December 12, 2018
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 and Recreation Department (City) and Lincoln LAG LTD. (Lincoln) and HEB Grocery Company, LP (HEB) desire to enter into a development and maintenance agreement for the purpose of constructing the Matilda Trail, an enhanced sidewalk, hike and bike trail, and appurtenances located at East Lovers Lane and Matilda Street as shown in Exhibit A; and

WHEREAS, the alignment of the Matilda Trail, identified in the 2008 Dallas Trail Network Plan, is an important connection to the University Crossing Trail and construction of the trail will serve many residents as an alternative transportation option; and

WHEREAS, upon completion of the Matilda Trail, Lincoln and HEB shall pay an endowment in an amount not to exceed $\$ 30,000.00$ for maintenance of the trail until the beginning of the fiscal year in which the trail is accepted by the City; and

WHEREAS, the City desires to have Lincoln and HEB provide development and maintenance of such improvements for the use and enjoyment of all City of Dallas citizens.

## Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a development and maintenance agreement with Lincoln LAG LTD. and HEB Grocery Company, LP, approved as to form by the City Attorney, for the purpose of constructing the Matilda Trail, an enhanced sidewalk, hike and bike trail, and appurtenances located at East Lovers Lane and Matilda Street.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a development and maintenance agreement with Lincoln LAG LTD. and HEB Grocery Company, LP, approved as to form by the City Attorney.

SECTION 3. That the duration of the agreement shall be from execution of the agreement to completion and acceptance of the trail by the City and payment to the City by Lincoln/HEB in an amount not to exceed $\$ 30,000.00$ into a maintenance endowment fund.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit endowment funds from Lincoln and HEB in an amount not to exceed of \$30,000.00 in the Mowmentum Park Improvement Fund, Fund 0T80, Department PKR, Unit T110, Revenue Code 8411.

SECTION 5. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $\$ 30,000.00$ in the Mowmentum Park Improvement Fund, Fund 0T80, Department PKR, Unit T110, Object 3099.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse endowment funds in an amount not to exceed $\$ 30,000.00$ from the Mowmentum Park Improvement Fund, Fund 0T80, Department PKR, Unit T110, Object 3099, in accordance with the terms and conditions of the development and maintenance agreement.

SECTION 7. That this contract is designated as Contract No. PKR-2019-00008233.
SECTION 8. 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.




