



## **AGENDA MEMORANDUM**

First Reading for the City Council Meeting of December 4, 2018  
Second Reading for the City Council Meeting December 11, 2018

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**DATE:** November 27, 2018

**TO:** Keith Selman, Interim City Manager

**FROM:** Dan Grimsbo, Executive Director of Utilities  
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Lease Agreement for Dog Park located near Whitecap Wastewater Treatment Plant
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### **CAPTION:**

Ordinance authorizing a five-year lease agreement with Riley P. Dog Park, Inc. for use of approximately 2.5 acre tract of City property located near Whitecap Wastewater Treatment Plant to construct, operate and maintain a dog park.

### **PURPOSE:**

This item is to approve the five-year lease agreement with Riley P. Dog Park, Inc. for use of approximately 2.5 acre tract of City property located near Whitecap Wastewater Treatment Plant to construct, operate and maintain a dog park at no charge to the public.

### **BACKGROUND AND FINDINGS:**

Riley P. Dog Park, Inc. a Texas nonprofit corporation submitted a request to lease approximately 2.5 acre tract of City property located near Whitecap Wastewater Treatment Plant to construct, operate and maintain a dog park at no charge to the public. The City shall lease the Premises to Riley P. Dog Park, Inc., AS IS, subject to all terms and conditions listed in the attached lease agreement for a period of five (5) years. The subject Lease begins on the first day after final Council approval. However, the City reserves the right to cancel this Lease at any time on ninety (90) days' advance written notice in the event that the City Manager determines that such cancellation is necessary for the operation of the adjacent wastewater treatment plant operations. Riley P. Dog Park, Inc., may terminate this Lease at any time upon providing at least 30 days advance written notice to the City.

**ALTERNATIVES:**

The Council can choose not to approve the lease agreement.

**OTHER CONSIDERATIONS:**

None.

**CONFORMITY TO CITY POLICY:**

N/A

**EMERGENCY / NON-EMERGENCY:**

Non-emergency.

**DEPARTMENTAL CLEARANCES:**

Utilities Department - Water

**FINANCIAL IMPACT:**

☐ Operating      ☐ Revenue      ☐ Capital      ☒ Not applicable

<b>Fiscal Year: 2018-2019</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

**Comments:** none

**RECOMMENDATION:**

Staff recommends approval of the ordinance as presented.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

Ex A: Lease agreement