



18-786

TITLE: Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute the First Amendment to the Softball Complex Lease Agreement with CR Ballfields, LP, Related to City Use of the Craig Ranch Softball Complex.

COUNCIL GOAL: Enhance the Quality of Life in McKinney

5E: Develop sustainable quality of life improvements within the City of McKinney

MEETING DATE: September 18, 2018

DEPARTMENT: Parks and Recreation

CONTACT: Mark Houser, City Attorney
Michael Kowski, Director of Parks and Recreation

RECOMMENDED CITY COUNCIL ACTION:

- Approval of the attached Resolution.

ITEM SUMMARY:

- The proposed Resolution authorizes the City Manager to execute an amendment to the existing 20-year lease agreement from 2003 through July 2023 between the City and CR Ballfields related to the five-field softball complex and 200 parking spaces adjacent thereto (collectively, the "Softball Complex") located at the northeast corner of State Highway 121 and Alma Road in Craig Ranch.

BACKGROUND INFORMATION:

- In August of 2018, the City and CR Ballfields entered into a development agreement to accommodate an approved change of use in the areas encompassing and adjacent to the softball complex (the "Leased Premises") into an urban mixed-use complex.
- Furthermore, the development agreement provided for the conveyance and dedication of two linear park open spaces and a central park area together with a

pedestrian trail that will connect to a bridge the City plans to construct and related bridge across Watters Branch that will extend the City's trail system from Alma Road to the Soccer Fields at Craig Ranch

- CR Ballfields has advised the City that it will need to commence activities to dismantle the improvements on the leased premises before December 31, 2018 to accommodate a contract purchaser of the leased premises.
- CR Ballfields and the City recognize that the softball complex is currently scheduled for a Fall league, which ends the first part of November 2018, and that the earliest the Softball Complex can be taken out of service is after such Fall league play
- The terms of the proposed Amendment shall modify the lease to end on November 30, 2018, provided that CR Ballfields or its agent obtains a demolition permit covering all of the improvements on the property on or before November 1, 2018, and thereafter providing the City with three days' written notice of its intent to commence demolition.
- Should the foregoing termination condition not be satisfied, the lease shall continue by its terms and the softball complex shall remain intact and usable by the City until CR Ballfields or its agent satisfies an alternative termination condition set out in the proposed Amendment that provides a like notice to the City prior to specific dates as noted in the proposed Amendment.

FINANCIAL SUMMARY:

- N/A

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[First Amendment
Resolution](#)