



AGENDA MEMORANDUM

First Reading for the City Council Meeting of January 9, 2024
Second Reading for the City Council Meeting of January 18, 2024

DATE: January 9, 2024

TO: Peter Zaroni, City Manager

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Amendment No. 1 to Lease Agreement with the Riley P. Dog Park, Inc.

CAPTION:

Ordinance authorizing an amendment to the existing lease agreement with Riley P. Dog Park, Inc. for the use of the property located adjacent to the Whitecap Wastewater Treatment Plant for an additional three-year term with two additional one-year terms.

PURPOSE:

This Ordinance amends the lease agreement between the City and Riley P. Dog Park, Inc. to extend the agreement by an additional three years with two additional one-year option terms. The Riley P. Dog Park, Inc. is privately managed and is located adjacent to the City's Whitecap Wastewater Treatment Plant.

BACKGROUND AND FINDINGS:

In December 2018, City Council approved a five-year lease with Riley P. Dog Park, Inc., a Texas nonprofit corporation. The five-year lease allows for the construction, which has already been completed, and the operation and maintenance of the dog park at no charge to the public. The dog park is located on a 2.5-acre tract of City property located adjacent to the City's Whitecap Wastewater Treatment Plant. Per the lease agreement, Riley P. Dog Park, Inc. is obligated to maintain the property in good repair as the City has no responsibility for maintenance or repair of the premises or improvements. Riley P. Dog Park, Inc. is a private organization which manages this lease. The area is not a City park but it is open and accessible to the public per their agreement with the City.

The current agreement expired in December 2023, but the City and Riley P. Dog Park, Inc. agreed to amend the agreement in order to add an additional three years to the term with two additional one-year option terms. As part of the amendment, the City will reserve the right to cancel the lease at any time upon 90 days' advance written notice to Riley P. Dog Park, Inc. The ability for the City to cancel the lease is important because of the dog park's adjacency to the Whitecap Wastewater Treatment

Plant. Specifically, due to the dog park being located adjacent to the Whitecap Wastewater Treatment Plant, any future expansion of the Wastewater Treatment Plant would likely require the use of the area associated with this lease. Depending upon the size of the future expansion, it might require that the dog park be moved to another portion of the property or another location altogether. Currently, the timeframe for the expansion of the Whitecap Wastewater Treatment Plant is undetermined but is estimated to take place within the next five to 10 years. The timeframe will depend heavily upon the rate of development for the Whitecap Preserve and other development projects in that area.

Per the lease agreement, Riley P. Dog Park, Inc. will pay for all utilities used by it on the premises. These utilities would include water and effluent water. Currently, Riley P. Dog Park, Inc. has an effluent water purchase agreement with the City. The purpose of the agreement is to provide Riley P. Dog Park, Inc. with effluent water to be used for watering the dog park grounds. However, there is currently a Tax Incentive Reinvestment Zone project with the purpose of upgrading the effluent pumps at the Whitecap Wastewater Treatment Plant. After the project is completed, effluent water will then be available for use by Riley P. Dog Park, Inc. Riley P. Dog Park, Inc. is aware of this project and understands that they will have access to effluent water once the upgrades are made.

ALTERNATIVES:

The alternative is not to approve the amendment to the lease agreement between the City and Riley P. Dog Park, Inc.; however, if this occurs, Riley P. Dog Park, Inc. would no longer be allowed to utilize the property.

FISCAL IMPACT:

Not applicable.

Funding Detail:

Not applicable.

RECOMMENDATION:

Staff recommends approval of Amendment No. 1 for the lease for the Riley P. Dog Park, as presented.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Lease Between City of Corpus Christi and Riley P. Dog Park, Inc. (2018)
Amendment No. 1 to Lease Agreement - Riley P. Dog Park, Inc.
Location map