

QUALITY OF LIFE & ENVIRONMENT COMMITTEE  
DALLAS CITY COUNCIL COMMITTEE AGENDA

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CITY SECRETARY  
DALLAS, TEXAS

MONDAY, OCTOBER 10, 2016  
CITY HALL  
COUNCIL BRIEFING ROOM, 6ES  
1500 MARILLA ST.  
DALLAS, TEXAS 75201  
9:00 A.M. – 11:00 A.M.

**Chair**, Councilmember Sandy Greyson  
**Vice-Chair**, Councilmember Tiffinni A. Young  
Councilmember Rickey D. Callahan  
Councilmember Mark Clayton  
Councilmember Philip T. Kingston  
Councilmember B. Adam McGough

Call to Order

1. Approval of September 26, 2016 Minutes

**BRIEFINGS**

2. Continuation of Discussion on Animal Services Enforcement:  
Implementation Plan for BCG Strategic Recommendations  
on Loose Dogs  
Robert Sherwin  
*Deputy Chief, Dallas  
Police Department*

**UPCOMING AGENDA ITEMS**

3. **OCTOBER 11, 2016**
  - A. Agenda Item #32 - Authorize (1) a fifteen-year, plus one five-year renewal option, concession contract with Elm Fork Clay Sports, Incorporated for management, operation and development of the Elm Fork Shooting Range (shotgun area) located at 10751 Luna Road with an Estimated Annual Revenue of \$163,724; and (2) a fifteen-year, plus one five-year renewal, concession contract with Elm Fork Rifle and Pistol, Incorporated for management, operation and development of the Elm Fork Shooting Range (rifle and pistol range area) located at 10751 Luna Road with an Estimated Annual Revenue of \$106,276 - Total Estimated Annual Revenue: \$270,000
  - B. Agenda Item #33 - Authorize Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. to provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials and lead-based paint, including air monitoring, final inspection and close-out report at the former Jules E. Muchert U.S. Army Reserve Center located at 10031 East Northwest Highway - Not to exceed \$76,445, from \$7,550 to \$83,995 - Financing: General Obligation Commercial Paper Funds

A quorum of the City Council may attend this Council Committee meeting

Adjourn



Sandy Greyson, Chair  
Quality of Life & Environment Committee

A closed executive session may be held if the discussion of any of the above agenda items 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 the Texas Open Meetings Act.
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 Texas Open Meetings Act.
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 Texas Open Meetings Act.
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 Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

### **Handgun Prohibition Notice for Meetings of Government Entities**

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."

# Quality of Life & Environment Committee Meeting Record

Meeting Date: September 26, 2016 Convened: 9:07 AM Adjourned: 10:57 AM

**Members Present:**

Sandy Greyson (Chair)  
Tiffinni A. Young (Vice-Chair)  
Rickey D. Callahan  
Mark Clayton  
Philip T. Kingston  
B. Adam McGough

**Members Absent:**

**Council Members Present:**  
Deputy Mayor Pro Tem Erik Wilson  
Casey Thomas II

**Briefing Presenters**

Lee F. Jackson,  
UNT System Chancellor

Willis Winters, Director  
Park and Recreation

Robert Sherwin, Deputy Chief,  
Police Department

**Staff Present:**

Anne Adiele, Ann Barnes, Peter Bratt, Louise Elam, Ryan Evans, Barbara Hobbs, Anna Holmes, Leong Lim, Tammy Palomino, Zoe Ray, Kris Sweckard, Brett Wilkinson, Margaret Wright, Joey Zapata

**Guests:**

Royal Furgeson, Dean of UNT Dallas College of Law and James Maguire, Vice Chancellor for Facilities, Planning, & Construction, Chief Architect, UNT System

**AGENDA:**

1. **Approval of September 12, 2016 Minutes**

Information Only:

**Presenters:**

A motion was made to approve the minutes of September 12, 2016.

The Chair made a correction to the agenda for approval of the minutes from the September 12, 2016 meeting, not the August 22, 2016 meeting.

On agenda item number four, the Chair made a correction to the action to read, "The Chair said these items would move forward to full Council."

**Action Taken/Committee Recommendation(s):** Approve minutes of September 12, 2016

**Motion made by:** Philip T. Kingston

**Motion seconded by:** Rickey D. Callahan

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

**2. UNT Dallas College of Law: Moving Forward with the Old Municipal Building**

Presenter(s): Lee F. Jackson

Information Only:

The Chancellor of University of North Texas System briefed the Committee on an interlocal agreement for the transfer and sale of the Dallas Municipal Building.

CM Kingston motioned to recommend the interlocal agreement for approval by City Council.

Action Taken/Committee Recommendation(s):

A motion to recommend that the City Council approve the interlocal agreement.

Motion made by: Philip T. Kingston

Motion seconded by: B. Adam McGough

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

**3. Park and Recreation Department Needs Inventory**

Presenter(s): Willis Winters

Information Only:

The Park and Recreation Department briefed the Committee on the Department's Needs Inventory.

The Committee requested information on "Needs by Council District" similar to page seven, but detailing investments made by the City over the last five to ten years.

Action Taken/Committee Recommendation(s):

Motion made by:

Motion seconded by:

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

4. Animal Services Enforcement

Presenter(s): Robert Sherwin

Information Only:

Dallas Animal Services briefed the Committee on the budget and action plan for implementation of priority recommendations to improve public safety and animal welfare.

The Chair requested for this item to return to the Quality of Life and Environment Committee on October 11, 2016 for further discussion.

Action Taken/Committee Recommendation(s):

Motion made by:

Motion seconded by:

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

5. Upcoming Agenda Items

Presenter(s):

Information Only:

Information about the upcoming items on the September 28, 2016, Council Agenda meeting was included in the briefing materials.

Action Taken/Committee Recommendation(s):

Motion made by:

Motion seconded by:

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

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Councilmember Sandy Greyson  
Chair

# Memorandum



CITY OF DALLAS

DATE October 7, 2016

TO Honorable Members of the Quality of Life and Environment Committee: Sandy Greyson (Chair), Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT **Continuation of Discussion on Animal Services Enforcement: Implementation Plan for BCG Strategic Recommendations on Loose Dogs**

On Monday, October 10, 2016, there will be a continued discussion on the budget and action plan for implementation of priority recommendations to pick up loose dogs, and improve both public safety and animal welfare by Dallas Animal Services. The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

  
A.C. Gonzalez  
City Manager

c: Larry Casto, City Attorney  
Craig D. Kinton, City Auditor  
Rosa A. Rios, City Secretary  
Daniel F. Solis, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
Eric D. Campbell, Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
M. Elizabeth Reich, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council

# Continuation of Discussion on Animal Services Enforcement: Implementation Plan for BCG Strategic Recommendations on Loose Dogs

Briefing to Quality of Life & Environment Committee

October 10, 2016



# Purpose

- ▶ Provide budget and action plan for prompt implementation of priority recommendations to pick up loose dogs to improve public safety and animal welfare



# Background

- ▶ In June 2016, The Boston Consulting Group (BCG) began development of strategic recommendations to:
  - ▶ Address the threat to public safety posed by loose dogs in the community
  - ▶ Continue to reduce euthanasia of dogs entering the DAS shelter
- ▶ Animal Advisory Commission was updated on August 4, 2016
- ▶ City Council was briefed on August 30, 2016 and requested an implementation plan

# Budget Actions

- ▶ Current DAS budget was \$10.8 m
- ▶ City Manager's Budget added \$1.5 m
  - ▶ After BCG presentation, City Manager added additional \$1.2 million to his recommendation
- ▶ DAS total budget is now \$13.3m for FY 2016-17
- ▶ Added amounts are to increase:
  - ▶ Loose dogs picked up by 6,900
  - ▶ Spay/neuter, microchip and vaccinate 7,290 dogs for live release
  - ▶ Open access to data, reports
- ▶ Council approved recommended increases for FY 2016-17 Budget

# Implementation Team

- ▶ On September 19, the City Manager:
  - ▶ Reassigned DPD Deputy Chief Robert Sherwin to lead Dallas Animal Services (DAS) and plan implementation, as his direct report
    - ▶ Supported by Major Barbara Hobbs and a DPD team
  - ▶ Named a standing task force of city leaders and initiated weekly meetings to expedite results and resolve obstacles
    - ▶ Includes leadership of multiple departments, plus other support staff
    - ▶ Speeds up impact of service and operational improvements, and defers changes in the organizational structure
    - ▶ Will coordinate with external partners who want to help make things happen quickly
    - ▶ Estimate six months for recommendations to be implemented, well underway, and/or fully operational



# Strategic Recommendations Summary

- ▶ City of Dallas
  - ▶ New mission statement and aligned scorecard
  - ▶ Pick up 6,900 more loose dogs
  - ▶ Increase live releases by 7,290
    - ▶ Fund spay/neuter for each
  - ▶ Provide open access to data and reports
  - ▶ Improve profile, priority, access and accountability of DAS in the organization
- ▶ Dallas Community
  - ▶ Fund and implement 46,000 free spay/neuter surgeries for the next three years

# Implementation Plan Highlights

# Mission Statement

- ▶ Revise
  - ▶ Must balance public safety and animal welfare
  - ▶ Implement a mission-centric scorecard with specific targets and regular progress updates
- ▶ Review options
  - ▶ September 22: Animal Advisory Commission
  - ▶ September 26: Quality of Life & Environment
- ▶ Implement new mission in October and draft scorecard by November



# Mission Statement Options

- ▶ Option A: DAS is dedicated to serving our communities and animals with compassion to ensure public safety, promote animal welfare, and contribute to a stable population of animals in the City of Dallas.
- ▶ Option B: Helping Dallas be a safe and healthy place for people and animals by partnering with our communities to enhance the quality of life for our citizens.
- ▶ Option C: Creating a City where public safety and animal welfare are realized through collaboration and teamwork with our community.
- ▶ Option D: Helping Dallas be a safe, compassionate, and healthy place for people and animals. (AAC Rec)

# Increase Impounding

- ▶ Impound 6,900 more dogs in FY16-17
  - ▶ Dedicate a team of 10 animal service officers (ASO) and 2 supervisors for field collection and patrol
    - ▶ \$667,058 for 7 ASO, 2 supervisor, 5 trucks beginning in Jan-2017
  - ▶ Hire 4 dedicated 311 call takers to improve handling of animal-related concerns
    - ▶ \$126,000 to start in Jan-2017



# Increase Live Release

- ▶ Increase live release opportunities for 7,290 more dogs in FY16-17
  - ▶ Enhance digital marketing across multiple services
    - ▶ Case management system upgrade and technology: \$64,000
    - ▶ Spay/neuter support for increased live releases: \$192,000
    - ▶ Contractor for for photos, profiles, uploads: \$100,000
    - ▶ 2 staff to assist interested adopters in Dec-2016: \$31,000

# Increase Live Release

- ▶ Increase live release opportunities for 7,290 more dogs in FY16-17
  - ▶ Plan recommends increasing adoption footprint via additional site and extended hours at DAS adoption center for 1,820 more adoptions
    - ▶ New adoption site and staffing
    - ▶ Funds 2 new staff at DAS
    - ▶ Spay/neuter support for increased live releases
  - ▶ Staff will identify potential satellite adoption sites to meet adoption goal and \$350k budget

# Increase Live Release

- ▶ Increase live release opportunities for 7,290 more dogs in FY16-17
  - ▶ Increase transfer program volume through:
    - ▶ Transfer-on-intake program with a single, high-volume partner
    - ▶ Segmenting relationship management of transfer partners by size and support
      - ▶ Adds one transfer coordinator
  - ▶ Implement enhanced behavior training to increase adoptability of dogs
    - ▶ 15,340 behavior courses for \$648,000
  - ▶ Add one veterinarian and two technicians for spay/neuter and vaccinations support for increased live releases



# Other Areas

- ▶ Increase community collaboration by via open access to data and reports
  - ▶ \$30,000 to increase available funding for a data analyst to be hired by CIS for DAS at \$90K cost
- ▶ Governance and funding
  - ▶ Improve profile, priority, access and accountability of DAS via assignment to DPD team
  - ▶ \$2.7m increased support in FY 2016-17 Budget
- ▶ Operating Efficiency
  - ▶ Hire project manager and analyst to support implementation

# Community Fund Raising

- Dallas community to fund \$7.5m and implement 46,000 free spay/neuter surgeries annually for the next three years for loose dog population control
  - ▶ Spay days
  - ▶ Mobile vans
  - ▶ Spay/neuter hotline
  - ▶ Overhead
  - ▶ Project manager

# Next Steps

- ▶ Request QOL input to adopt a mission statement that balances public safety and animal welfare
- ▶ Implement priority recommendations to pick up loose dogs, increase live releases and improve governance and accountability
- ▶ Provide quarterly updates to QOL, beginning December 2016



# Appendix

| Priority Area |     | Recommendation and Key Assumptions  | Priority | Full Year Cost  | FY16-17 Funding |
|---------------|-----|---|----------|---|-----------------|
| 1. Mission    | 1.1 | DAS should adopt a mission statement balancing public safety and animal welfare   | 1        | \$-   |                 |
|               | 1.2 | DAS should adopt a mission-centric scorecard with specific targets and regular progress updates   | 1        | \$-   |                 |
| 2. Loose Dogs | 2.1 | DAS should focus 10 ASOs and 2 field supervisors on field collection and patrol<br>- 4 trucks full of equipped @ \$60k each = \$240k<br>- DAS fills current open positions (8 ASOs and 2 supervisors) at no cost<br>- 2 additional ASO officers at \$47k salary = \$94k per year  | 3        | \$300,000<br>\$388,253<br>\$101,158                       | \$667,058       |
|               | 2.2 | DAS should increase ASO field intake<br>- Cost of 4 additional 311 operators or dispatchers @\$42k = \$168k per year  | 2        | \$168,000   | \$126,000       |
| 3. LRR        | 3.1 | DAS should enhance its digital marketing for both adoption and transfers:<br>- DAS IT system upgrades = \$60k<br>- Cameras and laptops for improving profiles = \$4k<br>- Incremental spay and neuter and vaccine supplies and labor for 2,000 dogs @\$96 = \$192k per year<br>- Additional 2.8 employees to photograph dogs, write descriptions, upload information to websites etc. @ \$36k salary = \$101k per year<br>- 2 additional staff to aid potential adopters navigate the kennels @ \$20,800 = \$42k per year | 2        | \$60,000<br>\$4,000<br>\$192,000<br>\$100,000<br>\$41,600 | \$387,200       |

# Appendix

| Priority Area |       | Recommendation and Key Assumptions  | Priority | Full Year Cost                   | FY16-17 Funding |
|---------------|-------|---|----------|----------------------------------|-----------------|
| 3. LRR        | 3.2   | DAS should increase adoption footprint by:  | 2        | \$-                              |                 |
|               | 3.2.1 | Expanding its retail presence via an additional adoption location<br>- Same cost as existing EAC location (including 2 employees) = \$300k per year<br>- Incremental spay and neuter and vaccine supplies for 1,300 dogs @ \$96 = \$125k per year   | 2        | \$300,000<br>\$124,800           | \$424,800       |
|               | 3.2.2 | Expanding its retail presence via extended adoption hours<br>- Incremental spay and neuter costs for 520 dog adoption @ \$96 = \$50k per year<br>- Additional 12 adoption hours a week with 2 staff to sit at the adoption desk @ \$15/hr = \$19k per year<br>- Additional 12 hours a week for 2 staff to aid adopters as they walk around kennels @ \$10/hr = \$12k per year | 2        | \$18,720<br>\$12,480<br>\$49,920 | \$81,120        |
|               | 3.3   | DAS should increase volume through its transfer program by:   | 2        | \$-                              |                 |
|               | 3.3.1 | Establishing a "transfer-on-intake" program w/ a single high- volume partner  | 4        | \$-                              |                 |
|               | 3.3.2 | Segmenting relationship mgmt. of transfer partners by size and support<br>- 1 Transfer Coordinator @ \$51 k per year  |          | \$51,000                         | \$38,250        |



# Appendix

| Priority Area     |     | Recommendation and Key Assumptions  | Priority | Full Year Cost         | FY16-17 Funding |
|-------------------|-----|---|----------|------------------------|-----------------|
| 3. LRR            | 3.6 | DAS should provide enhanced behavior training to increase adoptability of dogs<br>- 700-1,300 incremental spay and neuter surgeries @ 96 = \$69k-\$122k per year<br>- 15,430 behavior courses @ \$21-42 = \$324-648k per year   | 6        | \$648,060<br>\$124,800 | \$724,800       |
|                   | 3.7 | DAS should hire 1 veterinarian and 2 vet techs to perform spay and neuter surgeries and vaccinations to support the increase in dog adoptions   | 4        | \$-                    |                 |
| Pop. Control      | 4.1 | The Dallas community should provide 46,000 free spay/neuter surgeries in southern Dallas for each of the next 3 years<br>- \$160 per surgery at Spay Days add'l 5,880 surgeries = \$950k<br>- \$168 per surgery in mobile vans for add'l 37,500 surgeries = \$6.3MM<br>- 3 hotline associates @ \$25k = \$75k<br>- Overhead @ \$52k<br>- 1 project manager @ \$100k | 4        | \$-                    |                 |
|                   | 4.2 | Animal welfare organizations in Dallas should coordinate S/N efforts  | 3        | \$-                    |                 |
| Community Collab. | 5.1 | DAS should work with CIS and other city departments to provide open access to operating data and automated reporting<br>- \$30k increase in salary to elevate current budgeted Coordinator II: Data Analyst to a Manager II:<br>Business to ensure proper skillset for position   | 1        | \$30,000               | \$30,000        |

# Appendix

| Priority Area        | Recommendation and Key Assumptions   | Priority | Full Year Cost        | FY16-17 Funding    |
|----------------------|--|----------|-----------------------|--------------------|
| Gov.                 | <p>6.1 DAS should move out from under the Department of Code Compliance and become an independent municipal department</p> <ul style="list-style-type: none"> <li>- Assuming DAS must make a 1:1 replacement of support services currently provided by Department of Code, it would cost \$370k</li> <li>- Assuming DAS needs support services in line with BCG public sector and animal service organizations benchmarks, it would cost \$250k</li> </ul> | 4        | \$310,000             | \$0                |
|                      | <p>6.2 The City of Dallas should increase funding for Dallas Animal Services to support recommendations</p>  | 3        | \$-                   |                    |
|                      | <p>6.3 The City of Dallas or DAS should hire a project manager and data analyst to oversee the implementation of recommendations</p> <ul style="list-style-type: none"> <li>- 1 project manager @ \$100k per year</li> <li>- 1 analyst @ \$58k per year</li> </ul>   | 1        | \$100,000<br>\$58,000 | \$158,000          |
| Operating efficiency | <p>7.1 DAS should align its organizational structure and employee performance with the mission</p> <ul style="list-style-type: none"> <li>- 1 data analyst @ \$58k per year for performance scorecard and reporting</li> </ul>   | 1        | \$58,000              | \$58,000           |
|                      |  |          | <b>\$3,242,091</b>    | <b>\$2,695,228</b> |

**AGENDA ITEM # 32**

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

**AGENDA DATE:** October 11, 2016

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Park & Recreation

**CMO:** Willis Winters, 670-4071

**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** a fifteen-year, plus one five-year renewal option, concession contract with Elm Fork Clay Sports, Incorporated for management, operation and development of the Elm Fork Shooting Range (shotgun area) located at 10751 Luna Road with an Estimated Annual Revenue of \$163,724; and **(2)** a fifteen-year, plus one five-year renewal, concession contract with Elm Fork Rifle and Pistol, Incorporated for management, operation and development of the Elm Fork Shooting Range (rifle and pistol range area) located at 10751 Luna Road with an Estimated Annual Revenue of \$106,276 - Total Estimated Annual Revenue: \$270,000

**BACKGROUND**

The Elm Fork Shooting Range is divided into two components. One area of the range is for rifle and pistol shooting, and the other area is for shotgun. On August 13, 2003, the City, authorized by City Council Resolution No. 03-2166, entered into a ten-year contract with one five-year renewal option with Elm Fork Shooting Park, Incorporated to manage and operate both areas of the shooting range.

On February 11, 2004, a Supplemental Agreement No. 1 was executed to assign the shotgun range area of the shooting park from Elm Fork Shooting Park, Inc. to Elm Fork Clay Sports, Inc. On October 24, 2007, the parties executed Supplemental Agreement No. 2 to assign the rifle and pistol range area of the shooting park from Elm Fork Shooting Park, Inc. to Elm Fork Rifle and Pistol, Inc. Scott Robertson is the President of both entities operating and managing the two shooting ranges. On October 9, 2013, the contract was extended for a period of five years. Its current end date is October 31, 2018.

## **BACKGROUND** (Continued)

Over the last eleven years, Mr. Robertson has made significant safety and environmental improvements and financial investments in property and building upgrades and enhancements to both ranges. This has made the Elm Fork Shooting Ranges a destination for outdoor enthusiasts, which has created opportunities for several events to be scheduled throughout the year. He has also worked with various government and law enforcement agencies to provide the ranges as training facilities including law enforcement agencies and the Department of Homeland Security, specifically the FFDO (Federal Flight Deck Officers) and FAMS (Federal Air Marshal Service).

Mr. Robertson is requesting consideration of new contracts in consideration of the primary needs: 1) need to complete repairs to the premises due to flooding in 2015 which will require substantial funds to facilitate needed repairs; 2) ability to secure reasonable financing from the lending source; and 3) complete planned capital improvements which are estimated at around \$2 million dollars including, but not limited to, constructing new clubhouses including office and restaurant space, constructing new picnic areas, new parking and 1.2 miles of concrete trails.

In order to allow time to make these improvements and recoup the required financial investment, approval of new fifteen-year, with one (1) five-year renewal option, contracts are being requested.

Proposed Contract Deal Points:

### **City Obligations:**

1. City shall maintain the entrance road to the Premises leading to the parking lots of both the Clay and Shotgun Premises and the Rifle and Pistol Premises.
2. City shall trim any and all trees necessary to maintain safe entry onto the Premises and shall provide trees for planting as required.
3. In the event that operations are forced to close due to unavoidable circumstances for a period of at least 15 days, City shall waive its required commissions for the same number of days as operations were closed beginning on the day that operations can resume.
4. City may review any and all services performed by the Concessionaire and shall have the right to audit, at reasonable times and upon reasonable notice, all of the Concessionaire's records and billing relating to the performance of the Agreements.

## **BACKGROUND** (Continued)

### **Concessionaire Obligations:**

1. Concessionaire shall raise monies to fund improvements to the Premises. Concessionaire shall on a monthly basis pay to the City a percentage of gross receipts.
2. Concessionaire will enter into (in its own name) and perform all contracts necessary to fully complete the improvements.
3. City shall have no liability for any claims that may arise out of design or construction of the improvements.
4. The Director of the Park and Recreation Department, or his designated representative (Director) has the right to review and approve the selection of any design consultants, contractors, and subcontractors used on the improvements.
5. Fee simple title to the improvements, when made, shall automatically vest in the City without any further actions by either party.
6. Concessionaire shall be responsible for actions and cost associated with the operation, management and maintenance of the improvements.
7. Concessionaire shall submit annually an Examination-Level Attestation Report from an independent auditor/accountant, performed in accordance with the attestation standards established by the American institute of Certified Public Accountants.
8. Concessionaire shall be allowed to host events in which alcohol is sold provided the caterer has provided a valid license from the Texas Alcoholic Beverage Commission, the Premises has been closed to general public for the time of the event, and all firearms owned by both the Concessionaire and private citizens have been locked away and secured.
9. Concessionaire has reviewed the City's environmental policy and shall adhere to the policy including being responsible to submit a Lead Reclamation Plan and submittal of document pertaining to that plan.
10. Concessionaire will annually submit a full operating budget.
11. Concessionaire shall not assign or sublet any part of the Agreements or the concession rights without the express prior written approval of the Director.

**BACKGROUND** (Continued)

**Concessionaire Obligations:** (Continued)

- 12. Concessionaire shall not mortgage, pledge, or otherwise encumber its rights and interests under the Agreements to secure financing.
- 13. Concessionaire shall purchase and maintain insurance in accordance with contractual requirements.

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

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

The Park and Recreation Board was briefed on January 7, 2016.

On September 15, 2016, the Park and Recreation Board authorized a fifteen-year, plus one five-year renewal concession contract with Elm Fork Clay Sports, Incorporated.

On September 15, 2016, the Park and Recreation Board authorized a fifteen-year, plus one five-year renewal concession contract with Elm Fork Rifle and Pistol, Incorporated.

Council will be briefed by memorandum regarding this matter on September 30, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on October 10, 2016.

**FISCAL INFORMATION**

Elm Fork Clay Sports, Inc. - Estimated Annual Revenue: \$163,724

Elm Fork Rifle and Pistol, Inc. - Estimated Annual Revenue: \$106,276

Total Estimated Annual Revenue: \$270,000

**OWNERS**

**Elm Fork Clay Sports, Inc.**

Scott Robertson, President

**Elm Fork Rifle and Pistol, Inc.**

Scott Robertson, President



October 11, 2016

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

**WHEREAS**, the City owns approximately 467 acres of land located in Dallas, Dallas County, Texas, at 10751 Luna Road ("Premises") in the L.B. Houston Park; and

**WHEREAS**, Pursuant to Resolution No. 03-2166, the City and Elm Fork Shooting Park Inc. entered into a concession contract on August 13, 2003 ("Concession Contract") for a term of ten years ending on October 31, 2013 with one five-year option to renew; and

**WHEREAS**, the Concession Contract was entered into between the City and Elm Fork Shooting Park Inc. for Elm Fork Shooting Park Inc. to manage and operate the Premises in accordance with the Concession Contract; and

**WHEREAS**, the City and Elm Fork Shooting Park Inc. entered into a supplemental Agreement dated February 11, 2004 whereby City consented to Elm Fork Shooting Park Inc. assigning the clay and shot gun portion of the Premises to Elm Fork Clay Sports Inc.; and

**WHEREAS**, the City and Elm Fork Shooting Park Inc. entered into a supplemental Agreement dated October 24, 2007 whereby City consented to Elm Fork Shooting Park Inc. assigning the rifle and pistol portion of the Premises to Elm Fork Rifle and Pistol, Inc.; and

**WHEREAS**, pursuant to Administrative Action No. 13-6618, the Concession Contract was extended for an additional five years ending on October 31, 2018; and

**WHEREAS**, the parties agree and desire to terminate the five-year extension of the Concession Contract upon the execution of this Agreement and for this Agreement to supersede the prior Concession Contract, including any renewals or supplements.  
**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 authorized to execute concession contracts with Elm Fork Clay Sports, Inc. in the amount of \$163,724.00 and Elm Fork Rifle and Pistol, Inc. in the amount of \$106,276.00 for management and operation of the Elm Fork Gun Ranges for a term of fifteen-years with one five-year extension option each, for an estimated annual net revenue amount of \$270,000.00, upon approval as to form by the City Attorney.

October 11, 2016

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are authorized to execute the concession contracts after approval as to form by the City Attorney.

**SECTION 3.** That the City of Dallas shall receive a percentage of gross revenues.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to receive and deposit funds from these contract in Fund 0641, Department PKR, Unit 8018, Revenue Source 8481 in a total estimated annual net revenue amount of \$270,000.00.

**SECTION 5.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



**KEY FOCUS AREA:** Culture, Arts and Recreation and Educational Enhancements  
**AGENDA DATE:** October 11, 2016  
**COUNCIL DISTRICT(S):** 10  
**DEPARTMENT:** Park & Recreation  
**CMO:** Willis Winters, 670-4071  
**MAPSCO:** 27Z

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**SUBJECT**

Authorize Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. to provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials and lead-based paint, including air monitoring, final inspection and close-out report at the former Jules E. Muchert U.S. Army Reserve Center located at 10031 East Northwest Highway - Not to exceed \$76,445, from \$7,550 to \$83,995 - Financing: General Obligation Commercial Paper Funds

**BACKGROUND**

The original professional services contract was authorized on March 14, 2016, by Administrative Action No. 16-5539 for environmental testing services for the Jules E. Muchert Army Reserve Center, in an amount not to exceed \$7,550.

This action authorizes Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. to provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials (ACM) and lead-based paint (LBP), including air monitoring, final inspection and close-out report at the Jules E. Muchert U.S. Army Reserve Center for a fee not to exceed \$76,445, increasing the original contract from \$7,550 to \$83,995. This building will be used for Administrative Offices for the Park and Recreation Department.

**ESTIMATED SCHEDULE OF PROJECT**

|                       |               |
|-----------------------|---------------|
| Begin Design          | October 2016  |
| Complete Design       | December 2016 |
| Begin Construction    | January 2017  |
| Complete Construction | April 2017    |

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

On September 15, 2016, the Park and Recreation Board authorized Supplemental Agreement No. 1.

Council will be briefed by memorandum regarding this matter on September 30, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on October 10, 2016.

**FISCAL INFORMATION**

General Obligation Commercial Paper Funds (2006 Bond Program) - \$76,445

|  |                 |
|--|-----------------|
| Design Contract                            | \$ 7,550        |
| Supplemental Agreement No. 1 (this action) | <u>\$76,445</u> |
| Total                                      | \$83,995        |

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Terracon Consultants, Inc.

|               |    |                 |    |
|---------------|----|-----------------|----|
| White Male    | 67 | White Female    | 19 |
| Hispanic Male | 17 | Hispanic Female | 3  |
| Black Male    | 6  | Black Female    | 4  |
| Other Male    | 10 | Other Female    | 5  |

**OWNER**

**Terracon Consultants, Inc.**

David Gaboury, President  
Michael Yost, Secretary  
Donald Vrana, Treasurer

**MAP**

Attached

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. to provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials and lead-based paint, including air monitoring, final inspection and close-out report at the former Jules E. Muchert U.S. Army Reserve Center located at 10031 East Northwest Highway - Not to exceed \$76,445, from \$7,550 to \$83,995 - Financing: General Obligation Commercial Paper Funds

Terracon Consultants, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

### LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

|                          | <u>Amount</u> | <u>Percent</u> |
|--------------------------|---------------|----------------|
| Local contracts          | \$59,627.10   | 78.00%         |
| Non-local contracts      | \$16,817.90   | 22.00%         |
| <b>TOTAL THIS ACTION</b> | \$76,445.00   | 100.00%        |

### LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

#### Local Contractors / Sub-Contractors

| <u>Local</u>                  | <u>Certification</u> | <u>Amount</u> | <u>Percent</u> |
|-------------------------------|----------------------|---------------|----------------|
| Cates Laboratories            | WFDB32535Y0617       | \$2,293.35    | 3.85%          |
| <b>Total Minority - Local</b> |                      | \$2,293.35    | 3.85%          |

#### Non-Local Contractors / Sub-Contractors

| <u>Non-local</u>                  | <u>Certification</u> | <u>Amount</u> | <u>Percent</u> |
|-----------------------------------|----------------------|---------------|----------------|
| Stan's Enviroservice, Inc.        | BMMB63985N0117       | \$15,289.00   | 90.91%         |
| Cheryl's Drafting & Design        | WFDB96904Y0716       | \$1,528.90    | 9.09%          |
| <b>Total Minority - Non-local</b> |                      | \$16,817.90   | 100.00%        |

**TOTAL M/WBE PARTICIPATION**

|                   | <b>This Action</b>   |                       | <b>Participation to Date</b> |                       |
|-------------------|----------------------|-----------------------|------------------------------|-----------------------|
|                   | <b><u>Amount</u></b> | <b><u>Percent</u></b> | <b><u>Amount</u></b>         | <b><u>Percent</u></b> |
| African American  | \$15,289.00          | 20.00%                | \$0.00                       | 0.00%                 |
| Hispanic American | \$0.00               | 0.00%                 | \$15,289.00                  | 18.20%                |
| Asian American    | \$0.00               | 0.00%                 | \$0.00                       | 0.00%                 |
| Native American   | \$0.00               | 0.00%                 | \$0.00                       | 0.00%                 |
| WBE               | \$3,822.25           | 5.00%                 | \$4,550.06                   | 5.42%                 |
|                   | -----                | -----                 | -----                        | -----                 |
| Total             | \$19,111.25          | 25.00%                | \$19,839.06                  | 23.62%                |

October 11, 2016

**WHEREAS**, on March 14, 2016, Administrative Action No. 16-5539 authorized award of a professional services contract with Terracon Consultants, Inc. for environmental testing services for the Jules E. Muchert Army Reserve Center located at 10031 East Northwest Highway, in an amount not to exceed \$7,550; and

**WHEREAS**, this action will authorize Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. to provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials (ACM) and lead-based paint (LBP), including air monitoring, final inspection and close-out report at the former Jules E. Muchert U.S. Army Reserve Center, in an amount not to exceed \$76,445, increasing the original contract amount from \$7,550 to \$83,995.

**Now, Therefore,**

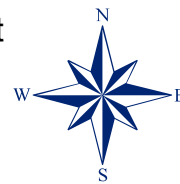
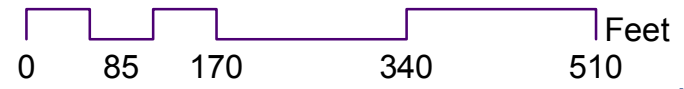
**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials (ACM) and lead-based paint (LBP), including air monitoring, final inspection and close-out report at the former Jules E. Muchert U.S. Army Reserve Center, in an amount not to exceed \$76,445, increasing the original contract amount from \$7,550 to \$83,995.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, 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 \$76,445 from General Obligation Commercial Paper Fund, Fund 4T60, Department PKR, Unit P762, Object 4113, Activity AISF, Program PKP762, CT-PKR16019962, Commodity 92500, Vendor 341409.

**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.



September 15, 2016

# Jules E. Muchert Army Reserve Center (10031 East Northwest Highway)

Mapsco  
27 Z

District  
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