

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: January 10, 2018

COUNCIL DISTRICT(S): 3

DEPARTMENT: Park & Recreation Department

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and program support within the city of Dallas for the period January 1, 2018 through December 31, 2018 – Not to exceed \$58,949 – Financing: General Funds

BACKGROUND

On November 14, 2012, the City entered into a five-year agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas, a nonprofit organization, to manage and operate the Cedar Ridge Preserve. The agreement with Dallas Country Audubon Society, Inc. dba Audubon Dallas requires the execution of a separate funding contract to authorize the stipends payable during the current fiscal year. The funds have been identified and appropriated in the City’s General Fund for FY 2017-18.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 2, 2014, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

On November 12, 2014, City Council authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the city of Dallas for the period January 1, 2015 through December 31, 2015, by Resolution No. 14-1904.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On October 15, 2015, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

Information about this item was provided to the Quality of Life & Environment Committee on November 9, 2015.

On November 10, 2015, City Council authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2016 through December 31, 2016, by Resolution No. 15-2076.

On November 17, 2016, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

Information about this item was provided to the Quality of Life & Environment Committee on December 12, 2016.

On December 14, 2016, City Council authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2017 through December 31, 2017, by Resolution No. 16-1934.

On November 16, 2017, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on January 8, 2018.

FISCAL INFORMATION

General Funds - \$58,949

OWNER

Dallas County Audubon Society, Inc. dba Audubon Dallas

Courtney Vanous, Secretary
Miguel Esparza, Treasurer
Anna Palmer, Vice President, Communications
Tim Willard, Vice President, Conservation
Hal Marshall, Vice President, Field Trips
Lynn Pierce, Vice President, Membership
Lee Kelton, Vice President, Sanctuary
Wood Cantrell, CRP Liaison

January 10, 2018

WHEREAS, on September 20, 2017, City Council authorized the final reading and adoption of appropriation ordinance for the FY 2017-18 City of Dallas Operating, Capital, and Grant & Trust Budgets by Resolution No. 17-1505; 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 FY 2017-18.

Now, Therefore,

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

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

SECTION 2. That the City Manager is hereby authorized to sign a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas, approved as to form by the City Attorney, to provide services and programs within the City of Dallas for the period January 1, 2018 through December 31, 2018, in an amount not to exceed \$58,949.

SECTION 3. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas, approved as to form by the City Attorney.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$58,949 to Dallas County Audubon Society, dba Audubon Dallas from General Fund, Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance/Contract No. PKR-2018-00004520, Vendor 509534, as vouchers are processed by the Park and Recreation Department.

SECTION 5. That services to be provided are to: operate and maintain the Cedar Ridge Preserve, provide access for the general public to 633 acres of escarpment and trails in Southwest Dallas, provide environmental education programs on the ecosystem and presentations at community centers and schools for 12 months.

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.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: January 10, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation Department

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a three-year Interlocal Agreement with the Dallas Independent School District (DISD) to provide aquatic programming at DISD swimming pools, for the period January 1, 2018 through December 31, 2020 - Estimated Annual Revenue: \$2,000

BACKGROUND

In FY 2016-17, the City of Dallas Park and Recreation Department (City) received partial-year funding and entered into a one year Interlocal Agreement to pilot outreach aquatic programming at DISD swimming pools. The program consisted of swimming lessons, water aerobics, open swim, middle and high school swim training and swim coaching clinics during the 2017 spring semester.

The program was successful and received a full year of funding as part of the FY 2017-18 budget process necessitating a new Interlocal Agreement between the City and DISD. Both entities wish to enter into a three-year Interlocal Agreement to continue to offer aquatic outreach programming as follows:

1. Term of the agreement will be three years beginning January 1, 2018 and ending December 31, 2020.
2. The City agrees to:
 - a. Provide certified staff required to administer and conduct the programs.
 - b. Provide the programs during mutually agreed upon hours during DISD's school calendar year, excluding any non-school breaks in conjunction with the districts calendar.
 - c. Provide all supplies and equipment necessary to conduct the programs.
 - d. Conduct program registration.
 - e. Collect and retain all program fees.
 - f. Provide all emergency and rescue equipment required by state and local code.

BACKGROUND (continued)

- g. Market programs to local residents at nearby Park and Recreation Department facilities.
- h. Abide by all DISD Board's Policy Manual rules and regulations.

3. DISD agrees to:

- a. Allow the City to use the Premises (inclusive of the office, storage space, locker room and the pool) in order to implement the programs, at no charge to the City.
- b. Maintain and operate the premises to include all pool filtration equipment, heating and cooling systems, and cleaning and stocking of the restrooms/locker rooms.
- c. Maintain water quality within the limits of state and local code and maintain all chemical test records.
- d. Open and close the premises.
- e. Provide a secure place to store Park and Recreation Department equipment.
- f. Market programs to local residents through nearby district facilities and to middle and high school students throughout the district.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 7, 2017, the Park and Recreation Board authorized a three-year Interlocal Agreement with the Dallas Independent School District (DISD) to provide aquatic programming at DISD swimming pools.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on January 8, 2018.

FISCAL INFORMATION

Estimated Annual Revenue - \$2,000

January 10, 2018

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

WHEREAS, the FY 2017-18 budget adopted by the City Council includes funding for outreach aquatic programs through the Park and Recreation Department's Aquatic Services Division (City) at Dallas Independent School District (DISD) swimming pools during the school year; and

WHEREAS, the City and DISD desire to enter into a three-year Interlocal Agreement to provide aquatic programs consisting of recreational open swim, swimming lessons, water aerobics, middle and high school swim team training and swim coaching clinics beginning in the spring of 2018; and

WHEREAS, DISD has agreed to make its aquatic facilities available free of charge to the City through the Park and Recreation Department for aquatic programs and training during the school 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 City Manager is hereby authorized to sign a three-year Interlocal Agreement with the Dallas Independent School District, approved as to form by the City Attorney, to provide aquatic programming at DISD swimming pools for the period January 1, 2018 through December 31, 2020.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a three-year Interlocal Agreement with the Dallas Independent School District, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit all revenues received into Fund 0001, Department PKR, Unit 5099, Revenue Code 7217, Encumbrance/Contract No. PKR-2018-00004923.

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.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: January 10, 2018

COUNCIL DISTRICT(S): 3

DEPARTMENT: Park & Recreation Department

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a five-year management, maintenance and operating agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas to manage, maintain and operate the Cedar Ridge Preserve, providing accessibility to open space properties and trails located at 7171 Mountain Creek Parkway - Financing: No cost consideration to the City

BACKGROUND

The City, through the Park and Recreation Department, maintains the Cedar Ridge Preserve which consists of approximately 633 acres in size and features approximately 9 miles of trails, native trees, grasses and wildflowers, butterfly gardens, picnic areas, birds, insects and reptiles southwest of the Dallas City Limits. Dallas County Audubon Society, Inc., a Texas nonprofit corporation organized to preserve scenic and ecological principles on native lands and grounds, and wishes to continue to manage the Cedar Ridge Preserve on behalf of the City of Dallas. The Cedar Ridge Preserve has partnered with the City since 2002 for the management, maintenance and operations of the premises. Dallas County Audubon Society, Inc. continues to provide educational opportunities at the Cedar Ridge Preserve working with the community and various volunteer groups, and walk and hike participants. In the past year, the Cedar Ridge Preserve has welcomed an estimated 30,000 visitors and hosted over 2,500 volunteer hours.

In addition to the obligations described, Dallas County Audubon Society, Inc. shall submit an annual Performance Plan for the premises which will identify performance indicators. The annual performance indicators to be included are: conduct a minimum of 1 educational opportunity per month, maintain 60 volunteer hours each month and clear out 4 acres of prairie per year.

BACKGROUND (continued)

Dallas County Audubon Society, Inc. desires to continue to work with the City to support the premises by managing and operating the Cedar Ridge Preserve.

Obligations of the City shall include the following:

1. The term of the contract is five years and allows the City to terminate for convenience.
2. Incorporate easement property granted by Oncor as part of the Cedar Ridge Preserve in accordance with the agreement.
3. Remain responsible for capital improvements or replacement of building systems or components.
4. Have right of entry to every part of the premises for general visitation or carrying out of the duties authorized.
5. Maintain the paved entrance road to the premises, defined as the roadway adjacent to Mountain Creek Parkway to the beginning of the main parking lot of the premises, excluding any and all unimproved parking areas along the paved entrance road.

Obligations of Dallas County Audubon Society, Inc. shall include the following:

1. Be responsible for the general maintenance of the premises including plantings, mowing, trimming, litter pickup, weeding, plant replacement, and repair, as necessary.
2. Employ personnel necessary for the operation and maintenance of the premises.
3. Provide all materials, tools and equipment in performing the operation and maintenance of the premises.
4. Pay for all utilities related to the premises.
5. Furnish reports and information to the City at prescribed intervals and as reasonably requested.
6. Be responsible for its volunteers, if any.
7. Comply with all applicable Park and Recreation Board policies, City ordinances, licenses, permits and authorizations for the maintenance and operation of the premises.
8. Be responsible for scheduling events on the premises, ensuring that all events it conducts are consistent with the use of the premises for park purposes.
9. Provide joint educational projects with Park in the Woods Recreation Center, with Oncor right-of-way access granted.

BACKGROUND (continued)

Obligations of Dallas County Audubon Society, Inc. (continued)

10. Retain all revenues generated from the operation of the premises.
11. Comply with all state and federal environmental laws applicable to the use and maintenance of the premises.
12. Obtain and maintain insurance as prescribed by the City's Office of Risk Management, naming the City, its officers, employees and elected representatives as additional insured parties.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 21, 2002, the Park and Recreation Board authorized a ten-year management agreement with Dallas County Audubon Society, Inc., dba Audubon Dallas.

On December 11, 2002, City Council authorized a ten-year management agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas by Resolution No. 02-3547.

On November 16, 2017, the Park and Recreation Board authorized a five-year operation and management agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on January 8, 2018.

FISCAL INFORMATION

No cost consideration to the City.

January 10, 2018

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 Charter requires that the City Council shall approve any contract which exceeds one year in duration; and

WHEREAS, the City of Dallas (City) is the owner of a tract of land known as the Cedar Ridge Preserve in extreme southwest Dallas, as depicted on Exhibit A; and

WHEREAS, the City has entered into an Open Space Use Agreement with the County of Dallas (the County) for a period of 99 years for certain tracts of real property located contiguous with, or in close proximity to, the Cedar Ridge Preserve, which are further described in Exhibit B of this Agreement (Open Space Properties); and

WHEREAS, the City seeks to preserve the Open Space Properties and the Cedar Ridge Preserve (collectively referred to as the Premises) in an undisturbed and undeveloped state on behalf of the County and for the benefit of the citizens of Dallas; and

WHEREAS, Dallas County Audubon Society, Inc. dba Audubon Dallas organized to preserve scenic and ecological values on native lands and grounds managed the Premises on behalf of the City in the past and now wish to enter into a new Agreement; and

WHEREAS, the City hereby authorizes Dallas County Audubon Society, Inc. dba Audubon Dallas to manage the Premises in accordance with this Agreement.

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 sign a five-year management, maintenance and operating agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas, approved as to form by the City Attorney, to manage, maintain and operate the Cedar Ridge Preserve located at 7171 Mountain Creek Parkway, providing accessibility to open space properties and trails.

January 10, 2018

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a five-year management, maintenance and operating agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas, approved as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for a term of five years.

SECTION 4. That this contract is designated as Contract No. PKR-2018-00004879.

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.