

## AGENDA



Thursday, November 8, 2007

**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION**

Item No. 71

**Subject:** Set a public hearing to consider the use of parkland for storm water improvements as part of the Cesar Chavez Two Way Conversion Project through dedicated parkland adjacent to Lady Bird Lake, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: December 6, 2007, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

**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, Arthur Barrow 974-7002, Laura Bohl 974-7064.

**Boards and Commission Action:** To be reviewed by the Parks Board on November 27, 2007.

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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 council action is required in order to complete the permitting process for an additional storm water outfall through the park adjacent to Lady Bird Lake to be installed with the Cesar Chavez Two Way Conversion – Brazos to San Antonio project. The Cesar Chavez project contains all three outfalls in the project but the third was added to the project from the proposed 2nd Street District Streetscape Improvements Project so as to avoid having to excavate Cesar Chavez again after the Two Way Conversion project is complete. The design of the storm water structure and outfall is identical to the original two previously approved structures except that it crosses Cesar Chavez Street at Colorado Street.

Storm water is currently overtopping Colorado Street and Cesar Chavez Street and ultimately flowing over the south curb of Cesar Chavez into Lady Bird Lake. This storm water system will collect that water and discharge it directly into Lady Bird Lake. The construction will consist of installation of a man hole at the north side of the intersection of Colorado and Cesar Chavez. A box culvert will be constructed from the manhole to the outfall. The trail will remain open during the project and bicycle and pedestrian traffic controls will be provided at both Hike and Bike trail crossings and the project contains work items to replace all sod disturbed by the construction and to replace the trails to their existing condition with granite gravel. The balance of the storm water system will be constructed as a part of the 2nd Street project.

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 all restoration in parkland will be completed in accordance with PARD's Construction in Parks Specifications'. The requestor is required to pay any and all costs associated with the restoration.

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 are November 11, 18 and 25, 2007.