

**Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 36
AGENDA DATE: Thu 02/09/2006
PAGE: 1 of 1**

SUBJECT: Conduct a public hearing and adopt a resolution authorizing the use of approximately 0.2810 acres for waterline and the temporary use of 1.2839 acres of dedicated parkland known as Onion Creek Greenbelt located along Onion Creek Drive just south of South Pleasant Valley Road to allow the construction of a 12-inch waterline through the park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code.

AMOUNT & SOURCE OF FUNDING: All costs associated with the line, as well as any parkland restoration, will be paid by Austin Independent School District (AISD).

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Public Works
DEPARTMENT:

DIRECTOR'S
AUTHORIZATION: Sondra Creighton

FOR MORE INFORMATION CONTACT: Junie Plummer, 974-7085; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by Parks Board.

PURCHASING: N/A

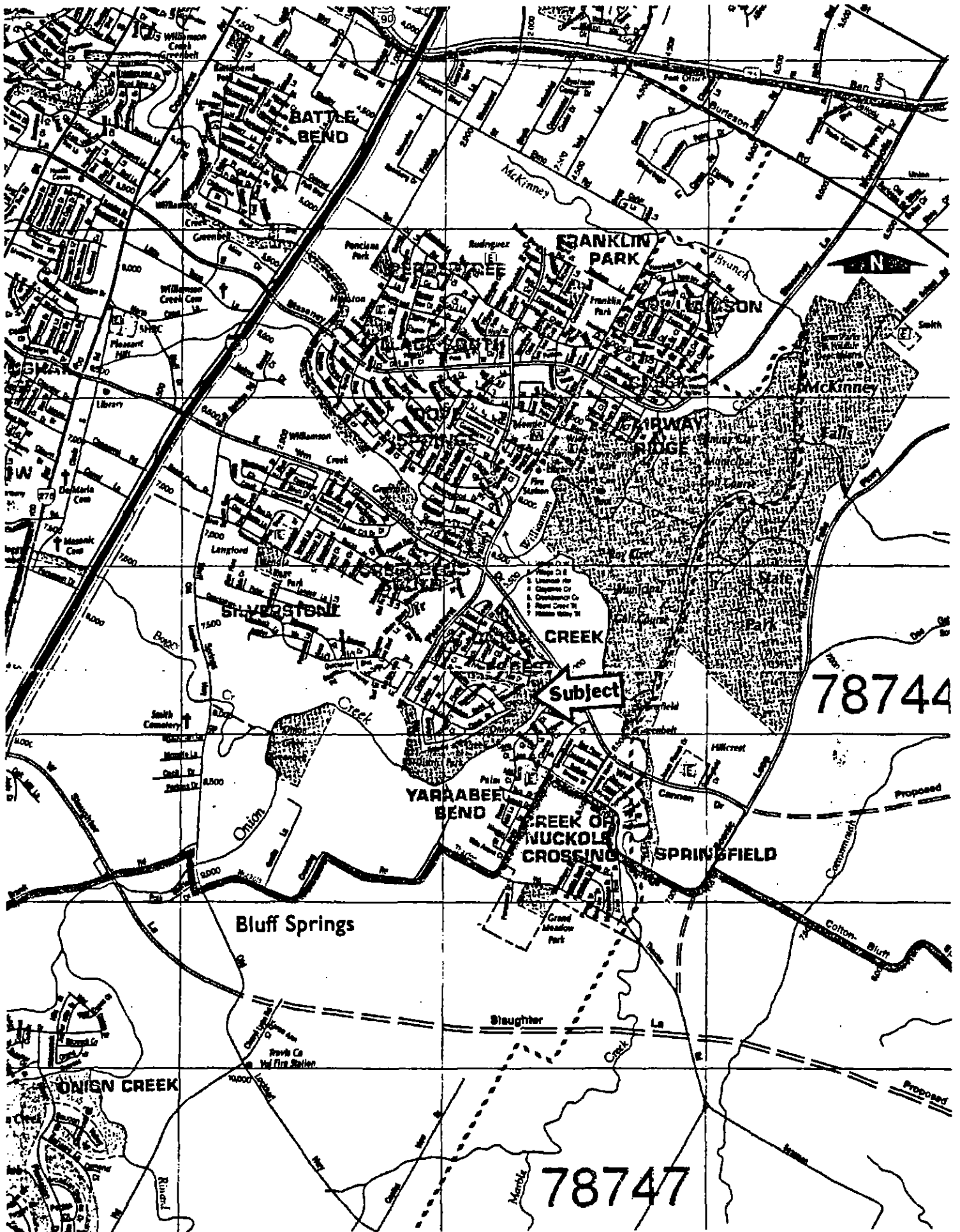
MBE / WBE: N/A

Chapter 26 of the 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.

Austin Independent School District (AISD) is proposing to construct a 12-inch diameter water pipeline on parkland as part of the construction of the South East Elementary School (SEES). During the design phase and permitting of AISD's site, it was discovered that the City's existing water infrastructure was insufficient to provide the necessary water for fire protection. The Austin Water Utility, through computer modeling of the existing water system, determined that the only feasible option to provide the necessary water was to connect a new line to an existing off-site water line by crossing the Onion Creek Greenbelt. The new line will become part of the City's water system.

Approval of the use of parkland is made on the condition that all restoration in parkland will be completed in accordance with the Parks and Recreation Department's "Construction in Parks Specifications". AISD is paying 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 January 15, January 22, and January 29, 2006.





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Phone (512) 326-2100 Fax (512) 326-2770

Professional Surveying and Engineering Services

EXHIBIT "A"
F# _____

AUSTIN INDEPENDENT SCHOOL DISTRICT TO
THE PUBLIC
15' WATERLINE EASEMENT

LEGAL DESCRIPTION

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.2810 ACRE (12,241 SQ. FT.) OUT OF THE CITY OF AUSTIN CALLED 188.74 ACRE TRACT AS REFERENCED BY TCAD ACCT. NO. 0430020102, SITUATED IN THE SANTIAGO DEL VALLE GRANT, TRAVIS COUNTY, TEXAS. SAID 0.2810 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER, BEING LOCATED SOUTH 68° 32' 41" EAST, A DISTANCE OF 120.52' FROM A 1/2" IRON ROD FOUND MARKING THE COMMON SOUTH CORNER OF LOTS 12 AND 13, BLOCK "N", OF UNION CREEK FOREST, SECTION 2, AMENDED PLAT AS RECORDED IN VOLUME 68, PAGE 54, T.C.P.R.;

THENCE SOUTH 74° 28' 38" EAST, A DISTANCE OF 119.76' TO A POINT FOR CORNER;

THENCE SOUTH 18° 31' 22" WEST, A DISTANCE OF 18.00' TO A POINT FOR CORNER;

THENCE NORTH 74° 28' 38" WEST, A DISTANCE OF 104.97' TO THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 17° 30' 53", AN ARC DISTANCE OF 124.57', A RADIUS OF 407.50', AND A CHORD OF SOUTH 22° 28' 59" WEST, A DISTANCE OF 124.08' TO A POINT;

THENCE SOUTH 31° 11' 26" WEST, A DISTANCE OF 91.32' TO AN ANGLE POINT;

THENCE SOUTH 28° 31' 17" WEST, A DISTANCE OF 169.95' TO AN ANGLE POINT;

THENCE SOUTH 21° 41' 46" WEST, A DISTANCE OF 238.23' TO THE BEGINNING OF A CURVE TO THE LEFT;

THENCE ALONG SAID CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 04° 52' 07", AN ARC DISTANCE OF 24.85', A RADIUS OF 292.50', AND A CHORD OF SOUTH 19° 15' 43" WEST, A DISTANCE OF 24.85' TO A POINT;

THENCE SOUTH 16° 48' 40" WEST, A DISTANCE OF 34.25' TO A POINT FOR CORNER;

THENCE NORTH 31° 43' 33" WEST, A DISTANCE OF 20.01' TO A POINT FOR CORNER;

THENCE NORTH 16° 48' 40" EAST, A DISTANCE OF 21.00' TO THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 04° 52' 07", AN ARC DISTANCE OF 28.13', A RADIUS OF 307.50', AND A CHORD OF NORTH 19° 15' 43" EAST, A DISTANCE OF 28.12' TO A POINT;

THENCE NORTH 21° 41' 46" EAST, A DISTANCE OF 238.86' TO AN ANGLE POINT;

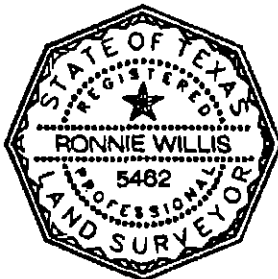
THENCE NORTH 28° 31' 17" EAST, A DISTANCE OF 191.19' TO AN ANGLE POINT;

THENCE NORTH 31° 11' 26" EAST, A DISTANCE OF 91.83' TO THE BEGINNING OF A CURVE TO THE LEFT;

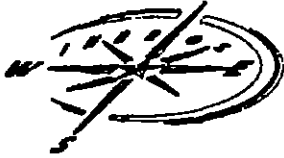
THENCE ALONG SAID CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 15° 40' 04", AN ARC DISTANCE OF 107.33', A RADIUS OF 392.50', AND A CHORD OF NORTH 23° 21' 24" EAST, A DISTANCE OF 107.00' TO A POINT;

THENCE NORTH 15° 31' 22" EAST, A DISTANCE OF 28.13' TO THE PLACE OF BEGINNING AND CONTAINING 0.2810 ACRE (12,241 SQ. FT.) OF LAND.

All bearings are based on Texas State Plane Coordinate System, Central Zone, NAD83.
TCAD Parcel No. 0430020102
Austin Grid H-14



RONNIE WILLIS, R.P.L.S. #5462
JANUARY 11, 2006
JOB #13798WC



Windrose Land Services Austin Ltd
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Phone (512) 326-2100 Fax (512) 326-2770

Professional Surveying and Engineering Services

EXHIBIT "A"

F# _____

**AUSTIN INDEPENDENT SCHOOL DISTRICT TO
THE PUBLIC
TEMPORARY CONSTRUCTION EASEMENT**

LEGAL DESCRIPTION

BEING A TRACT OR PARCEL OF LAND CONTAINING 1.2839 ACRE (55,926 SQ. FT.) OUT OF THE CITY OF AUSTIN CALLED 106.74 ACRE TRACT AS REFERENCED BY TCAD ACCT. NO. 0430020102, SITUATED IN THE SANTIAGO DEL VALLE GRANT, TRAVIS COUNTY, TEXAS. SAID 1.2839 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER, BEING LOCATED SOUTH 70° 11' 09" EAST, A DISTANCE OF 89.22' FROM A 1/2" IRON ROD FOUND MARKING THE COMMON SOUTH CORNER OF LOTS 12 AND 13, BLOCK "N", OF ONION CREEK FOREST, SECTION 2, AMENDED PLAT AS RECORDED IN VOLUME 68, PAGE 54, T.C.P.R.;

THENCE SOUTH 73° 03' 36" EAST, A DISTANCE OF 162.62' TO A POINT FOR CORNER;

THENCE NORTH 13° 45' 38" EAST, A DISTANCE OF 50.66' TO A POINT FOR CORNER;

THENCE SOUTH 76° 20' 45" EAST, A DISTANCE OF 54.42' TO A POINT FOR CORNER;

THENCE SOUTH 13° 46' 20" WEST, A DISTANCE OF 80.63' TO AN ANGLE POINT;

THENCE SOUTH 15° 59' 18" WEST, A DISTANCE OF 12.21' TO A POINT FOR CORNER;

THENCE NORTH 74° 26' 38" WEST, A DISTANCE OF 46.85' TO A POINT FOR CORNER;

THENCE SOUTH 16° 33' 57" WEST, A DISTANCE OF 12.96' TO AN ANGLE POINT;

THENCE SOUTH 14° 40' 42" WEST, A DISTANCE OF 23.44' TO A POINT FOR CORNER;

THENCE NORTH 73° 40' 06" WEST, A DISTANCE OF 82.22' TO AN ANGLE POINT;

THENCE SOUTH 37° 20' 12" WEST, A DISTANCE OF 75.67' TO AN ANGLE POINT;

THENCE SOUTH 10° 13' 41" WEST, A DISTANCE OF 19.93' TO AN ANGLE POINT;

THENCE SOUTH 31° 17' 56" EAST, A DISTANCE OF 9.98' TO AN ANGLE POINT;

THENCE SOUTH 33° 38' 45" WEST, A DISTANCE OF 87.77' TO AN ANGLE POINT;

THENCE SOUTH 26° 36' 33" WEST, A DISTANCE OF 84.62' TO AN ANGLE POINT;

THENCE SOUTH 18° 24' 14" WEST, A DISTANCE OF 28.98' TO AN ANGLE POINT;

THENCE SOUTH 28° 11' 25" WEST, A DISTANCE OF 90.24' TO AN ANGLE POINT;

THENCE SOUTH 22° 18' 20" WEST, A DISTANCE OF 206.77' TO AN ANGLE POINT;

THENCE SOUTH 34° 15' 44" WEST, A DISTANCE OF 17.71' TO AN ANGLE POINT;

THENCE SOUTH 21° 40' 51" WEST, A DISTANCE OF 49.38' TO AN ANGLE POINT;

THENCE SOUTH 61° 25' 30" WEST, A DISTANCE OF 42.93' TO A POINT FOR CORNER;

THENCE NORTH 20° 49' 07" WEST, A DISTANCE OF 48.58' TO AN ANGLE POINT;

THENCE NORTH 17° 47' 32" EAST, A DISTANCE OF 78.16' TO AN ANGLE POINT;

THENCE NORTH 51° 28' 36" EAST, A DISTANCE OF 67.46' TO AN ANGLE POINT;

THENCE NORTH 00° 28' 49" WEST, A DISTANCE OF 51.02' TO AN ANGLE POINT;

THENCE NORTH 23° 58' 36" EAST, A DISTANCE OF 213.08' TO AN ANGLE POINT;

THENCE NORTH 27° 25' 59" EAST, A DISTANCE OF 112.80' TO AN ANGLE POINT;



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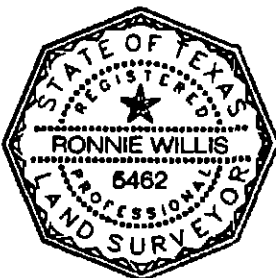
Professional Surveying and Engineering Services

LEGAL DESCRIPTION CONT'D

THENCE NORTH 17° 56' 51" EAST, A DISTANCE OF 70.11' TO AN ANGLE POINT;

THENCE NORTH 16° 27' 44" EAST, A DISTANCE OF 126.82' TO THE PLACE OF BEGINNING AND CONTAINING 1.2839 ACRE (55,926 SQ. FT.) OF LAND.

All bearings are based on Texas State Plane Coordinate System, Central Zone, NAD83.
TCAD Parcel No. 0430020102
Austin Grid H-14

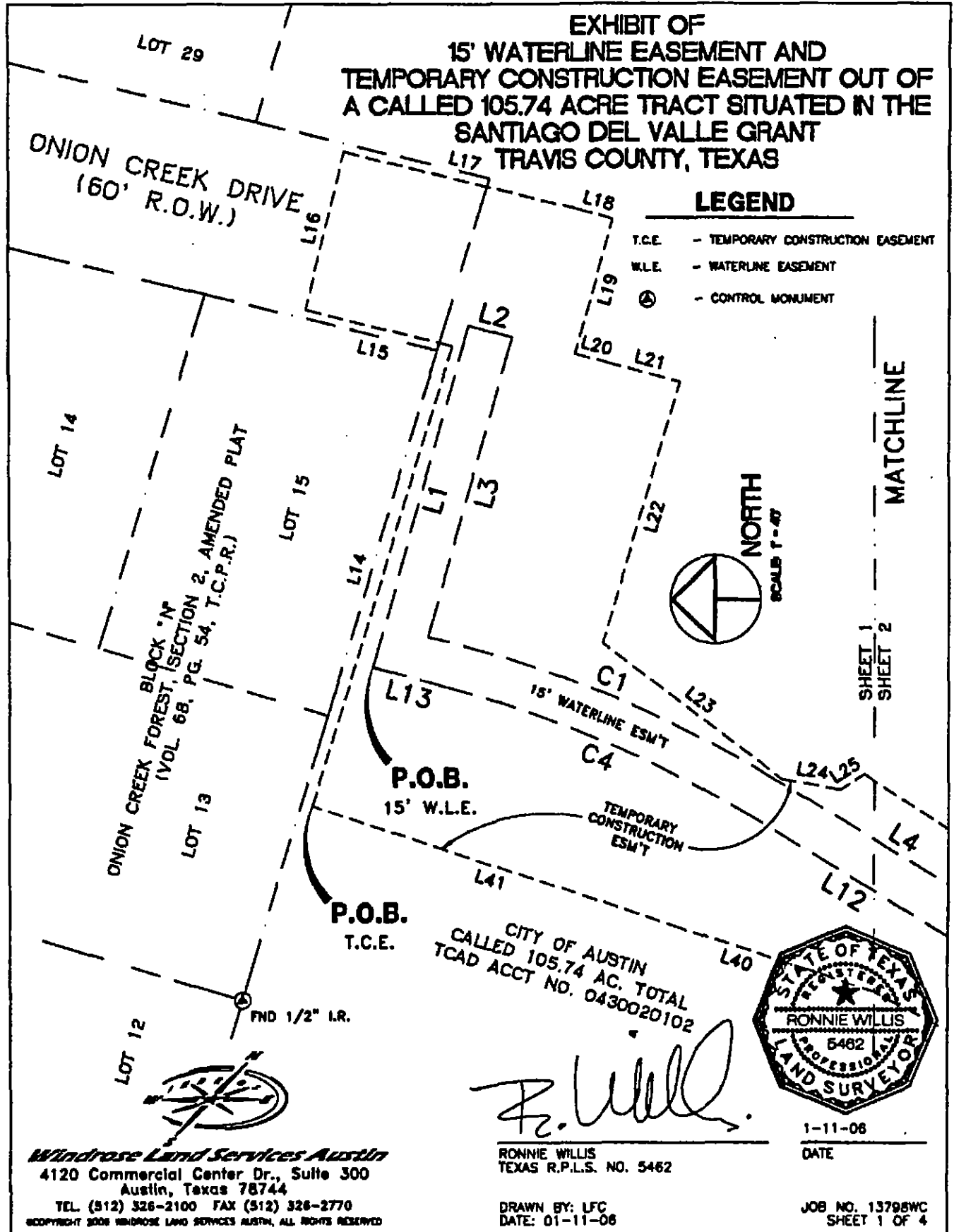


RONNIE WILLIS, R.P.L.S. #5462
JANUARY 11, 2006
JOB #13798WC

**EXHIBIT OF
15' WATERLINE EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT OUT OF
A CALLED 105.74 ACRE TRACT SITUATED IN THE
SANTIAGO DEL VALLE GRANT
TRAVIS COUNTY, TEXAS**

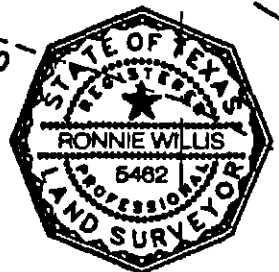
LEGEND

- T.C.E. - TEMPORARY CONSTRUCTION EASEMENT
- W.L.E. - WATERLINE EASEMENT
- ⊙ - CONTROL MONUMENT



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R. Willis
RONNIE WILLIS
TEXAS R.P.L.S. NO. 5462

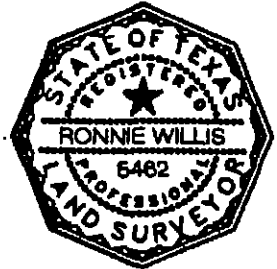
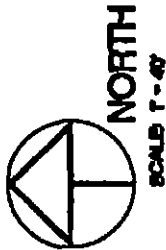


1-11-06
DATE

DRAWN BY: LFC
DATE: 01-11-06

JOB NO. 13795WC
SHEET 1 OF 4

EXHIBIT OF
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TRAVIS COUNTY, TEXAS



R. Willis

RONNIE WILLIS
TEXAS R.P.L.S. NO. 5462

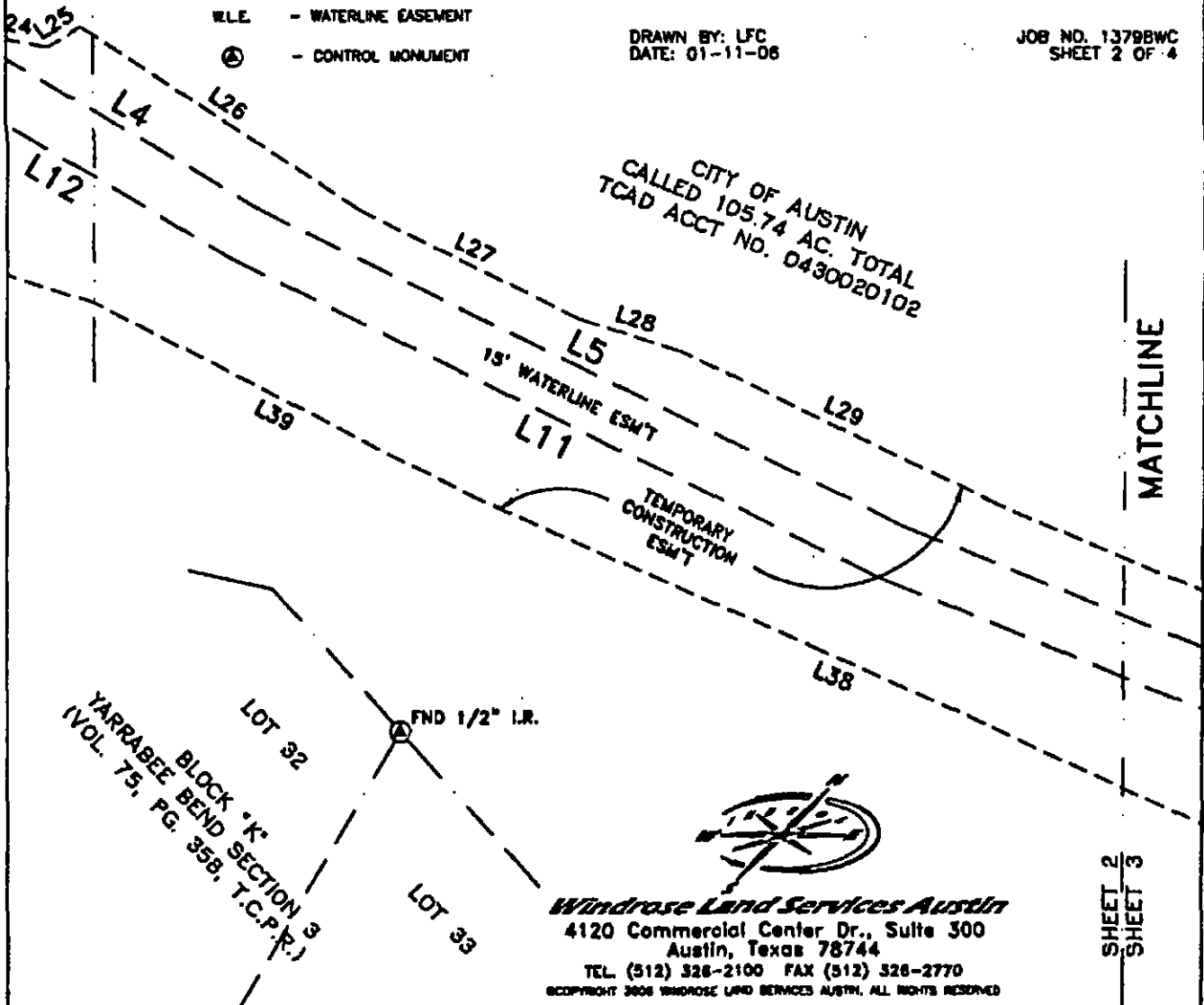
1-11-06
DATE

LEGEND

- T.C.E. - TEMPORARY CONSTRUCTION EASEMENT
- W.L.E. - WATERLINE EASEMENT
- ⊙ - CONTROL MONUMENT

DRAWN BY: LFC
DATE: 01-11-06

JOB NO. 1379BWC
SHEET 2 OF 4

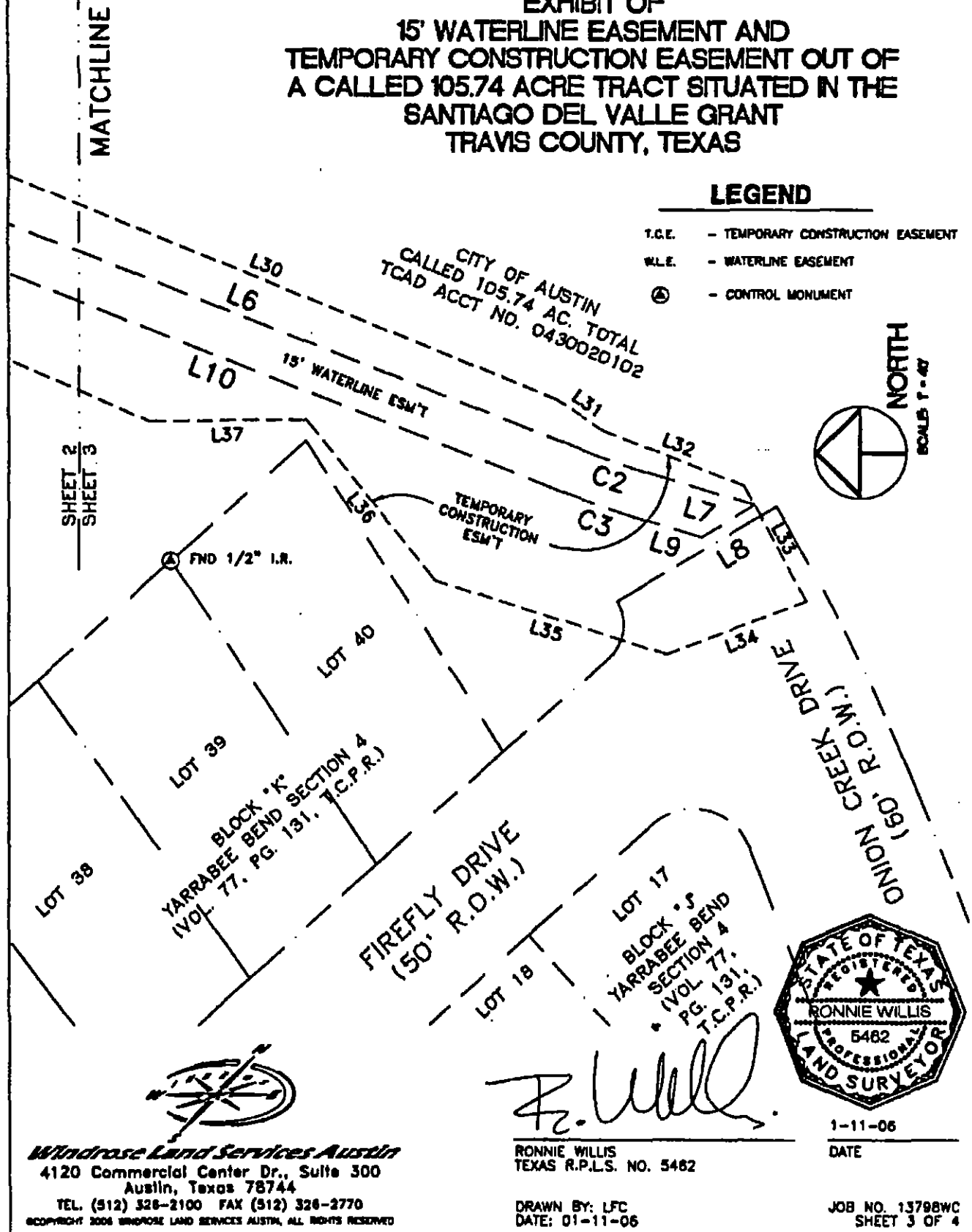


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LEGEND

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15' WATERLINE EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT OUT OF
A CALLED 105.74 ACRE TRACT SITUATED IN THE
SANTIAGO DEL VALLE GRANT
TRAVIS COUNTY, TEXAS**

LINE TABLE

LINE	DISTANCE	BEARING	LINE	DISTANCE	BEARING
L1	119.78'	S 74°28'38" E	L22	92.22'	N 73°40'08" W
L2	15.00'	S 15°31'22" W	L23	75.87'	S 37°20'12" W
L3	104.97'	N 74°28'38" W	L24	19.93'	S 10°13'41" W
L4	91.32'	S 31°11'26" W	L25	9.99'	S 31°17'58" E
L5	189.95'	S 26°31'17" W	L26	87.77'	S 33°38'45" W
L6	238.23'	S 21°41'46" W	L27	64.62'	S 26°36'33" W
L7	34.25'	S 16°49'40" W	L28	28.98'	S 18°24'14" W
L8	20.01'	N 31°43'33" W	L29	90.24'	S 28°11'25" W
L9	21.00'	N 16°49'40" E	L30	205.77'	S 22°19'20" W
L10	238.88'	N 21°41'46" E	L31	17.71'	S 34°15'44" W
L11	191.19'	N 26°31'17" E	L32	49.39'	S 21°40'51" W
L12	91.93'	N 31°11'26" E	L33	42.93'	S 61°25'30" W
L13	28.13'	N 15°31'22" E	L34	48.58'	N 20°49'07" W
L14	182.62'	S 73°03'38" E	L35	78.16'	N 17°47'32" E
L15	80.86'	N 13°45'38" E	L36	67.46'	N 51°28'36" E
L16	54.42'	S 76°20'45" E	L37	51.02'	N 00°28'49" W
L17	80.63'	S 13°46'20" W	L38	213.08'	N 23°58'36" E
L18	12.21'	S 15°59'18" W	L39	112.80'	N 27°25'59" E
L19	46.85'	N 74°28'38" W	L40	70.11'	N 17°56'51" E
L20	12.96'	S 15°33'57" W	L41	128.82'	N 18°27'44" E
L21	23.44'	S 14°40'42" W			

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	407.50'	17°30'53"	124.57'	S 22°25'59" W	124.08'
C2	292.50'	04°52'07"	24.85'	S 19°15'43" W	24.85'
C3	307.50'	04°52'07"	26.13'	N 19°15'43" E	26.12'
C4	592.50'	15°40'04"	107.33'	N 23°21'24" E	107.00'

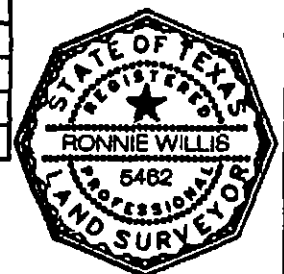


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R. Willis

RONNIE WILLIS
TEXAS R.P.L.S. NO. 5462

DRAWN BY: LFC
DATE: 01-11-06



1-11-06

DATE

JOB NO. 13798WC
SHEET 4 OF 4

RESOLUTION NO. 20060209-

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

WHEREAS, the City Council was requested to review and approve the use of parkland for a wastewater line through the tract of the parkland known as Onion Creek Greenbelt; and

WHEREAS, notice of public meeting to be held on February 9, 2006, was given for three consecutive weeks on January 15, 22, and 29, 2006 in a newspaper of general circulation; and

WHEREAS, such public hearing was held February 9, 2006, by the City Council to determine the approval of the improvements proposing the use of the parkland; **NOW, THEREFORE**,

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

That 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 (detailed in the attached Exhibit "A") for the proposed wastewater improvements through the tract of the parkland known as Onion Creek Greenbelt and such proposed use is approved.

That the City Council finds that the program of improvements includes all reasonable planning to minimize harm to the parkland from the resulting use.

That the City Manager or his designee be authorized to grant approval to the Austin Independent School District to construct the wastewater line on such terms and conditions as may be necessary, favorable or required.

ADOPTED: February 9, 2006

ATTEST:

Shirley A. Gentry
City Clerk