



City of Dallas

PARK AND RECREATION BOARD AGENDA

**THURSDAY, MARCH 10, 2016
DALLAS CITY HALL
1500 MARILLA STREET, ROOM 6FN
DALLAS, TEXAS 75201
214-670-4078**

**9:00 am: Administration and Finance Committee, Room 6FS
9:00 am: Planning and Design Committee, Room 6FN
10:00 am: Park and Recreation Board, Room 6FN**

MEMORANDUM

RECEIVED

2016 FEB 29 PH 2: 53



DATE: February 29, 2016

CITY SECRETARY
DALLAS, TEXAS

TO: Members of the Administration and Finance Committee of the Dallas Park and Recreation Board:
Rodney Schlosser, Chair; Raquel A. Rollins, Co-Chair
Barbara A. Barbee, Lawrence S. Jones, Jesse Moreno, Susan Rader, Marlon Rollins

SUBJECT: Notice of Meeting – Thursday – March 10, 2016 – 9:00 a.m.
Dallas City Hall – 1500 Marilla Street – Room 6FS - Dallas, Texas 75201

A meeting of the Administration and Finance Committee of the Dallas Park and Recreation Board is scheduled on Thursday, March 10, 2016 at Dallas City Hall, 1500 Marilla Street, Room 6FS, Dallas, Texas 75201 at 9:00 a.m.

AGENDA

ACTION ITEMS

PARK BOARD AGENDA ITEM NO. 3 – Reverchon Park (2) – Consider an alcohol permit request for Katie Purell, with the Rise School, to serve alcohol at a run to be held at Reverchon Park located at 3505 Maple Avenue, on Sunday, April 23, 2016 from 6:00 a.m. - 12:00 p.m. – Estimated Revenue: \$1,250

PARK BOARD AGENDA ITEM NO. 4 – Cedar Crest Golf Course (4) – Consider an amendment to the one-hundred-twenty-six-month concessions contract with Ira McGraw, dba IAMJ Enterprises, Inc., to define roles, responsibilities and compensation as a result of the closure of the Cedar Crest Golf Course and Banquet Facility located at 1800 Southerland Avenue – Not to exceed \$239,925 – Financing: Golf Improvement Funds

NON-ACTION ITEMS

1. Park Partnership Agreement Update (continued)


Dawna M. Ray, Secretary
Park and Recreation Board

c: Dallas Park and Recreation Board Members
Willis C. Winters, Director, Park and Recreation Board
John D. Jenkins, Deputy Director, Park and Recreation Department
Christine Lanners, Assistant City Attorney



DATE: February 29, 2016

TO: Members of the Administration and Finance Committee of the Dallas Park and Recreation Board:
Rodney Schlosser, Chair; Raquel A. Rollins, Co-Chair
Barbara A. Barbee, Lawrence S. Jones, Jesse Moreno, Susan Rader, Marlon Rollins

SUBJECT: Notice of Meeting – Thursday – March 10, 2016 – 9:00 a.m.
Dallas City Hall – 1500 Marilla Street – Room 6FS - Dallas, Texas 75201

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"A quorum of the Dallas Park and Recreation Board may attend this Dallas Park and Recreation Board Sub-Committee meeting."

RECEIVED

MEMORANDUM

2016 FEB 29 PH 2: 54

CITY SECRETARY
DALLAS, TEXAS



DATE: February 29, 2016

TO: Members of the Planning and Design Committee of the Dallas Park and Recreation Board:
Amy W. Monier, Chair; Sean Johnson, Co-Chair
Celina Barajas, Lawrence P. Hochberg, Paul Sims, Robb P. Stewart,
Yolanda F. Williams

SUBJECT: Notice of Meeting – Thursday – March 10, 2016 – 9:00 a.m.
Dallas City Hall – 1500 Marilla Street – Room 6FN – Dallas, Texas 75201

A meeting of the Planning and Design Committee of the Dallas Park and Recreation Board is scheduled on Thursday, March 10, 2016 at Dallas City Hall, 1500 Marilla Street, Room 6FN, Dallas, Texas 75201 at 9:00 a.m.

AGENDA

ACTION ITEMS

PARK BOARD AGENDA ITEM NO. 5 – Fair Oaks Tennis Center (10), Fretz Tennis Center (11), Kiest Tennis Center (4), L.B. Houston Tennis Center (6) – Consider a contract for tennis court resurfacing at Fair Oaks Tennis Center located at 7501 Merriman Parkway, Fretz Tennis Center located at 6998 Beltline Road, Kiest Tennis Center located at 2324 West Kiest Boulevard, and L.B. Houston Tennis Center located at 11225 Luna Road – Hellas Construction, Inc., lowest responsible bidder of two – Not to exceed \$390,940 – Financing: Current Funds (PKR-2016-00000365)

PARK BOARD AGENDA ITEM NO. 6 – Robert E. Lee Park (14) – Consider a contract for renovation of historic roque courts at Robert E. Lee Park located at 3400 Turtle Creek Boulevard – Henneberger Construction, Inc., lowest responsible bidder of two – Not to exceed \$353,682 – Financing: 2006 Bond Funds (\$322,682) and 2003 Bond Funds (\$31,000) (PKR-2016-00000385)

PARK BOARD AGENDA ITEM NO. 7 – Runyon Creek Trail (3,8) – Consider a contract for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road – Northstar Construction, LLC, lowest responsible bidder of two – Not to exceed \$2,497,700 – Financing: General Obligation Commercial Paper Funds (PKR-2016-00000386)

PARK BOARD AGENDA ITEM NO. 8 – Kidd Springs Park (1) – Consider proceeding with advertisement for construction procurement for dam safety and shoreline improvements for the pond at Kidd Springs Park located at 700 West Canty Street – Estimated Cost: \$660,000 – Financing: 2006 Bond Funds



DATE: February 29, 2016

TO: Members of the Planning and Design Committee of the Dallas Park and Recreation Board:
Amy W. Monier, Chair; Sean Johnson, Co-Chair
Celina Barajas, Lawrence P. Hochberg, Paul Sims, Robb P. Stewart,
Yolanda F. Williams

SUBJECT: Notice of Meeting – Thursday – March 10, 2016 – 9:00 a.m.
Dallas City Hall – 1500 Marilla Street – Room 6FN – Dallas, Texas 75201


Dawna M. Ray, Secretary
Park and Recreation Board

c: Dallas Park and Recreation Board Members
Willis C. Winters, Director, Park and Recreation Department
Louise Elam, Interim Assistant Director, Park and Recreation Department
Christine Lanners, Assistant City Attorney
Rosa A. Rios, City Secretary

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"A quorum of the Dallas Park and Recreation Board may attend this Dallas Park and Recreation Board Sub-Committee meeting."

MEMORANDUM

RECEIVED

2016 FEB 29 PM 3:40

CITY SECRETARY
DALLAS, TEXAS



DATE: February 29, 2016

TO: Max W. Wells, President, and
Members of the Dallas Park and Recreation Board

SUBJECT: Notice of Regular Meeting – Thursday – March 10, 2016 – 10:00 a.m.
Dallas City Hall – 1500 Marilla Street – Room 6FN – Dallas, Texas 75201

A Regular Meeting of the Dallas Park and Recreation Board is scheduled on Thursday, March 10, 2016 at Dallas City Hall, 1500 Marilla Street, Room 6FN, Dallas, Texas 75201 at 10:00 a.m. A copy of the revised agenda is attached.


Dawna M. Ray, Secretary
Park and Recreation Board

c: Barbara A. Barbee, Park Boardmember, Council District 1
Jesse Moreno, Vice President, Council District 2
Marlon Rollins, Park Boardmember, Council District 3
Lawrence P. Hochberg, Park Boardmember, Council District 4
Yolanda F. Williams, Park Boardmember, Council District 5
Celina Barajas, Park Boardmember, Council District 6
Sean Johnson, Park Boardmember, Council District 7
Raquel A. Rollins, Park Boardmember, Council District 8
Susan Rader, Park Boardmember, Council District 9
Robb P. Stewart, Park Boardmember, Council District 10
Amy W. Monier, Park Boardmember, Council District 11
Rodney Schlosser, Park Boardmember, Council District 12
Lawrence S. Jones, Park Boardmember, Council District 13
Paul Sims, Park Boardmember, Council District 14
Willis C. Winters, Director, Park and Recreation Department
John D. Jenkins, Deputy Director, Park and Recreation Department
Christine Lanners, Assistant City Attorney
Rosa A. Rios, City Secretary

REVISED
DALLAS PARK AND RECREATION BOARD AGENDA
DALLAS CITY HALL
1500 MARILLA STREET, ROOM 6FN
DALLAS, TEXAS 75201
THURSDAY, MARCH 10, 2016
(10:00 A.M.)

RECEIVED
2016 FEB 29 PM 3:40
CITY SECRETARY
DALLAS, TEXAS

MEETINGS:

9:00 am: Administration and Finance Committee, Dallas City Hall, Room 6FS
9:00 am: Planning and Design Committee, Dallas City Hall, Room 6FN
10:00 am: Park and Recreation Board, Dallas City Hall, Room 6FN
(Public Speakers sign in by 9:30 a.m.)

1. Speakers

MINUTES

2. Approval of Minutes of the February 18, 2016 Park and Recreation Board Meeting

CONSENT AGENDA (ITEMS 3 – 8)

ADMINISTRATION AND FINANCE COMMITTEE – MISCELLANEOUS

3. Reverchon Park (2) – Authorize an alcohol permit request for Katie Purell, with the Rise School, to serve alcohol at a run to be held at Reverchon Park located at 3505 Maple Avenue, on Sunday, April 23, 2016 from 6:00 a.m. - 12:00 p.m. – Estimated Revenue: \$1,250
4. Cedar Crest Golf Course (4) – Authorize an amendment to the one-hundred-twenty-six-month concessions contract with Ira McGraw, dba IAMJ Enterprises, Inc. to define roles, responsibilities and compensation as a result of the closure of the Cedar Crest Golf Course and Banquet Facility located at 1800 Southerland Avenue – Not to exceed \$239,925 – Financing: Golf Improvement Funds

PLANNING AND DESIGN COMMITTEE – CONTRACT AWARDS

5. Fair Oaks Tennis Center (10), Fretz Tennis Center (11), Kiest Tennis Center (4), L.B. Houston Tennis Center (6) – Authorize a contract for tennis court resurfacing at Fair Oaks Tennis Center located at 7501 Merriman Parkway, Fretz Tennis Center located at 6998 Beltline Road, Kiest Tennis Center located at 2324 West Kiest Boulevard, and L.B. Houston Tennis Center located at 11225 Luna Road – Hellas Construction, Inc., lowest responsible bidder of two – Not to exceed \$390,940 – Financing: Current Funds (PKR-2016-00000365)
6. Robert E. Lee Park (14) – Authorize a contract for renovation of historic roque courts at Robert E. Lee Park located at 3400 Turtle Creek Boulevard – Henneberger Construction, Inc., lowest responsible bidder of two – Not to exceed \$353,682 – Financing: 2006 Bond Funds (\$322,682) and 2003 Bond Funds (\$31,000) (PKR-2016-00000385)

DALLAS PARK AND RECREATION BOARD REVISED AGENDA – PAGE 2
DALLAS CITY HALL, 1500 MARILLA STREET, ROOM 6FN
DALLAS, TEXAS 75201
THURSDAY, MARCH 10, 2016
(10:00 A.M.)

CONSENT AGENDA (CONTINUED)

PLANNING AND DESIGN COMMITTEE – CONTRACT AWARDS

7. Runyon Creek Trail (3,8) – Authorize a contract for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road – Northstar Construction, LLC, lowest responsible bidder of two – Not to exceed \$2,497,700 – Financing: General Obligation Commercial Paper Funds (PKR-2016-00000386)

PLANNING AND DESIGN COMMITTEE – PLANS AND SPECIFICATIONS

8. Kidd Springs Park (1) – Authorize proceeding with advertisement for construction procurement for dam safety and shoreline improvements for the pond at Kidd Springs Park located at 700 West Canty Street – Estimated Cost: \$660,000 – Financing: 2006 Bond Funds

PARK AND RECREATION BOARD – MARKETING COMMITTEE

9. Strategic Communications and Marketing Plan Briefing:
Daniel Huerta, Assistant Director, Park and Recreation Department
10. Park and Recreation Department (All) – Authorize approval of the Strategic Communications and Marketing Plan – Financing: No cost consideration to the City [Marketing Committee consideration on February 18, 2016]

ITEM FOR INDIVIDUAL CONSIDERATION

ADMINISTRATION AND FINANCE COMMITTEE - MISCELLANEOUS

11. Park and Recreation Department (All) – Authorize recommendation to the Dallas City Council to amend Chapters 32 and 41 of the Dallas City Code to prohibit smoking on park grounds, without exceptions – Financing: This action has no cost consideration to the City [This item was deferred by the full Board on December 17, 2015; Committee discussion on January 7, 2016, January 21, 2016, February 4, 2016; Committee consideration on February 18, 2016]

NON-ACTION ITEM

12. Recent Police Activity in the Park System:
Rick Watson, Deputy Chief, Dallas Police Department

DALLAS PARK AND RECREATION BOARD REVISED AGENDA – PAGE 3
DALLAS CITY HALL, 1500 MARILLA STREET, ROOM 6FN
DALLAS, TEXAS 75201
THURSDAY, MARCH 10, 2016
(10:00 A.M.)

BRIEFINGS

13. Feral Hogs: Concerns, Challenges and Controls:
Oscar Carmona, Assistant Director, Park and Recreation Department
14. Smart Growth for Dallas:
Willis Winters, Director, Park and Recreation Department
15. FY2016/17 Budget Update:
John Jenkins, Deputy Director, Park and Recreation Department

OTHER/NON-ACTION ITEMS

16. Committee Reports
17. Trinity Standing Wave Update
18. Dallas Aquatics Master Plan - Public Meeting Update
19. Texas Recreation and Parks Society Institute Reports
20. 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
21. Staff Announcements – Upcoming Park and Recreation Department Events
22. Next Park and Recreation Board Regular Meeting: Thursday, April 7, 2016
23. Adjournment

DALLAS PARK AND RECREATION BOARD REVISED AGENDA – PAGE 4
DALLAS CITY HALL, 1500 MARILLA STREET, ROOM 6FN
DALLAS, TEXAS 75201
THURSDAY, MARCH 10, 2016
(10:00 A.M.)

A closed session may be held if the deliberation on any agenda item concerns one of the following:

1. Contemplated or pending litigation or matters where legal advice is requested of the City Attorney. Section 551.071 of Texas Open Meetings Act (T.O.M.A.)
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the T.O.M.A.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the T.O.M.A.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the T.O.M.A.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the T.O.M.A. Deliberations regarding Economic Development negotiations. Section 551.087 of the T.O.M.A.
6. Deliberations regarding Economic Development negotiations. Section 551.087 of the T.O.M.A.

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

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 10:00 a.m. A quorum of the Board was present.

Agenda Item 1. Speakers:

1. Cynthia Mulcahy regarding Interpretive Signage for Historic Negro Parks.
2. Tamika Morris regarding Interpretive Signage for Historic Negro Parks.
3. Erica Stephens Interpretive Signage for Historic Negro Parks [Not Present].
4. Lauren Woods regarding Interpretive Signage for Historic Negro Parks.
5. Thomas Cantu: Main Street Garden Park and Downtown Dallas Incorporated.

President Wells and Willis Winters, Director, Park and Recreation Department presented a proclamation to Jennifer Lea McRorey, Assistant Director for her years of service with the Park and Recreation Department.

WHEREAS, on March 1, 2016 Jennifer Lea McRorey is retiring from the City of Dallas Park and Recreation Department after 29 years of distinguished service; and

WHEREAS, Jennifer Lea McRorey worked at several recreation centers including Harry Stone, Samuell-Grand, Exall, and Ridgewood-Belcher, and has served in numerous professional positions including Recreation Leader, Center Manager, Community Program Coordinator, District Manager and Manager of L.B. Houston Golf Course; and

WHEREAS, in 2012 Jennifer Lea McRorey was promoted to Assistant Director of the newly created Recreation Services Division of the Dallas Park and Recreation Department where she directed recreation, wellness, social, athletics, educational and events programming at over 40 recreation centers, elementary schools, and Send A Kid To Camp sites; and

WHEREAS, Jennifer Lea McRorey along with her staff implemented recreation program standards, expanded programming for senior citizens in recreation centers, re-introduced special events programming to City Hall Plaza, restored hours at recreation centers, increased the number of outreach programs to youth including the Mayor's Youth Fitness Initiative (MyFi), and elevated the annual Crawford Park Egg Hunt and Senior Mother's Day Celebration to signature events for the department; and

WHEREAS, Jennifer Lea McRorey is recognized as a consummate leisure professional and the department's "voice" for the provision of quality recreation services and programs for persons of all ages in all communities; and

WHEREAS, Jennifer Lea McRorey is celebrated by those who worked for her and with her as a servant leader who inspires, motivates, teaches and mentors others and will be remembered for her passion, wisdom, determination, loyalty, creativity, sense of humor and spirit; and

WHEREAS, Jennifer Lea McRorey has advanced recreation services to a position of pride and prominence and has left to the citizens of Dallas and Park and Recreation Department a legacy of programming excellence with the initiation of the department's first-ever Recreation Master Plan. Now, Therefore,

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

Section 1. That sincere appreciation is extended to Jennifer Lea McRorey for her years of devoted and tireless work so generously given to the Park and Recreation Department and the citizens of Dallas.

Section 2. That the Park and Recreation Board commends Jennifer Lea McRorey for her distinguished service and wishes her continued success and happiness.

MINUTES

Agenda Item 2. A motion by Sean Johnson, seconded by Barbara Barbee, for approval of Minutes of the February 4, 2016 Park and Recreation Board Meeting, was carried. The vote was unanimous.

CONSENT AGENDA (ITEMS 3 - 7)

PLANNING AND DESIGN COMMITTEE – CONTRACT AWARDS

Agenda Item 3. Park and Recreation Department (All) – A motion by Rodney Schlosser, seconded by Lawrence Jones, to authorize a three-year master agreement for the purchase of fertilizer with BWI Dallas/Fort Worth in the amount of \$201,526.73, Greensmiths, Inc. in the amount of \$194,052.00, Harrell's, LLC in the amount of \$110,707.50, Helena Chemical Co. in the amount of \$98,007.50, Winfield Solutions, LLC in the amount of \$91,544.52, Turfgrass Solutions, Inc. in the amount of \$79,190.00, Turf Care of Texas, LLC in the amount of \$77,485.00, N-Gulf, LLC dba Ameriturf in the amount of \$69,930.00, LCS Lawn Care Supply, Inc. in the amount of \$17,332.20, and SiteOne Landscape Supply in the amount of \$10,042.80, lowest responsive and responsible bidders of ten - Total award not to exceed \$949,818.25 – Financing: Current Funds (subject to annual appropriations), was carried. The vote was unanimous.

WHEREAS, on February 12, 2014, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on lines 6, 7, 8, 9, 11, 12, 23, 25, 39, 40, 41, 42, 43, 44 and 45, for bid BP1404, for a two-year master agreement for the purchase of granulated and liquid fertilizer by Resolution No. 14-0338; and,

WHEREAS, on February 26, 2014, City Council authorized a two-year master agreement for granulated and liquid fertilizer by Resolution No. 14-0366; and,

WHEREAS, on February 10, 2016, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on lines 17, 18, 19, 20, 22, 23, 24, 73, 74, 75, 76, 77, 79 and 139, for bid BA1602, for a three-year master agreement for the purchase of granulated and liquid fertilizer by Resolution No. 16-0307;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That a master agreement for the purchase of granular and liquid fertilizer for use throughout the City is authorized with Greensmiths, Inc. (269732) in the amount of \$194,052.00, BWI-Dallas/Ft. Worth (501400) in the amount of \$201,526.73, Harrell's, LLC (VC0000013094) in the amount of \$110,707.50, Helena Chemical Company (351406) in the amount of \$98,067.50, Turfgrass Solutions, Inc. (VS0000021981) in the amount of \$79,190.00, Turf Care of Texas, LLC (VS0000019543) in the amount of \$77,935.00, N-Gulf, LLC dba Ameriturf (VS0000045957) in the amount of \$69,930.00, Winfield Solutions LLC (VC0000009702) in the amount of \$91,544.52, LCS Lawn Care Supply, Inc. (VC13911) in the amount of \$17,332.20 and SiteOne Landscape Supply, LLC (VS0000077016) in the amount of \$10,042.80, for a term of three years in a total amount not to exceed \$950,328.25.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for granular and liquid fertilizers. If a written contract is required or requested for any or all purchases of granular and liquid fertilizers under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$950,328.25 from Master Agreement number BA1602.

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.

Agenda Item 4. Fair Park (7) – A motion by Rodney Schlosser, seconded by Lawrence Jones, to authorize designation of temporary off-leash site in the Cotton Bowl Stadium at Fair Park located at 3924 Martin Luther King Jr. Boulevard for the Seventh Annual Dog Bowl Event on Sunday, April 3, 2016 – Estimated Revenue: \$5,000, was carried. The vote was unanimous.

BACKGROUND

In August of 2000, the Park and Recreation Board directed staff to pursue the future development of off-leash sites throughout the City of Dallas. Ordinance # 8019, Section 32-6 of the Dallas City Code was modified in late 2000 to include a provision allowing dogs to run off-leash in Park Board approved off-leash parks. Park Board approval is required to designate the Cotton Bowl Stadium as an off-leash site on April 3, 2016 from 1:00 p.m. – 5:00 p.m. Rules governing off-leash sites will be prominently posted for compliance by all participants.

The Fair Park Comprehensive Development Plan, adopted in 2003, outlines objectives for the park including creating a signature public park, activating the park with new programs and uses, encouraging economic vitality and enhancing connectivity with the greater Dallas community. In an effort to help meet these objectives, Friends of Fair Park and the Fair Park campus members are presenting “The Dog Bowl”, promotional events on April 3, 2016. The events will include live entertainment, giveaways, exhibits and activities including a variety of pet product vendors offering the latest tips and trends in the dog world. This event will bring thousands of people to Fair Park creating additional activity and increased exposure to the Fair Park museums and attractions.

The section of the Dallas City Code addressing off-leash sites for dogs reads as follows:
Dallas City Code SEC. 32-6.1. OFF-LEASH SITES FOR DOGS.

(a) In this section:

(1) OFF-LEASH SITE means an enclosed area designated by the park board in which dogs are allowed to run at large without being secured by a leash or other restraint.

(2) DANGEROUS DOG has the meaning given that term in Section 822.041 of the Texas Health and Safety Code, as amended.

(b) The park board is authorized to establish off-leash sites for dogs within designated areas of the city's parks and recreational areas. Signs designating an area as an off-leash site must be conspicuously posted at each entrance to the site.

(c) The park board may promulgate regulations, not inconsistent with this section, that govern off-leash sites for dogs. Such regulations must be conspicuously posted at each entrance to an off-leash site. The regulations must include, but are not limited to, the following:

(1) No person may bring into an off-leash site:

(A) a dangerous dog;

- (B) a female dog in heat;
 - (C) more than three dogs at one time; or
 - (D) a dog that is not wearing tags showing that it is currently registered and vaccinated in compliance with Chapter 7 of this code.
- (2) Any person who brings a dog into an off-leash site shall:
- (A) carry materials and implements for removing and disposing of dog excreta and remove all excreta deposited by the dog in the off-leash site, in compliance with Section 7-21.2 of this code;
 - (B) lead the dog on a leash and retain the dog in custody when entering and exiting an off-leash site;
 - (C) keep the dog under visual and voice control at all times while in the off-leash site;
 - (D) fill any hole that the dog digs in the off-leash site; and
 - (E) remove the dog from the off-leash site at the first sign of aggression by the dog.
- (3) Any person who brings a child under 12 years of age into an off-leash site shall keep the child under strict supervision
- (d) A person commits an offense, punishable by a fine of up to \$2,000, if he fails to comply with any regulation:
- (1) set forth in Subsection (c) of this section; or
 - (2) promulgated by the park board pursuant to Subsection (c) and posted at the off-leash site.
- (e) Use of an off-leash site by any dog constitutes:
- (1) implied consent of the owner, harbored, or person having care, custody, or control of the dog to comply with all conditions and regulations stated in this section or promulgated by the park board and posted at the off-leash site; and
 - (2) a waiver of liability to the city by the owner, harbored, or person having care, custody, or control of the dog, and an agreement and undertaking to protect, indemnify, defend, and hold the city harmless, for any injury or damage caused by the dog during any time that the dog is in the off-leash site. (Ord. 24482)

Park Board consideration to designate the Cotton Bowl Stadium as an off-leash site on April 3, 2016 from 1:00 p.m. to 5:00 p.m. is being requested.

PLANNING AND DESIGN COMMITTEE – CONTRACT AWARDS

Agenda Item 5. Buckner Park (2) – A motion by Amy Monier, seconded by Lawrence Hochberg, to authorize **(1)** the receipt and deposit of funds in the amount \$692,744 in the Capital Gifts, Donation and Development Fund; **(2)** the establishment of appropriations in the Capital Gifts, Donation and Development Fund in the amount of \$692,744; and **(3)** a contract for improvements at Buckner Park located at 4550 Worth Street - MART, Inc., lowest responsible bidder of seven - Not to exceed \$1,935,506 - Financing: Buckner Park Funds (\$381,348), Capital Gifts, Donation and Development Funds (\$692,744), 2006 Bond Funds (\$268,606) and General Obligation Commercial Paper Funds (\$592,808) [PKR-2016-00000115], was carried. The vote was unanimous.

WHEREAS, on January 8, 2016, seven bids were received for improvements to include a tennis court, basketball court, small pavilion, playground, site furnishings, landscaping and irrigation. In addition as part of this contract and funded by the Dallas Independent School District (DISD) the project will include the construction of a drop-off area and new parking on land recently purchased by DISD adjacent to Ignacio Zaragoza Elementary School at Buckner Park located at 4550 Worth Street.

<u>Bidders</u>	<u>Base Bid</u>	<u>Alternate No. 11**</u>	<u>Total Bid</u>
MART, Inc.	\$1,842,612.00	\$92,894.04	\$1,935,506.04
Schmoltd Construction, Inc.	\$2,009,510.00	\$99,611.46	\$2,109,121.46
Northstar Construction, LLC	\$2,027,300.00	\$101,000.00	\$2,128,300.00
The Fain Group, Inc.	\$2,069,422.00	\$106,524.00	\$2,175,946.00
Wall Enterprises	\$2,154,300.00	\$106,500.00	\$2,260,800.00
A S Con, Inc.			***Withdraw
J.C. Commercial, Inc.			***Non-responsive

**Alternate No. 11 - provides for installation of playground equipment by Landscape Structures.

***A S Con, Inc. withdrew their bid due to calculation errors within their bid proposal.

***J.C. Commercial, Inc. was deemed non-responsive for not completing their bid proposal.

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 MART, Inc. for improvements to include a tennis court, basketball court, small pavilion, playground, site furnishings, landscaping and irrigation. In addition as part of this contract and funded by the Dallas Independent School District (DISD) the project will include the construction of a drop-off area and new parking on land recently purchased by DISD adjacent to Ignacio Zaragoza Elementary School at Buckner Park, in an amount not to exceed \$1,935,506.04.

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

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,935,506.04, as follows:

Buckner Park Fund Fund 0468, Department PKR, Unit K129, Object 4599 Activity COPK, Program PK03K129.1, CT-PKR16019536 Commodity 91200, Vendor 500027	\$381,348.00
Capital Gifts, Donation and Development Fund Fund 0530, Department PKR, Unit K129, Object 4599 Activity COPK, Program PK03K129.1, CT-PKR16019536 Commodity 91200, Vendor 500027	\$692,744.04
(2006) Park and Recreation Facilities Improvement Fund Fund 1T00, Department PKR, Unit K129, Object 4599 Activity COPK, Program PK03K129.1, CT-PKR16019536 Commodity 91200, Vendor 500027	\$110,792.34
(2006) Park and Recreation Facilities Improvement Fund Fund 3T00, Department PKR, Unit K129, Object 4599 Activity COPK, Program PK03K129.1, CT-PKR16019536 Commodity 91200, Vendor 500027	\$106,842.22
(2006) Park and Recreation Facilities Improvement Fund Fund 7T00, Department PKR, Unit K129, Object 4599 Activity COPK, Program PK03K129.1, CT-PKR16019536 Commodity 91200, Vendor 500027	\$17,576.58

(2006) Park and Recreation Facilities Improvement Fund
Fund 8T00, Department PKR, Unit K129, Object 4599
Activity COPK, Program PK03K129.1, CT-PKR16019536
Commodity 91200, Vendor 500027 \$27,052.70

(2006) Park and Recreation Facilities Improvement Fund
Fund 9T00, Department PKR, Unit K129, Object 4599
Activity COPK, Program PK03K129.1, CT-PKR16019536
Commodity 91200, Vendor 500027 \$6,342.52

General Obligation Commercial Paper Fund
Fund 4T00, Department PKR, Unit K129, Object 4599
Activity COPK, Program PK03K129.1, CT-PKR16019536
Commodity 91200, Vendor 500027 \$592,807.64

Total amount not to exceed \$1,935,506.04

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.

PLANNING AND DESIGN COMMITTEE - MISCELLANEOUS

Agenda Item 6. Dallas Zoo (4) – A motion by Amy Monier, seconded by Lawrence Hochberg, to authorize a public hearing to be held on April 27, 2016 to receive comments on the proposed use of a portion of the Dallas Zoo located at 550 East Clarendon Drive, totaling approximately 116,015 square feet of land, as required by plat – Financing: No cost consideration to the City, was carried. The vote was unanimous.

WHEREAS, the City of Dallas owns land in southwest Dallas known as the Dallas Zoo, which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, the Dallas Zoo is currently platting the southwest section of the Zoo, referred to as the Wilds of Africa, to create one lot from platted and unplatted land for current and future development and is required to dedicate a portion of the land for drainage and floodway easements totaling approximately 116,015 square feet of land as needed by the City for public storm sewer lines and floodplain protection, as shown on Exhibit A, and the Park and Recreation Board is agreeable to providing the property for this use; 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 the dedication of a portion of the Dallas Zoo to TxDOT.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND 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 April 27, 2016.

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 parkland, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

SECTION 3. 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. Runyon Creek Trail (8) – A motion by Amy Monier, seconded by Lawrence Hochberg, to authorize an application for a Recreational Trail Grant in the amount of \$200,000 from the Texas Parks and Wildlife Department for development of the Runyon Creek Trail project located at 1900 East Camp Wisdom Road – Financing: No cost consideration to the City, was carried. The vote was unanimous.

WHEREAS, the United States Congress has passed the Land and Water Conservation Fund Act of 1965 (Public Law 88-578) authorizing the Secretary of the Interior to provide financial assistance to states, and political subdivisions thereof, for outdoor recreation purposes; and

WHEREAS, the Texas Legislature has approved the Park and Wildlife Code, Section 131.309 authorizing the State of Texas, and its political subdivisions, to participate in the Federal program established under said Public Law 88-578, or such other programs as are hereinafter established by the Federal Government; and

WHEREAS, the Texas Legislature has approved the Parks and Wildlife Code, Section 24.005 for the purpose of allowing the political subdivisions of the State of Texas to participate in the Texas Recreation and Parks Account Program; and

WHEREAS, the City of Dallas is fully eligible to receive assistance under these programs; and

WHEREAS, the applicant is desirous of authorizing an official to represent and act for the applicant in dealing with the Texas Parks and Wildlife Department concerning these programs.

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, Texas hereby certifies that it is eligible to receive assistance under these programs.

SECTION 2. That the City of Dallas, Texas hereby certifies that the matching share for this application is available through the 2012 Bond Program.

SECTION 3. That the City of Dallas, Texas hereby authorizes and directs the Director of the Park and Recreation Department to represent and act for the City in dealing with the Texas Parks and Wildlife Department and is hereby officially designated as the representative in this regard.

SECTION 4. That the City of Dallas, Texas hereby specifically authorizes the Park and Recreation Department to make application to the Texas Parks and Wildlife Department concerning the site known as the Runyon Creek Trail in the Runyon Creek Greenbelt in the City of Dallas for use as a trail.

SECTION 5. That the City Manager be and is hereby authorized to apply for reimbursable grant funds in the amount of \$200,000 from the Texas Parks and Wildlife Department and to execute any and all documents required by the grant.

SECTION 6. That it is the intent of the City Council of the City of Dallas, Texas that all operating funds required for the Runyon Creek Trail project be appropriated and funded as needed for operating costs.

SECTION 7. 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 8. Recent Police Activity in the Parks System presented by Rick Watson, Deputy Chief, Dallas Police Department.

BRIEFINGS

Agenda Item 9. Downtown Parks Update presented by Willis Winters, Director, Park and Recreation Department.

Agenda Item 10. Consultant and Contractor Procurement and Contract Amendments presented by Louise Elam, Interim Assistant Director, Park and Recreation Department.

OTHER/NON-ACTION ITEMS

Agenda Item 11. Status on the Trinity River Standing Wave presented by Willis Winters, Director, Park and Recreation Department.

Agenda Item 12. Committee reports:

Lawrence Jones: Aquatics Facilities Master Plan (Public Meetings).

Yolanda Williams: Marketing Committee (Master Plan).

Agenda Item 13. 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.

Lawrence Hochberg: Lee Park and Arlington Hall Conservancy.

Agenda Item 14. Staff Announcements – Upcoming Park and Recreation Department Events:

Oscar Carmona: It's My Park Day.

Crystal Ross: Open House and Egg Hunt Extravaganza; Senior Program Meetings; Jennifer McRorey's Retirement Celebration.

Willis Winters: Texas Recreation and Park Society Lone-Star Award for Reverchon Park; Southwest Park and Recreation Training Institute Award for Stone Tables Restoration at White Rock Lake; Dallas Zoo Groundbreaking for Simmons Hippo Outpost Project; Commission for Accreditation of Park and Recreation Agencies Update (CAPRA).

Ryan O'Connor: Commission for Accreditation of Park and Recreation Agencies Update (CAPRA).

Agenda Item 15. President Wells announced the next Park and Recreation Board Regular Meeting on Thursday, March 10, 2016.

Agenda Item 16. President Wells adjourned the Board meeting at 1:24 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.

DRAFT

**DALLAS PARK AND RECREATION BOARD
AGENDA SHEET**

DATE: March 10, 2016

COUNCIL DISTRICT(S): 2

STAFF: Daniel Huerta, 214-670-8483

SUBJECT

Authorize an alcohol permit request for Katie Purell, with the Rise School, to serve alcohol at a run to be held at Reverchon Park located at 3505 Maple Avenue, on Sunday, April 23, 2016 from 6:00 a.m. - 12:00 p.m. - Estimated Revenue: \$1,250

BACKGROUND

The Park and Recreation Board has the authority by City Code Section 32-11.2(3) to approve alcohol consumption on park property. Katie Purell, with Rise School, is requesting to serve alcohol from 6:00 a.m. – 12:00 p.m. at a run, to be held at Reverchon Park, located at 3505 Maple Avenue, on Sunday, April 23, 2016. The event, with an estimated attendance of 1,000, will include the sale of beer and wine, kid's activities, and music entertainment. Park and Recreation Board approval of alcohol permit is requested.

The Alcoholic Beverage Permit Conditions document has been given to the event organizers who will be required to meet all of the conditions to include (1) Naming the City of Dallas as an Additional Insured as specified by the City's Risk Management Office and (2) alcohol consumption will be restricted to a designated enclosed area staffed by Dallas Police.

FISCAL INFORMATION

Event organizers will pay a \$250 alcohol permit fee, \$1,000 special event fee and a \$450 refundable cleanup deposit. Estimated Revenue is \$1,250.

COMMITTEE ACTION

The Administration and Finance Committee will consider this request on March 10, 2016 and will present a recommendation to the Park and Recreation Board on the same day. This item does not require City Council approval.

STAFF RECOMMENDATION

Staff recommends approval.

**DALLAS PARK AND RECREATION BOARD
AGENDA INFORMATION SHEET**

DATE: March 10, 2016

COUNCIL DISTRICT(S): 4

STAFF: John Jenkins, 214-670-4073

SUBJECT

Authorize an amendment to the one-hundred-twenty-six-month concessions contract with Ira McGraw, dba IAMJ Enterprises, Inc., to define roles, responsibilities and compensation as a result of the closure of the Cedar Crest Golf Course and Banquet Facility located at 1800 Southerland Avenue – Not to exceed \$239,925 – Financing: Golf Improvement Funds

BACKGROUND

Cedar Crest Golf Course opened for play in 1918 and has not been renovated since 2003. The renovation of the existing golf course includes, bunker replacement, greens contouring and replacement, soil preparation, grassing, and landscape form and planting selections, and tee box improvements. Golf course renovations are necessary to retain a product that will generate attendance and revenues required to sustain the golf system through operations and capital improvements. The City has successfully renovated courses with golf revenues, of which are consistently recognized throughout the metroplex as top quality golf destinations and top performers.

This action will amend the management contract with Ira McGraw that was approved on June 11, 2008, by Resolution No. 08-1654 for the management of the pro shop operations. The City of Dallas golf course facility and grounds operations are managed through city forces and the business operations are managed by private contractors who are PGA Professionals. This public/private contractual partnership maximizes the revenue potential and return on investment for both the operator and the City of Dallas.

The golf course renovation will close the course during busy golfing season, during which time the golf pro will have no opportunity to generate revenue from the facilities but will continue to have financial responsibility for many aspects of the operation. During the period of the renovation, the golf pro will be preparing the marketing plan for the course re-opening and by providing professional input during the course construction regarding the final product including landscaping selection, greens, and tee box sculpting. The City proposes to compensate Mr. McGraw for professional services compensation not to exceed \$51,047 during the period of closure for his professional oversight during construction. The proposed professional compensation is based on other municipal contract comparables during golf course renovations.

Authorize an amendment to the one-hundred-twenty-six-month concessions contract with Ira McGraw, dba IAMJ Enterprises, Inc., to define roles, responsibilities and compensation as a result of the closure of the Cedar Crest Golf Course and Banquet Facility located at 1800 Southerland Avenue – Not to exceed \$239,925 – Financing: Golf Improvement Funds – March 10, 2016 – Page 2

BACKGROUND (CONTINUED)

Substantiated and validated expenses of approximately \$88,909 will be incurred by Mr. McGraw, against which he has no opportunity to generate revenue. During the period the course will be closed, expenses include maintaining the telephone lines, liquor license, insurance, pest control and golf shop security system. The costs for staff to close and re-open the pro shop and café, and losses for merchandise liquidation are also considered for compensation.

During the term of the renovation and seven months after reopening the course, the City will assume all utility costs for the golf course, pro shop and cart barn in an amount not to exceed \$8,591.

The City, through its Park and Recreation Department, agrees to compensate Ira McGraw a sum of \$91,378 for Concessionaires closure relief as a result of loss of revenue during closure of the golf course and to account for the time it will take to regenerate the customer base of Cedar Crest Golf Course which has dropped during the course of the last few seasons. Over the course of the last three years, the rounds at Cedar Crest have declined due to the continued decline in the condition of the greens. This decline has impacted the perception of the golfing public and by allocating these funds to Mr. McGraw, he will have the opportunity to create new golf programs, invest in staff and create additional opportunities to generate interest in Cedar Crest Golf Course and to rebuild the customer base.

The City's proposed compensation breaks down as follows:

Pro compensation	\$ 51,047
Fixed cost reimbursement	\$ 88,909
Forego seven months of utilities beginning October 2016	\$ 8,591
Commissions waiver (five months waived)	\$ 18,749
Customer Base Regeneration	<u>\$ 72,629</u>
Total Proposed Supplemental Agreement	\$239,925

ESTIMATED SCHEDULE OF PROJECT

Begin Renovation	May 2016
Complete Renovation	September 2016

Authorize an amendment to the one-hundred-twenty-six-month concessions contract with Ira McGraw, dba IAMJ Enterprises, Inc., to define roles, responsibilities and compensation as a result of the closure of the Cedar Crest Golf Course and Banquet Facility located at 1800 Southerland Avenue – Not to exceed \$239,925 – Financing: Golf Improvement Funds – March 10, 2016 – Page 3

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

City Council authorized the golf course management agreement on June 11, 2008, by Resolution No. 08-1654.

City Council authorized the banquet facility management agreement on August 27, 2008, by Resolution No. 08-2229.

This item is scheduled for City Council approval on April 13, 2016.

FISCAL INFORMATION

Golf Improvement Funds - \$239,925

COMMITTEE ACTION

The Administration and Finance Committee will consider this item on March 10, 2016. A recommendation will be presented to the Park and Recreation Board on the same day.

STAFF RECOMMENDATION

Staff recommends approving course closure relief package: \$239,925

ATTACHMENT

1. Compensation Proposal – February 24, 2016



February 24, 2016

Ira McGraw
Cedar Crest Golf Course
1800 Southerland
Dallas, TX 75203

Ira,

The City proposes the following package as pro compensation, fixed cost reimbursement and other financial considerations as part of the planned closure of Cedar Crest Golf Course in 2016 for the renovation work. The planned renovation work will begin, on or about, May 1, 2016 and be completed by September 30, 2016. During this time, IAMJ Enterprise will be reimbursed, or compensated, based on the following:

Pro compensation	\$ 51,047
Fixed cost reimbursement	\$ 88,909
Forego seven months of utilities beginning October 2016	\$ 8,591
Commissions waiver (five months waived)	\$ 18,749
Customer Base Regeneration	<u>\$ 72,629</u>
Total Proposed Supplemental Agreement	\$239,925

Fixed cost reimbursement will be a monthly reimbursement and will be contingent upon documented evidence of expenditures for fixed costs during the period of the Supplemental Agreement. Pro compensation, commission's waiver and customer base regeneration will all be a lump sum payment.

This proposal is contingent upon approval by the Park and Recreation Board and City Council.

Upon your acceptance of this proposal, our staff will begin to work on developing the Park Board Agenda and required Supplemental Agreement Documentation.

Sincerely,

John Jenkins, Deputy Director
Administration and Business Services

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: April 13, 2016

COUNCIL DISTRICT(S): 4, 6, 10, 11

DEPARTMENT: Park & Recreation

CMO: John Jenkins, 214-670-4073
Louise Elam, 214-670-5275

MAPSCO: 15-H, 22-J, 26-R, 53-Z

SUBJECT

Authorize a contract for tennis court resurfacing at Fair Oaks Tennis Center located at 7501 Merriman Parkway, Fretz Tennis Center located at 6998 Beltline Road, Kiest Tennis Center located at 2324 West Kiest Boulevard, and L.B. Houston Tennis Center located at 11225 Luna Road - Hellas Construction, Inc., lowest responsible bidder of two - Not to exceed \$390,940 - Financing: Current Funds (PKR-2016-00000365)

BACKGROUND

On January 28, 2016, two bids were received for tennis court resurfacing at Fair Oaks Tennis Center, Fretz Tennis Center, Kiest Tennis Center and L.B. Houston Tennis Center. This item authorizes award of the construction contract to Hellas Construction, Inc. with a total contract amount of \$390,940.

Hellas Construction, Inc. has had no contractual activities with the City of Dallas for the past three years.

There are no associated new operating and maintenance costs for this project.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	March 2016
Complete Construction	September 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Planning and Design Committee will consider this item on March 10, 2016 and will present a recommendation to the Park and Recreation Board on the same day. This item is scheduled for City Council approval on April 13, 2016.

FISCAL INFORMATION

Current Funds - \$390,940

M/WBE INFORMATION

This information is pending.

ETHNIC COMPOSITION

Hellas Construction, Inc.

White Male	111	White Female	31
Black Male	13	Black Female	0
Hispanic Male	266	Hispanic Female	10
Other Male	2	Other Female	2

BID INFORMATION

The following two bids were received and opened on January 28, 2016:

*Denotes the successful bidder

<u>Bidders</u>	<u>Total Bid</u>
*Hellas Construction, Inc. 12710 Research Boulevard, Ste. 240 Austin, Texas 78759	\$390,940
Eco and Sons (DBA Solidlines)	\$228,812

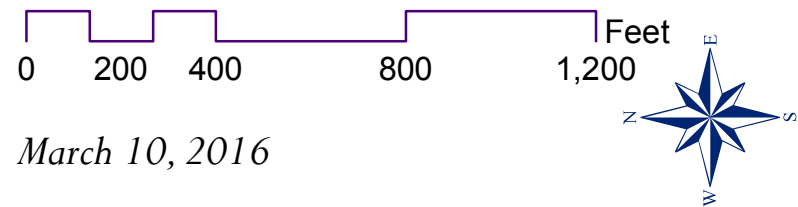
OWNER

Hellas Construction, Inc.

Reed J. Seaton, President
Tommy McDougal, Vice President
Dan Schlapkohl, Secretary
Frank Petrini, Treasurer

MAPS

Attached



Fair Oaks Tennis Center
(7501 Merriman Pkwy)

Mapsc
26 R

District
14



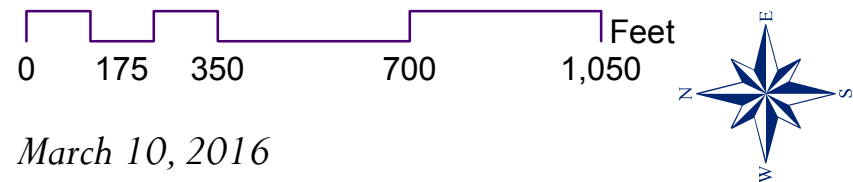
0 70 140 280 420 Feet

Fretz Tennis Center
6998 Belt Line Road



Mapsco
15 H

CD
11
March 10, 2016

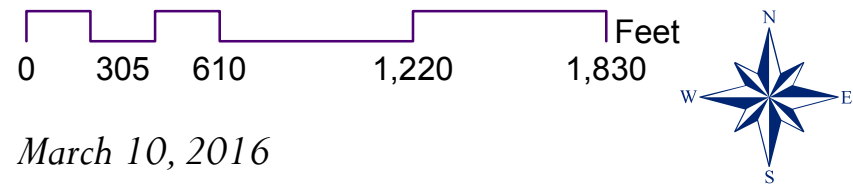
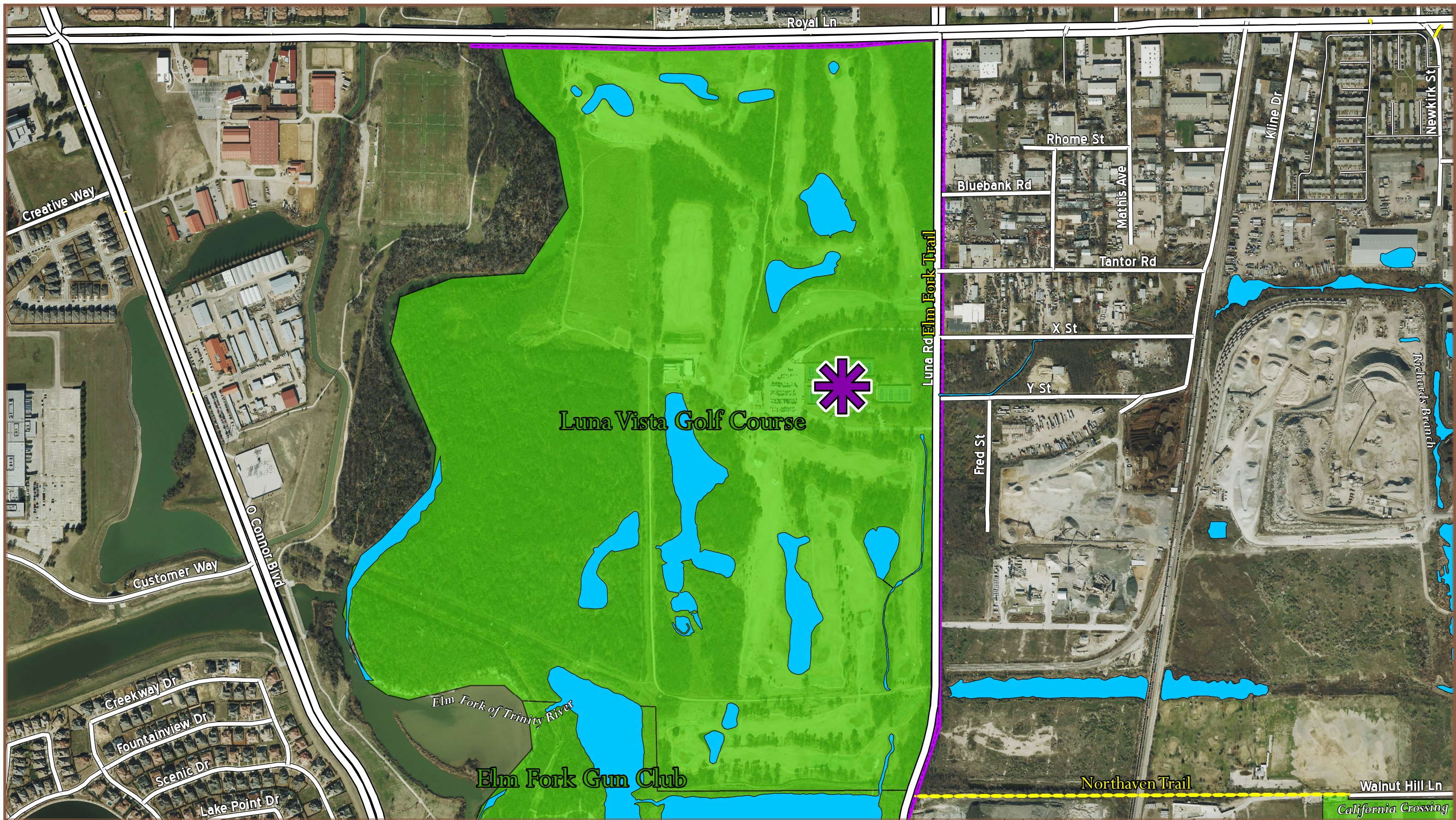


March 10, 2016

Kiest Tennis Center
(2324 W Kiest Blvd)

Mapsc
53 Z

District
4



L.B. Houston Tennis Center
(11225 Luna Rd)

Mapsco
22 J

District
6

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: April 13, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Louise Elam, 214-670-5275

MAPSCO: 35-X

SUBJECT

Authorize a contract for renovation of historic roque courts at Robert E. Lee Park located at 3400 Turtle Creek Boulevard – Henneberger Construction, Inc., lowest responsible bidder of two – Not to exceed \$353,682 – Financing: 2006 Bond Funds (\$322,682) and 2003 Bond Funds (\$31,000) (PKR-2016-00000385)

BACKGROUND

On January 8, 2016, two bids were received for renovations at Robert E. Lee Park. This item authorizes award of the construction contract to Henneberger Construction, Inc. for the Base Bid and Alternate Nos. 1C, 1E and 1F, with a total contract amount of \$353,681.93.

The following chart illustrates Henneberger Construction, Inc.'s contractual activities with the City of Dallas for the past three years:

	<u>PWT</u>	<u>DWU</u>	<u>PKR</u>
Projects Completed	0	0	4
Change Orders	0	0	6
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized advertisement for bids on December 20, 2012.

The Planning and Design Committee will consider this item on March 10, 2016 and will present a recommendation to the Park and Recreation Board on the same day. This item is scheduled for City Council approval on April 13, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$322,681.93

2003 Bond Funds - \$31,000.00

M/WBE INFORMATION

This information is pending.

ETHNIC COMPOSITION

Henneberger Construction, Inc.

White Male	2	White Female	1
Hispanic Male	8	Hispanic Female	0
Black Male	0	Black Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following two bids were received and opened on January 8, 2016:

*Denotes the successful bidder

<u>Bidder</u>	<u>Base Bid</u>	<u>Alter. Nos. 1C, 1E & 1F**</u>	<u>Total Bid</u>
*Henneberger Construction, Inc. 8928 Fairglen Drive Dallas, Texas 75231	\$321,191.17	\$32,490.76	\$353,681.93
Wall Enterprises	\$641,700.00	\$84,100.00	\$725,800.00

**Alternate No. 1C - provides for installation of drinking fountain and bottle filler.

**Alternate No. 1E - provides for installation of existing fountain electrical control box relocation.

**Alternate No. 1F - provides for installation of landscape tree downlighting.

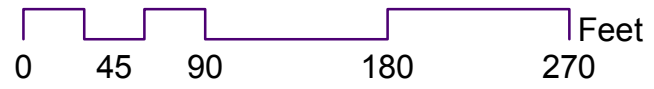
OWNER

Henneberger Construction, Inc.

Cynthia Henneberger, President

MAP

Attached



March 10, 2016



Robert E. Lee Park
(3400 Turtle Creek Blvd)

Mapsco
35 X

District
14

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: April 13, 2016

COUNCIL DISTRICT(S): 3, 8

DEPARTMENT: Park & Recreation

CMO: Louise Elam, 214-670-5275

MAPSCO: 65-K, L, Q, U, Y, X, 75-B

SUBJECT

Authorize a contract for trail improvements at Runyon Creek Trail located at between Glendale Park to Camp Wisdom Road – Northstar Construction, LLC, lowest responsible bidder of two – Not to exceed \$2,497,700 – Financing: General Obligation Commercial Paper Funds (PKR-2016-00000386)

BACKGROUND

On February 12, 2016, two bids were received for trail improvements at Runyon Creek Trail. This item authorizes award of the construction contract to Northstar Construction, LLC for the Base Bid and Alternate Nos. 1 and 4, with a total contract amount of \$2,497,700. The trail is 14 feet wide and will extend from Glendale Park to Camp Wisdom Road.

The following chart illustrates Northstar Construction, LLC's contractual activities with the City of Dallas for the past three years:

	<u>PWT</u>	<u>DWU</u>	<u>PKR</u>
Projects Completed	0	0	2
Change Orders	0	0	3
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

It is anticipated that this project will require operating and maintenance funding in the amount of \$32,797 annually.

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2014
Completed Design	August 2015
Begin Construction	April 2016
Complete Construction	May 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized advertisement for bids on August 6, 2015.

The Planning and Design Committee will consider this item on March 10, 2016 and will present a recommendation to the Park and Recreation Board on the same day. This item is scheduled for City Council approval on April 13, 2016.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - \$2,497,700

<u>Council District</u>	<u>Amount</u>
3	\$1,363,630
8	<u>\$1,134,070</u>
Total	\$2,497,700

M/WBE INFORMATION

This information is pending.

ETHNIC COMPOSITION

Northstar Construction, LLC

White Male	4	White Female	0
Black Male	0	Black Female	0
Hispanic Male	12	Hispanic Female	1
Other Male	0	Other Female	0

BID INFORMATION

The following two bids were received and opened on February 12, 2016:

*Denotes the successful bidder

<u>Bidders</u>	<u>Base Bid</u>	<u>Alter. Nos. 1 & 4**</u>	<u>Total Bid</u>
*Northstar Construction, LLC 2112 Solona Street Fort Worth, Texas 76117	\$1,994,700	\$503,000	\$2,497,700
The Fain Group, Inc.	\$2,228,727	\$716,742	\$2,945,469

**Alternate No. 1 - provides for installation of ramp and inner loop modifications north of Glendale Park.

**Alternate No. 4 - provides for installation of overlook.

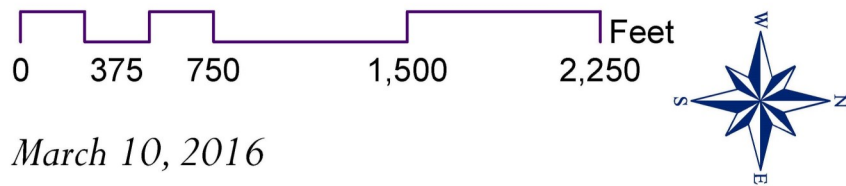
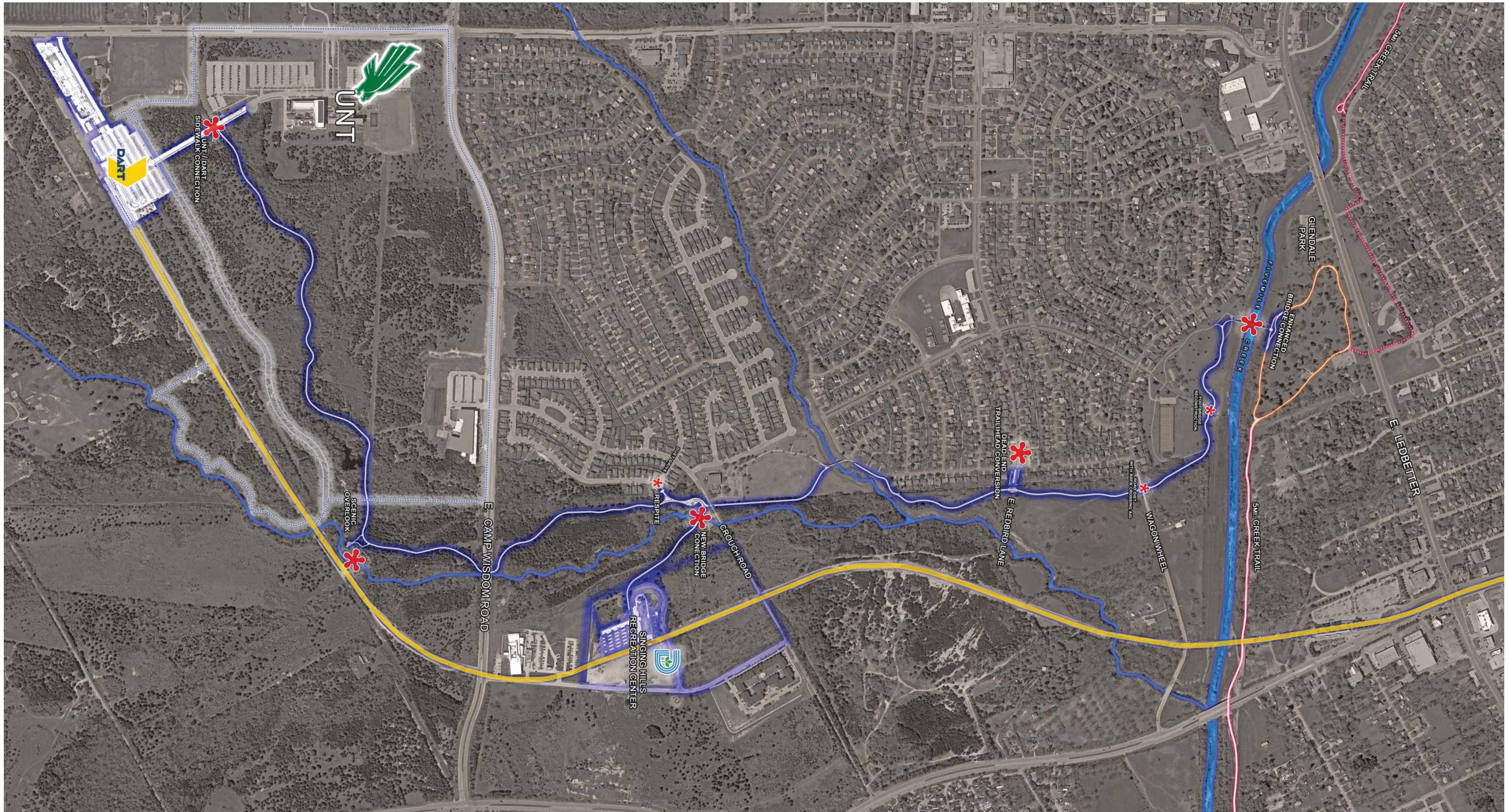
OWNER

Northstar Construction, LLC

Michael A. Heimlich, President

MAP

Attached



March 10, 2016

Runyon Creek Trail (Glendale Park and Camp Wisdom Road)

Mapsc
65 K,L,Q,U,X,Y
75 B

District
3, 8

**DALLAS PARK AND RECREATION BOARD
AGENDA SHEET**

DATE: March 10, 2016

COUNCIL DISTRICT(S): 1

STAFF: Louis Elam, 214-670-4103

MAPSCO: 44-Y, 54-C

SUBJECT

Authorize proceeding with advertisement for construction procurement for dam safety and shoreline improvements for the pond at Kidd Springs Park located at 700 West Canty Street - Estimated Cost: \$660,000 – Financing: 2006 Bond Funds

BACKGROUND

The Texas Commission on Environmental Quality (TCEQ) identified emergency spillway and erosion control improvements needed for the dam at the park. Landscape improvements for the natural spring and shoreline on the west side of the pond will be an add alternate. In January 2015, Halff Associates, Inc. was retained by the Park and Recreation Department to investigate and provide design services to improve the spillway, repair the erosion along the dam, and provide landscape improvements.

Base Bid

- Emergency spillway improvements
- Erosion repairs

Alternate

- Landscape improvements

Schedule

- | | |
|-------------------------|---------------|
| • Began Design | February 2015 |
| • Completed Design | March 2016 |
| • Begin Construction | August 2016 |
| • Complete Construction | April 2017 |

There are no associated new operating and maintenance costs for this project.

Authorize proceeding with advertisement for construction procurement for dam safety and shoreline improvements for the pond at Kidd Springs Park located at 700 West Canty Street - Estimated Cost: \$660,000 – Financing: 2006 Bond Funds – March 10, 2016 – Page 2

FISCAL INFORMATION

2006 Bond Funds - \$660,000

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Planning and Design Committee will consider this item on March 10, 2016 and will present a recommendation to the Park and Recreation Board on the same day.

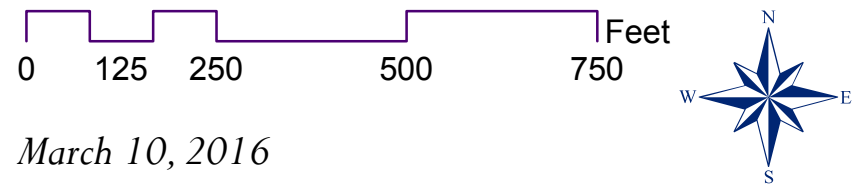
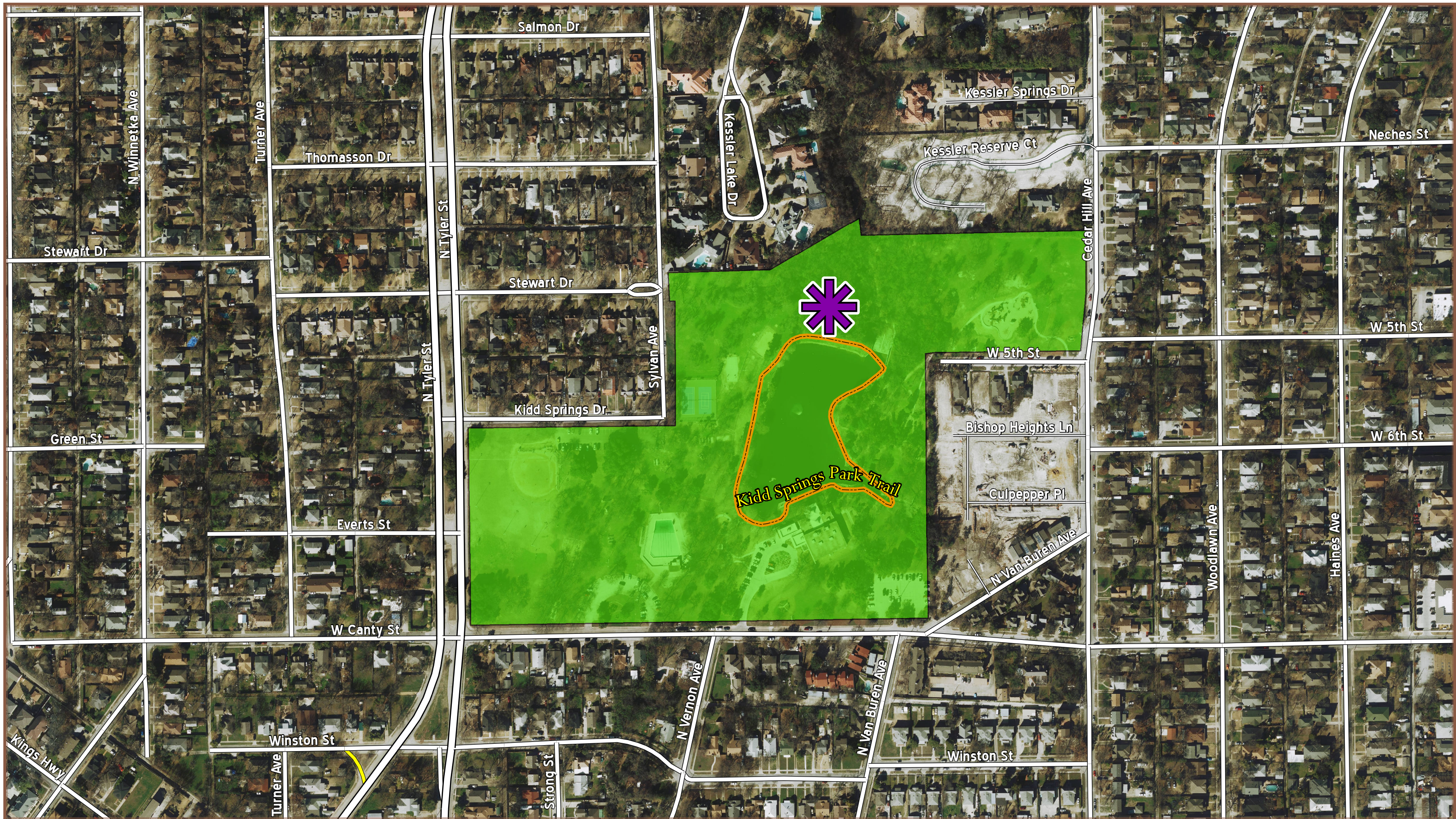
This item does not require City Council approval.

STAFF RECOMMENDATION

Staff recommends approval.

MAP

Attached



March 10, 2016

Kidd Springs Park (700 W. Cnty St.)

Mapsco
44Y
55C

District
1

**DALLAS PARK AND RECREATION BOARD
AGENDA INFORMATION SHEET**

DATE: March 10, 2016

COUNCIL DISTRICT(S): All

STAFF: Daniel Huerta, 214- 670-8483

SUBJECT

Authorize approval of the Strategic Communications and Marketing Plan –
Financing: No cost consideration to the City

BACKGROUND

The Dallas Park and Recreation Department engaged the Simmons Design Group to develop a Strategic Communications and Marketing Plan. The plan is one of the CAPRA accreditation standards and approval of the plan presented by the Simmons Design Group is requested.

FISCAL INFORMATION

No cost consideration to the City.

PRIOR ACTION

The Marketing Committee of the Park and Recreation Board was briefed on January 7, 2016, January 21, 2016 and February 4, 2016.

The Marketing Committee of the Park and Recreation Board considered this item on February 18, 2016.

COMMITTEE ACTION

A recommendation will be presented to the Park and Recreation Board on March 10, 2016. This item does not require City Council approval.

STAFF RECOMMENDATION

Staff recommends approval.

**DALLAS PARK AND RECREATION BOARD
AGENDA SHEET**

DATE: March 10, 2016

COUNCIL DISTRICT(S): All

STAFF: Oscar Carmona, 214-670-8871

SUBJECT

Authorize recommendation to the Dallas City Council to amend Chapters 32 and 41 of the Dallas City Code to prohibit smoking on park grounds, without exceptions – Financing: This action has no cost consideration to the City

BACKGROUND

Chapter 41 of the Dallas City Code generally prohibits smoking (1) in any indoor enclosed area in the City; (2) within 15 feet of any entrance to an indoor or enclosed area in the City and (3) in any area designated as nonsmoking by the owner, operator, or person in control of the area and marked with a no smoking sign complying with Section 41-3. The current code does not prohibit smoking outdoors in parks.

On November 6, 2014, the Park and Recreation Board was briefed on proposed changes to the smoking ordinance that would include a ban on smoking outdoors on park property. The briefing included information on benefits, potential challenges and peer and area city comparisons. Staff was directed by the Park and Recreation Board to continue research and to prepare proposed recommendations, changes, and exceptions for consideration by the Administration and Finance Committee of the Park and Recreation Board.

The Committee has discussed the proposed changes over the past year with input from staff. After discussion with the committee and stakeholders, staff recommended an amendment to Chapter 41 of the Dallas City Code that would make it an offense for anyone to smoke on park property, with the following exceptions:

- Allow partners, Fair Park and special events to designate smoking areas based on criteria developed by the Park and Recreation Department.
- Allow smoking on golf courses.
- Allow smoking on park property by actors during filming or theatrical performances as permitted by the Office of Special Events.

The Administration and Finance Committee discussed the exceptions on February 18, 2016, but voted 4-3 to recommend to the Park and Recreation Board an outright ban on smoking outdoors on park property with no exceptions.

Authorize recommendation to the Dallas City Council to amend Chapters 32 and 41 of the Dallas City Code to prohibit smoking on park grounds, without exceptions – Financing: This action has no cost consideration to the City – March 10, 2016 – Page 2

FISCAL INFORMATION

This action has no cost consideration to the City.

PRIOR ACTION

Park and Recreation Board Briefing on November 6, 2014.

Administration and Finance Committee consideration on December 17, 2015.

Park and Recreation Board deferred the item on December 17, 2015.

Administration and Finance Committee discussion on January 7, 2016.

Administration and Finance Committee discussion on January 21, 2016.

Administration and Finance Committee discussion on February 4, 2016.

The Administration and Finance Committee considered this item on February 18, 2016, and voted to recommend that the Park and Recreation Board ban smoking outdoors on park property with no exceptions.

COMMITTEE ACTION

A recommendation will be presented to the Park and Recreation Board on March 10, 2016.

ATTACHMENTS

1. Chapter 41 of the Dallas City Code
2. Proposed Changes to Chapters 32 and 41 of the Dallas City Code

[Print](#)

The Dallas City Code

CHAPTER 41 SMOKING

ARTICLE I. GENERAL PROVISIONS.

Sec. 41-1 . Definitions.

ARTICLE II. SMOKING PROHIBITIONS.

Sec. 41-2 . Smoking prohibited in certain areas.

Sec. 41-3 . Signage and other requirements.

Secs. 41-4 thru 41-5. Reserved.

ARTICLE III. RESERVED.

Secs. 41-6 thru 41-8. Reserved.

ARTICLE IV. ENFORCEMENT.

Sec. 41-9 . Penalties.

ARTICLE V. TOBACCO-PRODUCT VENDING MACHINES.

Sec. 41-10 . Definitions.

Sec. 41-11 . Tobacco-product vending machines prohibited; defenses.

Sec. 41-12 . Lock-out devices.

ARTICLE I. GENERAL PROVISIONS.

SEC. 41-1. DEFINITIONS.

In this chapter:

(1) BAR means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of alcoholic beverages, as defined in the Texas

Alcoholic Beverage Code, for on-premises consumption. If an establishment is located in a hotel or motel, the gross revenues of the particular establishment, rather than the gross revenues of the entire hotel or motel, will be used in calculating the percentage of revenues derived from the sale or service of alcoholic beverages.

(2) **BILLIARDS** means any game played on a cloth-covered table with balls and cue sticks where the balls are struck by the sticks and the balls strike against one another.

(3) **BILLIARD HALL** means an establishment that:

(A) holds a valid billiard hall license issued by the city under Chapter 9A of this code;

(B) has at least 12 billiard tables that are not coin-operated available for rent to persons desiring to play billiards on the premises; and

(C) derives 70 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premises consumption and from the rental of billiard tables and billiard equipment to persons desiring to play billiards on the premises.

(4) **CIGAR BAR** means a bar that derives 15 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or rental of tobacco, tobacco products, smoking implements, or smoking accessories for on-premises consumption.

(5) **DIRECTOR** means the director of the department designated by the city manager to enforce and administer this chapter, or the director's designated representative.

(6) **EATING ESTABLISHMENT** means any establishment that prepares or serves food or beverages, regardless of whether the establishment provides seating or facilities for on-premises consumption. The term includes, but is not limited to, restaurants, coffee shops, cafeterias, short order cafes, fast food establishments, luncheonettes, lunchrooms, soda fountains, food carts, food vending vehicles, and catering establishments.

(7) **EMPLOYEE** means any person who works for hire at an indoor or enclosed area including an independent contractor with an assigned indoor location.

(8) **EMPLOYER** means any person who employs one or more employees.

(9) **ENCLOSED** means an area that:

(A) is closed in overhead by a roof or other covering of any material, whether permanent or temporary; and

(B) has 40 percent or more of its perimeter closed in by walls or other coverings of any material, whether permanent or temporary.

(10) **HOSPITAL** means any institution that provides medical, surgical, and overnight facilities for patients.

(11) **MINOR** means any individual under 18 years of age.

(12) **PERSON** means an individual, firm, partnership, association, or other legal entity.

(13) **RETAIL OR SERVICE ESTABLISHMENT** means any establishment that sells goods or services to the general public, including but not limited to any eating establishment, bar, hotel, motel, department store, grocery store, drug store, shopping mall, laundromat, bingo parlor, bowling center, billiard hall, or hair styling salon.

(14) **SECOND-HAND SMOKE** means ambient smoke resulting from the act of smoking.

(15) **SMOKE OR SMOKING** means inhaling, exhaling, possessing, or carrying any lighted or burning cigar or cigarette, or any pipe or other device that contains lighted or burning tobacco or tobacco products.

(16) **TOBACCO SHOP** means a retail or service establishment that derives 90 percent or more of its gross revenue on a quarterly (three-month) basis from the sale of tobacco, tobacco products, or smoking implements.

(17) **WORKPLACE** means any indoor or enclosed area where an employee works for an employer. (Ord. Nos. 18961; 19648; 25168; 27440)

ARTICLE II. SMOKING PROHIBITIONS.

SEC. 41-2. SMOKING PROHIBITED IN CERTAIN AREAS.

- (a) A person commits an offense if he smokes:
- (1) in any indoor or enclosed area in the city;
 - (2) within 15 feet of any entrance to an indoor or enclosed area in the city; or
 - (3) in any area designated as nonsmoking by the owner, operator, or person in control of the area and marked with a no smoking sign complying with Section 41-3.
- (b) An owner, operator, or person in control of an indoor or enclosed area in the city commits an offense if he, either personally or through an employee or agent, permits a person to smoke in the indoor or enclosed area.
- (c) For purposes of this chapter, an indoor or enclosed area includes but is not limited to the following:
- (1) An elevator.
 - (2) A hospital or nursing home.
 - (3) Any facility owned, operated, or managed by the city.
 - (4) Any retail or service establishment.
 - (5) Any workplace.
 - (6) Any facility of a public or private primary or secondary school or any enclosed theater, movie house, library, museum, or transit system vehicle.
- (d) It is a defense to prosecution under Subsection (a)(1), (a)(3), or (b) of this section if the person was smoking in a location that was:
- (1) a private residence, except that this defense does not apply when the residence is being used as a child care facility, adult day care facility, or health care facility;
 - (2) a stage or set of a production of a television program, a theatrical presentation, or a motion picture or filming event where smoking by an actor or performer is essential to the production;
 - (3) a cigar bar that:
 - (A) was lawfully operating as a cigar bar on December 10, 2008 (except that this defense does not apply if the cigar bar is expanded, is relocated, or changes majority ownership after December 10, 2008);
 - (B) does not open into any other indoor or enclosed area in which smoking is prohibited under this section;
 - (C) is not generally accessible by a minor; and
 - (D) keeps all windows and doors closed at all times except as reasonably necessary for the expeditious entering and exiting of the cigar bar;
 - (4) a tobacco shop that:
 - (A) does not open into any other indoor or enclosed area in which smoking is prohibited under this section; and
 - (B) keeps all windows and doors closed at all times except as reasonably necessary for the expeditious entering and exiting of the tobacco shop;
 - (5) an unenclosed outdoor seating area associated with an indoor or enclosed area, including but not limited to a bar, hotel, motel, or eating establishment, except that this defense does not apply if:
 - (A) the outdoor seating area is adjacent to a playground or play area for children; or

(B) the location was posted as a nonsmoking area by the owner, operator, or person in control of the establishment or area with a sign complying with Section 41-3; or

(6) a private, rented guest room in a hotel or motel that has been designated as a smoking room by the owner, operator, or person in control of the hotel or motel.

(e) It is a defense to prosecution under Subsection (a)(2) of this section if the person was smoking in a location that was an unenclosed outdoor seating area associated with an indoor or enclosed area, including but not limited to a bar, hotel, motel, or eating establishment, except that this defense does not apply if:

(1) the outdoor seating area is adjacent to a playground or play area for children; or

(2) the location was posted as a nonsmoking area by the owner, operator, or person in control of the establishment or area with a sign complying with Section 41-3. (Ord. Nos. 18961; 19648; 21109; 21109; 21614; 25168; 27440)

SEC. 41-3. SIGNAGE AND OTHER REQUIREMENTS.

(a) The owner, operator, or person in control of an establishment or other area in which smoking is prohibited under Section 41-2(a)(1) or (a)(3) shall post a conspicuous sign at the main entrance to the establishment or area. The sign must contain the words "No Smoking, City of Dallas Ordinance," the universal symbol for no smoking, or other language that clearly prohibits smoking.

(b) The owner, operator, or person in control of an indoor or enclosed area to which the smoking prohibition of Section 41-2(a)(2) applies shall post a conspicuous sign at each entrance to the indoor or enclosed area. The sign must contain the words "No Smoking within 15 Feet of Entrance, City of Dallas Ordinance." The universal symbol for no smoking may be substituted for the words "No Smoking."

(c) The owner, operator, or person in control of an establishment or area in which smoking is prohibited under Section 41-2 shall remove all ashtrays from the establishment or area.

(d) It is a defense to prosecution under this section that the establishment or area is a location for which a defense to prosecution is provided under Section 41-2(d). (Ord. 27440)

SECS. 41-4 THRU 41-5. RESERVED.

(Repealed by Ord. 25168)

ARTICLE III. RESERVED.

SECS. 41-6 THRU 41-8. RESERVED.

(Repealed by Ord. 27440)

ARTICLE IV. ENFORCEMENT.

(a) A person who violates a provision of this chapter, or who fails to perform an act required of the person by this chapter, commits an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.

(b) Unless specifically provided otherwise in this chapter, an offense under this chapter is punishable by a fine of \$200.

(c) The culpable mental state required for the commission of an offense under this chapter is governed by Section 1-5.1 of this code. (Ord. Nos. 18961; 19648; 21540; 25168; 27440)

ARTICLE V. TOBACCO-PRODUCT VENDING MACHINES.

SEC. 41-10. DEFINITIONS.

In this article:

(1) **TOBACCO-PRODUCT VENDING MACHINE** means any self-service device that, upon insertion of any coin, paper currency, token, card, key, or other item, dispenses one or more tobacco products. The term does not include any machine that is in storage, in transit, or otherwise not set up for use and operation, nor does it include any machine that is situated on a train, bus, or other public conveyance.

(2) **RESTAURANT BAR** means any area of an eating establishment, excluding the dining area:

(A) that is primarily devoted to the serving of alcoholic beverages for consumption by guests on the premises; and

(B) in which food service, if any, is only incidental to the consumption of alcoholic beverages. (Ord. Nos. 21540; 21613; 25168; 27440)

SEC. 41-11. TOBACCO-PRODUCT VENDING MACHINES PROHIBITED; DEFENSES.

(a) A person commits an offense if he owns or allows the display or use of any tobacco-product vending machine upon any property within the city.

(b) It is a defense to prosecution under Subsection (a) that the tobacco-product vending machine was:

(1) situated in a premises where entry by a minor is prohibited by law;

(2) situated in a hotel, motel, bar, or restaurant bar;

(3) located in a workplace with the permission of the employer, provided that:

(A) the employer usually has no person under 18 years of age employed at the workplace; and

(B) the tobacco-product vending machine is situated at a location within the workplace to which no person other than an employee of the workplace is usually permitted to have access; or

(4) located in an eating establishment and equipped with a lock-out device that was installed, maintained, and operated in compliance with Section 41-12. (Ord. Nos. 21540; 21613; 25168; 27440)

SEC. 41-12. LOCK-OUT DEVICES.

(a) A lock-out device on a tobacco-product vending machine located in an eating establishment must be installed, maintained, and operated in compliance with this section.

(b) A lock-out device may be electrical or mechanical and must be approved by the director.

(c) An owner, operator, employee, or other person in charge of an eating establishment who is at least 18 years of age shall:

(1) install and continuously maintain a lock-out device on a tobacco-product vending machine in good working order;

(2) require identification from any potential customer of the tobacco-product vending machine who appears to be under 18 years of age;

(3) physically observe all transactions in which the tobacco-product vending machine is used; and

(4) physically release the lock-out device before each sale from a tobacco-product vending machine. (Ord. Nos. 21613; 25168; 27440)

SEC. 41-9. PENALTIES.

Dallas Park and Recreation Board
March 10, 2016

Dallas City Code currently prohibits smoking (with certain limited exceptions)

- (1) in any indoor or enclosed area in the city, including:
 - a. an elevator;
 - b. a hospital or nursing home;
 - c. any facility owned, operated, or managed by the city;
 - d. any retail or service establishment;
 - e. any workplace; and
 - f. any facility of a public or private primary or secondary school or any enclosed theater, movie house, library, museum, or transit system vehicle;
- (2) within 15 feet of any entrance to an indoor or enclosed area in the city; or
- (3) in any area designated as nonsmoking by the owner, operator, or person in control of the area and marked with a no smoking sign.

Proposed Outdoor Ban

The proposed smoking ban would make it an offense for anyone to smoke or light any burning tobacco products including, but not limited to cigars, cigarettes, hookahs, cigarillos and pipes on park property.

Rationale

The Dallas Park and Recreation Department's goal is to provide healthful and welcoming parks for residents and visitors to enjoy a smoke free environment, both indoors and outdoors.

List of Exceptions

Outright smoking ban with the following exceptions:

- 1) Allow partners, Fair Park and special events to designate smoking areas based on criteria developed by the Park and Recreation Department.
- 2) Allow smoking on golf courses.
- 3) Allow smoking on park property by actors during filming or theatrical performances as permitted by the Office of Special Events.

Next Steps

- 1) Park and Recreation Board Administration and Finance Committee consideration of proposed amendments.
- 2) Park and Recreation Board consideration of proposed amendments.
- 3) City Council Quality of Life Committee Briefing based on Park and Recreation Board decision.
- 4) City Attorney's Office to draft language for ordinance based on feedback from Quality of Life Committee.
- 5) City Council consideration of proposed ordinance.
- 6) If ordinance passes, rollout and community education campaign.

MEMORANDUM



DATE: February 29, 2016

TO: Max W. Wells, President, and
Members of the Dallas Park and Recreation Board

SUBJECT: March 10, 2016 Park and Recreation Board Briefings

On Thursday, March 10, 2016, the following briefings will be presented to the Dallas Park and Recreation Board:

- Feral Hogs: Concerns, Challenges and Controls:
Oscar Carmona, Assistant Director, Park and Recreation Department
- Smart Growth for Dallas:
Willis Winters, Director, Park and Recreation Department
- FY2016/17 Budget Update:
John Jenkins, Deputy Director, Park and Recreation Department

Should you have any questions, please contact me at 214-670-4071.

A handwritten signature in cursive script, reading "Willis Winters".

Willis C. Winters, FAIA, FAAPRA, Director
Park and Recreation Department