

## AGENDA



Thursday, June 7, 2007

**Public Hearings and Possible Actions  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 97**

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**Subject:** Conduct a public hearing and approve a resolution authorizing the use of approximately 0.271 acres of parkland for a wastewater line, 0.341 acres for temporary work space and 0.285 acres for a temporary staging area and material storage site to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Manor/Comal/Rosewood Avenue Project through dedicated parkland known as Kealing Park, in accordance with Section 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.

**For More Information:** Junie Plummer 974-7085, Roman Grijalva 479-1622, Laura Bohl 974-7064.

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

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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.

This project, as part of the Austin Water Utility's Austin Clean Water Program (ACWP), is proposing to install 839 linear feet of new 12-inch wastewater line in Kealing Park adjacent to the Carver Library and Museum. The line will tie into a proposed 12-inch wastewater line at Rosewood Avenue at the south end of the tract and tie into a proposed 12-inch wastewater line at Pennsylvania Avenue to the north end of the tract. The new line will replace an aging, deteriorated 8-inch line.

Kealing Park is jointly owned by Austin Independent School District (AISD) and the City. AISD will present this project to the School Board for approval and join in the signature with the City on the Use Agreement.

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. 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 13, 20, and 27, 2007.