



Recommendation for Action

File #: 19-1853, **Agenda Item #:** 42.

5/9/2019

Posting Language

Set a public hearing to be conducted in accordance with Texas Parks and Wildlife Code Section 26.001, et seq., to consider a resolution authorizing a change in use of dedicated parkland for approximately 42,000 square feet of permanent waterline, waste waterline and electric utilities to construct, install, use, maintain, and repair the waterline and electric utilities through dedicated parkland, known as Waller Beach at Town Lake Metro Park. (Suggested date: June 6th, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX.)

Lead Department

Parks and Recreation Department

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

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For More Information:

Randi Jenkins, Program Manager, (512) 972-0117; Pamela England, Manager, (512) 322-6442; Gregory Montes, Park Development Coordinator, (512) 974-9458; Ricardo Soliz, Division Manager, (512) 974-9452; Vera Labriola, Business Process Specialist, (512) 974-6716

Council Committee, Boards and Commission Action:

May 28, 2019 - to be reviewed by the Parks and Recreation Board

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 such land and that all reasonable planning has been undertaken to minimize harm to such land.

The park property, located at 30 East Ave., serves the community as a metropolitan park, and the proposed improvements are planned to be installed within the boundary of an existing park road.

Approximately 42,000 square feet of parkland will be used for the waterline, waste waterline and electric utilities installation.

Approval of the use of parkland is made on the condition that all restoration shall be completed in accordance with the Standard Specifications and Construction Standards of the City of Austin and the Parks and

Recreation Department's "Construction in Parks Specifications." The Austin Water Utility Department and Austin Energy Department will pay all costs associated with the restoration, and will pay the Parks and Recreation Department the mitigation fee for the permanent taking of parkland.

It is expected that the appraisal for the parkland, which will determine the mitigation fees, will be completed prior to conducting the public hearing. In addition, it is expected that the amount of additional parkland area that will be used temporarily during construction for construction activities and storage of materials, as well as the duration of the temporary use of parkland, will be determined prior to conducting the public hearing.

There is no feasible and prudent alternative to the use of the dedicated parkland and all reasonable planning has been undertaken to minimize harm to such land. The dates of public notification in the *Austin American-Statesman* are May 12th, May 19th, and May 26th, 2019.