

AGENDA ITEM # 26

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 3, 8

DEPARTMENT: Park & Recreation
Public Works Department

CMO: Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 65-U X Y 75-B

SUBJECT

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

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

ESTIMATED SCHEDULE OF PROJECT

Began Design January 2014
Completed Design August 2015
Begin Construction June 2016
Complete Construction July 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

The Park and Recreation Board deferred this item on March 10, 2016.

The Park and Recreation Board authorized award of the contract on April 7, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - \$2,497,700.00

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

M/WBE INFORMATION

See attached.

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

April 27, 2016

WHEREAS, on February 12, 2016, two bids were received for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road.

<u>Bidders</u>	<u>Base Bid</u>	<u>Alter. Nos. 1 & 4**</u>	<u>Total Bid</u>
Northstar Construction, LLC	\$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.

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 Northstar Construction, LLC for trail improvements at Runyon Creek Trail, in an amount not to exceed \$2,497,700.

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

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse an amount not to exceed \$2,497,700 to Northstar Construction, LLC from General Obligation Commercial Paper Fund, Fund 4U22, Department PBW, Unit S619, Object 4599, Activity HIBT, Program PB12S619, CT-PKR16019537, Commodity 91200, Vendor VS0000060205.

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.

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 35-X

SUBJECT

Authorize a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2 DALLAS II, LLC for the development, operation and maintenance of a pedestrian bridge and landscape improvements for purposes of connecting to and providing public access from an adjacent development to the Katy Trail located at 3535 Travis Street - Financing: No cost consideration to the City

BACKGROUND

This action will authorize a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2 DALLAS II, LLC (CFO2) for the development, operation and maintenance of a pedestrian bridge and landscape improvements for purposes of connecting to and providing public access from an adjacent development to the Katy Trail, adjacent to 3535 Travis Street.

The agreement will be subject to the following terms:

1. The term is for 20 years with one consecutive five-year renewal option.
2. CFO2 at its own cost, is responsible for the development of the design, plans, and specifications for the improvements to be made to the park. CFO2 will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.
3. CFO2 at their own cost, is responsible for the maintenance and repair of the improvements during the term of the agreement.
4. CFO2 will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.

BACKGROUND (Continued)

5. CFO2 agrees to allow the public access to the Katy Trail from CFO2's property located at 3535 Travis Street.
6. The City of Dallas will retain the right to require CFO2 to modify the improvements if and when necessary to maintain public safety of the Katy Trail.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized an amendment to PD 193 permitting zoning changes to the 3535 Travis Street parcel and a bridge connection to the Katy Trail by Ordinance No. 29064.

The Park and Recreation Board authorized the development, operation and maintenance agreement on April 7, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

April 27, 2016

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

WHEREAS, the City of Dallas Park and Recreation Department (City) and CFO2 DALLAS II, LLC (CFO2), a Delaware limited liability company, desire to enter into a twenty-year development, operation and maintenance agreement, with one five-year renewal option for the purpose of development, operation, and maintenance of a portion of parkland at the Katy Trail located at 3535 Travis Street shown in Exhibits A and B; and

WHEREAS, the City desires to have CFO2 develop, operate, and maintain parkland during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2 for the development, operation and maintenance of a portion of parkland at the Katy Trail.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2, after approval as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for a term of 20 years with one five-year renewal option.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provision of the Charter of the City of Dallas, and it is accordingly so resolved.

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 5

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 48-P

SUBJECT

Authorize **(1)** a Memorandum of Understanding with the National Recreation and Park Association for new playground equipment at Urbandale Park located at 7400 Ireland Avenue; **(2)** the receipt and deposit of funds in the amount of \$70,000 from the National Recreation and Park Association; and **(3)** an increase in appropriations in the Capital Gifts, Donation and Development Fund in the amount of \$70,000 - Not to exceed \$70,000 - Financing: Capital Gifts, Donation and Development Funds

BACKGROUND

The NRPA is offering financial assistance for park renovation projects through support by Niagara Bottling. Staff identified the renovation of Urbandale Park playground for receipt of this grant. The playground in this park was vandalized approximately ten years ago and has not been replaced. The grant will provide funds to replace the playground equipment. Equipment will be installed by Park and Recreation Department staff.

The MOU will be subject to the following terms:

1. The project be completed by May 31, 2016 or a mutually agreed date.
2. Provide for an opportunity for recognition of Niagara Bottling during a celebration event and install signage recognizing Niagara Bottling's donation.
3. Permit NRPA and Niagara Bottling use of the Park and Recreation Department's name, photos, and information in connection with the project for promotional and other purposes associated with the grant.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction April 2016
Complete Construction May 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized a Memorandum of Understanding on April 7, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

Capital Gifts, Donation and Development Funds - \$70,000

MAP

Attached

April 27, 2016

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

WHEREAS, the City of Dallas Park and Recreation Department (City) and the National Recreation and Park Association (NRPA), desire to enter into a Memorandum of Understanding (MOU) for the purpose of acceptance of a \$70,000 donation to the City for the construction of a playground and other park improvements at Urbandale Park located at 7400 Ireland Avenue; and

WHEREAS, the City will purchase materials and playground equipment with proceeds from the donation and provide the labor for construction of the playground and other improvements as well as provide opportunities for volunteers to participate in the park improvement project.

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 an MOU with NRPA for the acceptance of a financial donation for improvements to Urbandale Park.

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

SECTION 3. That construction of the improvements will be performed by City staff.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed \$70,000 in the Capital Gifts, Donation, and Development Fund, Fund 0530, Dept. PKR, Unit W071, Revenue Code 8411.

SECTION 5. That the City Manager is hereby authorized to increase appropriations in the Capital Gifts, Donation, and Development Fund, Fund 0530, Dept. PKR, Unit W071, Object 4599, Program PKNRPA in the amount of \$70,000.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse funds in the amount not to exceed \$70,000 in the Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit W071, Object 4599, Program PKNRPA.

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provision of the Charter of the City of Dallas, and it is accordingly so resolved.

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 69-H

SUBJECT

Authorize a public hearing to be held on May 25, 2016 to receive comments on the proposed change of use and sale of a portion of the Kleberg Trail, consisting of a total of approximately 71,109 square feet of land, to the Texas Department of Transportation for construction of improvements to I-20 Frontage Roads - Estimated Revenue: \$18,365

BACKGROUND

The City of Dallas owns municipal parkland known as the Kleberg Trail located southeast of downtown. Texas Department of Transportation (TxDOT) requires a portion of the Kleberg Trail for its I-20 State Highway Improvement Project, Federal Aid Project #STP 1502 (329) MM, for the purpose of extending the frontage road on either side of I-20 south of US Highway 175 (CF Hawn Freeway). TxDOT will pay the fair market value of the parcel as determined by an independent appraisal.

Mayor Tom Leppert, through the Mayor's Southern Dallas Task Force, recommended purchase of approximately 2.2 miles of Union Pacific railroad right-of-way for the Kleberg Trail to encourage and promote economic development opportunities. Despite the rural character of West Kleberg compared to the remainder of Dallas, adjacent communities of Seagoville, Balch Springs, and Mesquite were providing stiff competition for retail and industrial development. The Kleberg Trail was identified as an important opportunity to provide for the development of the area by delivering an alternative transportation route and links to future bus and Park & Ride development and, at that time, the future DART Buckner Green Line Station. Post-development of the Kleberg Trail envisioned additional recreational facilities including soccer fields, a BMX bike trail, golf courses, and other open space amenities. Such development would attract residential and retail development. In 2011, the City purchased the railroad right-of-way for park purposes.

BACKGROUND (Continued)

Over the past months, City staff and TxDOT have negotiated terms of the sale which preserve the City's ability to construct a trail of a minimum of sixteen feet if need be, address safety, and require minimal cost to the City at such time the trail is constructed (Exhibit C). TxDOT agrees as condition of the sale of parkland to:

- 1) Modify box culvert lengths to accommodate the future trail.
- 2) Construct pedestrian ramps at intersections or allow for and accommodate sixteen-foot non-vehicular access to the future trail and install bollards, or allow such devices to impede vehicular access to the parkland until such time that the trail is constructed.
- 3) Revise proposed drainage culvert lengths to accommodate the future trail.
- 4) Provide stop signs or other traffic control devices to provide safe crossing of TxDOT facilities by trail users at the time the trail is constructed.

In compliance with the law, the City, through its Dallas City Council, must determine that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services, including hike and bike trail development.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of park land. At the close of the public hearing, Council will consider a resolution authorizing the proposed change of use of parkland and sale.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 7, 2016, the Park and Recreation Board authorized a public hearing to be held on May 25, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

Estimated Revenue: \$18,365

MAP

Attached

April 27, 2016

WHEREAS, the City of Dallas (City) owns land in southeast Dallas known as the Kleberg Trail, which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, a portion of the Kleberg Trail has been identified by the Texas Department of Transportation (TxDOT) as necessary for the construction of improvements to I-20 Frontage Roads, and must acquire approximately 71,109 square feet of land for such improvements, as shown on Exhibits A and B, and the Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, TxDOT is agreeable to designing and constructing its improvements such that the City's ability to make future improvements to the Kleberg Trail shall not be impaired as shown on Exhibit C; 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 Kleberg Trail to TxDOT.

Now, Therefore,

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

SECTION 1. That the Park and Recreation Department is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on May 25, 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.

April 27, 2016

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit funds received from the Texas Department of Transportation into Fund 0530, Department PKR, Unit 919A, Revenue Code 8482.

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.

KEY FOCUS AREA: E-Gov

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Convention and Event Services
Sanitation Services
Street Services
Trinity Watershed Management
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837
Joey Zapata, 670-3009
Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a two-year service contract for **(1)** hazardous and non-hazardous waste disposal services - Green Planet, Inc. in the amount of \$3,188,960 through Dallas/Fort Worth International Airport contract using the Interlocal Purchasing Agreement; and **(2)** bio-hazardous decontamination and spill clean-up services - Protect Environmental Services, Inc. in the amount of \$261,200 through the City of Richardson contract using the Interlocal Purchasing Agreement - Total not to exceed \$3,450,160 - Financing: Current Funds (\$2,966,024), Stormwater Drainage Management Current Funds (\$311,636), Water Utilities Current Funds (\$80,000), Sanitation Current Funds (\$50,000), Aviation Current Funds (\$40,000) and Convention and Event Services Current Funds (\$2,500) (subject to annual appropriations)

BACKGROUND

This item is was placed on the addendum to allow for immediate waste disposal and decontamination services.

This action will authorize service contracts for hazardous and non-hazardous waste disposal and bio-hazardous decontamination and spill clean-up services for the City.

BACKGROUND (Continued)

These contracts will be used for the disposal of confiscated, biologically hazardous, environmentally hazardous and non-hazardous materials such as:

- Blood
- Body fluids
- Corrosive/flammable materials
- Liquor, beer and wine
- Ammunition and fireworks
- Automobile and equipment solid batteries

Also included in these contracts is the collection and disposing of used and spilled cleaning materials, paints and pesticides to avoid City employee exposure to such materials and to ensure compliance with the Environmental Management Program. These products need to be disposed in accordance with specifications for toxic hazardous substances separately from the City's regular solid waste pickup and materials recycling. The recommended vendors meet the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 26, 2014, City Council authorized Supplemental Agreement No. 3 to increase the service contract for hazardous and non-hazardous material clean-up and disposal services for City departments to extend the contract term through December 18, 2014, by Resolution No. 14-0370.

On December 10, 2014, City Council authorized a service contract with Green Planet, Inc. through a Cooperative Purchasing Agreement with Dallas/Fort Worth International Airport for hazardous and non-hazardous waste disposal services for a term of one year, by Resolution No. 14-2084.

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

\$2,966,024.00 - Current Funds (subject to annual appropriations)
\$ 311,636.00 - Stormwater Drainage Management Current Funds (subject to annual appropriations)
\$ 80,000.00 - Water Utilities Current Funds (subject to annual appropriations)
\$ 50,000.00 - Sanitation Current Funds (subject to annual appropriations)
\$ 40,000.00 - Aviation Current Funds (subject to annual appropriations)
\$ 2,500.00 - Convention and Event Services Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Green Planet, Inc.

White Male	3	White Female	2
Black Male	0	Black Female	0
Hispanic Male	4	Hispanic Female	0
Other Male	1	Other Female	0

Protect Environmental Services, Inc.

White Male	19	White Female	9
Black Male	2	Black Female	0
Hispanic Male	4	Hispanic Female	2
Other Male	0	Other Female	0

OWNERS

Green Planet, Inc.

Virginia Belmore, President
Hassan Aicha, Vice President

Protect Environmental Services, Inc.

A. Kirsten Cameron, President

April 27, 2016

WHEREAS, on February 26, 2014, City Council authorized Supplemental Agreement No. 3 to increase the service contract for hazardous and non-hazardous material clean-up and disposal services for City departments to extend the contract term through December 18, 2014, by Resolution No. 14-0370; and

WHEREAS, on December 10, 2014, City Council authorized a service contract with Green Planet, Inc. through a Cooperative Purchasing Agreement with Dallas/Fort Worth International Airport for hazardous and non-hazardous waste disposal services for a term of one year by Resolution No. 14-2084;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with (1) Green Planet, Inc. (357112) through Dallas/Fort Worth International Airport procurement contract No. 7005553 Change Order No. 5 in accordance with the Interlocal Purchasing Agreement with Dallas/Fort Worth International Airport in the amount of \$3,188,960.00 for hazardous and non-hazardous waste disposal services; and (2) Protect Environmental Services, Inc. (VS0000039052) through the agreement from Request for Bid 41-14 by the City of Richardson in accordance with the Interlocal Purchasing Agreement in the amount of \$261,200.00 for bio-hazardous decontamination and spill clean-up services for a term of two years in a total amount not to exceed \$3,450,160.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Green Planet, Inc. and Protect Environmental Services, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Green Planet, Inc. and Protect Environmental Services, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$3,450,160.00 (subject to annual appropriations) from Service Contract number BW1601.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

ADDENDUM ITEM # 3

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 45-L

SUBJECT

Authorize a twenty-year development, operation, and maintenance agreement with Dallas Hartford, L.L.C. for the development, operation, and maintenance of parkland for Federal Plaza located at 1900 Federal Street – Financing: No cost consideration to the City

BACKGROUND

This item was scheduled for the Council consent agenda but is being placed on the addendum since the Park and Recreation Board deferred the item on April 7, 2016 to the next Park and Recreation Board meeting on April 21, 2016, in order to allow staff to produce additional information. Placing the item on the addendum will allow the Park and Recreation Department to pull the item if it is not approved by Park and Recreation Board on April 21, 2016. The TIF Board requires that the construction requirements of the agreement be completed by the end of June, hence a delay in Council approval will make it impossible to meet this deadline.

This action will authorize a development, operation, and maintenance agreement with Dallas Hartford, L.L.C. (Dallas Hartford) for the renovation, operation, and maintenance of Federal Plaza located at 1900 Federal Street.

On March 26, 2014, Resolutions Nos. 14-0526 and 14-0527, approved a development agreement with and expenditure of TIF funds for Dallas Hartford, such funds being supportive of redevelopment of the City Center TIF District. In addition to a minimum private investment of \$5,000,000 in the redevelopment of the 400 North St Paul Street Hartford Building, an Urban Design Peer Review Panel (UDPRP), appointed by the City Manager, required Dallas Hartford to:

- a. Include the adjacent park (Federal Plaza) in the project scope.
- b. Create linkages between the park and the renovated building through selection of materials, lighting, landscaping, and a shade structure.

BACKGROUND (Continued)

- c. Consider the potential impact of the future trolley alignment on design of the park and the public area adjacent to the building.

Such recommendations by UDPRP, and expenditure of TIF funds, are consistent with TIF Project requirements for development and redevelopment for improvement to a space for public benefit, such as City parks, open space, trails, or cultural facilities.

The agreement with the Park Board will be subject to the following terms:

1. The term is for 20 years.
2. Dallas Hartford, at its own cost, is responsible for the development of the design, plans, and specifications for the improvements to be made to the park (Exhibit B attached to the resolution). Dallas Hartford will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.
3. Dallas Hartford, at their own cost, is responsible for the operation, maintenance, and repair of the park during the term of the agreement.
4. Dallas Hartford will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.
5. The City of Dallas will retain the right to require Dallas Hartford to modify the improvements if and when necessary to maintain public safety of the parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 26, 2014, Council authorized a development agreement with Dallas Hartford to reimburse eligible project costs, by Resolution No. 14-0526.

On March 26, 2014, Council authorized reimbursement to Dallas Hartford from TIF funds, by Resolution No. 14-0527.

The Park and Recreation Board deferred this item on April 7, 2016.

The Park and Recreation Board approved this item on April 21, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

April 27, 2016

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

WHEREAS, the City of Dallas Park and Recreation Department (City) and Dallas Hartford, L.L.C. (Dallas Hartford), a Texas limited liability company, desire to enter into a development and maintenance agreement for the purpose of development, operation, and maintenance of parkland at Federal Plaza located at 1900 Federal Street shown in Exhibits A and B; and

WHEREAS, the City desires to have Dallas Hartford develop, operate, and maintain parkland during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a twenty-year development, operation and maintenance agreement with Dallas Hartford for the development, operation and maintenance of Federal Plaza.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a development, operation and maintenance agreement with Dallas Hartford, after approval as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for a term of 20 years.

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.