



Recommendation for Action

File #: 23-1480, **Agenda Item #:** 53.

4/13/2023

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Upper Harris Branch Wastewater Interceptor - Phase 1 Project, for the public use of installing wastewater infrastructure requiring the acquisition of a wastewater easement consisting of approximately 2.106 acres (91,720 square feet) and a temporary working space easement consisting of approximately 1.052 acres (45,813 square feet), being part of a called 47.733-acre tract, conveyed to East Creek ATX, LLC, recorded in Document Number 2022008621, Official Public Records of Travis County, Texas, currently appraised at \$461,871, subject to an increase in value based on updated appraisals or a Special Commissioners award. The owner of the needed property is East Creek ATX, LLC. The property is located at 12401 Hulsey Road, Manor, TX 78653. The general route of the project is the Upper Harris Branch wastewater basin from Dessau Road to Harris Branch Parkway.

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; Ria Yamaguchi, Public Works Department, 512-974-9125; Axton Vorpahl, Austin Water, 512-972-2055.

Additional Backup Information:

This property acquisition is necessary for Austin Water to install a new gravity wastewater interceptor from Dessau Wastewater Treatment Plant that will tie into the Lower Harris Branch Interceptor. Due to rapid development in this area, Austin Water is seeing an increase in wastewater service demand and this interceptor is required for the plant to stay within permitted limits and it is a crucial portion of the overall wastewater service strategy in the northeast service area. This project will coordinate with two other subprojects, constructing the remaining interceptor and the tie-in for the plant. This project will also coordinate with the Dessau Wastewater Treatment Plant Capacity Expansion Project and other efforts at the plant.

The City has attempted to purchase the needed property at 12401 Hulsey Road, Manor, TX 78653. 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):

Health and Environment.