

By: Denny

H.C.R. No. 84

CONCURRENT RESOLUTION

1 WHEREAS, Larry Lakes alleges that:

2 (1) on or before April 1, 1998, Larry Lakes entered
3 into a contract with the Texas Parks and Wildlife Department to
4 construct and operate a new state park development in the Ray
5 Roberts Lake State Park, Pilot Point, Texas;

6 (2) the agreement to enter into the contract was based
7 on Larry Lakes' understanding that the Texas Parks and Wildlife
8 Department would provide signage and brochures to promote the state
9 park facility and would provide other public relations assistance;

10 (3) the state park facility opened in June 2000 and
11 operated for over nine months without specific or general signage
12 directing travelers to the facility or to the state park and lake;

13 (4) no brochures were produced by the Texas Parks and
14 Wildlife Department for the state park facility since the original
15 groundbreaking ceremony and there was no public relations
16 assistance with promotion of the facility until February 2002;

17 (5) Larry Lakes and the Texas Parks and Wildlife
18 Department began a dispute resolution process in accordance with
19 the contract in May 2001, and the Texas Parks and Wildlife
20 Department has refused to continue that process, constituting a
21 breach of contract;

22 (6) the Texas Parks and Wildlife Department is in
23 violation of state open records law by refusing to provide written
24 minutes of the dispute resolution meeting, which took place on May

1 10, 2001, until January 2, 2002, and has not provided a transcript
2 of the recorded meeting;

3 (7) the Texas Parks and Wildlife Department has or is
4 about to enter into a replacement contract with a new vendor to take
5 over responsibility for the state park facility;

6 (8) the conduct of the Texas Parks and Wildlife
7 Department forced the closing of the state park facility and loss of
8 significant assets by Larry Lakes;

9 (9) the Texas Parks and Wildlife Department is in
10 breach of the contract due to their failure to provide signage,
11 brochures, and publicity; and

12 (10) Larry Lakes is entitled to recover damages for
13 the loss of revenue as a result of operating without signs,
14 brochures, or publicity and for the increased operating costs and
15 loss of significant assets that he subsequently incurred and to
16 other relief as authorized by law; now, therefore, be it

17 RESOLVED by the Legislature of the State of Texas, That Larry
18 Lakes is granted permission to sue the State of Texas and the Texas
19 Parks and Wildlife Department subject to Chapter 107, Civil
20 Practice and Remedies Code; and, be it further

21 RESOLVED, That the executive director of the Texas Parks and
22 Wildlife Department be served process as provided by Section
23 107.002(a)(3), Civil Practice and Remedies Code.