

December 14, 2022

**WHEREAS**, the City of Dallas owns land in Dallas know as Forest Cliff Park, located at 5100 Duncanville Road, which has been maintained by the City as parkland; and

**WHEREAS**, a portion of Forest Cliff Park has been identified by the Office of Emergency Management (OEM), to provide warning siren system coverage for the benefit of the public, as shown on Exhibit A, and the Park and Recreation Board is agreeable to providing the property for this use; and

**WHEREAS**, OEM is agreeable to permitting any park use up to and around the outdoor warning siren; and

**WHEREAS**, OEM is agreeable to future relocation or removal of the outdoor warning siren, at the sole discretion of the Director of the Park and Recreation Department and at the sole cost of OEM; and

**WHEREAS**, a public hearing was held, as required by the Texas Parks and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to this use of this parkland and that all reasonable planning to minimize harm to Forest Cliff Park has been taken.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park has been taken.

**SECTION 2.** That the City of Dallas hereby approves and authorizes the grant of use of parkland to OEM for the purpose of installation of an outdoor warning siren and appurtenances, said outdoor warning siren more fully described in Exhibit A, attached hereto and made a part hereof.

**SECTION 3.** That the Park and Recreation Director is hereby authorized to provide to OEM the use of a portion of the parkland for the benefit of OEM for the purposes authorized herein, and to all of the following terms and conditions:

- a. OEM shall covenant to the City:
  1. To observe safety regulations;

December 14, 2022

2. To not be detrimental to the park and to coordinate work with City staff so as to provide for the least disruption of City services;
3. To comply with health, safety, noise, environmental protection, waste disposal, and water and air quality regulations;
4. To keep the adjacent park area free from construction debris and waste;
5. To bear the cost of construction, operation, and maintenance of the outdoor warning siren and improvements;
6. To do all work within the park and surrounding areas in a good a workmanlike manner under the supervision of the Director of the Park and Recreation Department;
6. To permit any park use, as determined by the Director of the Park and Recreation Department, within the area of use granted to OEM up to the outdoor warning siren;
7. That the Director of the Park and Recreation Department, at the Director's sole discretion, may require the removal or relocation of the siren warning system and appurtenances, and OEM shall promptly remove or relocate the same, subject to appropriations;
8. That OEM, upon no longer needing the area granted for its approved use, or after the abandonment or disuse of the granted area, shall promptly remove the outdoor warning siren and appurtenances, at OEM's cost, subject to appropriations; and all parkland taken shall thereon revert back to parkland.

**SECTION 4.** 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.