

Mayor and Council Communication

DATE: 06/13/23

M&C FILE NUMBER: M&C 23-0508

LOG NAME: 80ANDERSON PARK WLMA

SUBJECT

(CD 7) Conduct Public Hearing and Authorize the Use of a Portion of Anderson Park for a Permanent Water Line Maintenance Area

(**PUBLIC HEARING** - a. Report of City Staff: Lori Gordon; 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 or prudent alternative exists for the use of Anderson Park for the installation of a permanent water line and associated maintenance area;
 3. Find that the proposed permanent water line and associated maintenance area includes all reasonable planning to minimize harm to the parkland, including that all infrastructure and equipment will be constructed as specified on the attached exhibits and as noted in the discussion below; and
 4. Close the public hearing and authorize the use of approximately 0.196 acres of dedicated parkland at Anderson Park for the proposed permanent water line and associated maintenance area.
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DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize the use of public parkland for the installation of a permanent water line and maintenance area at Anderson Park.

The Transportation and Public Works Department needs to use a portion of Anderson Park for the relocation of an existing 20-inch water line due to the widening of Cromwell Marine Creek Road from 2-lanes to 4-lanes divided. The water line currently runs parallel to Cromwell Marine Creek Road, adjacent to Anderson Park.

The relocation of the water line within Anderson Park requires a permanent water line maintenance area. The proposed water line maintenance area is approximately 430 linear feet long by 20 feet wide, totaling approximately 8,534 square feet or 0.196 acres. Installation of the water line also requires a temporary workspace area that is approximately 430 linear feet long by 25 feet wide, totaling approximately 10,859 square feet or 0.249 acres. The temporary workspace area, located on the north side of the permanent maintenance area, is for construction activities and material storage of the roadway widening and water line relocation project.

The roadway widening project is anticipated to begin in December 2023 and last approximately 24 months. The park will be restored to previous conditions or better upon completion of the project.

The City Forester identified seventeen (17) trees that require removal, equating to 233 diameter inches, with a mitigation fee in the amount of \$27,200.00 to be paid by the Transportation and Public Works Department into the Tree Mitigation Fund for the loss of trees on parkland before construction work begins. The existing trees in proximity to the proposed construction site will be protected with fencing. The project consultant will continue to work with the City Forester to reduce the impact of tree loss in the park.

In accordance with the Texas Parks and Wildlife Code, Chapter 26, the City of Fort Worth seeks to use a portion of Anderson Park for a permanent maintenance area. A public hearing is scheduled during the June 13, 2023 City Council meeting to find that no feasible or prudent alignment alternative exists and that the alignment includes all reasonable planning to minimize harm to the park.

In accordance with state law, the proposed change of use of parkland was advertised in the *Fort Worth Star-Telegram* on May 23, May 30, and June 6, 2023.

City staff sent emails to the Neighborhood Associations registered with the City within a one and one-half mile radius of the project site on April 5, 2023 noting the proposed project, public hearing date and location, and instructions for directing comments to Park & Recreation Department staff.

On April 10, 2023, signage was posted at Anderson Park and on the City of Fort Worth Park & Recreation Department's webpage noting the proposed change of use of public parkland and providing instructions for directing comments to Park & Recreation Department staff. The sign will remain posted through the public hearing process.

Anderson Park is located in COUNCIL DISTRICT 7.

Anderson Park is located north of Cromwell Marine Creek Road, east of Bob Hanger Street, south of W J Boaz Road, and west of North Old Decatur Road and Marine Creek Parkway.

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 funds are available in the current capital budget, as previously appropriated, in the 2018 Bond Program Fund for the Cromwell - Marine Creek project to support the approval of the above recommendations. Funds will be transferred into the Tree Mitigation Capital Fund for the removal of the trees. Prior to an expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Jessica L. McEachern 5804

Originating Business Unit Head: Dave Lewis 5717

Additional Information Contact: Joel McElhany 5745