



# City of Pflugerville

## Legislation Details (With Text)

**File #:** RES-1238    **Version:** 1    **Name:**

**Type:** Resolution    **Status:** Discuss and consider action

**File created:** 6/25/2024    **In control:** Public Works

**On agenda:** 7/9/2024    **Final action:** 7/9/2024

**Title:** Discuss and consider action to approve a resolution of the City Council of the City of Pflugerville, Texas, directing the City Manager or the City Manager’s designee to execute all documents to institute eminent domain proceedings for the acquisition of land situated for temporary construction and utility easements in Pflugerville, Travis County, Texas and directing the City Attorney to initiate condemnation proceedings associated with the 15-inch North Wilbarger Wastewater Interceptor Project.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Resolution

Date	Ver.	Action By	Action	Result
7/9/2024	1	City Council		

Discuss and consider action to approve a resolution of the City Council of the City of Pflugerville, Texas, directing the City Manager or the City Manager’s designee to execute all documents to institute eminent domain proceedings for the acquisition of land situated for temporary construction and utility easements in Pflugerville, Travis County, Texas and directing the City Attorney to initiate condemnation proceedings associated with the 15-inch North Wilbarger Wastewater Interceptor Project.

This resolution has been included on the agenda to follow for discussion and potential action regarding eminent domain proceedings on Parcel 1 needed for the 15-inch North Wilbarger Wastewater Interceptor Project. The 15-inch North Wilbarger Wastewater Interceptor Project is the construction of a wastewater line extension totaling approximately 1,600 LF from an existing connection crossing from the east to the west side of SH 130 to provide service to the area northwest of the highway interchange of SH 130 and SH 45 in the Wilbarger Drainage Basin.

As part of the project, the City needs to acquire temporary construction and utility easements. Despite exhaustive efforts to negotiate with the property owner, they have not agreed to the proposed cost and/or the terms. At this time, initiating eminent domain proceedings is the most effective approach to secure the right-of-way. While this authority allows the initiation of eminent domain, staff will continue to negotiate with the property owner to try to secure the easements prior to the condemnation proceedings.

This resolution authorizes the City Manager and the City Attorney, on behalf of the City, to initiate condemnation proceedings and such other actions are necessary to acquire the property by the exercise of the power of eminent domain proceedings.

### Prior City Council Action

City Approved a professional services supplemental agreement with CP&Y, Inc In the amount of \$201,365.00 to provide professional services associated with the SH 130 Wastewater Extension Project and authorizing the City Manager to execute the same.

**Deadline for City Council**

Action is requested on July 9, 2024.

**Funding Expected:** Revenue  Expenditure  N/A

**Budgeted Item:** Yes  No  N/A

**Amount:** N/A

**1295 Form Required?** Yes  No

**Legal Review Required:**  Required  Date Completed: 05/13/24

**Supporting documents attached**

Proposed Resolution

**Recommended Action**

Approve a resolution authorizing the City Manager or the City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of land situated for permanent easements in Pflugerville, Travis County, Texas and directing the City Attorney to initiate condemnation proceedings.