



Legislation Text

File #: 21-1766, **Version:** 1

STRATEGIC PRIORITY: Quality of Life
AGENDA DATE: October 13, 2021
COUNCIL DISTRICT(S): 4
DEPARTMENT: Park & Recreation Department
EXECUTIVE: John D. Jenkins

SUBJECT

Authorize a design and development agreement with The Trust for Public Land for the design and construction of Woody Branch Park located at 4900 South R.L. Thornton Freeway - Financing: This item has no cost consideration to the City (see Fiscal Information)

BACKGROUND

This item authorizes an agreement with The Trust for Public Land (TPL) for the design and phased development of Woody Branch Park. TPL, shall be responsible for funding, public input process, and design of the park development-the City may participate in funding, subject to appropriations, and may choose to bid and manage construction.

Woody Branch Park was identified in the Five Mile Creek Urban Greenbelt master plan, Focus Area B, as a potential acquisition which would provide resident-access to the Five Mile Creek Trail corridor along Woody Branch. The park was acquired by the City in collaboration with TPL. TPL facilitated acquisition of the property by funding due diligence and negotiating acquisition with the prior owner.

The City's acquisition of the property from TPL on June 14, 2021, was funded with Reforestation Funds. As such, the development of the land is restricted to minimize impact to trees and the supporting ecosystem. The property contains open space on the north and south ends of the property which are favorable to development without impacting the existing forestland, as required of land purchased with Reforestation Funds. Planning and development of the park will be cognizant of these restraints-any design improvements in forestland will treat the forest as an asset to the community.

TPL will engage the public in the development of a park master plan. After The Park and Recreation Board approves the master plan, the park is expected to be developed in phases depending upon feasibility and funding. TPL will facilitate design through development of the project to close out or, if the project is phased, through completion of each phase of the project.

The agreement will be subject to the following terms:

1. TPL shall hold public meetings and fund: design of a master plan, construction documents, and construction. TPL may potentially bid and manage construction of such improvements.
 - a. The City may participate in funding of the project, subject to appropriations.
 - b. The City reserves right to bid and manage construction of each or any phase of the project.
 - c. TPL will have naming rights to and in the park, subject to the approval of the Park and Recreation Board.
2. Master plan is anticipated to include attractions and features such as: a pavilion, signature botanic elements, trails, a playground, ecological restoration, and educational elements about the ecological and environmental qualities of the park. After the Park and Recreation Board approval of the master plan for Woody Branch Park, TPL shall develop construction drawings subject to raising funds.
3. Plan and development shall respect requirements of the Reforestation Fund. City Forester shall participate in development of the master plan and construction drawings as appropriate.
4. If TPL constructs improvements, the City shall assist TPL to secure all permits, platting, and other City requirements, and all state and federal requirements.
5. The City shall maintain park improvements upon acceptance and close out of the project or phase. TPL shall have no maintenance or operations obligations of the park improvements after close out of each phase of project.
6. The term of the agreement is the duration of the design and construction of the park through the initial warranty of construction improvements, or, if the project is phased, through design, construction, and warranty of each phase of the project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 15, 2021, the Park and Recreation Board authorized a design and development agreement with The Trust for Public Land for the design and construction of Woody Branch Park.

FISCAL INFORMATION

This item has no cost consideration to the City. Future funding participation is at the discretion of the Park Board and Council and subject to annual appropriations.

MAP

Attached