



Recommendation for Action

File #: 22-2242, Agenda Item #: 108.

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 Oak Hill to Patton Lane CKT 969 Texas Department of Transportation reroute, and the Patton Lane to Vega CKT 1023 and Oak Hill to Patton Lane CKT 969 Relay Upgrade and Capacity Bank Replacement Project for the public use of electric distribution transmission improvements. The electric distribution and transmission easement to be acquired is comprised of three tracts of land, Tract 1 consisting of 1.748 acres (76,143 sq.ft.) of land in the Thomas Anderson Survey No. 17, Abstract Number 2; Tract 2 consisting of approximately 1.388 acres (60,451 sq.ft.) of land out of the Thomas Anderson Labor Survey Number 90, Abstract Number 28; and Tract 3 consisting of approximately 0.130 acres (5,645 sq.ft.) of land out of the Thomas Anderson Labor Survey Number 90, Abstract Number 28, all three situated in the City of Austin, Travis County, Texas, currently appraised at \$362,055 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is NXP USA, Inc. formerly known as Freescale Semiconductor, Inc., a Delaware Corporation, located at 6501 West William Cannon Drive and Patton Ranch Road, Austin, Texas, 78735. The general route of the project is along north of U.S. Highway 290 West from Patton Ranch Road to the Patton Substation.

Lead Department

Austin Energy.

Fiscal Note

Funding in the amount of \$362,055 is available in the Fiscal Year 2021-2022 capital budget of Austin Energy.

For More Information:

Thomas J. Pierpoint, VP Electric System Engineering and Technical Services 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 Texas Department of Transportation (TxDOT) is widening U.S. Highway 290 from west of Ranch-to-Market 1826 to State Highway Loop 1, locally known as Oak Hill Parkway. In connection with that improvement project, TxDOT has identified the need to acquire land owned by NXP USA, Inc., formerly known as Freescale Semiconductor, Inc., a Delaware corporation. A portion of Transmission Circuit 969 transmission poles and lines are presently located on the property owned by NXP USA, Inc., formerly known as Freescale Semiconductor, Inc., a Delaware corporation, and lie within the planned right of way and taking by TxDOT. Austin Energy is required to relocate those transmission lines and poles.

The City has attempted to purchase the needed property at 6501 W William Cannon Drive and Patton Ranch Road, Austin, Texas, 78735. 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.