

September 28, 2022

WHEREAS, on April 11, 2018, City Council authorized by Resolution No. 18-0516, a 39 year and 11-month lease agreement with three 10-year renewal options with Burchfield & Partners, LLC (B&P), for approximately 228,690 square feet of land (5.25 acres) at Dallas Executive Airport; and

WHEREAS, the lease agreement included a development agreement that describes the manner in which B&P is required to design and construct certain capital improvements and provides for certain economic incentives from the City's Department of Aviation; and

WHEREAS, due to unforeseen delays, the project will not be completed by the specified deadline; and

WHEREAS, City desires to amend the terms of the development agreement to extend the deadline for completing construction and increase the City's reimbursement for the common-use improvements to account for construction cost increases.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS

SECTION 1. That the City Manager is authorized to execute the first Amendment to the Development Agreement with Burchfield & Partners, LLC, for to extend the deadline to March 31, 2024 for completing the development project and to increase the City's reimbursement amount for the development of certain airport-owned common-use improvements approved as to form by the City Attorney.

SECTION 2. That the key terms and conditions of the first amendment are as follows:

- a. The deadline to complete construction of the capital improvements and obtain a certificate of occupancy is extended by an additional fifteen (15) months to March 31, 2024.
- b. The City's reimbursement for the Common-Use Improvements is increased by an additional amount not to exceed \$600,000.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants payable in an amount not to exceed \$600,000.00 (subject to annual appropriations) to Burchfield & Partners, LLC and charge the same to Aviation Construction Fund, Fund 0131, Unit 8703, Department AVI, Object 4420, Vendor VC18259.

SECTION 4. That this contract is designated as Contract No. AVI-2022- 00020325.

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SECTION 5. That 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.