

October 13, 2021

**WHEREAS**, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

**WHEREAS**, the City of Dallas Park & Recreation Department (City) and The Trust for Public Land (TPL) desire to enter into a design and development agreement for the design and construction of Woody Branch Park (Project), located at 4900 South R.L. Thornton Freeway; and

**WHEREAS**, TPL desires to raise funds for the design and construction of the Project, hold public meetings, potentially bid and manage construction of the Project, and to phase the Project if desirable, and

**WHEREAS**, the City reserves the right to, by phase or in its entirety: bid and manage construction of the project and participate in funding the Project, and

**WHEREAS**, the term of the agreement shall be through the end of the warranty period, upon acceptance of the final phase of the Project if phased, unless otherwise terminated in accordance with the terms of the agreement; and

**WHEREAS**, the City shall be responsible for maintenance and operations of improvements constructed and TPL shall have no maintenance or operations responsibilities beyond construction and the warranty period of the project as is customarily required by the City of contractors on its projects; and

**WHEREAS**, TPL acknowledges that Woody Branch Park was acquired by the City using Reforestation Fund resources which restrain and limit development of land so acquired, that protection of the forest and its supporting ecosystem is the foremost objective of such acquisitions, and that the development of Woody Branch Park shall be complementary to and enhance those objectives of the Reforestation Fund as promulgated by the City Council.

**Now, Therefore,**

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

**SECTION 1.** That the Park and Recreation Board and City Manager are hereby authorized to execute a design and development agreement with The Trust for Public Land, approved as to form by the City Attorney, for the design and construction of Woody Branch Park located at 4900 South R.L. Thornton Freeway.

**SECTION 2.** That the duration of the agreement will be through the end of the warranty period of the final phase of the project.

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**SECTION 3.** That this contract is designated as Contract No. PKR- 2021-00017267.

**SECTION 4.** 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.