

Regular Meeting: Jesse Moreno, Vice President, presiding

Present: Jesse Moreno, Vice President; Celina Barajas, Barbara A. Barbee, Sean Johnson, Lawrence S. Jones, Jean F. Milligan, Amy W. Monier, Robin Moss Norcross, Susan Rader, Raquel Rollins, Rodney Schlosser, Paul Sims, Yolanda F. Williams – 13

Absent: Max W. Wells, Matthew L. Houston - 2

Vice President Moreno convened the regular meeting at 10:00 a.m. A quorum of the Board was present.

Agenda Item 1. Speakers:

1. Mrs. Abrams regarding Coombs Creek Trail.
2. Mrs. Kenda North regarding Coombs Creek Trail.
3. Bob Simpson regarding Green Space Group – Coombs Creek Trail.
4. Brian Adnock regarding Coombs Creek Trail.

MINUTES

Agenda Item 2. A motion by Sean Johnson, seconded by Barbara Barbee, for approval of Minutes of the October 1, 2015 Park and Recreation Board Meeting, was carried. The vote was unanimous.

Agenda Item 3. A motion by Amy Monier, seconded by Lawrence Jones, for approval of Minutes of the October 8, 2015 Park and Recreation Board Meeting, was carried. The vote was unanimous.

CONSENT AGENDA (ITEMS 4 - 11)

ADMINISTRATION AND FINANCE COMMITTEE – MISCELLANEOUS

Agenda Item 4. Cedar Ridge Preserve (3) – A motion by Rodney Schlosser, seconded by Barbara Barbee, to authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for Cedar Ridge Preserve in the amount of \$58,949 to provide services and programs within the City of Dallas for the period of January 1, 2016 through December 31, 2016 – Not to exceed \$58,949 – Financing: Current Funds, was carried. The vote was unanimous.

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Dallas County Audubon Society, Inc. dba Audubon Dallas for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 – 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with Dallas County Audubon Society, Inc. dba Audubon Dallas totaling \$58,949 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract after approval, as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to Dallas County Audubon Society, Inc. dba Audubon Dallas from Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance No. PKR16A033, Vendor 509534, as vouchers are processed by the Park and Recreation Department, not to exceed \$58,949.

SECTION 4. That services to be provided are as follows:

Operate and maintain the Cedar Ridge Preserve for 12 months providing access to the general public to 633 acres of escarpment and trails in Southwest Dallas, and provide environmental education programs on the ecosystem and presentations at community centers and schools.

SECTION 5. 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.

Agenda Item 5. Dallas Arboretum (9) [Item pulled for individual consideration] – A motion by Rodney Schlosser, seconded by Amy Monier, to authorize a twelve-month funding agreement with Dallas Arboretum and Botanical Society, Inc. in the amount of \$394,098 to provide services and programs within the City of Dallas for the period of October 1, 2015 through September 30, 2016 – Not to exceed \$394,098 – Financing: Current Funds, was carried. The vote was unanimous.

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Dallas Arboretum and Botanical Society, Inc. for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 – 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with the Dallas Arboretum and Botanical Society, Inc. totaling \$394,098 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract after approval, as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to the Dallas Arboretum and Botanical Society, Inc. from Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance No. PKR16A032, Vendor 219121, as vouchers are processed by the Park and Recreation Department, not to exceed \$394,098.

SECTION 4. That services to be provided are as follows:

Operate and maintain the Dallas Arboretum and Botanical Garden for 12 months for the general public to include special educational programs, community outreach services and sponsorship of a special summer program for disadvantaged children.

SECTION 5. 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.

Agenda Item 6. Texas Discovery Gardens (7) – A motion by Rodney Schlosser, seconded by Barbara Barbee, to authorize a twelve-month funding agreement with Texas Discovery Gardens in the amount of \$145,862 to provide services and programs within the City of Dallas for the period of October 1, 2015 through September 30, 2016 – Not to exceed \$145,862 – Financing: Current Funds, was carried. The vote was unanimous.

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Texas Discovery Gardens for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 – 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with the Texas Discovery Gardens totaling \$145,862 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract after approval, as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to Texas Discovery Gardens from Fund 0001, Department PKR, Unit 5232, Object 3072, Encumbrance No. PKR16A031, Vendor 219134, as vouchers are processed by the Park and Recreation Department, not to exceed \$145,862.

SECTION 4. That services to be provided are as follows:

Operate the Texas Discovery Gardens building and surrounding grounds at Fair Park for 12 months for the general public, and provide community outreach services such as enrichment classes for school children, horticulture information services and presentations at community centers and special facilities.

SECTION 5. 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.

Agenda Item 7. Anita Harris Phelps Park (14) – A motion by Rodney Schlosser, seconded by Barbara Barbee, to authorize preparation of a Beautification and Maintenance Agreement with Uptown Dallas, Inc. at Anita Harris Phelps Park located at 2200 Cedar Springs Road – Financing: No cost consideration to the City, was carried. The vote was unanimous.

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Uptown Dallas Inc. located at 3600 McKinney Avenue, desire to enter into a beautification and maintenance agreement for Anita Harris Phelps Park located at 2200 Cedar Springs Road; and

WHEREAS, the City desires to have Uptown Dallas Inc. beautify and maintain the park during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a development and maintenance agreement with Uptown Dallas Inc. for the beautification and maintenance of Anita Harris Phelps Park, after approval as to form by the City Attorney.

SECTION 2. That the duration of the agreement will be for an initial term of five years with a five-year renewal option.

SECTION 3. 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.

PLANNING AND DESIGN COMMITTEE - MISCELLANEOUS

Agenda Item 8. Anita Harris Phelps Park (14) – A motion by Rodney Schlosser, seconded by Sean Johnson, to authorize approval of three public art locations for Anita Harris Phelps Art Project located at 2200 Cedar Springs Road – Financing: No cost consideration to the City, was carried. The vote was unanimous.

BACKGROUND

This action is for approval of three public art locations for Anita Harris Phelps Park. Uptown Dallas, Inc. has offered to provide three pieces of artwork as a permanent loan to be placed at Anita Harris Phelps Park, located at 2200 Cedar Springs. The artist of the three sculptures is Nic Noblique and the three art pieces are identified as: "Untitled Chair", "Untitled" and "Untitled", 2010. The artwork is powder coated steel.

Uptown Dallas, Inc. will pay for the maintenance of this artwork under a separate maintenance agreement between Uptown Dallas, Inc. and the Park and Recreation Department. In conjunction with the artwork, Uptown Dallas, Inc. will provide three lighted pads for the sculptures, sidewalk replacements, benches and improved irrigation and landscape at the park.

The artwork was reviewed by the Cultural Affairs Commission on September 17, 2015.

Agenda Item 9. Bishop Flores Park (6) – A motion by Rodney Schlosser, seconded by Sean Johnson, to authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed use of a portion of Bishop Flores Park located at 2200 Talleyho Lane, consisting of a total of approximately 1.72 acres of land, by Atmos Energy Corporation (Atmos) for an energy easement – Financing: No cost consideration to the City, was carried. The vote was unanimous.

WHEREAS, the City of Dallas owns land in Dallas known as Bishop Flores Park which were acquired for park purposes and have been maintained as parkland; and

WHEREAS, Atmos Energy Corporation (Atmos) has determined that a utility easement is needed, in the public interest, and necessary for the delivery of energy as shown in Exhibit A; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to granting of a utility easement to Atmos in Bishop Flores Park.

Now, Therefore,

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

SECTION 1. That the Park and Recreation Department is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on December 9, 2015.

SECTION 2. That the approval of the aforementioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use, taking and conveyance of park land, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

SECTION 3. 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.

Agenda Item 10. Buckner Park (2) – A motion by Rodney Schlosser, seconded by Sean Johnson, to authorize preparation of a Development Agreement with the Dallas Independent School District (DISD) providing for: **(1)** the sale of approximately 1.06 acres of Buckner Park to DISD (Exhibit B); **(2)** the design, construction, and maintenance of improvements of Buckner Park; and **(3)** the design and construction of parking and driveway improvements at Buckner Park located at 4550 Worth Street – Not to exceed \$381,348 – Financing: Revenue, was carried. The vote was unanimous.

WHEREAS, Chapter 791 of the Texas Government Code provides authorization for local governments to contract with one another to perform governmental functions and services, and joint funding of projects; and

WHEREAS, the Dallas Independent School District (DISD) desires to purchase a portion of property known as Buckner Park (Exhibit B) located in Dallas, Texas, ("Parking Property") and City of Dallas is willing to sell the Parking Property to DISD; and

WHEREAS, the sale of the Parking Property to DISD is a legally permissible sale of parkland under Local Government Code Chapter 253, and the proceeds of the sale or exchange may be used only to acquire property for park purpose, and in Chapter 272, the sale is exempt from Local Government Code Chapter 272 notice and bidding requirements for the sale of land owned by a municipality in that it is a sale to a governmental entity that has the power of eminent domain, and complies with Local Government Code Chapter 272 fair market value requirements for the sale of land owned by a municipality in that the purchase price is based on an independent appraisal; and

WHEREAS, the parties agree that the sale of the Parking Property shall include sale and other terms which they desire to memorialize in a development agreement which shall not only function as the purchase and sale agreement but also survive the closing of the sale of the Parking Property as necessitated to perform the governmental functions and services agreed to therein in addition to other provisions of the sale contained within the agreement; and

WHEREAS, the City of Dallas and DISD desire to enter into an agreement for the development of Buckner Park and parking and driveway improvements (Parking Property) for the adjacent Ignacio Zaragoza Elementary School ("Project"); and

WHEREAS, upon completion of construction of the Project DISD and the City of Dallas shall be responsible for maintenance and operation of its own property; and

WHEREAS, this Project will be designed, bid and constructed by the City using \$381,348 from the sale of Parking Property, as defined in the Agreement between the City and District, 2006 Bond Funds and Capital Gifts, Donation and Development Funds not to exceed \$895,000 for the design and construction of the parkland and DISD funds not to exceed \$660,315 for the design and construction of the Parking Property and playground.

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 of Dallas hereby authorizes the President of the Park and Recreation Board, the Director of the Park and Recreation Department, and the City Manager, upon approval as to form by the City Attorney, to execute a Development Agreement between the City of Dallas and DISD providing for the sale of Parking Property, as defined in the Agreement between the City and District for the appraised value of \$381,348 and the design, bid, and construction of improvements to Buckner Park and the Parking Property conditioned on the following terms:

- (i) City and DISD will provide funding for their respective portions of the Project, namely, DISD will provide up to \$660,315 and City will provide \$381,348 from the sale of land to DISD and an amount not to exceed \$895,000 from 2006 Bond Funds and Capital Gifts, Donation and Development Funds;
- (ii) The City will design, bid, and construct improvements for the Project which includes parkland and the Parking Property conveyed to DISD;
- (iii) The design and construction of the Project shall be in accordance with state law, City Code, and all other applicable rules and regulations;
- (iv) Before construction begins, should the actual development cost exceed the estimated cost by more than five percent, and either party cannot come to an agreement on the actual development costs, either party can terminate the agreement without obligation to the other and the sale of land to DISD shall not be consummated and City shall have no obligation to make improvements to the Parking Property.
- (v) Should either party terminate the agreement after construction commences and prior to completion, the land conveyed to DISD shall revert back to the City and the sale shall be considered null and void.

SECTION 2. That in accordance with state law, sale proceeds, including any interest earned on the sales proceeds, are to be utilized for Park System projects overseen by the Park and Recreation Board.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit revenues from performance of the sale terms of the Development Agreement in an amount not to exceed \$381,348, in Buckner Park Fund, Fund 0468, Department PKR, Unit K129, Revenue Code 8416.

SECTION 4. That the City Manager is hereby authorized to establish appropriations in the amount not to exceed \$381,348, in Buckner Park Fund, Fund 0468, Department PKR, Unit K129, Object Code 4599.

SECTION 5. That the term of this agreement shall commence upon execution, and shall terminate upon completion of construction of all the improvements and conveyance of the Parking Property from the City of Dallas to DISD.

SECTION 6. 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.

PLANNING AND DESIGN COMMITTEE – PLANS AND SPECIFICATIONS

Agenda Item 11. Buckner Park (2) – A motion by Rodney Schlosser, seconded by Sean Johnson, to authorize proceeding with advertisement for construction procurement for site development at Buckner Park located at 4450 Worth Street Estimated Cost: \$1,300,000 – Financing: 2006 Bond Funds (\$705,253) and Capital Gifts, Donation and Development Funds (\$594,747), was carried. The vote was unanimous.

BACKGROUND

Newman, Jackson, Bieberstein, Inc. has completed design services through construction administration services for site development at Buckner Park.

Base Bid

- Concrete walkways
- Landscaping and irrigation
- Basketball and tennis court
- Site furnishings
- Vehicular drop off and parking
- Playground

Alternates

- Additional tennis court
- Pavilion
- North picnic area
- Additional landscaping and lighting

Schedule

- Began Design October 2014
- Complete Design October 2015
- Begin Construction April 2016
- Complete Construction December 2016

This project requires full-year operating and maintenance funding in the amount of \$12,788.

ITEM FOR INDIVIDUAL CONSIDERATION

Agenda Item 12. Coombs Creek Trail (1) – A motion by Rodney Schlosser, seconded by Robin Norcross, to authorize a contract with artist Christopher Blay for a public art project at the Coombs Creek Trail Parkway Public Art Project located at the intersection of Kessler Parkway and North Clinton Avenue – Not to exceed \$65,000 – Financing: 2006 Bond Funds [This item was deferred on August 20, 2015], was carried. The vote was unanimous.

BACKGROUND

This action is for approval of a contract for the fabrication and installation for the public art at Coombs Creek Parkway as approved by the Public Art Committee and the Cultural Affairs Commission.

The consulting Engineering Firm of Frank W. Neal and Associates, Inc. has provided the artist with the following:

General Conditions:

- A. Design/wind load
- B. Structure was designed in accordance with the International Building Code, 2012 Edition
- C. All existing conditions shall be field verified

- D. Contractor shall verify all dimensions prior to start of construction.
- E. General contractor shall be responsible for coordination of other trades prior to fabrication and installation of materials.

Site:

- A. Footings shall be placed on undisturbed soil

Location:

- A. The artwork will be installed 120 feet from the creek

Concrete:

- A. Concrete shall have a minimum compressive strength of 3000 PSI at 28 days
- B. Reinforcing steel shall be ASTM grade 60 unless noted otherwise
- C. Lap reinforcing splices #6 and smaller bars
- D. All reinforcement shall be detailed in accordance with the latest ACI detailing manual
- E. Contractor shall coordinate all penetrations, conduit, chamfers and embedded items prior to concrete placement.

The City of Dallas Public Art Ordinance provides that all appropriations for City capital improvement projects shall include an amount equal to 1.5% (or .75%) of the total capital improvement project appropriation to be used for the design services of artists and for the creation of artworks for new City facilities (Dallas City Code Article X, SEC. 2-103(a)). The public art project for Coombs Creek Parkway was included in the list of 2006 Bond Fund Program public art projects approved by City Council on April 23, 2014, Resolution No. 14-0664. The artist Christopher Blay was selected via competitive selection process as directed by the City of Dallas Cultural Policy, and was approved by the Public Art Committee and the Cultural Affairs Commission.

Coombs Creek Trail is part of the Dallas Trail Network Plan offering access to the Trinity River Levee Trails.

Phase I of the trail completed within the last year sits at about 1.5 miles in length with another half mile of soft surface dirt trail on the north end that skirts the edge of a dirt berm and levee spillway for the creek. The trail runs from the Stevens Park Golf Course near the Tennis Courts (south end) and terminates behind the Lone Star Doughnuts Bakery on Beckley (north end). The Coombs Creek Trail affords easier access to the Trinity River Levee than most other routes coming from Oak Cliff.

This action is for approval of a public art design for the Coombs Creek Parkway Public Art Project only.

SCOPE OF PROJECT

Artist or Artist Team, selected by the short-list selection process, has prepared a conceptual design responsive to the following:

- Be highly visible in the landscape,
- Respond to the history, environment, vegetation, fauna or current location within the City of Dallas of the Oak Cliff community and the Coombs Creek Trail.
- Complement the existing elements of the trail landscape and environment
- Be resistant to graffiti and vandalism
- Require little or no maintenance,
- Be free of safety hazards for bikers, hikers and anyone using the trail.
- There is no electrical access at these locations.
- Works need to compete with the trees and the scale needs to be taken into consideration.

Artist's background

- a) The proposed artist currently works in the public realm, has demonstrated past experience and proven technical and aesthetic ability to successfully create artwork responsive to the site and community; and

- b) The proposed artist will employ local contractors from the geographical area surrounding the Dallas/Fort Worth Metroplex, thereby contributing to the quality of life in the region.

The concept design complies with the goals, objects, and eligible criteria of the Public Art Program outlined in the City's Cultural Policy as follows.

- a) The artwork shall be accessible to the public;
- b) The high quality artwork shall enhance the cultural appeal of the city of Dallas.

NON-ACTION ITEMS

Agenda Item 13. Dallas Police Department Update presented by Rick Watson, Deputy Chief of Police.

BRIEFING

Agenda Item 14. Texas Discovery Gardens presented by John Jenkins, Assistant Director, Park and Recreation Department, John Lawrence, Senior Park and Recreation Manager, Park and Recreation Department, and Dick Davis, Executive Director, Texas Discovery Gardens.

NON-ACTION ITEMS

Agenda Item 15. Budget Updates presented by John Jenkins, Assistant Director, Park and Recreation Department.

Agenda Item 16. No committee reports.

Agenda Item 17. 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, Friends of the Katy Trail, Friends of Oak Cliff Parks, Lee Park and Arlington Hall Conservancy, Send A Kid To Camp, State Fair of Texas, Texas Discovery Gardens, Trinity Commons Foundation, Trinity River Audubon Center, White Rock Lake Conservancy/White Rock Lake Foundation/For the Love of the Lake, The Woodall Rodgers Park Foundation

Barbara Barbee: Kidd Springs Park.
Jesse Moreno: Friends of the Santa Fe Trail and Santos Rodriguez Interpretive Sign.
Celina Barajas: Dr. Pepper League.
Becky Rader: White Rock Creek Trail.
Lawrence Jones: Update on State Fair of Texas.

Agenda Item 18. National Recreation and Park Association Congress Reports presented by Amy Monier, Celina Barajas and Jesse Moreno.

Agenda Item 19. Staff Announcements – Upcoming Park and Recreation Department Events.

Daniel Huerta: Fair Park Events.
Jennifer McRorey: Boo-vie Bash.

Agenda Item 20. Vice President Moreno announced the next Park and Recreation Board Regular Meeting on Thursday, November 5, 2015.

Agenda Item 21. Vice President Moreno adjourned the Board meeting at 12:00 p.m.

Dawna M. Ray, Secretary
Park and Recreation Board

Jesse Moreno, Vice 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.