

MEMORANDUM OF UNDERSTANDING.

TO:

Greg Meszaros

Director, Austin Water Utility

M.O.U. # PARD 10-003

FROM:

Sara Hensley

Director, Parks and Recreation Department

SUBJECT: <u>WTP-4 Jollyville Transmission Main</u>

FDU #; (number) ; Project I.D.: 6935.016

DATE: (mm/dd/yy)

Austin Water Utility is allowed to use the parkland located at Upper Bull Creek Greenbelt at Spicewood Springs Road and Old Lampasas Trail, as part of the work site for the above referenced project, as indicated in Attachment "B" (Location Map).

The parkland is to be used for <u>Permanent Use – Access Shaft; Permanent Use – Subterranean Tunnel; Temporary Use – Work Area, Staging, Access.</u> The requested area is:

Permanent Use - Access Shaft:

6,421 sq. ft. = \$61,916.79

Permanent Use - Subterranean Tunnel:

162,348 sq. ft. = \$0.00

Temporary Use - Work Area, Staging, Access: 14,985 sq. ft. = \$54,186.83

Total Mitigation Fees to be transferred to PARD; \$116,103.62

The estimated Project Start Date is October, 2011

The estimated duration of the parkland use is 900 Calendar Days.

Estimated Date of Final Completion (Restoration complete and accepted by Environmental Inspector and PARD; Parkland open for Public Use) is <u>March</u>, <u>2014</u>.

Extension/modification of parkland use must receive prior written approval from PARD. Additional fees will be assessed at the same daily rate as stated in Attachment "A" of this M.O.U.

Austin Water Utility is in agreement to provide the following mitigation in return for use of the parkland:

Funds Transfer in the amount of One Hundred SixteenThousand, One Hundred Three Dollars and Sixty-Two Cents (\$116,103.62) to be paid within 30 Calendar Days after execution of this Memorandum of Understanding.

Austin Water Utility is also granted a Subterranean Permanent Use for 162,348 square feet along the Transmission Main route at Upper Bull Creek Greenbelt, located in parkland parcels, as identified in Survey Field Notes. This Subterranean Permanent Use does not allow access from the surface in this location for monitoring, repair or replacement to the Transmission Main. In addition, Austin Water Utility acknowledges the right of the Parks and Recreation Department to develop the parkland as appropriate, with no restrictions in the development above Water Main Tunnel elevations. As this Permanent Use will have no impact on the parkland or park users, no mitigation is required. A letter of Agreement and an Affidavit for Subterranean Permanent Use have been executed.

Austin Water Utility Point of Contact is: <u>Joe Hoepken</u> Phone Number: <u>974-1171</u>

Public Works Point of Contact is: Stacie Long Phone Number: 974-7172

PARD Point of Contact is: Ricardo Soliz Phone Number: 974-9452

(Final Authority) Approval: (Date)

Mitigation funding in the amount of <u>One Hundred SixteenThousand</u>, <u>One Hundred Three Dollars and Sixty-Two Cents (\$116,103.62)</u> has been agreed to.

Sara Hensley
Director, Parks and Recreation Department

Date

CONCURRENCE

Greg Meszaros
Director, Austin Water Utility

Date

Attachments: A (Mitigation Calculation Worksheet)

B (Location Map)

C (Letter from AWU to PARD re: Subterranean Use)

D (Affidavit for Subterranean Permanent Use)