

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, AUTHORIZING ACCEPTANCE OF A TEXAS PARKS AND WILDLIFE DEPARTMENT NON-URBAN OUTDOOR RECREATION GRANT IN THE AMOUNT OF \$750,000 FOR BURLESON LEGACY PARK; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY GRANT AGREEMENTS AND RELATED DOCUMENTS; CONFIRMING THE CITY'S REQUIRED MATCHING FUNDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Texas Parks and Wildlife Department administers the Local Park Grant Program for the development and enhancement of public park and recreation facilities throughout the State of Texas; and

WHEREAS, the City has acquired land generally located at the intersection of Alsbury Blvd and Hulen St (the "Tract"); and

WHEREAS, at this time the City Council and City plan to use the Tract for a variety of different potential purposes, including recreational uses, such as a community park, and non recreational uses, such as economic development uses and housing non-recreational City facilities; and

WHEREAS, the City submitted an application for funding assistance through the Non-Urban Outdoor Recreation Grant Program for the development of inclusive playground and nature-based recreation improvements at Burleson Legacy Park, formerly known as Community Park, which is a yet-to-be-determined portion of the Tract; and

WHEREAS, the Texas Parks and Wildlife Commission approved the City's application and awarded the City the maximum grant amount available under the Non-Urban Outdoor Recreation Grant Program in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000); and

WHEREAS, the Non-Urban Outdoor Recreation Grant Program provides reimbursement funding for up to fifty percent (50%) of eligible project costs, not to exceed \$750,000; and

WHEREAS, the City Council desires to accept the Texas Parks and Wildlife Department grant award without dedicating any portion of the Tract, implicitly or explicitly, as a public park; and

WHEREAS, the City acknowledges and agrees to provide the required local matching funds and any additional funding necessary to complete the project; and

WHEREAS, the current estimated total project cost for the inclusive playground and associated improvements at Burleson Legacy Park is approximately Three Million One Hundred

Thirty-Nine Thousand Four Hundred Twelve Dollars (\$3,139,412); and

WHEREAS, the grant-funded improvements include an inclusive playground and pour-in-place surfacing, sensory garden, accessible overlook, pedestrian circulation improvements, shade structures, fencing, and related park amenities; and

WHEREAS, the City acknowledges that all property and improvements receiving grant assistance shall be dedicated and maintained for public park and recreation use in perpetuity in accordance with Texas Parks and Wildlife Department grant requirements; and

WHEREAS, the City Council finds that acceptance of the grant and execution of the associated grant agreement will enhance recreational opportunities, accessibility, and quality of life for Burleson residents and visitors.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

The City hereby accepts the Texas Parks and Wildlife Department Non-Urban Outdoor Recreation Grant award in the amount of \$750,000 for Burleson Legacy Park, which is a yet-to-be-determined portion of the Tract. The City Council hereby authorizes the City Manager, or designee, to execute the Texas Parks and Wildlife Department State Grant Agreement and any associated agreements, amendments, reimbursement requests, certifications, or other documents necessary to administer and complete the project. The City hereby confirms that it will provide the required local matching funds and any additional project funding necessary for completion of the project. Without dedicating any portion of the Tract, implicitly or explicitly, as a public park or recreational area, the City acknowledges and agrees that all grant-funded property and improvements shall remain dedicated for public park and recreation purposes in perpetuity in accordance with Texas Parks and Wildlife Department requirements.

Section 2.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney