

## A G E N D A



## Recommendation for Council Action

|  |  |       |               |                                |
|--|--|-------|---------------|--------------------------------|
| Austin City Council  | Item ID  | 14204 | Agenda Number | 135.                           |
| Meeting Date:  | 4/26/2012  |       | Department:   | Office of Real Estate Services |
| Subject  |  |       |               |                                |
| <p>Conduct a public hearing and consider a resolution directing the City Manager to amend the temporary license agreement between the City of Austin and Austin Pets Alive relating to Austin Pets Alive's use of the Town Lake Animal Center site, located at 1156 West Cesar Chavez, which is a portion of dedicated parkland known as Lamar Beach at Town Lake Park, in accordance with Sec. 26.001 of the Texas Parks and Wildlife Code.</p> |  |       |               |                                |
| Amount and Source of Funding   |  |       |               |                                |
|  |  |       |               |                                |
| Fiscal Note  |  |       |               |                                |
| <p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>   |  |       |               |                                |
| Purchasing Language:   |  |       |               |                                |
| Prior Council Action:  | <p>June 23, 2011: Council approved Resolution No. 20110623-096 directing the City Manager to adopt the Animal Advisory Commission's recommended criteria in the selection process for a non-profit that will operate the Adoption Center at the current Town Lake Animal Center site. November 10, 2011: Council conducted a public hearing and approved Resolution No. 20111110-106 authorizing the use of the Town Lake Animal Center site for animal adoption purposes for a period not to exceed 18 months. Council also approved Ordinance No. 20111110-022 authorizing the City Manager to execute a temporary license agreement with Austin Pets Alive permitting them to temporarily occupy and operate the town Lake Animal Center.</p> |       |               |                                |
| For More Information:  | <p>Junie Plummer 974-7085; Sara Hensley 974-6700; Abigail Smith 972-6088; Amanda Glasscock 974-7173.</p>   |       |               |                                |
| Boards and Commission Action:  |  |       |               |                                |
| MBE / WBE:   |  |       |               |                                |
| Related Items:   | 14298  |       |               |                                |
| Additional Backup Information  |  |       |               |                                |

Chapter 26 of the Texas Parks and Wildlife Code provides that the use of parkland for non-park purposes may be approved upon a finding that there is no feasible and prudent alternative to the use of the land and that all reasonable planning to minimize harm to the land has occurred.

On March 20, 2012 the Public Health and Human Services subcommittee of the City Council recommended Council consideration of expanding the approved scope of use of the Town Lake Animal Center site to allow for Austin Pets Alive to operate with additional purpose than allowed by Resolution No. 20110623-096 and corresponding license agreement. The change in use will be allowed only within the approved timeframe of the existing license agreement, and Austin Pets Alive will pay all costs associated with the operations and maintenance of the site.

The dates of public notification in the Austin American-Statesman are April 1, 8 and 15, 2012.