

## A G E N D A



Thursday, June 11, 2009

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**Public Hearings and Possible Actions**  
**RECOMMENDATION FOR COUNCIL ACTION**
**ITEM No. 69**

**Subject:** Conduct a public hearing and consider a resolution authorizing the use of approximately 30,865 square feet (0.71 acre) for a temporary staging and material storage site area for construction of a reclaimed water main for the Red River to UT Transmission Main Project through dedicated parkland known as the Hancock Golf Course, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code.

**Amount and Source of Funding:** All costs associated with construction, as well as any parkland restoration will be paid by requester.

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**Additional Backup Material**

(click to open)

- [D Board and Commission Action](#)
- [D Map](#)
- [D Exhibit A](#)
- [D Memorandum](#)
- [D Memorandum of Understanding](#)
- [D Resolution](#)

**For More Information:** Junie Plummer 974-7085; Dan Pedersen 972-0074; April Thedford 974-7141

**Boards and Commission Action:** Recommended by the Parks and Recreation Board.

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 this land.

The Austin Water Utility is proposing to use a portion of the Hancock Golf Course for construction staging purposes. The area to be used is a triangular tract of land approximately 30,865 square feet bounded by 38th Street, 38 ½ Street and Red River and does not have improvements currently on it. The park will be used as a staging area for thirteen months.

All disturbed land will be restored and revegetated to existing or better conditions. Mitigation for this staging area will be for improvements to the Hancock trail, billing credits for water consumption, and preparation for future reclaimed water service to Hancock Golf Course.

Approval of the use of parkland is made on the condition that all restoration is 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". Austin Water Utility is required to pay all costs associated with the restoration and tree mitigation will be included as part of the site restoration process.

There is no feasible and prudent alternative to the use of the dedicated parkland which includes all reasonable planning to minimize harm to such lands. The dates of public notification in the Austin American-Statesman were May 17, 24 & 31, 2009.

## **Parks and Recreation Department Board**

**Tuesday, March 24, 2009**

**Regular Meeting**

### **Item for Action**

**Make a recommendation to City Council regarding the temporary use of parkland for UT Reclaimed Water Transmission Main.**

**Applicant's Request: Temporary staging area**

**Board Member Francell moved to approve the project, seconded by Board Member Bostick. Motion carried 6-0.**

### **Item for Action**

**Make a recommendation to City Council regarding the use of parkland for the Extension of Westgate Boulevard.**

**Applicant's Request: Temporary and permanent use of parkland at Westgate Blvd. and Piney Creek Bend for the extension of Westgate Blvd.**

**Board Member Francell moved to approve the recommendation, seconded by Board Member Rivera. Motion carried 6-0.**

**Tino Garcia, Parks Board Liaison  
Parks and Recreation Department**

**April 7, 2009**

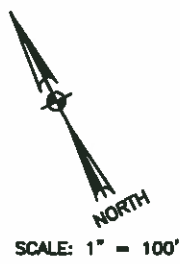


Hancock

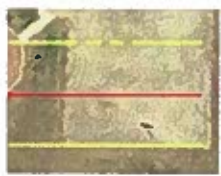
Subject Area



E:\00339680\_D04 WRB SA No. 3\EXHIBITS\EXH-05.dwg : June 28, 2008 : 1:46pm



**LEGEND**



- RIGHT OF WAY
- PROPERTY LINE
- TCE BOUNDARY

**THIS EXHIBIT IS FOR DISCUSSION PURPOSES ONLY**

|   |          |   |
|---|----------|---|
| WRI – RED RIVER TO UT TRANSMISSION MAIN |          |   |
| 38TH AND RED RIVER PROPOSED TCE         |          |   |
| <b>TCB</b> AECOM                        |          | TCB INC.<br>400 W 15th STREET, #500<br>ALSTIN, TEXAS 78701<br>WWW.TCB.AECOM.COM |
| DEBIT No.                               | 3        | JOB No. 80039680  |
| DATE:                                   | MAY 2008 |   |



## MEMORANDUM

To: Greg Meszaros, Director  
Austin Water Utility

From: Sara L. Hensley, Director *SH*  
Parks and Recreation Department

Date: March 17, 2009

Subject: Temporary Use of Parkland

Attached is a Memorandum of Understanding (MOU) that outlines the conditions and mitigation plan for Red River to UT Transmission Main that meets the Parks and Recreation Department's conditional approval for temporary use of parkland, located at Hancock Golf Course "Triangle", bounded by 38<sup>th</sup> Street, 38 1/2 Street and Red River Street. Mitigation for the use of parkland has been calculated as follows:

Temporary Use: 30865 sq. ft. at \$140,822.00

Credit toward water fees: \$56,360.00

Balance in Funds Transfer to PARD: \$84,462.00

After the review and recommendation by the Parks and Recreation Board, a Chapter 26 public hearing will be held before the City Council for final approval.

If you have any questions regarding the details of the draft MOU, please contact Ricardo Soliz, at 974-6765.

Thank you.

*Sara Hensley*  
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Sara Hensley, Director  
Parks and Recreation Department

CONCURRENCE  
*Greg Meszaros*  
\_\_\_\_\_  
Greg Meszaros, Director  
Austin Water Utility



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**M E M O R A N D U M   O F   U N D E R S T A N D I N G**

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**TO:** Greg Meszaros M.O.U. # PARD-09-???  
Director, Austin Water Utility Department

**FROM:** Sara Hensley  
Director, Parks and Recreation Department

**SUBJECT:** Red River to UT Transmission Main Project – Temporary Construction Easements  
FDU #: 3920-2207-6013  
CIP ID#: 5267.024

**DATE:** (Date)

As you may know, the Utility is in the process of designing a 24" reclaimed water main to the University of Texas, and ultimately to downtown. The main will be constructed in Red River Street and has the capability of serving the Hancock Golf Course. To facilitate the construction of the main, the Utility needs to acquire staging areas for the contractor. One possible staging area is a triangular tract of land bounded by 38<sup>th</sup> Street, 38 ½ Street, and Red River, that is technically part of the Hancock Golf Course. The total area of the staging area is 30, 865 square feet.

Utility staff has been in contract with Parks and Recreation Department staff regarding this staging area and this Memorandum of Understanding is to document staff discussions and the conditions surrounding the Utility's use of the land. In summary, the Austin Water Utility is allowed to use a staging area on the Hancock Golf Course, (814 E. 41<sup>st</sup> Street). The staging area is shown on the attached exhibit. It is 30,865 square feet in area and will be used as a staging and storage area for equipment and materials to support construction of this 24" reclaimed water main.

Estimated Project Start Date: December 2009

The estimated duration of the project is 12 months.

Estimated Date of Final Completion (Restoration complete and accepted by Environmental Inspector and PARD; Parkland open for Public Use): December 2010

**Extension/modification of parkland use must receive prior written approval from PARD.**

The Austin Water Utility agrees to provide mitigation for these staging areas to Hancock Golf Course facilities. In addition to restoring the tracts to original condition, the following allowances will be made:

A) For the golf program for impact to the Hancock Golf Course proper

- |   |                 |
|---|-----------------|
| 1. Provision of two 12" stub outs for future reclaimed water service..... | \$8,000         |
| 2. Waive Engineering Review and Inspection Fees (est.).....               | \$700           |
| 3. Waive Tap/Meter Fee (est.).....  | \$1,700         |
| 4. Credit toward water bills.....   | <u>\$45,960</u> |
| Subtotal.....   | \$56,360        |

B) For PARD neighborhood programs for impacts

|  |                  |
|--|------------------|
| 1. Payment for Trail Extension at Hancock (in cash)..... | <u>\$84,462</u>  |
| Subtotal.....  | <u>\$84,462</u>  |
| Grand Total.....   | <u>\$140,822</u> |

Austin Water Utility Point of Contact is: Dan W Pedersen (512) 972-0074

PARD Point of Contact is: Ricardo Soliz (512) 974-6765

Parks & Recreation Board Approval:  
(Required by Chapter 26, Parks and Wildlife Code)

City Council Approval: (Date)

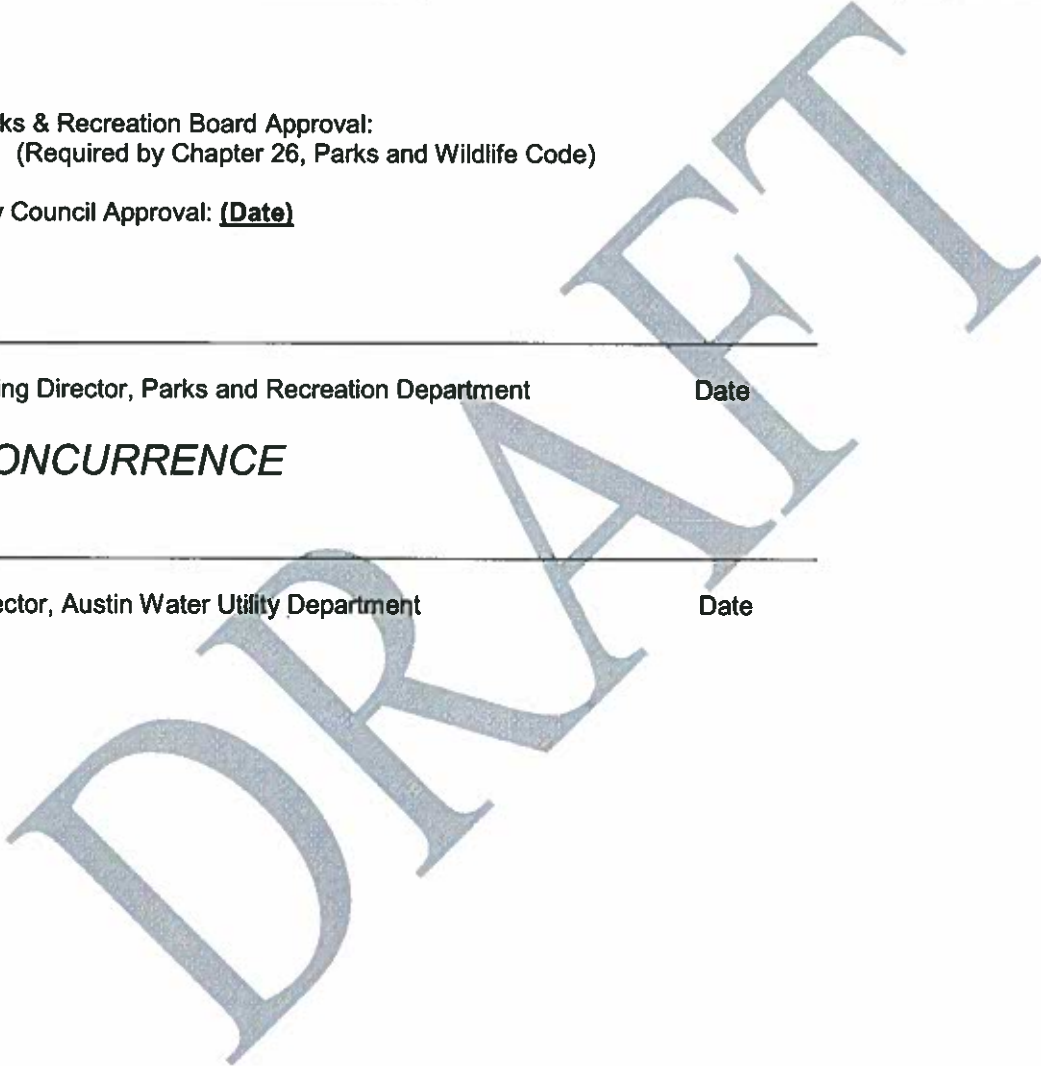
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Acting Director, Parks and Recreation Department                      Date

**CONCURRENCE**

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Director, Austin Water Utility Department                                      Date



**RESOLUTION NO.**

**WHEREAS**, the City Council was requested to review and approve the use of parkland to provide a temporary staging and material storage site area for construction of a reclaimed water main for the Red River to UT Transmission Main Project on a triangular tract of land of approximately 30,865 square feet bounded by 38<sup>th</sup> Street, 38 ½ Street, and Red River Street in dedicated parkland known as the Hancock Golf Course in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code; and

**WHEREAS**, notice of a public meeting to be held on June 11, 2009, was given for three consecutive weeks on May 11, May 24 and May 31, 2009 in a newspaper of general circulation; and

**WHEREAS**, such public hearing was held June 11, 2009, by the City Council to consider the use of parkland for construction staging purposes;  
**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council finds that, having taken into account clearly enunciated local preferences, there is no feasible and prudent alternative to the use of the parkland (identified in the attached Exhibit "A") to provide for a temporary staging and material storage site area for construction of a reclaimed water main for the Red River to UT Transmission Main Project and the use of the parkland for such proposed purposes is approved.



The City Council finds that all reasonable planning has been done to minimize harm to the parkland from the resulting use.

The City Manager is authorized to take such measures as may be necessary, favorable or required.

**ADOPTED:** \_\_\_\_\_, 2009    **ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk

draft