

August 10, 2022

WHEREAS, the City of Dallas owns land in Dallas known as Everglade Park located at 5100 Jim Miller Road, which has been maintained by the City as parkland; and

WHEREAS, a portion of Everglade Park has been identified by Dallas Water Utilities (DWU) as necessary for the construction of a 48-inch water main for the public benefit, and DWU must acquire approximately 23,373 square feet of land for such improvements, as shown on **Exhibit A**, and a temporary construction easement of approximately 31,142 square feet of land, as shown on **Exhibit B**, and the Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, in consideration for the grant of the Utility Easement, and Temporary Construction Easement, Dallas Water Utilities will make improvements to the park, relocate park amenities in the proposed work area prior to construction of its project, renovate the park after construction, construct a trail on its property which will connect with the existing park trail, and maintain in perpetuity a fire lane which is required on parkland for emergency access to the existing pump station, and abandon DWU's existing sewer easement in the park of approximately 9,051 square-foot of land, as shown on **Exhibit C**; and

WHEREAS, DWU is agreeable to designing and constructing its improvements such that the City's ability to make future improvements to the park shall not be impaired; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given, and a public hearing be held, relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to the utilization of Runyon Creek Greenbelt.

Now, Therefore,

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

August 10, 2022

SECTION 1. That the Park & Recreation Department is hereby authorized and directed to advertise in writing of the above-mentioned proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on September 14, 2022.

SECTION 2. That the approval of the above-mentioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use, taking and conveyance of parkland, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.