

Regular Meeting: Max W. Wells, President, presiding

Present: Max W. Wells, President; Jesse Moreno, Vice President; Celina Barajas, Barbara A. Barbee, Lawrence Hochberg, Sean Johnson, Lawrence S. Jones, Amy W. Monier, Susan Rader, Marlon Rollins, Raquel Rollins, Rodney Schlosser, Paul Sims, Robb Stewart, Yolanda F. Williams – 15

Absent: None

President Wells convened the regular meeting at 10:05 a.m. A quorum of the Board was present.

Agenda Item 1. Speakers:

Elizabeth: Recycling and tiny trash cigarette butts.  
Anna Hill: Fair Park.  
Carol Bell-Walton: Problems with the Fair Park Foundation Plan.  
Tammy Johnston: Fair Park Public Property.  
Mary Warren: Fair Park Foundation.  
Christian Yazdanpanah: Fair Park utilization and community engagement.

Agenda Item 2. A motion by Sean Johnson, seconded by Raquel Rollins, for approval of Minutes of the April 21, 2016 Park and Recreation Board meeting, was carried. The vote was unanimous.

**CONSENT AGENDA (ITEMS 3-6)**

**ADMINISTRATION AND FINANCE COMMITTEE – MISCELLANEOUS**

Agenda Item 3. Fair Park (7) – A motion by Rodney Schlosser, seconded by Lawrence Jones, to authorize the second and final one-year option to renew the food and beverage concession services contract at the Cotton Bowl Stadium in Fair Park located at 3750 The Midway between the Ed Campbell Company and the City of Dallas beginning Wednesday, June 8, 2016 through Wednesday, June 7, 2017 – Estimated Revenue: \$972,252, was carried. The vote was unanimous.

**BACKGROUND**

On June 5, 2005, Council Resolution No. 05-1740 authorized a ten-year food service contract for concessions at the Cotton Bowl Stadium with the Ed Campbell Company. The term of the contract was ten years, with two one-year renewal periods subject to Director and Park Board approval.

On September 3, 2014, the Mayor's Fair Park Task Force briefed the City Council and the Park and Recreation Board on their recommendations for Fair Park that included (1) enhance access and connectivity with the community and city; (2) establish a community park on the south side of property, and (3) empower new organization as operational and marketing authority for Fair Park.

On September 18, 2014, the Park and Recreation Board was briefed on "The Future of Fair Park" which identified and addressed a number of issues related to a proposed change in governance. The briefing included an overview of campus members and service provider contracts, to include food and beverage concessions.

## **BACKGROUND** (Continued)

The agreement with the Ed Campbell Company expired June 7, 2015 and required that the Concessionaire (1) make monthly payments to the City equal to forty and one-tenth percent (40.1%) of its gross proceeds of all concessions operations and ten percent (10%) of gross receipts of catering operations. Gross receipts is defined as all monies paid or payable to the Concessionaire for sales made or services rendered at or from the premises or from any other source, less sales tax and (2) expend \$300,000 towards improvements to the premises during the first three years of the contract and \$50,000 during each option renewal, if exercised.

On March 5, 2015, the Park and Recreation Board approved exercising the first one-year option to renew with the Ed Campbell Company for providing food and beverage services contract at the Cotton Bowl Stadium under the same terms and conditions as the original agreement. The first one-year renewal period began on June 8, 2015 and expires on June 7, 2016. The Concessionaire was required to expend \$50,000 towards improvements to the premises which have been completed.

The Ed Campbell Company has requested that the Park and Recreation Board approve the last remaining one-year option with the Ed Campbell Company for providing food and beverage services contract at the Cotton Bowl Stadium under the same terms and conditions as the original agreement. The second and final one-year renewal if approved would begin on June 8, 2016 and end on June 7, 2017. The Concessionaire will also be required to expend \$50,000 towards improvements to the premises prior to June 7, 2017.

On April 7, 2016, the Park and Recreation Board was briefed on a proposed management agreement with the Fair Park Texas Foundation, a new 501(c) 3 non-profit organization to operate and manage Fair Park. As part of the proposed deal points, the City will assign to the Foundation all contracts applicable to the ongoing operation of Fair Park to include concession contracts.

The City has the right to assign, transfer or convey this Contract, as amended, in whole or in part, to another entity.

## **FISCAL INFORMATION**

\$972,252 – Revenue to the City

Agenda Item 4. Fair Park (7) – A motion by Rodney Schlosser, seconded by Lawrence Jones, to authorize the second and final one-year option to renew the food and beverage concession services contract at the Old Mill Inn Restaurant in Fair Park located at 3611 Grand Avenue between the Ed Campbell Company and the City of Dallas beginning Wednesday, June 8, 2016 through Wednesday, June 7, 2017 – Estimated Revenue: \$12,647, was carried. The vote was unanimous.

## **BACKGROUND**

On June 5, 2005, Council Resolution No. 05-1740 authorized a ten-year food service contract for concessions at the Old Mill Inn at Fair Park with the Ed Campbell Company. The term of the contract was ten years, with two one-year renewal periods subject to Director and Park Board approval. The agreement expires June 7, 2015.

The agreement requires that the Concessionaire make every reasonable effort to cause the restaurant facility to be part of the overall programming effort of Fair Park on a year-round basis. As part of the agreement, the concessionaire agreed to (1) operate the restaurant facility six days a week, unless otherwise agreed in writing and make every reasonable effort to be open for the public during hours of major events at Fair Park; (2) make monthly payments to the City equal to ten percent (10%) of its gross proceeds defined as all monies paid or payable to the Concessionaire for sales made or services rendered at or from the premises or from any other sources, less sales tax; and (3) expend \$100,000 towards improvements to the premises during the first three years of the contract and \$10,000 during each renewal period, if exercised.

## **BACKGROUND** (Continued)

On September 3, 2014, the Mayor's Fair Park Task Force briefed the City Council and the Park and Recreation Board on their recommendations for Fair Park that included (1) enhance access and connectivity with the community and city; (2) establish a community park on the south side of property, and (3) empower new organization as operational and marketing authority for Fair Park.

On September 18, 2014, the Park and Recreation Board was briefed on "The Future of Fair Park" which identified and addressed a number of issues related to a proposed change in governance. The briefing included an overview of campus members and service provider contracts, to include food and beverage concessions.

On March 5, 2015, the Park and Recreation Board approved exercising the first one-year option to renew with the Ed Campbell Company for providing food and beverage services contract at the Old Mill Inn Restaurant under the same terms and conditions as the original agreement. The first one-year renewal period began June 8, 2015 and will expire on June 7, 2016. The Concessionaire was also be required to expend \$10,000 towards improvements to the premises which have been completed

The Ed Campbell Company has requested that the Park and Recreation Board approve the last remaining one-year option with the Ed Campbell Company for providing food and beverage services contract at the Old Mill Inn Restaurant under the same terms and conditions as the original agreement. The second and final one-year renewal if approved would begin on June 8, 2016 and end on June 7, 2017. The Concessionaire will also be required to expend \$10,000 towards improvements to the premises prior to June 7, 2017.

On April 7, 2016, the Park and Recreation Board was briefed on a proposed management agreement with the Fair Park Texas Foundation, a new 501(c) 3 non-profit organization to operate and manage Fair Park. As part of the proposed deal points, the City will assign to the Foundation all contracts applicable to the ongoing operation of Fair Park to include concession contracts.

The City has the right to assign, transfer or convey this Contract, as amended, in whole or in part, to another entity.

## **FISCAL INFORMATION**

\$12,647 – Revenue to the City

Agenda Item 5. Park and Recreation Department (All) – A motion by Rodney Schlosser, seconded by Lawrence Jones, to authorize a public hearing to be held on May 25, 2016, to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with state law – Financing: No cost consideration to the City, was carried. The vote was unanimous.

## **BACKGROUND**

Section 42.041(b)(14) of the Texas Human Resources Code, as amended, allows city-sponsored youth recreation programs to be exempted from the state's day care licensing laws if the city adopts standards of care for those programs and complies with other requirements of that legislation. One requirement is that the City Council hold a public hearing annually on the city's youth program standards of care and adopt an ordinance re-establishing and continuing in effect the standards.

**BACKGROUND (continued)**

Ordinance No. 23159, adopted by the City Council on June 11, 1997, created Chapter 12 of the Dallas City Code in order to exempt City of Dallas youth programs from State child-care licensing requirements and provide minimum standards by which the City operates youth programs. Chapter 12 was readopted by Ordinance No. 23534 on June 10, 1998, by Ordinance No. 23907 on June 9, 1999, by Ordinance No. 24281 on June 14, 2000, by Ordinance No. 24611 on May 23, 2001, by Ordinance No. 24943 on May 22, 2002, by Ordinance No. 25269 on May 28, 2003, by Ordinance No. 25628 on June 9, 2004, by Ordinance No. 25998 on May 25, 2005, by Ordinance No. 26376 on June 14, 2006, by Ordinance No. 26800 on June 13, 2007, by Ordinance No. 27222 on June 11, 2008, by Ordinance No. 27565 on June 10, 2009, by Ordinance No. 27911 on June 9, 2010; by Ordinance No. 28217 on May 25, 2011; by Ordinance No. 28670 on May 23, 2012; by Ordinance No. 29036 on June 12, 2013, and by Ordinance No. 29358 on May 28, 2014. Chapter 12 will expire on June 16, 2016 unless sooner terminated or extended by ordinance of the City Council.

The Director of the Park and Recreation Department implements, administers, and enforces Chapter 12, which applies to youth programs sponsored by the City, whether offered after school, during the summer, or during holidays. A coordinator initiates an inspection report for each program to confirm that standards of care are being met.

The youth program coordinators and leaders must meet certain qualifications pertaining to age, education, and experience and are provided orientation and training relating to working with children.

Each program must operate with a participant to leader ratio of 20:1 and must follow guidelines pertaining to safety, fire, and health as set forth in the standards of care.

**PLANNING AND DESIGN COMMITTEE – CONTRACT AWARDS**

Agenda Item 6. Bachman Recreation Center (6) – A motion by Amy Monier, seconded by Celina Barajas, to authorize a contract with Phoenix I Restoration and Construction, Ltd., best value proposer of five, for renovations at Bachman Recreation Center located at 2750 Bachman Drive – Not to exceed \$576,240 – Financing: 2006 Bond Funds, was carried. The vote was unanimous.

**WHEREAS**, on March 18, 2016, five competitive sealed proposals were received for renovations at Bachman Recreation Center located at 2750 Bachman Drive; and

<u>Proposers</u>	<u>Base Bid</u>	<u>Alternate Nos. 1, 2, 3, 4 &amp; 5**</u>	<u>Total Bid</u>	<u>Scores</u>
Phoenix I Restoration and Construction, Ltd.	\$530,000	\$73,000	\$603,000	4442.00
DENCO Construction Specialists	\$455,000	\$22,760	\$477,760	4084.00
MART, Inc.	\$673,000	\$46,500	\$719,500	3806.75
Furstenberg Construction Co.	\$1,039,064	\$58,138	\$1,097,202	2560.25
Vincent's Roofing, Inc.	\$595,182	\$89,400	\$684,582	2499.50

\*\*Alternate No. 1 - provides for cleaning and painting of exiting corroded steel at pool equipment shed.

\*\*Alternate No. 2 - provides for exterior masonry facade repairs.

\*\*Alternate No. 3 - provides for building perimeter joint.

\*\*Alternate No. 4 - provides for replacement of storefront and exterior doors at gym.

\*\*Alternate No. 5 - provides for porte cochere paint and lighting replacement.

Note: After value engineering, the best and final offer from Phoenix I Restoration and Construction, Ltd. for Base Bid and Alternate Nos. 1, 2, 3, 4 and 5 was for \$576,240.

**WHEREAS**, it has been determined that acceptance of the best and final offer from Phoenix I Restoration and Construction, Ltd., in an amount not to exceed \$576,240 is the best value for the City of Dallas. **Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to enter into a contract with Phoenix I Restoration and Construction, Ltd. for renovations at Bachman Recreation Center, in an amount not to exceed \$576,240.

**SECTION 2.** That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a contract with Phoenix I Restoration and Construction, Ltd., after approval as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse an amount not to exceed \$576,240 from (2006) Park and Recreation Facilities Improvement Fund, Fund 2T00, Department PKR, Unit T013, Object 4310, Activity MMCF, Program PK06T013, CT-PKR16019547, Commodity 91200, Vendor VC0000003594.

**SECTION 4.** 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.

**NON-ACTION ITEMS**

Agenda Item 7. 2016 Texas Recreation and Parks Society Institute Reports presented by Barbara Barbee, Raquel Rollins, Jesse Moreno, Sean Johnson, Marlon Rollins, Becky Rader, and Max Wells.

Agenda Item 8. Recent Police Activity in the Park System presented by Rick Watson, Deputy Chief, Dallas Police Department.

**BRIEFINGS**

Agenda Item 9. Dallas Arboretum and Botanical Society Partnership Update introduced by John Jenkins, Deputy Director, Park and Recreation Department. Briefing presented by Mary Brinegar, President and CEO, Dallas Arboretum and Botanical Society.

Agenda Item 10. Fair Park Texas Foundation Vision introduced by Willis Winters, Director, Park and Recreation Department. Briefing presented by Walt Humann, Fair Park Texas Foundation. Majority straw vote determined Park Director will serve as Park Board Liaison.

**ITEM FOR FURTHER DISCUSSION**

Agenda Item 11. Proposed Management Agreement with Fair Park Texas Foundation - Deal Points presented by Willis Winters, Director, Park and Recreation Department.

**OTHER/NON-ACTION ITEMS**

Agenda Item 12. Committee Reports deferred.

Agenda Item 13. Trinity Standing Wave Update deferred.

Agenda Item 14. Park and Recreation Board Members Liaison Reports: Audubon Dallas/Cedar Ridge Preserve, Cultural Affairs Commission, Dallas Arboretum and Botanical Society, Dallas Zoological Society, Downtown Dallas, Inc./Downtown Parks, Friends of Fair Park, The Friends of Katy Trail, Lee Park and Arlington Hall Conservancy, State Fair of Texas, Texas Discovery Gardens, The Trinity Commons Foundation, Trinity River Audubon Center, Turtle Creek Association, The Woodall Rodgers Park Foundation/Klyde Warren Park deferred.

Agenda Item 15. Staff Announcements – Upcoming Park and Recreation Department Events deferred.

Agenda Item 16. President Wells announced the next Park and Recreation Board regular meeting on Thursday, May 19, 2016.

Agenda Item 17. President Wells adjourned the meeting at 3:30 p.m.

Dawna M. Ray, Secretary  
Park and Recreation Board

Max W. Wells, President  
Park and Recreation Board

NOTE: For more information on discussion of any issue heard during this meeting, refer to the tape recording retained in the Park Department's Central File.