City of Austin

Recommendation for Action

File #: 26-2979, **Agenda Item #:** 80. 11/19/2026

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed in support of Austin Energy's Capital Express Central CKT823, 834, & 835 Structure Relocation 2021 Project for the public use of relocating various transmission structures along the existing Circuits 823, 834, & 835 to accommodate the Texas Department of Transportation's expansion of Interstate Highway 35 as part of the Interstate 35 Capital Express program requiring the acquisition of a permanent electric transmission and distribution easement consisting of 0.0120 of one acre (523 square foot) easement, out of Outlot 23, Division "C", City of Austin, Travis County, Texas, being out of Block 2, Fellman Heights, a subdivision of record in Book 2, Page 160, Plat Records, Travis County, Texas, being a portion of the Bungalows Condominium dated October 24, 2007, as recorded in Document Number 2007198811, Official Public Records, Travis County, Texas, as amended in Third Amendment to Declaration of Covenants, Conditions and Restrictions for the Bungalows Condominiums dated December 30, 2011, as recorded in Document Number 2012001042, Official Public Records, Travis County, Texas, being described as 0.379 of one acre (Tract 1) conveyed to Windsong Partners, LP by Special Warranty Deed dated March 23, 2007, as recorded in Document Number 2007052372, Official Public Records, Travis County, Texas, currently appraised at $93,249 subject to an increase in value based on updated appraisals, a Special Commissioners' award, negotiated settlement, or judgment. The owner of the needed property is The Bungalows Condominium Homeowners Association, Inc., a Texas non-profit corporation. The property is located at 2800 Cole Street, Austin, TX 78705. The general route of this project is comprised of three circuits that each cross over Interstate 35 from East to West, along three separate lines. Circuit 823 is located at and along East 38 ½ Street and Circuits 834 and 835 are located at and along the North and South sides of Dean Keeton Street. Funding: $93,249 is available in the Capital Budget of Austin Energy.

Lead Department

Austin Financial Services.

Fiscal Note

Funding is available in the Capital Budget of Austin Energy.

For More Information:

Brandon Williamson, Austin Financial Services, 512-974-5666; Michael Gates, Austin Financial Services, 512-974-5639; Amy Everhart, Austin Energy, Director, Local Government Issues, 512-322-6087; David Tomczyszyn, Austin Energy, VP Electric Systems Engineering and Technical Services, 512-322-6821.

Council Committee, Boards and Commission Action:

November 9, 2026 - To be reviewed by the Electric Utility Commission.

Additional Backup Information:

This specific portion of the project is for Austin Energy Circuit 835, one of three circuits included in the Capital Express Central CKT823, 834, & 835 Structure Relocation 2021 Project, intended to relocate various transmission structures along the existing Circuits 823, 834, & 835 to accommodate the Texas Department of Transportation's expansion of Interstate 35 (I-35) as part of the I-35 Capital Express program. This section of

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the CKT835 Project is along Dean Keeton Street, running east across I-35 to Dancy Street. This easement is necessary for safety and clearance requirements pursuant to the National Electrical Safety Code.

The City has attempted to purchase the needed property at 2800 Cole Street, Austin, Texas 78705. The City and the property owner have been unable to agree on the value of the needed acquisition. The Austin City Attorney's Office 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), a Special Commissioners' award, negotiated settlement, or judgment.