

## AGENDA



Thursday, July 29, 2010

**Parks and Recreation  
RECOMMENDATION FOR COUNCIL ACTION**
**Item No. 45**

**Subject:** Authorize execution of a development agreement in an amount not to exceed \$8,600,000 and a 20-year operations agreement with Young Men's Christian Association d/b/a YMCA of Austin, a non-profit corporation, for a recreation center for public use located at 1000 West Rundberg Lane, Austin, Texas; and authorize the use of the Construction Manager at Risk construction delivery method as permitted by Subchapter H of Chapter 271 of the Texas Local Government Code.

**Amount and Source of Funding:** Funding in the amount of \$1,794,987 is available in the Fiscal Year 2009-2010 Capital Budget of the Parks and Recreation Department. Funding for future appropriation, not to exceed \$8.6 million which includes the requested \$1,794,987, is contingent upon approval in future budgets and will come from funds approved in Proposition 3 of the 2006 Bond Program.

**Fiscal Note:** A fiscal note is attached.

**For More Information:** Shelley Kilday, 974-7922; Sara Hensley, 974-6717

**Boards and Commission Action:** To be reviewed by the Parks and Recreation Board on July 27, 2010.

**Prior Council Action:** July 26, 2007 - Council approved a resolution authorizing the negotiation and execution of a contract to purchase the property using November 2006 Bond Proposition 3 funds; May 22, 2008 - Council approved authorization, negotiation and execution of a professional services agreement with STUDIO 8 ARCHITECTS, INC. for preliminary, design, construction phase and post construction phase services of the North Austin Recreation Center building in an amount not to exceed \$680,000; June 10, 2010 – Council approved negotiation of an agreement with Young Men's Christian Association dba YMCA of Austin, TX.

On November 7, 2006, Austin voters approved seven propositions authorizing \$567.4 million dollars of General Obligation Bond funds for capital improvement projects and programs. Among those propositions, Proposition 3 included \$8.9 million for a North Austin Recreation Center. Council authorized the purchase of 6.997 acres at 1000 West Rundberg Lane for the project in July 2007.

In March 2009, the YMCA of Austin approached the City about partnering on this project. After discussions with the neighborhood association, community members, and the 2006 Bond Oversight Committee, the city will execute an agreement based upon the following principles: The YMCA will construct a recreation center that will be a minimum of 30,000 square feet, and will include an indoor pool. The City will contribute approximately \$8.6 million towards construction of the facility. The YMCA will be responsible for all design costs and construction expenses in excess of the City's contribution, if any, to complete the facility and will be required to dedicate funds to ensure project completion prior to construction initiation. A community center function will be designed and dedicated in the facility for public use during operating hours at no cost and will be available for public meetings and other public programming such as senior programs, after-school programs, computer classes and game room activities. The YMCA will also provide programming and facility access, including the pool, that the public will have access either at no charge or for a fee consistent with its fees charged for similar facilities. These Programs would be staffed by the YMCA.

The city will execute a joint operations agreement that defines the management, use, and maintenance of the facility that will result in a measurable public benefit including accessible quality programs for all participants regardless of income level, or membership status. Also, the construction project will meet the City's requirements for new buildings including LEED, procurement, prevailing wage, M/WBE participation, and Art in Public Places. Of the \$8.9 million in bond funds, a minimum of \$300,000, but not more than \$500,000, is reserved for City of Austin expenses related to Art in Public Places, debt service on the bonds, project expenses incurred prior to this agreement with the YMCA, and project oversight and quality assurance.