



## Recommendation for Action

**File #:** 19-2062, **Agenda Item #:** 107.

6/20/2019

### **Posting Language**

Approve a resolution authorizing the filing of eminent domain proceedings for the Onion Creek Odor Control Facility for the acquisition of approximately 0.058 of an acre (2,515 square feet) of land for a permanent lateral support/bank stabilization and drainage easement and approximately 0.340 of an acre (14,810 square feet) of land for a temporary working space easement, all being out of the Santiago Del Valle Grant, Abstract No.24, in Travis County, Texas, being out of and a portion of the remainder of that called 166.598 acres of land as described to George W. Brewer in that certain Partition Deed as recorded in Volume 9106, Page 615, Real Property Records Travis County, Texas, in the amount of \$6,685 for the public use of preventing erosion and stabilizing Onion Creek banks related to the Onion Creek Odor Control Facility. The owners of the needed property are Billie Jo Figer; Michael G. Figer; Donald K. Figer; Betsy A. Lambeth; and Keith H. Harmon and Bonnie G. Harmon, as Trustees of the Harmon Family Trust, established by Trust Agreement dated November 3, 1999; and David A. Brewer, as to a life estate. The property is located within Austin 2-mile extraterritorial jurisdiction (ETJ) between Council District 2 and 5, at 1101 East Slaughter Lane, Austin, Texas 78747. The general route of the project is east along east Slaughter Lane and one-half mile past the east Slaughter Lane bridge over Onion Creek, within the Austin 2-Mile ETJ, in Travis County, Texas.

### **Lead Department**

Office of Real Estate Services.

### **Fiscal Note**

Funding in the amount of \$6,685 is available in Austin Water's FY 2018-2019 Capital Budget.

### **Prior Council Action:**

September 11, 2018, Council approved an ordinance adopting the update of the City of Austin Water and Wastewater Impact Fees Land Use Assumptions including the Impact Fee Service Area amendments, Capital Improvements Plan and Impact Fees. The item was approved on Council Member Pool's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Troxclair voted nay.

### **For More Information:**

Alex Gale, Office of Real Estate Services, (512) 974-7078; Megan Herron, Office of Real Estate Services, (512) 974-5649; James King, Public Works Department, (512) 974-7099; Rebecca Vento, Austin Water Utility, (512) 972-1455..

### **Additional Backup Information:**

In 2015, the City built the Onion Creek Odor Control Facility at the approximate junction of East Slaughter Lane and Onion Creek in southeast Austin. The Facility was located on the site of an Onion Creek Tunnel shaft. The Facility draws air from the Onion Creek Tunnel to treat the noxious gasses (primarily hydrogen sulfide) generated by turbulence in the wastewater, which serves to protect the collection system from corrosion and mitigate odors.

As the Slaughter Creek wastewater interceptor and Onion Creek Tunnel largely follow the alignments of Slaughter Creek and Onion Creek, respectively, the Onion Creek Odor Control Facility itself is located near the

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confluence of these two major creeks. The Facility's site, located immediately adjacent to Onion Creek, is exposed to extreme sheet flows during storm events resulting in severe headcut erosion of the Onion Creek bank, which has encroached into the site and threatens the site's stability. In order to protect the facility, it will be necessary to install up to 82 feet of tangent pile wall between the facility's site and Onion Creek to protect from further headcut erosion and an approximately 265-foot long flow diversion concrete wall along two sides of the site to protect from sheet erosion.

The City of Austin has attempted to purchase the needed property at 1101 East Slaughter Lane. The City and the 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 of Austin.