the future, for a "reasonable value" in accordance with Texas Government Code Section 2166.052. The property interests to be conveyed will be dedicated at a later phase of the project and will be posted as a separate action item in the future.