

Date: Month Date, Year
Subject: IH-35 CapEx – East Ave



MEMORANDUM OF UNDERSTANDING

To: Shay Ralls Roalson, P.E., Director, Austin Water

From: Jesús Aguirre, MBA, CPRE, Director, Austin Parks and Recreation Department

Date: [Month Day, Year]

Subject: **IH-35 CapEx – East Ave; M.O.U.# 26-002; FDU# 3920 2207 8397 and 4480 2307 5411; Project I.D. 3212.200**

The purpose of this memorandum is to outline an understanding between Austin Parks and Recreation (APR) and Austin Water (AW) for the non-recreational use of parkland at Waller Beach at Town Lake Metro Park.

Project Details

AW is authorized to use the parkland located at Waller Beach at Town Lake Metro Park, 30 East Ave for construction of a wastewater line as indicated on Attachment “1” (Location Map).

For the construction of the wastewater line, the parkland is requested for permanent and temporary use in association with the TXDOT IH35 CapEx Downtown Advance Construction (DTAC) AW Standalone Relocations: MLK to Holly Street Project. The requested area is:

Permanent Wastewater Use:	5,980 sq. ft. =	\$892,233
Permanent Subterranean Wastewater Use:	1,495 sq. ft. =	\$63,731
Temporary Staging Use:	3,590 sq. ft. =	\$99,476

AW is in an agreement to provide the following mitigation (\$1,055,440) in return for the permanent use and temporary use of the parkland after City Council has approved this request.

The project start date is May 2030.

The date of final completion is October 2030.

The temporary use of parkland is approved for 156 days.

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Requesting Department Responsibilities

This MOU and associated Declaration of Use are necessitated by TxDOT's IH-35 expansion project. The terms established in this MOU between AW and APR have been reviewed and agreed to by TxDOT. All construction work on parkland will be executed by TxDOT's contractors, and construction documents will include language agreed to by TxDOT and the City of Austin (COA). The COA will make every effort to coordinate and enforce the terms of this MOU with TxDOT and their designated contractors. APR will continue to coordinate directly with TxDOT regarding these activities, recognizing that successful implementation is achieved through collaboration among all parties involved.

It is the responsibility of the AW Project Manager and/or the Capital Delivery Services (CDS) Project Manager to notify APR of the Notice to Proceed 60 days prior to start of construction on-site. Extension/modification of parkland use must receive prior written approval from APR at least 60 days in advance. If an extension over 60 days is required, this MOU must be updated. If the usage of the temporary use area exceeds the duration, additional mitigation fees will be assessed based on the daily use rate.

AW and/or CDS must notify APR upon completion of construction within parkland. Future repair or maintenance work requires notification to APR. Parkland must be restored to equal or better condition following Environmental Criteria Manual Section 5 – Construction in Parks specifications and accepted by Environmental Inspector and APR.

Applicant is responsible for initiating an IET funds transfer from Austin Water FDU 3920 2207 8397 and 4480 2307 5411 (SPID # 3212.200) to Austin Parks and Recreation FDU 8741-8607-3020-4888 in the amount of (\$1,055,440) within 30 Calendar Days after execution of this Memorandum of Understanding.

Contacts

AW Point of Contact: Kevin Koeller

Phone Number: 512-972-2055

CDS Point of Contact: Micheal Singleton

Phone Number: 512-974-2979

APR Point of Contact: Zachary Somberg (chapter26@austintexas.gov)

Phone Number: 512-978-1352

Parks & Recreation Board: October 26, 2026

City Council: (Date)

Jesús Aguirre, MBA, CPRE
Director, Austin Parks and Recreation

Date

CONCURRENCE

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Shay Ralls Roalson, P.E.
Director, Austin Water Department

Date

Attachments:

- 1 - Location Map
- 2 - Plan Sheets
- 3 - Site Photos
- 4 - Survey Field Notes
- 5 - Mitigation Calculation Sheets

DRAFT