

Mayor and Council Communication

DATE: 10/28/25

M&C FILE NUMBER: M&C 25-0995

LOG NAME: 80MALAGA PARK WSSMA - CHAPTER 26

SUBJECT

(CD 7) Conduct Public Hearing, Authorize the Use of a Portion of Malaga Park for Water and Sanitary Sewer Mains, Establish a Maintenance Area, and Authorize a Workspace Area

(PUBLIC HEARING - a. Staff Available for Questions: Joel McElhany; b. Public Comment; c. Council Action: Close Public Hearing and Act on M&C)

RECOMMENDATION:

It is recommended that the City Council:

1. Conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands;
2. Find that no feasible and prudent alternative exists for the use of a portion of Malaga Park for water and sanitary sewer mains;
3. Find that the proposed use of a portion of Malaga Park for water and sanitary sewer mains includes all reasonable planning to minimize harm to the parkland;
4. Close the public hearing and authorize the use of approximately 0.01 acres of parkland at Malaga Park for water and sanitary sewer mains;
5. Establish an approximately 0.06 acre temporary construction workspace area;
6. Establish a 0.04 acre maintenance area for maintenance of the water and sewer mains; and
7. Authorize the City Manager or his designee to execute and record the appropriate instruments

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize the City of Fort Worth Water Department (Water Department) to use the subsurface of parkland within Malaga Park (Park) for permanent water and sanitary sewer mains, totaling approximately 367 square feet or 0.01 acres, in accordance with the Texas Parks and Wildlife Code - Chapter 26, Protection of Public Parks and Recreational Lands.

The Water Department has requested use of a portion of the Park for a 12-inch water main and a 4-inch sanitary sewer main.

On September 14, 2010, City Council authorized a contract (M&C C-24453) that provides sanitary sewer service for the northeast Lake Worth area. Approximately 275 linear feet of the 4- inch sewer service line crosses through the Park. City staff will include the sewer line in with the water line parkland conversion.

The City Forester has determined that no park trees require removal for the project.

On July 23, 2025, the Park & Recreation Advisory Board endorsed staff's recommendation to the City Council to authorize the use of portions of the Park for water and sanitary sewer mains.

In accordance with state law, the parkland conversion was advertised in both the *Fort Worth Star-Telegram* and *The Dallas Morning News* papers on October 5, October 12, and October 19, 2025. The Water Department transferred funds in the amount of \$1,425.00 to Park & Recreation Department for advertising in both papers.

On October 2, 2025, Registered Neighborhood Associations within one mile of the park were notified of the public hearing pertaining to the use of parkland for water and sanitary sewer mains.

Upon authorization of this parkland conversion, the installation and maintenance of the permanent water and sanitary sewer mains will be performed only within the designated Temporary Workspace Area, totaling approximately 2,580 square feet or 0.06 acres within the Park, and Maintenance Area, totaling approximately 1,700 square feet or 0.04 acres within the Park. These areas do not require a conversion and will remain parkland.

Malaga Park is in COUNCIL DISTRICT 7.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that approval of these recommendations will have no material effect on City funds.

Submitted for City Manager's Office by: Dana Burghdoff 8018

Originating Business Unit Head: Dave Lewis 5717

Additional Information Contact: Joel McElhany 5745