



CITY COUNCIL COMMUNICATION

December 9, 2008

SUBJECT: HOLD PUBLIC HEARING AND AUTHORIZE CITY MANAGER TO CONVERT PORTIONS OF PARKLAND LOCATED GENERALLY NORTH OF HARWOOD ROAD, BETWEEN S.H. 157 AND S.H. 360 FOR THE PURPOSE OF SUBSURFACE DRILLING AND THE EXTRACTION OF NATURAL GAS FROM AN OFF SITE LOCATION

SUBMITTED BY: Mike Collins, Director of Planning and Development

REFERENCE NO: 08-08-CC

ACTION REQUESTED:

Conduct a Public Hearing and Motion to approve that the City Council finds the following:

- a) There is no feasible or prudent alternative to extracting natural gas from underneath this park site; and,
- b) This proposed conversion includes all reasonable planning to minimize harm to the parkland; and,
- c) Authorize the City Manager to convert the dedicated parkland for subsurface drilling and extraction of natural gas from land described as follows:

Bob Eden Park and Trailwood Park: Trailwood Addition, Block 8, Lot 9A; and, George Linney Survey, A-939, Tracts 1D1 and 2E; McCormick Park: Ben F Crowley Survey, A-320, Tracts 5A2, 5A3, and 5A3A; The Preserve at Bear Creek: Ben F Crowley Survey, A-320, Tracts 3, 3B, and 5A3B; Villages of Bear Creek Park: Richard Crowley Survey, A-312, Tracts 1A01, 1D, 2C, 3D, 4, and 4E09, Villages of Bear Creek Addition, Block 6, Lot 5; Reflection Park; Richard Crowley Survey, A-312, Tract 5B4.

ALTERNATIVES:

- Approve the request – *simple majority*
- Approve the request with modifications – *simple majority*
- Deny the request – *simple majority*

SUMMARY OF SUBJECT:

The City will seek competitive bid proposals in the future to lease approximately 200 acres of municipal owned property, including parkland, located generally north of Harwood Road, between F.M. 157 and S.H. 360. In accordance with the Texas Parks and Wildlife Code, Chapter 26, the City of Euless seeks to convert the subsurface areas of specific city owned parkland throughout Euless for the purpose of offsite gas drilling and extraction. The Parks and Community Services Advisory Board at its' October 5, 2008 meeting endorsed staff's recommendation that the City Council authorize the City Manager to convert portions of parkland for off site drilling for the remaining city owned parkland located north of Harwood Road and south of Glade Road, between S.H. 157 and S.H. 360. The City Council has been asked to consider similar actions related to three (3) gas leases that the City Council has awarded since April 2006. These leases involved parkland and other city owned properties that included approximately 340 acres located in and around the Texas Star Sports Complex, and approximately 134 acres located throughout the city south of Harwood Road.

As the City Council considers this action, it is important that staff provides information from deed records that had been researched by Mr. Albert Hall, on contract with the city as a registered surveyor. Regarding the area south of Mid-Cities between S.H. 157 and Main St., there are tracts of land that are commonly referred to as Bob Eden Park that are technically city owned properties. The deed records substantiate the fact that these tracts, as depicted on the attached exhibit, were never dedicated or platted as park land nor have any grant funds ever been received from the Texas Parks and Wildlife Department to finance improvements. The distinction between what is parkland and what is city owned property is significant. Just as city owned property in other parts of the city has been evaluated, the city owned property adjacent to Bob Eden Park will be considered as a potential gas drill site. The current gas Drilling and Production Ordinance contains a provision that enables the City Council to approve drilling within a 600' distance from parkland.

This conversion of parkland only proposes the use of the subsurface. Attached for the City Council's reference is an exhibit that represents the subject parkland properties, which includes:

Bob Eden Park and Trailwood Park: Trailwood Addition, Block 8, Lot 9A; and, George Linney Survey, A-939, Tracts 1D1 and 2E; McCormick Park: Ben F Crowley Survey, A-320, Tracts 5A2, 5A3, and 5A3A; The Preserve at Bear Creek: Ben F Crowley Survey, A-320, Tracts 3, 3B, and 5A3B; Villages of Bear Creek Park: Richard Crowley Survey, A-312, Tracts 1A01, 1D, 2C, 3D, 4, and 4E09, Villages of Bear Creek Addition, Block 6, Lot 5; Reflection Park; Richard Crowley Survey, A-312, Tract 5B4.

Staff proposes to include, in a future gas lease bid, the previously identified city owned parkland and the following adjacent City owned properties: Levy Franklin Survey, A-513, Tracts 1, 1A, 1B, 2B2, 2C, 2D, 2H, 2K, 3B, and 3C; and George Linney Survey, A-939, Tract 1A.

Staff recommends approval of the requested action. Staff is prepared to answer any questions on this proposed conversion of parkland.

FINANCIAL CONSIDERATIONS:

Revenue Sources:

Expenditure Accounts:

Budgeted Fiscal Year(s):

Estimated Expenditure:

Total Expenditure:

Over/Under Projection By:

Other Comments:

SUPPORTING DOCUMENTS:

- Exhibit A

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **SC** _____

City Secretary's Office