



Recommendation for Action

File #: 22-2851, Agenda Item #: 67.

9/29/2022

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Kellam Road Water Pipeline Renewal Project, for the public use of ensuring the continued use of safe and reliable service of water lines and fire hydrants, the acquisition of a water line easement consisting of approximately 2,810 square feet (0.064 acre) and two separate temporary working space easements totaling approximately 11,237 square feet (0.258 acre), being out of and a portion of the Thomas B. Westbrook Survey Section No. 5, Abstract No. 797 in the City of Austin, Travis County, Texas, and being out of a 117.208 acre tract conveyed to the Circuit of the Americas, LLC in a special warranty deed dated July 3, 2012 and recorded in Document No. 2012109754 of the Official Public Records, Travis County, Texas, in the City of Austin, Travis County, Texas currently appraised at \$6,584 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Circuit of the Americas, LLC. The property is located at 0 Elroy Road, Austin, Texas 78617. The general route of the project is along Kellam Road, immediately north of Elroy Road.

Lead Department

Financial Services Department.

Fiscal Note

Funding is available in the Capital Budget of Austin Water.

For More Information:

Michael Gates, Financial Service Department, 512-974-5639; Cathy Curtis, Financial Services Department, 512-974-5649; Genest Landry, Public Works Department, 512-974-8749.

Additional Backup Information:

This project is part of the Renewing Austin Program, an ongoing effort to replace and upgrade deteriorated and aging water mains with a documented history of multiple breaks, are in poor condition, and that impact service delivery. In addition, the program coordinates and includes wastewater lines in poor condition and in need of replacement within the project area.

The existing water mains along Kellam Road have experienced 21 breaks since 1997 and need to be replaced. The proposed project will replace aging water line infrastructure along Kellam Road, beginning at Elroy Road and travelling north for 1,800 feet. The acquisition of a water line easement and temporary construction easement from this parcel is necessary to construct and maintain the waterline.

The City has attempted to purchase the needed property at 0 Elroy Road, Austin, TX 78617. 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.