



City of Dallas

DALLAS PARK AND RECREATION BOARD AGENDA

**THURSDAY, NOVEMBER 1, 2022
DALLAS CITY HALL
1500 MARILLA STREET, ROOM 6FN
DALLAS, TEXAS 75201
214-670-4078**

- 8:30 am: Administration and Finance Committee 6FS –
Videoconference/ in person**
- 8:45 am: Planning and Design Committee, Room 6FN –
Videoconference/ in person**
- 10:00 am: Park and Recreation Board, Room 6FN-
Videoconference/ in person**

RECEIVED

2022 OCT 26 PM 2:36

CITY SECRETARY
DALLAS, TEXAS



City of Dallas

Public Notice

220999

POSTED CITY SECRETARY
DALLAS, TX

DALLAS PARK AND RECREATION BOARD

ADMINISTRATION AND FINANCE

TUESDAY, NOVEMBER 1, 2022, 8:30 A.M.

Dallas City Hall, 6FS Conference Room and Videoconference

Video Conference: <https://bit.ly/3DaHopM> **Password:** vvGM9WZHK84

Telephone: (408) 418-9388

AGENDA

I. Call to Order

Robb Stewart, Chair

II. CONSENT AGENDA

1. Article IV, Chapter 32 (All) - Authorize approval of the revised City of Dallas Ordinance, Article IV, Chapter 32 - White Rock Lake and Bachman Lake – Financing: No cost consideration to the City (**committee only**)
2. Bachman Lake (2,6) - Authorize Supplemental Agreement #1 to the Use Agreement between the City of Dallas and Dallas Rowing Club at Bachman Lake - Financing: No cost consideration to the City.

III. DISCUSSION ITEMS

- White Rock Boat Club Update – John Lawrence, Assistant Director
- Partner Business Audit Update – John Lawrence, Assistant Director
- Park Naming Policy – M. Renee Johnson, Assistant Director



City of Dallas

**DALLAS PARK AND RECREATION BOARD
ADMINISTRATION AND FINANCE COMMITTEE**

TUESDAY, NOVEMBER 1, 2022, 8:30 A.M.

Dallas City Hall, 6FS Conference Room and Videoconference

Handgun Prohibition Notice for Meetings of Governmental 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."

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RECEIVED

2022 OCT 26 PM 2:36

CITY SECRETARY
DALLAS, TEXAS



City of Dallas

Public Notice

221000

POSTED CITY SECRETARY
DALLAS, TX

**DALLAS PARK AND RECREATION BOARD
PLANNING AND DESIGN COMMITTEE**

TUESDAY, NOVEMBER 1, 2022, 8:45 A.M.

Dallas City Hall, 6FN Conference Room and Videoconference

Video Conference: <https://bit.ly/3szM7wk> **Password:** bNdezrmU283

Telephone: (408) 418-9388

AGENDA

I. Call to Order

Lane Conner, Chair

II. CONSENT AGENDA

1. Forest Cliff Park (3) - Authorize a public hearing to be held on December 14, 2022, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments, and Council action, on the proposed use of a portion of Forest Cliff Park, located at 5100 Duncanville Road, totaling approximately 50 square feet of land, for the installation of an outdoor warning siren by the Office of Emergency Management, to provide warning siren system coverage for the benefit of the public — Financing: No cost consideration to the City
2. Trinity Strand Trail (2,6) - Authorize Change an increase in the construction services contract with RoeschCo Construction Inc. for additional work on the Trinity Strand Trail Phase 2, from Inwood Road DART Station to Turtle Creek Boulevard, Dallas Texas - Not to exceed \$851,117.52, increasing the contract amount from \$5,521,648.56 to \$6,372,766.08 - Financing: Street and Transportation Improvement Funds (2012 General Obligation Bond Fund)



City of Dallas

**DALLAS PARK AND RECREATION BOARD
PLANNING AND DESIGN COMMITTEE**

TUESDAY, NOVEMBER 1, 2022, 8:45 A.M.

Dallas City Hall, 6FN Conference Room and Videoconference

Handgun Prohibition Notice for Meetings of Governmental Entities

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RECEIVED

2022 OCT 26 PM 3:12

CITY SECRETARY
DALLAS, TEXAS



City of Dallas

Public Notice

2 2 1002

POSTED CITY SECRETARY
DALLAS, TX

**DALLAS PARK AND RECREATION BOARD
REGULAR MEETING - REVISED**

**TUESDAY, NOVEMBER 1, 2022, 10:00 A.M.
Dallas City Hall, 6FN Conference Room and Videoconference**

Video Conference: <https://bit.ly/3f6lcns> **Password:** tKpJmJWa377

Telephone: (408) 418-9388

The City of Dallas will make "Reasonable Accommodations" to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Board Coordinator by calling (214) 670-1786 or TTY (800) 735-2989, forty-eight (48) hours prior to the scheduled meeting. A video stream of the meeting will be available two business days after adjournment by visiting <https://dallascityhall.com/government/Pages/Live.aspx>.

La Ciudad de Dallas llevará a cabo "Adaptaciones Razonables" a los programas y/u otras actividades relacionadas para garantizar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para garantizar una reunión equitativa e inclusiva. Cualquier persona que necesite ayuda auxiliar, servicio y/o traducción para participar de forma plena en la reunión, debe notificar al Departamento llamando al (214) 670-1786 o TTY (800) 735-2989, cuarenta y ocho (48) horas antes de la reunión programada. Una transmisión de video de la reunión estará disponible dos días hábiles luego del levantamiento de la reunión visitando <https://dallascityhall.com/government/Pages/Live.aspx>.

Individuals and interested parties wishing to speak must register to speak at
<https://www.dallasparks.org/107/Park-and-Recreation-Board> **before 12 pm Monday, October 31, 2022**

AGENDA

- I. **Call to Order** Arun Agarwal, Chair
- II. **Public Speakers**
- III. **Approval of Minutes** – October 20, 2022
- IV. **CONSENT AGENDA**

ADMINISTRATION AND FINANCE

- 1. White Rock Lake (9) - Authorize match funding for facility improvements at Winfrey Point, located at 950 East Lawther Drive – Not to exceed \$151,250.00 - Financing: 2017 Bond Funds (**Committee considered on October 20, 2022**)
- 2. Service Contract (All) - Authorize a three-year consultancy service contract to help develop mutually beneficial sponsorship agreements that deliver revenue dollars and/or in-kind products or services to the Park and Recreation Department in exchange for certain advertising, naming rights, marketing and/or promotional considerations granted by the Park and Recreation Department – The Superlative Group, Inc. in the estimated amount of \$249,650.00 most advantageous proposer of two - Total award not to exceed \$249,650 - Financing: Current Funds (subject to annual appropriations) (**Committee considered on October 20, 2022**)
- 3. Bachman Lake (2,6) - Authorize Supplemental Agreement #1 to the Use Agreement between the City of Dallas and Dallas Rowing Club at Bachman Lake - Financing: No cost consideration to the City. (**Committee considered on November 1, 2022**)



City of Dallas

DALLAS PARK AND RECREATION BOARD – PAGE 2
DALLAS CITY HALL Room 6FN - VIDEOCONFERENCE
1500 MARILLA STREET
DALLAS, TEXAS 75201
TUESDAY, NOVEMBER 1, 2022, 10:00 A.M

PLANNING AND DESIGN

4. Forest Cliff Park (3) – Authorize a public hearing to be held on December 14, 2022, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments, and Council action, on the proposed use of a portion of Forest Cliff Park, located at 5100 Duncanville Road, totaling approximately 50 square feet of land, for the installation of an outdoor warning siren by the Office of Emergency Management, to provide warning siren system coverage for the benefit of the public — Financing: No cost consideration to the City (**committee considered on November 1, 2022**)
5. Trinity Strand Trail (2,6) - Authorize Change an increase in the construction services contract with RoeschCo Construction Inc. for additional work on the Trinity Strand Trail Phase 2, from Inwood Road DART Station to Turtle Creek Boulevard, Dallas Texas - Not to exceed \$851,117.52, increasing the contract amount from \$5,521,648.56 to \$6,372,766.08 - Financing: Street and Transportation Improvement Funds (2012 General Obligation Bond Fund) (**committee considered on November 1, 2022**)

V. BRIEFINGS

- 2017 Bond Program Update – Christina Turner-Noteware, Assistant Director

VI. WORKSHOP

- Budget Update – Rachael Berry, Assistant Director
- 2024 Bond Program – Christina Turner-Noteware, Assistant Director

VII. OTHER/NON-ACTION ITEMS

- Staff Announcements – Upcoming Park and Recreation Department Events
- Park and Recreation Board Members Liaison Reports: Arts and Culture Advisory Committee, Audubon Dallas/Cedar Ridge Preserve, Dallas Arboretum and Botanical Society, Dallas Zoological Society, Downtown Dallas Inc./Downtown Parks, Friends of Bachman Lake, Friends of Fair Park, The Friends of Katy Trail, Friends of Northaven Trail, Friends of Preston Ridge Trail, Friends of Santa Fe Trail, Send a Kid To Camp, Senior Affairs Commission, State Fair of Texas, Texas Discovery Gardens, The Loop (Circuit Trail), The Trinity Commons Foundation, Trinity River Audubon Center, Turtle Creek Association, Turtle Creek Park Conservancy, The Woodall Rodgers Park Foundation/Klyde Warren Park
- Next Park Board meeting (**RETREAT – no voting items**), 9:00 am Thursday, November 17, 2022 – Trinity River Audubon Center

VIII. Adjournment



City of Dallas

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"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt . Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

Regular Meeting: Arun Agarwal, President, presiding

Present: Arun Agarwal, President; Daniel Wood, Vice-President; Harrison Blair, Calvert Collins-Bratton, Lane Conner, Maria Hasbany, JR Huerta, Rudy Karimi, Jeff Kitner, Fonya Naomi Mondell, Priscilla Price, Bo Slaughter, Robb Stewart, Taylor Toyne – 14

Absent: Tim W. Dickey – 1

This was a virtual meeting held via Cisco Webex and in person in the 6FN conference room. The public were able to view the Open Session meeting on the internet. The public were also able to attend in person.

Agenda Item I. President Agarwal called the meeting to order at 10:34 a.m.

Agenda Item II. Speakers – The following people registered to speak. Some of the speakers might no longer have been available or connected when it was their turn to speak.

Madison Eaker – Off Leash Dog Hours at Cole Park.

Agenda Item III. Minutes - A motion by Bo Slaughter, seconded by Robb Stewart, to approve the minutes of the October 6, 2022, Park and Recreation Board meeting was carried by unanimous vote.

Agenda Item IV. SAFETY UPDATE

Update on Safety in the Park System – Chief Rick Watson – DPD, Chief David Pughes – Dallas Marshalls

Ms. Renee Johnson introduced Mr. Tony Irvin – Superintendent and Jeremy McMahon – Manager, Chief Watson – DPD, Chief Pughes and Deputy Chief Knight – Dallas Marshalls

Mr. Irvin, Mr. McMahon, Chief Watson, Chief Pughes, and Deputy Chief Knight presented and were available for questions and feedback from the Board.

Agenda Item V. CONSENT AGENDA

Consent Agenda Item 1. Samuell Farm (9) – A motion by Robb Stewart, seconded by Bo Slaughter to authorize an application for the Community Outdoor Outreach Program (COOP) in the amount of \$70,000 from the Texas Parks and Wildlife Department for the Outdoor Adventure Camp at Samuell Farm-East located at 100 US-80. - Financing: no cost consideration to the City, was carried by a unanimous vote.

Consent Agenda Item 2. Fair Park (7) – A motion by Robb Stewart, seconded by Bo Slaughter to authorize a ten-month funding agreement with Texas Discovery Gardens in an amount not to exceed \$115,474.20, to provide community outreach services, horticulture information services and presentations at community centers and special facilities within the city of Dallas for the period of January 1, 2023 through October 31, 2023 – Not to exceed \$115,474.20– Financing: General Fund, was carried by a unanimous vote.

Consent Agenda Item 3. Trinity River Audubon Center (8) – A motion by Robb Stewart, seconded by Bo Slaughter to authorize a Supplemental Agreement to amend Sections 7.10, 8.1, 29, 40 and Exhibit D of the management agreement and add Sections 10.3 and 39 to the management agreement between the City of Dallas and National Audubon Society, Inc., who manages Trinity River Audubon Center, located at 6500 Great Trinity Forest Way, Dallas Texas 75217 – Financing: No cost consideration to the City, was carried by a unanimous vote.

Consent Agenda Item 4. White Rock Lake (9) – A motion by Robb Stewart, seconded by Bo Slaughter, to authorize renewal of the current management agreement to allow Dallas United Crew (DUC) to continue to operate and maintain the portable equipment shelter to store rowing and other paddle equipment, and to promote and operate a rowing program and dragon boating activities at White Rock Lake through December 13, 2027 – Financing: No cost consideration to the City, was carried by a unanimous vote.

Consent Agenda Item 5. Service Agreement (5,9) – A motion by Robb Stewart, seconded by Bo Slaughter, to authorize a three-year service price agreement for the lease of portable office buildings for the Park and Recreation Department from Ramtech Building Systems, Inc. in the amount of \$439,070.00, through the Texas Association of School Boards (BuyBoard) cooperative agreement – Total award not to exceed \$439,070.00 - Financing: Current Funds (subject to annual appropriations), was carried by a unanimous vote.

Consent Agenda Item 6. Fair Park (7) – A motion by Robb Stewart, seconded by Bo Slaughter, to authorize the Coliseum Renovation Commemorative Plaque, to be hung on the wall of the North Concourse in the Coliseum, located at 1438 Coliseum Drive. Financing: no cost consideration to the City, was carried by a unanimous vote.

Consent Agenda Item 7. Katy Trail (14) A motion by Robb Stewart, seconded by Bo Slaughter, to Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option, subject to Park Board approval, with KD BV Block Holdco, LLC, a Delaware Single Member Limited Liability Company, and KD Travis Block Holdco, LLC a Delaware Single Member Limited Liability Company, together constituting the owner of property adjacent to the Katy Trail, for the development, operation, and maintenance of pedestrian sidewalks, seating, and landscape improvements for the purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 3313 Knox Street – Financing: This item has no cost consideration to the City, was carried by a unanimous vote.

Consent Agenda Item 8. Preston Green Park (12) A motion by Robb Stewart, seconded by Bo Slaughter, to Inform the Dallas Park and Recreation Board of Dallas Area Rapid Transit's intent, through its selected contractor, to construct a bridge and related trail improvements associated with the Cotton Belt Trail through Preston Green Park – Financing: No Cost Consideration to the City, was carried by a unanimous vote.

Agenda Item VI. ITEM FOR INDIVIDUAL CONSIDERATION

Agenda Item 1. Board Meeting Schedule - Authorize adoption of the proposed 2023 Park and Recreation Board Meeting Schedule - Financing: No cost consideration to the City.

Fonya Mondell, seconded by Lane Conner to approve this item with the following changes: approve all proposed dates and remove the April 6, 2022 Board meeting from the proposed schedule. The motion was carried by a unanimous vote.

Mr. Tony Becker – Board Secretary, noted the Board can vote on replacement meeting at a future date.

Agenda Item VII. BRIEFINGS

- Kalita Humphreys Master Plan Update – Ryan O'Connor, Assistant Director
Mr. O'Connor introduced Mr. Kevin Moriarty – Dallas Theater Center Artistic Director and Mr. Kevin Rice – Architect with Diller Scofidio +Renfro
Mr. Moriarty and Mr. Rice presented and were available for questions and feedback from the Board.
- Public Art in Parks Update – Christina Turner-Noteware, Assistant Director
Ms. Turner-Noteware introduced Ms. Drema Chavez – Interim Public Art Program Manager, and Benjamin Espino – Director
Ms. Chavez and Mr. Espino presented and was available for questions and feedback from the Board.
- Dog Park Development Guidelines – Christina Turner-Noteware, Assistant Director
Ms. Turner-Noteware introduced Mr. Jared White – Interim Senior Project Manager.
Ms. Turner-Noteware and Mr. White presented and were available for questions and feedback from the Board.

Agenda Item VII. WORKSHOPS

- Budget Update – Rachael Berry, Assistant Director
NONE.
- 2024 Bond Program – Christina Turner-Noteware, Assistant Director
NONE.

Agenda Item VIII. OTHER/NON-ACTION ITEMS

- Staff Announcements – Upcoming Park and Recreation Department Events.
Tony Becker - Board Secretary, announced the next Board meeting will be held on Tuesday, November 1, 2022.
- The Park and Recreation Board Members liaison reports regarding 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, Friends of Preston Ridge Trail, Senior Affairs Commission, State Fair of Texas, Texas Discovery Gardens, The Trinity Commons Foundation, Trinity River Audubon Center, Turtle Creek Association, Turtle Creek Conservancy, The Woodall Rodgers Park Foundation/Klyde Warren Park were as follows:
Board announcements:
Bo Slaughter announced the ending of the State Fair of Texas on Sunday, October 23, 2022.
Maria Hasbany announced Klyde Warren park would be hosting their 10-year anniversary celebration in the Park on Saturday, October 22, 2022 from 2:00 pm to 4:00 pm, she also announced a tree planting event at White Rock Lake Park on Saturday, October 22, 2022
Harrison Blair invited Board Members to participate in a cleanup event for community service day at Kiest Park on Saturday, October 22, 2022 at 11:30 am, and invited Board members to visit Cedar Crest Golf Course, he also announced a press conference

DRAFT

Rudy Karimi announced a 100-year celebration of Willis Winters Park on Saturday November 12, 2022.

Jeff Kitner announced the Art on the Trail event on Saturday, October 22, 2022 from 10:00 am to 5:00 pm on the Northaven trail at the intersection of Northaven Trail and Preston.

President Agarwal announced the progression of the Southern Gateway Deck Park project.

Priscilla Rice announced the Dallas Symphony Orchestra will be hosting the Concert Truck in the Park at Holcomb Park.

- Next Park Board meeting. The next Park Board meeting will be Tuesday, November 1, 2022, at 10:00 a.m.
- President Agarwal adjourned the Board meeting at 2:44 pm.

Anthony M. Becker, Secretary
Park and Recreation Board

Arun Agarwal, President
Park and Recreation Board
Date: 11/1/2022

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.

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

DATE: November 1, 2022

COUNCIL DISTRICT: 9

STAFF: Ryan O' Connor, (214) 670-4124

SUBJECT

Authorize match funding for facility improvements at Winfrey Point, located at 950 East Lawther Drive – Not to exceed \$151,250.00 - Financing: 2017 Bond Funds.

BACKGROUND

A match funding program has been created through approved bond monies to create funding opportunities for local interest groups desiring to make improvements. The 2017 Bond Program included \$2.3 million in partnership match funding for projects throughout the City primarily focusing on park and facility improvements. There are several community groups that are currently seeking access to the remaining funds (\$545,112). In order to ensure fair and consistent practices, this policy identifies the requirements and approval authority for the matching funds policy. This policy is intended by the Dallas Park and Recreation Board to be a catalyst for Dallas Park System and would grant staff authority to solicit partnership opportunities. All proposed projects requesting funding greater than \$50,000 shall be approved by the Park and Recreation Board.

The White Rock Lake Foundation submitted an application requesting \$151,250.00 for the renovation of Winfrey Point. The renovation request consists of roof replacement, HVAC repairs, bathroom remodeling, etc.. We will need to hire an architect that is experienced with historic preservation. The restrooms should be redesigned with period accuracy. Also, we would like the large round metal ductwork to be rerun through the attic or concealed somehow but still be able to keep up with the cooling load. The lighting in the main assembly room should also be replaced with something more aesthetically pleasing and historically accurate but still be serviceable and flexible for different types of tenants. Once the floor is abated, the flooring material should be upgraded. It is anticipated that the work would be performed by in-house Facilities staff and outside contractors.

The total estimated cost of the project is \$365,269.00. This estimate includes escalation and design fees.

PRIOR ACTION/ REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 19, 2022, the Park and Recreation Board approved the Partnership Match Policy.

Approval of match funding for facility improvements at Winfrey Point, located at 8100 Doran Circle – Not to exceed \$151,250.00 -
Financing: 2017 Bond Funds

FISCAL INFORMATION

Fund	FY 2023	FY 2024	Future Years
2017 Bond Funds	\$151,250.00	0	0

COMMITTEE ACTION

The Administration and Finance committee will consider this item on October 20, 2022;
and present its recommendation to the Park and Recreation Board on November 1, 2022.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Project Estimate

Winfrey Point Remodel

Description of Scope	Estimated Budget
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Roof and Gutters

Composition Roof	\$42,000
Standing Seam	\$10,000
Gutters	\$5,000

Painting

Interior	\$35,000
Exerior	\$22,000

Electrical

Circuitry	\$25,000
Lighting	\$24,000

HVAC

Test and Balance	\$7,500
Exhaust Fans	\$1,500
New system for Lobby	\$15,000
Repair Existing	\$5,500
Duct Cleaning	\$4,500
New diffusers	\$1,500

Restrooms

Fixtures and Partitions	\$20,000
Tile	\$22,000

Flooring throughout	\$62,000
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Total Project Budget

\$302,500

Performed by Facilities

Performed by General Contractor

(this is today's cost ...escalate by 5% per yr)

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

DATE: November 1, 2022

COUNCIL DISTRICT: All

STAFF: Ryan O'Connor, (214)-670-4124

SUBJECT

Authorize a three-year consultancy service contract to help develop mutually beneficial sponsorship agreements that deliver revenue dollars and/or in-kind products or services to the Park and Recreation Department in exchange for certain advertising, naming rights, marketing and/or promotional considerations granted by the Park and Recreation Department – The Superlative Group, Inc. in the estimated amount of \$249,650 most advantageous proposer of two - Total award not to exceed \$249,650.00 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

The Contractor will be required to oversee, solicit, evaluate, recommend and maximize revenue generation and sponsorship opportunities in relation to existing and future assets and programs associated with the Park and Recreation Department's ongoing mission to champion lifelong recreation and serve as responsible stewards of the City's parks, trails, and open spaces.

The consultancy services will be conducted in two phases. Phase 1 will center on the creation and development of an asset marketing and comprehensive sponsorship policy program. This policy program will include the review of existing inventory to identify and evaluate Park and Recreation Department assets for marketing and sponsorship opportunities.

Phase 2 will focus on the implementation and administration of the developed asset marketing and comprehensive sponsorship policy program, in concert with the Park and Recreation Department over a three-year period. The Park and Recreation Department reserves the right to forgo the implementation of the Asset Marketing and Sponsorship Program Administration (phase 2) and terminate the contract, upon the Contractor's completion of the Asset Marketing and Comprehensive Sponsorship Policy/Program Development (phase 1).

The total asset marketing and sponsorship revenue share between the Park and Recreation Department and the Contractor shall be a 75%/25% split. The Contractor will

Authorize a three-year consultancy service contract to help develop mutually beneficial sponsorship agreements that deliver revenue dollars and/or in-kind products or services to the Park and Recreation Department in exchange for certain advertising, naming rights, marketing and/or promotional considerations granted by the Park and Recreation Department – The Superlative Group, Inc. most advantageous proposer of two – Total award not to exceed \$249,650 – Financing: Current Funds (subject to annual appropriations)

BACKGROUND (Continued)

earn a 25% commission on all sales with the Park and Recreation Department retaining 75% of secured sponsorship revenue.

MWBE INFORMATION

In accordance with the City's Business Inclusion and Development (BID) Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$249,650.00	Other Services	N/A	N/A	N/A

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none">Utilized for high technology procurements, insurance procurements, and other goods and servicesRecommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specificationsAlways involves a team evaluationAllows for negotiation on contract terms, including price
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The following proposals were received from solicitation number BPZ21-00017177 and were opened on September 25, 2021. This consultancy service contract is to be awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Scores</u>
*The Superlative Group, Inc.	2843 Franklin Blvd Cleveland, OH 44113	90.00
Entertainment 3Sixty	17440 Dallas Pkwy Suite 212 Dallas, TX 75287	60.96

Authorize a three-year consultancy service contract to help develop mutually beneficial sponsorship agreements that deliver revenue dollars and/or in-kind products or services to the Park and Recreation Department in exchange for certain advertising, naming rights, marketing and/or promotional considerations granted by the Park and Recreation Department – The Superlative Group, Inc. most advantageous proposer of two – Total award not to exceed \$249, 650 – Financing: Current Funds (subject to annual appropriations)

OWNER

The Superlative Group, Inc.

Myles Gallagher, Founder, President & CEO

Kyle Canter, Chief Operating Officer

FISCAL INFORMATION

\$249,650.00 – Financing: Current Funds (subject to annual appropriations)

COMMITTEE ACTION

The Administration and Finance committee will consider this item on October 20, 2022 and present its recommendation to the full Park and Recreation Board on November 1, 2022.

This item has been tentatively scheduled for City Council consideration on December 14, 2022. The Office of Procurement Services is coordinating the Council item on our behalf.

STAFF RECOMMENDATION

Staff recommends approval of this consultancy service contract.

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

AGENDA DATE: November 1, 2022

COUNCIL DISTRICT(S): 2, 6

STAFF: M. Renee' Johnson, (214) 670-8871

SUBJECT

Authorize Supplemental Agreement #1 to the Use Agreement between the City of Dallas and Dallas Rowing Club at Bachman Lake - Financing: No cost consideration to the City.

BACKGROUND

On October 24, 2018, the Park and Recreation Board and the City Council adopted Resolution No. 18-1524 entering into a ten-year use agreement with two five-year renewal options, which authorized Dallas Rowing Club (Club) to renovate, operate, and maintain the existing boathouse at Bachman Lake Park.

This Supplemental Agreement will include the following proposed terms:

SECTION 3. OBLIGATIONS OF CLUB

Add the following language to a new section, 3(C):

- “Club board meetings shall be open to the general public, with meeting dates and times reported in advance to the Director

SECTION 4. CONDITIONS OF USE

Amend section 4 (P) to include the following language:

- “Club shall host a shoreline clean-up activity on no less than two dates in any twelve- month period during the term of this Agreement and shall coordinate such dates with Park and Recreation Department staff. Club shall report the volunteer hours to the Director – of what within five business days after the clean-up dates.”

Add a new section, 4 (Q) to include the following language

- “Club shall provide a scholarship fund of no less than \$5,000 each year during the term of this Agreement to be used by Dallas public school students who are residents of the City of Dallas and who demonstrate financial hardship. Records of the funds and scholarships awarded shall be subject to annual review by the

Director as part of the Performance Plan set forth under Section 6 of this Agreement.”

SECTION 24. MISCELLANEOUS

Remove all existing language in section 24(A) and replace with “Intentionally deleted.”

This action requires the Park Board to adopt the proposed terms.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Administration and Finance Committee considered this request on June 21, 2018 and presented a recommendation to the full Park and Recreation Board on the same day.

On June 21, 2018, the Park and Recreation Board deferred this item to August 16, 2018

On August 16, 2018, the Park and Recreation Board remanded this item back to the Administration and Finance Committee for further review.

On September 6, 2018, the Administration and Finance Committee considered this request and recommended approval with amendments.

On September 20, 2018, the Park and Recreation Board authorized a ten-year maintenance agreement with two five-year renewal options with the Dallas Rowing Club.

On October 22, 2018, information regarding this item was provided to the Quality of Life, Arts, and Culture Committee.

On October 24, 2018, the City Council authorized a ten-year agreement with two five-year renewal options with the Dallas Rowing Club for the renovation, operation, and maintenance of the existing boathouse at Bachman Lake Park.

FISCAL INFORMATION

No cost consideration to the City.

COMMITTEE ACTION

The Park and Recreation Board Administration and Finance Committee considered this item on November 1, 2022 and will provide a recommendation to the full Park and Recreation Board on the same day.

STAFF RECOMMENDATION

Staff recommends approval.

**DALLAS PARK AND RECREATION BOARD
AGENDA SHEET**

DATE: November 1, 2022

COUNCIL DISTRICT: 3

STAFF: Christina Turner Noteware, (214) 671-7966

SUBJECT

Authorize a public hearing to be held on December 14, 2022, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments, and Council action, on the proposed use of a portion of Forest Cliff Park, located at 5100 Duncanville Road, totaling approximately 50 square feet of land, for the installation of an outdoor warning siren by the Office of Emergency Management, to provide warning siren system coverage for the benefit of the public — Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as Forest Cliff Park (approximately 9.1 acres) located at 5100 Duncanville Road in southwest Dallas.

In 2016 the Office of Emergency Management (OEM) conducted a sound survey to ensure a minimum of seventy decibels of outdoor warning siren system coverage throughout the City. The result identified twenty-seven locations for enhanced coverage. One of the locations identified was at the intersection of Duncanville Rd and Ranchero Ln. OEM requests that they be permitted to install an outdoor warning siren approximately ten feet inside the park boundary in the southeast corner of the park and to connection to electric power in the street right-of-way (Exhibit A). OEM will be responsible for all construction costs, maintenance, and ongoing utility costs associated with the outdoor warning siren.

The outdoor warning siren's impact on the park is expected to be minimal. OEM has agreed to permit any park use up to the outdoor warning siren and, upon abandonment of the outdoor warning siren at some future date, to promptly remove the outdoor warning siren and appurtenances, subject to appropriation, at which time the land will revert to parkland. Furthermore, OEM has agreed to remove the siren and restore the site, at no expense to the Park and Recreation Department, subject to appropriation, should the Director of Park and Recreation determine that there is a need, in the Director's sole judgement—the Director has the discretion to provide another location within the parkland.

Authorize a public hearing to be held on December 14, 2022, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments, and Council action, on the proposed use of a portion of Forest Cliff Park, located at 5100 Duncanville Rd, totaling approximately 50 square feet of land, for the installation of an outdoor warning siren by the Office of Emergency Management, to provide warning siren system coverage for the benefit of the public — Financing: No cost consideration to the City.
– page 2

In compliance with the law, the City must determine that there is a need, that there is no feasible and prudent alternative, and that all reasonable care will be taken not to damage the remainder of the park property and to mitigate any disruption of park services.

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 parkland.

FISCAL INFORMATION

No cost consideration to the City.

COMMITTEE ACTION

The Planning and Design Committee will consider this item on November 1, 2022 and present its recommendation to the full Park and Recreation Board on the same day.

The authorization of a public hearing will be scheduled for City Council consideration on November 9, and if approved, the public hearing will be scheduled for December 14, 2022.

STAFF RECOMMENDATION

Staff recommends approval.

MAP and EXHIBIT

Attached



0 10 20 40 60 Feet

1 in = 20 ft

August 4, 2022



Forest Cliff Park

5100 Duncanville Rd

Exhibit A



Forest Cliff Park
(5100 Duncanville Rd)

District
3

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

AGENDA DATE: November 1, 2022

COUNCIL DISTRICT(S): 2,6

STAFF: Jared White (214) 670-4090

EXECUTIVE: Chris Turner-Noteware, P.E. (214) 671-7966

SUBJECT

Authorize Change an increase in the construction services contract with RoeschCo Construction Inc. for additional work on the Trinity Strand Trail Phase 2, from Inwood Road DART Station to Turtle Creek Boulevard, Dallas Texas - Not to exceed \$851,117.52, increasing the contract amount from \$5,521,648.56 to \$6,372,766.08 - Financing: Street and Transportation Improvement Funds (2012 General Obligation Bond Fund)

BACKGROUND

This action will authorize Change Order No. 2 to the construction services contract with RoeschCo Construction, Inc. The original scope of work was for the construction of the Trinity Strand Trail Phase 2.

The project scope addressed with this change order is necessary to add traffic signal lights to comply with requests from the Transportation Department and address additional unforeseen work items.

Change Order No. 2 adds 66 working days to the contract time. This change results in an increase of \$851,117.52, increasing the contract amount from \$5,521,648.56 to \$6,372,766.08.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	April 2021
Complete Construction	March 2023

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 13, 2021, the Park and Recreation Board authorized a contract with RoeschCo Construction, Inc. for the construction the Trinity Strand Trail Phase 2, from Inwood Road DART Station to Turtle Creek Boulevard, Dallas Texas.

On April 14, 2022, Administrative Change Order No. 22-0423 authorized Change Order No. 1 in an amount not to exceed \$22,676.06, from \$5,498,972.50 to \$5,521,648.56

FISCAL INFORMATION

Fund	FY 2023	FY 2024	Future Years
Street and Transportation Improvement Funds (2012 General Obligation Bond Funds)	\$851,117.52	\$0.00	\$0.00

Construction Contract	\$5,498,972.50
Change Order No. 1	\$ 22,676.06

Change Order No. 2 (this action) \$ 851,117.52

Total project amount \$6,372,766.08

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the DBE participation on this contract is as follows:

Contract Amount	Procurement Category	DBE Goal
\$851,117.52	Construction	9%
DBE Subcontracting %	DBE Overall %	DBE Overall Participation \$
16.90%	8.27%	\$530,937.69
<ul style="list-style-type: none"> This contract exceeds the DBE goal. RoeschCo Construction, Inc. - Non-local; 10% Local 		

COMMITTEE ACTION

The Planning and Design Committee will consider this item on November 1, 2022 and will present a recommendation to the Park and Recreation Board on the same day.

This item will be scheduled for City Council approval November 9, 2022.

STAFF RECOMMENDATION

Staff recommends approval.

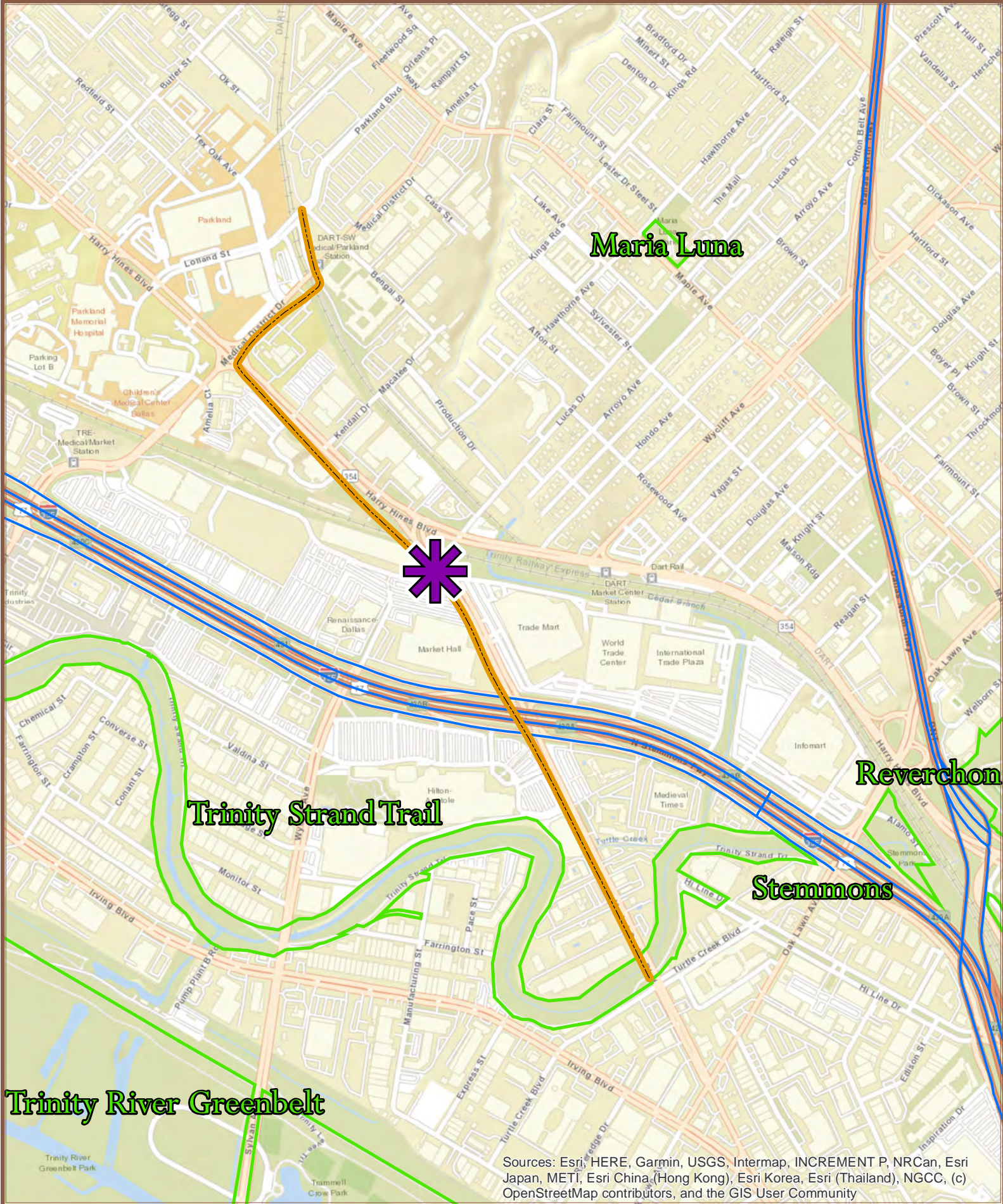
OWNER

RoeschCo Construction, Inc.

Keith Roescho, President

MAP

Attached



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Trinity Strand Trail Phase 2 (Inwood DART Station to Turtle Creek Blvd)

District
2,6

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

AGENDA DATE: November 1, 2022

COUNCIL DISTRICT(S): All

STAFF: M. Renee' Johnson, (214) 670-8871

SUBJECT

Authorize approval of the revised City of Dallas Ordinance, Article IV, Chapter 32 - White Rock Lake and Bachman Lake – Financing: No cost consideration to the City

BACKGROUND

The purpose of the ordinance is to identify the authority and regulations of the Park and Recreation Department at White Rock Lake and Bachman Lake. The Park and Recreation Board approves the City of Dallas Ordinance, which its last amendment date is April 6, 1959. Modifications were necessary to bring the ordinance to current practices. Revisions to the City of Dallas Ordinance requires City Council approval.

Staff has revised the Ordinance to include the following major modifications:

- Section 32-32. Replaced “Waterworks Department” with “Dallas Water Utilities” (amendment made throughout the Ordinance)
- Section 32-34. - Replaced “Superintendent” with “Dallas Park and Recreation Director” (amendment made throughout the Ordinance)
- Section 32-38. Taking Fish From Hatchery - Deleted section
- Section 32-40. Equipment Prohibited on the Water – Amended section
- Section 32-43. Forfeiture of License for Violation of Section - Replaced section title with “Use of Boat Under Influence of Intoxicants” and amended the section.
- Section 32-46. Passenger Capacity – Deleted section
- Section 32-47. Life Preservers; Lights; Mufflers’ Speed – Amended section
- Section 32-48. Seaworthiness Generally; Impounding Boats – Amended section
- Section 32-49. Sirens – Amended section
- Section 32-50. Catching Fish For Sale – Amended section
- Section 32-51. Designation of Area For Anchoring Sailboats – Amended section
- Section 32-52. Inspection and Approval Prerequisites to Issuance of Licenses -
- Section 32-53. Impoundment For Lack of License; Redemption – Amended

- Section 32-54. Disposition of Impounded Boats For Normal Sales to Redeem - Amended

This action requests the Board to adopt the proposed amendments to the City of Dallas Ordinance, Article IV - Chapter 32 - White Rock Lake and Bachman Lake.

FISCAL INFORMATION

No cost consideration to the City.

COMMITTEE ACTION

The Administration and Finance Committee discussed this item on June 2 and September 1. The Administration and Finance Committee will consider this item on November 1, 2022. The full Board will consider this item on December 8, 2022.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

City of Dallas Ordinance, Article IV – Chapter 32 – White Rock Lake and Bachman Lake

ORDINANCE NO. _____

An ordinance amending Chapter 32, “Parks and Water Reservoirs,” of the Dallas City Code by amending Article IV, “White Rock Lake and Bachman Lake Reservoirs”; providing that the director of park and recreation has jurisdiction over White Rock Lake and Bachman Lake; providing regulations for watercraft allowed on the lakes; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Article IV, “White Rock Lake and Bachman Lake Reservoirs,” of Chapter 32, “Parks and Water Reservoirs,” of the Dallas City Code is amended to read as follows:

**“ARTICLE IV.
WHITE ROCK LAKE AND BACHMAN LAKE
RESERVOIRS.**

Division 1. Generally.

SEC. 32-32. JURISDICTION OF PARK AND RECREATION BOARD SUBJECT TO PRIMARY RIGHT OF DALLAS WATER UTILITIES [WATERWORKS DEPARTMENT].

The jurisdiction of the park and recreation board over the White Rock Lake property and the Bachman’s Dam property shall be subject to the primary right of Dallas Water Utilities [the city waterworks department] to utilize it for waterworks purposes and the park and recreation board shall in no way interfere with the exercise of the right in the event that it becomes expedient and necessary to again devote those properties for the use of waterworks purposes. Any building on the respective sites owned and operated by Dallas [the] W[ater Utilities [department]] shall continue to be at the disposal of Dallas Water Utilities [the waterworks department] at all times.

SEC. 32-33. AUTHORITY OF CITY POLICE ON ~~[RESERVOIR]~~ PROPERTY.

Any police officer of the city shall have authority to arrest any person on any property owned and used by the city for recreational or water supply ~~[reservoir]~~ purposes for violation of any of the provisions of this article.

SEC. 32-34. POWERS AND DUTIES OF PARK AND RECREATION DIRECTOR ~~[SUPERINTENDENT OF WHITE ROCK LAKE GENERALLY]~~.

The director of the park and recreation department or the director's designee, ~~[superintendent of White Rock Lake,]~~ subject to the control and direction of the park and recreation board, ~~[and the director of parks,]~~ shall have full charge and control of the waters of the lakes ~~[reservoirs]~~ and grounds of White Rock and Bachman Lakes, and shall be the right ~~it shall be his or her duty~~ at all times to command and preserve the peace and patrol such waters and grounds or to cause the same to be done for the purpose of enforcing obedience and strict compliance upon the part of any person with the terms, provisions, and conditions of this article and all other provisions of this code, laws, ordinances, rules, and regulations of the city relating to the waters of White Rock and Bachman Lakes ~~[Reservoir]~~ and the grounds adjacent thereto ~~[-and to make arrest upon the violation of any provision of this code or other ordinance of the city].~~

SEC. 32-35. DISTURBING TREES AND SHRUBS; GATHERING PECANS.

It shall be unlawful for any person to disturb any of the shrubbery or trees and particularly the pecan trees growing upon the lands adjacent to White Rock and included within ~~[the]~~ White Rock ~~[Lake Reservoir]~~ and Bachman Lakes ~~[Reservoir]~~. It shall be unlawful for any person to thrash, throw sticks into, or otherwise disturb pecan trees and it shall be unlawful for any person to gather pecans from the trees growing upon such premises; except, that persons may pick up from the ground pecans that have fallen thereon.

SEC. 32-36. COMMERCIAL VEHICLES PROHIBITED; SPEED LIMIT OF VEHICLES.

No commercial vehicles or trucks shall be permitted to go upon or travel over the driveways and roads located on the grounds of White Rock and Bachman Lakes that are constructed and maintained as part of the facilities of the grounds in their use as a public park. No motor driven vehicle or automobile shall travel at a greater rate of speed than the speed limits posted on standard traffic signs in or upon such driveways maintained in the use of such park grounds.

SEC. 32-37. SEINING FOR MINNOWS.

It shall be unlawful for any person to seine for minnows or use a seine for any purpose within the waters of White Rock ~~[Lake]~~ or Bachman Lakes ~~[Dam]~~.

SEC. 32-38. RESERVED. [TAKING FISH FROM HATCHERY.]

~~It shall be unlawful for any person to fish, seine, catch, or take from the fish hatchery belonging to the city and located immediately below the White Rock Lake dam, any fish or minnows, excepting, however, that the city, acting through the officers and employees in charge of such fish hatchery, may take fish therefrom for the purpose of supplying any waters belonging to or under the control of the city. No fish shall be taken from such fish hatchery for the benefit or use of any private person, individual, or corporation.]~~

SEC. 32-39. SWIMMING.

It shall be unlawful for any person to swim or bathe in the waters of White Rock and Bachman Lakes.

Division 2. Operation of Boats.

SEC. 32-40. EQUIPMENT PROHIBITED ON THE WATER.

(a) A person commits an offense if he takes a surfboard, jet ski, ~~[a sailboard,]~~ water skis, or other similar device on the waters of White Rock ~~[Lake]~~ or Bachman Lakes. City Departments have the authority to use jet skis or other similar devices on the waters to address an emergency.

(b) Except as provided in this section, ~~a~~[A] person commits an offense if he operates a boat by means of a motor having a commercial- power rating in excess of 10.5 H.P. on the waters of White Rock ~~[Lake]~~ or Bachman Lakes.

(c) It is a defense to prosecution under Subsection (a) or (b) that the person was participating in a special recreational event authorized in writing by the park and recreation board.

(d) It is a defense to prosecution under Subsection (b) that the person was a city employee operating a motorboat in the scope of his or her employment.

(e) Rescue boats utilized by the Dallas Fire-Rescue Department and the Dallas Police Department may use a motor as determined appropriate by them having a commercial power rating of 60 H.P. on waters of White Rock or Bachman Lakes.

(f) Rescue boats utilized by authorized users under a formal city agreement may use a motor having a commercial power rating of 60 H.P. on waters of White Rock or Bachman Lakes.

SEC. 32-41. SANITARY REQUIREMENTS GENERALLY.

All persons using and operating a boat in the waters of the lakes ~~[reservoirs]~~ shall do so in such a manner as to not create an unsanitary condition in or about such waters, and not to pollute

such water to make them unwholesome or unfit for use. It shall be unlawful for any person to swim or wash any article of any character in the waters of ~~[the city reservoirs known as]~~ White Rock ~~[Lake]~~ and Bachman Lakes, or throw or place or deposit any trash, urine, excrement, or filth of any kind in waters of such lakes ~~[reservoirs]~~, or to deposit or throw any substance of any kind in such waters which will pollute or is likely to pollute the waters of such lakes ~~[reservoirs]~~, and all such persons shall obey all sanitary regulations and provisions contained in this code regulating the use of such waters and ground.

SEC. 32-42. PROHIBITION OF BOATS TO SUPPRESS EPIDEMIC.

The city council shall at all times have full power and authority to prohibit the use and operation of any and all boats in the waters of the lakes ~~[reservoirs]~~ should it become necessary, in the opinion of the city council, to do so for the purpose of suppressing and arresting any epidemic or any contagious or infectious disease or whenever, in the opinion of the city council, the use and operation of boats in such waters should be discontinued for any reason whatever. Subject to such control and supervision, the lakes ~~[reservoirs]~~ shall be controlled and maintained for recreational purposes by the park and recreation board.

**SEC. 32-43. USE OF BOAT UNDER INFLUENCE OF INTOXICANTS~~;~~
FORFEITURE OF LICENSE FOR VIOLATION OF SECTION].**

It shall be unlawful for any person to go upon the waters of White Rock and ~~[Lake or]~~ Bachman Lakes or to ~~[ride in or on or]~~ operate a boat upon such waters while under the influence of liquor or intoxicating beverages of any character. ~~[Upon the conviction of any person for operating a boat upon such waters while intoxicated, such person shall forfeit his license to operate such boat and such person shall not again receive such license except upon an order of the park board.]~~

SEC. 32-44. SPECIAL RECREATIONAL EVENTS.

On certain occasions and for the purpose of recreational and sports events at White Rock ~~[Lake]~~ or Bachman Lakes, the park and recreation board may authorize the use of water equipment and motorboats that are otherwise prohibited by Section 32-40. This special use shall be under the supervision of the director of the park and recreation department.

SEC. 32-45. MANNER OF OPERATION GENERALLY.

Every person using or operating a boat of any character or description upon the waters of the lakes ~~[reservoirs]~~ shall use and operate the same in careful and prudent manner, so as not to collide or come in contact with any other boat being used or operated in such waters, and so as to avoid accident and injury to any person or damage to property. Failure to use and operate any boat in such waters in a careful and prudent manner and so as to avoid accident and injury to persons or damage to property is an offense.

SEC. 32-46. RESERVED ~~[PASSENGER CAPACITY]~~.

~~[The passenger capacity of each boat used and operated in the waters of the reservoirs shall be fixed by the superintendent of White Rock and indicated by the number impressed upon the license plate by such superintendent, and no person using or operating a boat in such waters shall carry more passengers in any boat than the maximum number fixed for such boat by the superintendent of White Rock.]~~

SEC. 32-47. LIFE PRESERVERS; LIGHTS; MUFFLERS; SPEED.

(a) Life preservers must be worn in compliance with Texas Parks & Wildlife regulations regarding life preserving devices. ~~[Every boat of every kind, character and description used and operated in the waters of the reservoirs shall, at all times, carry approved life preservers for each passenger thereof. It shall be the duty of every owner and operator of every boat of every kind and character for hire on such lake to provide a life preserver for every person and passenger using and operating such boat.]~~

(b) All motorboats or boats propelled by motors in the waters of White Rock Lake must be equipped with lights according to United States government regulations. All rowboats, sailboats, or other watercraft must have a light on some part thereof. The lights on such boats must be operated after sunset so that the same are visible for a distance of one-half mile.

(c) ~~[Boating is prohibited from sundown to sunup on Bachman Lake.]~~ All motorboats must be equipped with mufflers on the exhausts. The park and recreation board shall have authorization to establish safety zones and speed limits by the placing of buoys wherever deemed advisable for the safety of all water participants and it shall hereafter be unlawful for a speed boat or motorboat to go or travel within the designated areas plainly marked by buoys or shorelines and at a speed greater than five miles per hour. Motorboats or speed boats in coming to the docks or landing places must slow down to five miles per hour.

(d) Boating is prohibited from sundown to sunup on Bachman Lake, unless under a formal city agreement.

SEC. 32-48. SEAWORTHINESS GENERALLY; IMPOUNDING LOOSE BOATS.

(a) It shall be unlawful for any person to place, keep, and use any watercraft of any description on the waters of the lakes ~~[reservoirs]~~ if such craft is not seaworthy. If any such craft is, in the opinion of the officer enforcing the terms of this article, unseaworthy, he may bar the use of such unseaworthy craft until the same is reconditioned.

(b) All boats, of every kind and description, that are not anchored or are loose shall be impounded in accordance with the provisions of this article. ~~[The owner or owners of such boat in retrieving same from the possession of the impounding officer shall pay a fee of \$3 therefor.]~~ If such boat is not redeemed or retrieved within 30 days ~~[two weeks]~~ after such impounding, it shall be disposed of in accordance with Division 2, "Sale of Unclaimed and Surplus Property," of Article IV, "Purchasing," of Chapter 2, "Administration," of the Dallas City Code, as amended ~~[sold under the provisions of this article]~~.

SEC. 32-49. SIRENS.

(a) Except as provided in this section, i~~[F]~~t shall be unlawful for any person or persons to equip a motorboat with a siren and to use such siren on the waters of White Rock and Bachman Lakes.

(b) Rescue boats may be equipped with sirens.

SEC. 32-50. CATCHING FISH FOR SALE.

No person shall use or operate a boat of any kind or description in the waters of the lakes ~~[reservoirs]~~ for the purpose of catching and taking fish, ~~[or]~~ game, or other wildlife for market or sale. This shall not apply to persons authorized by contract by the park and recreation board to remove rough fish under the supervision of the director of park and recreation ~~[superintendent of White Rock Lake]~~ when such persons are licensed by the state fish and game commission to remove rough fish.

SEC. 32-51. DESIGNATION OF AREA FOR ANCHORING SAILBOATS.

(a) Except as provided in this section, a~~[A]~~ll sailboats on White Rock Lake, in the city, shall be anchored only at the following location, or part thereof, on the shore of White Rock Lake:

Beginning at the Garland Highway and following the meanderings of the lake for a distance of 3.5 miles to the south point. The south point as designated herein is .7 mile from the north point; and the north point, as designated and referred to herein, is 1.2 miles from the highway. The area herein referred to between the south and north points is commonly referred to and known as Big Thicket Bay.

(b) The director of the park and recreation department or the director's designee, shall determine the number of boats that can be safely anchored in the location at one time.

(c) If a sailing club has entered an agreement with the city, sailboats may be moored at the location specified in the agreement. ~~[It shall hereafter be unlawful for a sailboat to be anchored on White Rock Lake, or any part of the lake, other than the designated area referred to as Big Thicket Bay as more fully designated in this section.]~~

SEC. 32-52. RESERVED. [INSPECTION AND APPROVAL PREREQUISITE TO ISSUANCE OF LICENSES.]

~~It shall be the duty of the superintendent of White Rock or his authorized assistant to inspect all boats and watercraft of every kind and description before the same are permitted to be placed upon or in the waters of the reservoirs, and to approve or disapprove the construction, mechanism and state of repair of each boat before the same is placed in such waters, and if for any reason such officer should be of the opinion that any boat is unsafe and unworthy or dangerous to life, he shall so state in writing to the owner or person in charge of same; but if he should be of the opinion that such boat is safe and worthy to be placed in such waters, he shall also so state in writing to the owner or person in charge thereof, and every person applying for a license to use and operate a~~

boat in such waters shall first present a written statement by the superintendent of White Rock approving the boat such person proposes to use and operate in such waters; provided, however, that in any case where such officer disapproves any boat he shall fully state in writing his disapproval, giving his reasons in full therefor, and the owner or person in charge of such boat shall have the right to submit such matter to the park board, whose decision shall in all cases be final.]

SEC. 32-53. IMPOUNDMENT FOR LACK OF LICENSE; REDEMPTION.

It ~~shall be the duty~~ shall be the right of the director of park and recreation or the director's designee ~~[superintendent of White Rock]~~ to impound all boats on White Rock and Bachman that are on such lakes without a required state-issued license ~~[the metal plates provided for in this article displayed in the manner provided for in this article]~~. The director of park and recreation ~~[superintendent of White Rock]~~ and those acting under his or her directions shall hold every boat impounded in accordance with this article for 30 days ~~[two weeks]~~ after the same is impounded. ~~[The owner of such boat at any time during such two weeks may redeem the same by the payment of a fee of \$3 to the superintendent of White Rock; provided, that]~~ T~~t~~he owner shall secure and affix to such boat before removing same from the possession of the director of park and recreation or the director's designee ~~[superintendent of White Rock]~~ the required state-issued ~~[metal plate for the current]~~ license ~~[fee as provided for this article]~~.

SEC. 32-54. DISPOSITION OF IMPOUNDED BOATS FOR NORMAL SALES TO REDEEM.

(a) If the owner shall not redeem a boat impounded in accordance with this article within 30 days ~~[two weeks]~~ from the date of it being impounded, the director of parks and recreation or the director's designee ~~[superintendent of White Rock]~~ shall cause the impounded boat to be disposed of in accordance with Division 2, "Sale of Unclaimed and Surplus Property," of Article IV, "Purchasing," of Chapter 2, "Administration," of the Dallas City Code, as amended. ~~[sold at public auction at White Rock Reservoir at the White Rock Service Center. Such sale shall follow a notice thereof made in the manner now required for notices of sales of personal property to be sold under execution, and the sale shall be conducted in the same manner and after the required notice as sales of personal property are conducted when sold under execution and in the manner required by state statutes. The superintendent of White Rock, in the event that no one bids upon the boat a sufficient amount to cover the cost of sale, together with all other accrued charges against such boat, shall, for and on behalf of the city, bid in such boat for such amount as will cover the cost of sale and the other sums due the city upon same. A bill of sale, in all cases, shall be executed by the city to the purchaser. In the event that the city purchases the boat the same shall be sold in the same manner as other personal property belonging to the city for a sufficient amount to pay all sums expended by the city on such boat. Any sale of such a boat by the city, after purchase by the city, shall be subject to the approval of the park board and to the execution of a bill of sale by the proper authorities.]~~

(b) If the owner of an impounded boat shall desire to redeem the same after the expiration of 30 days ~~[two weeks]~~ as set out above, but before the final sale is made, he may do so by ~~[payment of the impounding fee of \$3, the]~~ securing ~~[of]~~ a state-issued license for the then

current year, and the payment of all costs of sale incurred up to that time and by affixing to the boat the state-issued licenses ~~[metal plate]~~ required by the terms of this article. The city shall not be liable for any damages in connection with the sale of any boat ~~[over and beyond such surplus as may be left on hand from the sale of same after the application of the proceeds of the sale in the manner provided in this section].~~”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 3. That Chapter 32 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By _____
Assistant City Attorney

Passed _____