



MEMORANDUM

TO: Parks and Recreation Board

FROM: Jesus M. Olivares, Director  
Parks and Recreation Department

DATE: September 1, 1998

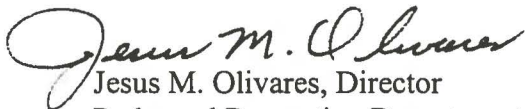
RE: Construction of Rizk Boat Dock at 3201 Westlake Drive  
File No. SP-97-0464DS

A request has been received from Land Strategies on behalf of Fred Rizk to construct a boat dock at 3201 Westlake Drive.

The Parks and Recreation Department (PAR) staff has reviewed plans for the proposed project and finds they meet the requirements of Article VI, Part E, (Requirements for the Construction of Boat Docks) of the Land Development Code.

RECOMMENDATION:

I recommend approval of the above request.

  
Jesus M. Olivares, Director  
Parks and Recreation Department



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## MEMORANDUM

TO: Parks and Recreation Board

FROM: Raúl Calderón, Assistant City Attorney  
Patrick Rehmet, Assistant City Attorney

DATE: August 18, 1998

SUBJECT: Opinion requested concerning licensing of City shoreline property

At the Parks and Recreation Board meeting of July 29, 1994, the Board requested advice concerning the validity of a recently executed license agreement between the City of Austin and adjacent property owners affecting an operating lift station. The Board also requested an opinion concerning the role that could be exercised by the Board in future instances where City shoreline property was to be licensed or otherwise subject to encroachments.

### ROLE OF THE PARKS BOARD.

The function of the Parks Board under Section 2-4-413 of the City Code is to serve in a general advisory role to Council in matters concerning the acquisition, development, improvement, equipment and maintenance of all parks and public playgrounds owned by the City. By proper amendment to Section 2-4-413 and other Code sections as appropriate, the City Council may provide that a duty of the Parks Board is that of reviewing and making a recommendation on proposed real estate transactions concerning City lakefront properties. For the most part, it is within Council's discretion to determine the scope of matters that may be reviewed as well as the manner in which the Parks Board's role would be discharged.

### VALIDITY OF LICENSE AGREEMENT.

The license agreement between the City of Austin and the Sayers is a valid license agreement that was processed through the regular City procedures required by the Land Development Code. The term of the license agreement is indefinite-like many other license agreements issued by the City. There is no requirement that license agreements be for a stated term. Under the provisions of the agreement, the City can terminate the License Agreement with 90 days prior written notice as

provided by the Land Development Code.

*Raúl Calderón*

Raúl Calderón  
Assistant City Attorney

*Patrick Rehmet*

Patrick Rehmet  
Assistant City Attorney

cc: Andrew Martin, City Attorney  
✓ Jesus Olivares, Parks and Recreation Department  
Mike Heitz, Drainage Utility  
Randy Goss, Water and Wastewater  
Milton Lee, Austin Energy  
Peter Rieck, Public Works and Transportation