

November 10, 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, Dallas 3100, LP (“Developer”) owns property adjacent to the Katy Trail located at 4825 Cole Avenue (“adjacent property”) which it desires to develop to provide access to the Katy Trail and offer the public with a rest area and food service opportunities; and

WHEREAS, the City finds it is in the public’s interest to encourage Katy Trail access opportunities to its residents and desires to have Developer, at their cost, develop the adjacent property and a portion of the Katy Trail to operate, and maintain a trail access and trail rest area, which may include food truck access on the adjacent property, during the Term of the Agreement for use and enjoyment of all City of Dallas residents; and

WHEREAS, to that end, the City and Developer desire to execute a ten-year development agreement with one five-year renewal option, which option shall be subject to the Park and Recreation Board approval.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a development agreement, with Dallas 3100, LP, (“Developer”) approved as to form by the City Attorney, ~~for the development of adjacent property and a portion of the Katy Trail to operate and maintain a trail access and trail rest area for use and enjoyment of all City of Dallas residents~~ to (1) develop the property adjacent to the Katy Trail located at 4825 Cole Avenue and (2) develop a portion of the Katy Trail with enhanced improvements to operate and maintain a trail access and trail rest area.

SECTION 2. That key terms of the agreement include:

- a) That the duration of the agreement will be for a term of 10 years with one five-year renewal option, which option shall be subject to the Park and Recreation Board approval.
- b) Developer shall, be responsible for at their cost, to design, construct, and maintain all improvements, including landscaping, trail access, and trail rest area improvements, subject to the Director’s approval.

SECTION 3. That this contract is designated as Contract No. PKR-2021-00017445.

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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.