

# Mayor and Council Communication

DATE: 04/07/20

M&C FILE NUMBER: M&C 20-0145

LOG NAME: 06HERITAGE PARK DESIGN

## **SUBJECT**

Authorize Execution of Agreement with Downtown Fort Worth Initiatives, Inc. to Conduct Design Work for Heritage and Paddock Parks and Authorize Use of \$1,000,000.00 in 2014 Bond Funds Toward Total Costs (COUNCIL DISTRICT 9)

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize execution of an agreement with Downtown Fort Worth Initiatives, Inc. for a license to access Heritage and Paddock Parks, related records, and to procure design consultants; and
2. Authorize use of \$1,000,000.00 in previously appropriated 2014 Bond Program funds toward the costs of design work for Heritage and Paddock Parks.

## **DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to authorize execution of an agreement with Downtown Fort Worth Initiatives, Inc. (DFWII) for a license to access Heritage Park, which includes Heritage Plaza, related City records, and for DFWII to provide the procurement of design services for Heritage and Paddock Parks with the City contributing \$1,000,000.00 in previously appropriated 2014 bond funds toward design costs for Heritage Park. Under the agreement, DFWII will use extensive public engagement to develop 30% conceptual design with reliable construction cost estimates, phasing, and timing. The Agreement provides for City funding toward design costs in the amount of \$1,000,000.00 from the 2014 Bond Program. DFWII, with the support of the private funding partners, will match the public contribution and procure design services through a public notice. DFWII will charge a 3% administrative fee which will be paid by the privately contributed funds.

Heritage Park, established in 1975, is a Lawrence Halprin design and is located on the bluff overlooking the confluence of the Clear and West Forks of the Trinity River. The park was closed in 2007 due to concerns regarding condition and safety. In response to a community effort led by Ruth Carter Stevenson to reopen the Plaza, the City Council adopted a resolution expressing the intent to collaborate with a variety of public and private partners in formulating schematic design recommendations for the restoration and improvement of Heritage Plaza and; and, as financial resources permit, in implementing such recommendations. (Resolution No. 3768-07-2009).

On May 19, 2011, Informal Report 9384 provided the Council an update on efforts by City staff, in cooperation with various stakeholders represented on the Heritage Park Steering Committee, to restore Heritage Plaza. In that report, Council was updated on necessary steps leading to the restoration of Heritage Plaza.

Since May 2011, City staff and DFWII, through a series of License Agreements (City Secretary Contract Nos. 42630 and 45260), have overseen the completion of a series of preliminary studies and analyses intended to inform final design for the restoration of Heritage Plaza. During this time, DFWII engaged in private fundraising efforts to provide funding for the final design of the improvements. The private financial contributions to the project to date total \$1,070,000.00.

In 2013, DFWII issued an RFP for final design and selected a partnership of Studio Outside and Bennett, Benner and Partners to lead this effort.

On May 10, 2014 Fort Worth citizens passed a bond package that included \$1.5 million for design work for the restoration of Heritage Plaza (2014 Bond Funds). The full amount of Heritage Park bond authorization was appropriated in September of 2015 (Ordinance 21920-09-2015).

On June 17, 2015, by Resolution No. 2015-6, TIF No. 3 authorized funding for the renovations in an amount up to \$1,000,000.00.

On August 19, 2015 the City and DFWII entered into a License Agreement (City Secretary Contract Nos. 46944) to provide DFWII and its consultant with access to Heritage Plaza for the purpose of preparing design and construction documents. In October 2015, the City Council authorized an amendment to that agreement, waived permitting and construction related fees, and authorized use of the 2014 Bond Funds toward the restoration costs (M&C G-18595; CSC 49644-A1). Although bond funds were approved for use, they were not expended, and the agreement regarding their potential use has expired.

Since 2015, design and construction documents have been secured for the restoration of the plaza; however, during this phase it was determined that future success must include integral improvements to increase and provide improved access to and within Heritage Park. From 2016 to 2019, DFWII explored options to increase and improve access to Heritage Park, to better connect it with the adjacent Paddock Park, and to make the parks more usable and user-friendly. Preliminary concepts include the following:

- Improve pedestrian and vehicular access around Tarrant County Courthouse and North Main Street;
- Strengthen the visual and physical connection between Heritage Plaza and Tarrant County Courthouse via Paddock Park;
- Improve access from Heritage Park Plaza to the Trinity River via a grand stair case and accessible tree canopy walk; and,

- Strengthen the connection between Heritage Park, Sundance Square, General Worth Square, and the Fort Worth Water Gardens via Houston Street.

Over the past year, DFWII has explored funding options for these preliminary design concepts and has determined that funding will come from a combination of private and public sources. Feedback from private donors indicated overall support but a need for more specific information on project sequencing, timing, and cost. The \$1,000,000.00 of 2014 Bond Program funding was identified for "Heritage Park Redevelopment" and will be used to match private dollars to pay a qualified design team to produce conceptual design documents through an extensive public engagement process, develop reliable construction cost estimates, and produce greater detail on timing and sequencing. The design costs will be capitalized as part of the completed construction project and are therefore eligible expenditures of bond funds.

By approving this M&C, the City Council will be finding that design and construction documents for Heritage and Paddock Parks, including design for improvements along the street frontages of both parks, are within the scope of the Heritage Park Redevelopment project as proposed in the bond booklet and approved by voters in 2014.

This project is included in the 2014 Bond Program. Available resources within the General Fund will be used to provide interim financing until debt is issued. Once debt associated with the project is sold, bond proceeds will reimburse the General Fund in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance No. 21241-05-2014) and subsequent actions taken by the Mayor and Council.

The project is located in COUNCIL DISTRICT 9

A Form 1295 is not required because: This contract legally does not require City Council approval.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as appropriated, of the 2014 Bond Program Heritage Park project to support approval of the above recommendations and award of the contract. Prior to any expenditure being incurred, the Park & Recreation Department has the responsibility to validate the availability of funds.

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