

November 10, 2021

WHEREAS, the City of Dallas (City) recognizes the importance of its role in local economic development and the provision affordable housing, and desires to facilitate development near transit; and

WHEREAS, Dallas Area Rapid Transit (DART) and the City each own property near DART transit stations that may be suitable for the development; and

WHEREAS, in order to investigate the suitability of each site for development, the City would like to issue solicitations seeking developers to create proposals development on the City and DART sites; and

WHEREAS, in order to facilitate these solicitations, the City has requested a memorandum of understanding with DART to allow the City to market the six DART properties listed on **Exhibit A** as potential development sites; and

WHEREAS, the City shall clearly state in each solicitation that the DART sites are owned by DART, and that development on a DART site will require negotiation and agreement with DART and the consent of the DART board of directors and City Council; and

WHEREAS, once a developer has responded to a solicitation identifying a specific plan and indicating an interest in developing a DART site, the City will contact DART to negotiate an interlocal agreement spelling out the terms by which the City may move forward with such development, and any such interlocal agreement will require the consent of the City Council and the DART board of directors.

Now, Therefore,

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

SECTION 1. That authorizing the execution of a Memorandum of Understanding with Dallas Area Rapid Transit ("DART") to allow the City to market six DART-owned sites for potential development, with the following terms:

- A. The MOU shall commence on December 1, 2021 and expire on November 30, 2024. The MOU will automatically renew for up to two consecutive one-year terms unless terminated by either party. The MOU may be amended only upon written agreement signed by the parties.
- B. The MOU may be terminated by either party by giving thirty days' written notice.
- C. DART will provide information within its control regarding each DART site upon the request of the City, including but not limited to, deed records, title information, surveys, and environmental reviews.

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SECTION 1. (continued)

- D. DART will outline known issues that might impact development, including but not limited to, environmental contamination, floodplain areas, existing easements, needed easements, and desired future terms to facilitate DART operation of transit facilities on the site.
- E. DART will provide coordination with the Federal Transit Administration (FTA) review regarding review and input regarding any DART property with a Federal interest.
- F. The City will review the information provided by DART and determine the suitability of each DART Site for development. Where applicable, the City will determine if an adjacent or nearby City site should also be considered in a future development plan.
- G. For any site deemed developable, the City shall release a solicitation seeking a developer to propose a development plan for the site.
- H. Once a developer has been deemed most advantageous or otherwise selected for negotiation, the City will notify DART and begin negotiation of an interlocal agreement and related sale and/or lease documents related to the relevant DART site.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City, and it is accordingly so resolved.