

## **DRAFT GOALS FOR PARKS BOARD DISCUSSION**

### **IMMEDIATE OVERALL MAJOR GOALS FOR 1992**

1. Advocate for passage the PARKS BOND PROPOSITIONS on the next bond election.
2. Create financial mechanism for receiving and managing private assets to benefit Austin Parks and Parks Programming.

### **CONCESSIONS COMMITTEE**

1. Study expanding train concession as transportation in Zilker Park.
2. Recommend awarding of contracts for:
  - a. Barton Springs Food and Drink Concession
  - b. Row Boat Concession
  - c. Carousel Concession
3. Refine concession policy and submit it to Austin City Council for adoption.

### **LAND AND FACILITIES COMMITTEE**

1. Recommend options for separate Bike Trail on Town Lake.
2. Complete Hike and Bike Trail around Town Lake.
3. Advocate for regular use of CDBG funding for Parks projects.

### **LONG RANGE THREE TO FIVE-YEAR GOALS**

1. Complete all facilities and land acquisitions projects approved by voters in the next bond election utilizing CDBG funds where appropriate.

## NAVIGATION COMMITTEE

### PARKS AND RECREATION BOARD INITIATIVES FOR 1992

1. Monitor the number of water-craft on Town Lake in order to have information for planning, and to prevent overcrowding.
2. Continue working for the removal of safety hazards in Town Lake.
3. Support the increase of at least one additional officer on Lake Austin, particularly during the high level months of activity.
4. Work to develop a plan for the emergency closing of Lake Austin by boat and recreation traffic during emergency situations by the Park Police.
5. Identify safety hazards on Lake Austin by monitoring Lake Austin with Park Police and receiving their input.
6. Study the need for additional public access on Lake Austin and for the Barton Creek Greenbelt.
7. Stress the continued decrease of gasoline powered engines on Town Lake and monitor the use of power boats on the lake. Request electric motors to be used when possible.

## PROGRAM COMMITTEE

- (1) Support and coordinate private fund raising for the benefit of PARD's public service goals.
- (2) Encourage citizen volunteer work in parks, playgrounds, pools and recreation centers working with individuals and organizations such as the Volunteer Center and Red Cross.
- (3) In order to advise the Manager and Council in a more informed way, review a monthly plan to actual summary of the current budget. The format should compare actual to approved expenditures.
- (4) Continue to monitor the At-Risk Youth, and recreation programs to evaluate where community resources can be utilized.
- (5) Identify ways to work with AISD for joint use of programs and facilities, especially for the summer playground program.
- (6) Emphasize youth programs for special need children i.e., wheel chair bound, physical and mental disabilities.
- (7) Ensure public information staff, assist with all public relation for all youth programs.
- (8) Encourage involvement with youth athletic council.



MEMORANDUM

TO: Parks and Recreation Board

FROM: Manuel A. Mollinedo, Director  
Parks and Recreation Department

DATE: February 5, 1992

SUBJECT: Zachary Scott Theatre Phase II Conceptual Plan

At the January 28, 1992 Parks Board meeting, Mr. Gerard Kinney, architect for Zachary Scott Theatre, presented conceptual plans for Phase II improvements.

Phase II includes renovation of the original theatre, now named the Kleberg Theatre, to accommodate 228 seats. The front entrance will be improved and a circular drive will permit a drop-off area for visitors. Additional parking will be created to accommodate the combined needs of the theatre, the PARD building, Butler Field. Due to the staggered peak use of the three facilities, additional parking will also be available for hike and bike trail users.

The conceptual design is a reduced version of the current approved plan, and is more suitable for the site. I recommend your endorsement of the Phase II Zachary Scott Theatre conceptual plan.

Please contact me if you require additional information.

Manuel A. Mollinedo, Director  
Parks and Recreation Department



## MEMORANDUM

**TO:** Parks and Recreation Board

**FROM:** Manuel A. Mollinedo, Director  
Parks and Recreation Department

**DATE:** January 24, 1992

**Subject:** Concession Policy

By way of this memorandum I am requesting that the Concession committee of the Parks Board convene to review and revise the Parks Concession Policy (see attached) to:

- make it more customer friendly;
- clarify the definitions and requirements for temporary concessions;
- eliminate references to the Waterfront Advisory Board;
- to clarify the role of the Environmental Board ;
- to streamline and expedite the concession review process
- to clarify the role of staff as it applies to the evaluation process, the preparation of Request for Proposal's and Request for Qualifications; and to
- incorporate any other changes determined to be appropriate by the Parks and Recreation Board

Please let me know if you have any questions or require additional information.

Manuel A. Mollinedo, Director  
Parks and Recreation Department

Attachment

**TOWN LAKE CONCESSION POLICY**  
-Approved September 25, 1990 by  
the Austin Parks and Recreation Board

**SUMMARY**

In June 1988, City Council directed the Parks and Recreation Department to develop a concession policy for Town Lake Park. A major part of that policy was adopted by Council as part of the Town Lake Park Ordinance, in January 1989. Some of the recommendations in this report originated in the committee that considered Town Lake Park concessions in 1988. Most of the remaining recommendations were developed by the Concessions Committee of the Parks and Recreation Board, working in cooperation with Parks and Recreation Department staff.

A "concession" is defined as a privilege granted by the City for use of specific City-owned property for the purpose of serving a specific public need. No property rights are granted by the awarding of a concession, except for the temporary use of park land. Ownership of the concession per se, as well as ownership of the land, remains vested with the City.

The report is divided into six categories:

1. **Rationale**, which describes the principles upon which this report is based.
2. **Permitting**, which describes the procedures that are already in place for considering new concessions in the Park and adds a provision for public notification and hearing for any proposed permanent concessions.
3. **Terms**, which recommends standard contract terms for concessions in the Park.
4. **Contract Provisions**, which includes additional standard contract provisions.
5. **Design Standards**, which recommends design guidelines to govern concession facilities in the Park.
6. **Items for Council Action**

## RATIONALE

This report is based on the following considerations:

\* Park concessions, appropriately developed, can be beneficial to park users and to the City.

Existing park concessions provide a variety of activities that have become traditional in Town Lake Park; among them, canoe rentals on Barton Creek, paddleboat rides on Town Lake, and snacks at Barton Springs Pool. The City benefits not only from the services provided to park users, but also from the fact that private businesses are assuming the risks of providing those services.

\* The development of additional park concessions is a good way to increase the variety of activities available to park users.

The Town Lake Comprehensive Plan envisions a park in which a wider variety of activities are available throughout the park. Currently, all but one of our existing concessions is located west of I-35, and few activities other than boating are provided.

\* Town Lake Park, with its magnificent open spaces, green areas, and trails, is the crown jewel of Austin's park system; it is therefore essential that concessions not degrade the environmental quality of the park, nor detract from the park users' experience of the park.

The idea of concessions is to provide park users with more ways to enjoy their parks. It is absolutely essential, therefore, that park concessions not damage the park environment, or detract from the very qualities that brings people to the park in the first place. This principle is true both in the development of individual concessions, and also in the aggregate development of concessions in the Park, to eliminate the danger of incremental overuse of the Park.

\* All concessions should be compatible with the Town Lake Comprehensive Plan.

The Town Lake Comprehensive Plan has been adopted by ordinance of City Council, and incorporated into the City Code. The development of new concessions should be consistent with the Plan.

\* The City should encourage the development of appropriate permanent facilities.

Most permanent concessions, for example boat rentals, are more appropriately located in permanent buildings. Most existing permanent concession facilities are haphazard structures that do not contribute to the overall ambiance of the park. The City should encourage and facilitate the development of more appropriate concession facilities.



\* Service concessions are required to have a recreational programming component.

Concessions which provide recreational activities, as opposed to those which simply sell food and beverages, should include program elements such as lessons, safety instruction, utilization by non-profit/charitable groups, etc., which promote and educate the public about the benefits of the leisure services they supply.

#### PERMITTING

The Town Lake Park Ordinance established a procedure under which new permanent concessions may be permitted in Town Lake Park. Section 10-4-53 of the City Code reads in part:

(a) The Parks and Recreation Department shall present an annual report, in October, to a joint meeting of the Waterfront Planning Advisory Board and the Parks and Recreation Board. This report shall also be provided to the Environmental Board. The Waterfront Planning Advisory Board, Parks and Recreation Board, and Environmental Board shall, within 30 days of the receipt of the report, make recommendations to City Council regarding appropriate concessions in Town Lake Park, the status of existing concessions, and the advisability of issuing a request for proposals (RFPs) for concessions in Town Lake Park.

The intent of this section is to provide for annual monitoring of the carrying capacity of Town Lake Park for concessions, by the Boards charged with responsibility for the Park. Such an annual monitoring is necessary to establish a carrying capacity for the Lake. The first annual report was presented to the Boards in September 1989.

Prior to the issuance of any RFP for permanent concessions, neighborhood and environmental organizations, along with other interested citizen groups, should be notified and allowed a sixty (60) day period to comment on the proposed recommendations.

Temporary concessions are defined as those requiring no permanent structures or other improvements to park land, having a contract of one year or less in length, and resulting in less than \$5000/year in revenue to the City. They are now permitted at the discretion of the Director of the Parks and Recreation Department. Facilities and locations should be approved by the Town Lake Park Coordinator. It is recommended that this process continue.



## CONTRACT PROVISIONS - NON-NEGOTIABLE

Current concession contracts contain a variety of provisions. For new concessions, and for renegotiated contracts as the current concession contracts expire, more standard contract provisions would ensure more consistent operation of Town Lake Park concessions in the City's interest.

The following standard provisions are recommended for all permanent concession contracts:

1. **Non-performance penalties.** Currently the City has no enforcement provisions for contract performance, short of termination. It is recommended that a schedule of lesser non-performance penalties be enacted to ensure contract performance more easily.
2. **Monthly payments.** Some existing contracts are set up on a quarterly, rather than monthly, payment schedule. For ease of recordkeeping, all future contracts should be on a monthly payment schedule.
3. **Reporting.** Along with their monthly payment, each concession shall provide information about that month's concession operations as specified on a reporting form to be supplied by PARD. Income tax reports for each concession should be provided to PARD automatically each year.
4. **Hours.** Minimum hours during which the concession will be operated should be specified in the contract.
5. **Signage.** Signage should be provided by the concessionaire, listing hours of operation and prices and a Parks and Recreation Department phone number for information.
6. **Water Safety.** All water activities should cease during high water, emergency water releases, and violent weather.
7. **Compensation for loss of business.** No compensation should be given to concessionaires for loss of business caused by acts of God, high water, low water, or special events permitted by PARD. All security or anti-vandalism measures are the primary responsibility of the concessionaire.
8. **Packaging Requirements.** All concessions selling packaged goods should be required to use biodegradable packaging material where available, to prohibit the use of Styrofoam and glass containers, and to provide for the recycling of all recyclable materials.

9. **Citizen Comments.** Ample opportunity should be provided for citizen comments and suggestions. At a minimum, a locked suggestion box, built to PARD specifications, shall be installed at each concession to receive citizen's comments, on a standard form to be supplied by PARD.

10. **Transfer of Ownership.** Ownership of either permanent or temporary concessions may not be transferred or leased.

11. **Dismantling Bond.** A sufficient bond shall be paid to cover the cost of dismantling the concession facilities, should the concession be abandoned.

12. **Reversion.** All permanent concession facilities revert to the ownership of the City of Austin at the end of the term of the concession contract.

13. **Exclusivity of Service Area.** Within the specified contract period and based upon the type of concession service, the City of Austin retains the right to delineate an exclusive service area for a particular concession service or product.

#### **CONTRACT PROVISIONS - NEGOTIABLE**

Terms and lengths of permanent concession contracts in place in 1989 vary substantially, largely because the contracts were negotiated at different times. In order to insure equity for both the concessionaires and the City, standard contract terms and lengths need to be established, while still allowing the City flexibility to encourage high quality public improvements.

**Standard Length** It is recommended that the standard length of contracts shall be five years unless otherwise negotiated.

**Standard Terms** It is recommended that the standard percentage to be paid by permanent concessionaires to the City shall be 10% minimum of gross sales less sales tax unless otherwise negotiated.

In order to encourage private investment in public facilities, it is recommended that the City have the flexibility to vary both the length and terms of the contracts, in cases where a substantial private investment in public concession facilities warrants it. This flexibility could also be used to promote concession development in less used parts of the Park and to gain additional revenues in very heavily used parts of the Park.

It is also recommended that there be the flexibility to award contracts longer than 5 years to concessionaires willing to make substantial investments in permanent facilities. This will enable those concessionaires willing to invest in public improvements to obtain the necessary financing. The maximum length of contract recommended is five years, with three renewable five year options. All permanent concession facilities become the property of the City of Austin when the concession contract expires.

Exclusive right to provision of a service or product on parkland is not implied or guaranteed in any concession contract.

Temporary concessions are defined as those having contracts of less than one year in length. Temporary concessions are required to pay a minimum of 15% of their gross revenues to the City.

#### DESIGN STANDARDS

One of the objectives of the Town Lake Comprehensive Plan is greater consistency and higher quality in park buildings and furniture than now exists. The following recommendations are based on the Town Lake Comprehensive Plan Design Manual. All permanent structures built by concessionaires shall be reviewed by the Parks and Recreation Board and the Waterfront Planning Advisory Board. The following design standards apply only to permanent concessions in Town Lake Park:

##### **Buildings**

1. All building designs shall be sealed by a registered Architect.
2. Use of native stone, especially limestone, as a building material is recommended.
3. Use of terne colored standing seam galvanized steel roofs is recommended.
4. Use of ornamental ironwork is recommended, and if used, should be painted to PARD specifications regarding application, paint type and color.
5. Use of wood in contact with the ground should be avoided.
6. Public restrooms are recommended in all permanent concessions.
7. Concession facilities should be handicapped accessible.

### **Sitework**

1. All park furniture, including signage, benches, gates, trash containers and fences, should be to PARD design and specifications.
2. All plant materials should be drought tolerant, and irrigation shall be supplied to all planted areas.
3. Utilities, including public telephones, should be supplied to all permanent facilities that are not subject to flooding, and should be underground.
4. A plan for parking and traffic circulation must be submitted as part of the overall siteplan.
5. Projects involving substantial site development should be sealed by a registered landscape architect.

### **Boats**

1. Excursion boats should have an approved location for service access, and approved waste disposal systems.
2. Shoreline erosion will be a major factor in deciding whether to permit excursion or individually-rented boats and any other types of concessions which by location or activity could contribute to the degradation or pollution of Townlake.

### **Review Process**

1. All designs should be developed in consultation with PARD Planning and Design, and must be approved by PARD.
2. All structures are subject to design review by the Waterfront Planning Advisory Board and the Parks and Recreation Board.
3. All improvements, including planting and utilities, must be in place within one year from the date the contract is awarded. Exceptions will be granted only if unforeseeable delays arise in the City permitting process.
4. The concessionaire is responsible for securing all necessary permits and approvals.



5. All proposed park developments must comply with the requirements of Waterfront Overlay Zone, the Town Lake Park Ordinance, and Chapter 13-2 (specifically including Part E pertaining to shoreline alterations) of the Austin City Code of 1981. Marinas and watercraft must comply with Chapter 4-3 of the Austin City Code. Prospective concessions involving watercraft should consult with the Park Police Lake Patrol (477-9762/477-6904) before submitting proposals, to ascertain the suitability of the proposed vessels and landings, and the conditions of the Lake.

6. Concessions shall be permitted on Town Lake according to the following procedure:

a. Concession proposals and staff recommendations, concerning those proposals or other recommended concessions, shall be presented to the Concessions Committee of the Parks and Recreation Board, meeting jointly with members of the Waterfront Planning Advisory Board, annually.

b. That group shall make recommendations on the proposals to a joint meeting of the Parks and Recreation Board and the Waterfront Planning Advisory Board.

c. The two boards shall, by majority vote of those present, decide on which of the presented proposals shall go forward to a public hearing. Signs will be posted at the prospective locations of the proposed concessions.

d. A public hearing before a joint meeting of the Parks and Recreation Board and the Waterfront Planning Advisory Board will be scheduled 60 days hence, with appropriate public notice.

e. After the public hearing the two Boards will, by majority vote of those present, decide which of the concession proposals will be recommended to City Council for inclusion in a Request for Proposals for concessions in Town Lake Park.

f. The Concessions Committee of the Parks and Recreation Board shall review and approve the proposed RFPs before they are submitted to the City Council.

#### ITEMS FOR COUNCIL ACTION

1. A Town Lake Trust Fund should be established to accept all revenues from concessions, as well as other funds generated by Town Lake Park activities, such as special events. The moneys from the trust fund should be used for development in Town Lake Park, and acquisition of additional parkland in the Town Lake Corridor. Any concession revenue received prior to the establishment of this trust fund shall be kept in an escrow account and deposited to the trust fund when it is established.

2. Park Police should be equipped to patrol Town Lake by boat, especially during peak use. In addition, Park Police patrols should be expanded to allow them to help concessionaires provide security for and guard against vandalism to their facilities, particularly during the night and other low use periods.

3. The policy of requiring all concession contracts to go through the Purchasing Department and comply with purchasing requirements should be reconsidered. Under the current procedures, concession contracts are treated as purchases, and subject to all the purchasing controls that are routinely applied to City purchases. This is the case even though concession contracts involve revenue to the City, rather than expenditures. The resulting process is slow, cumbersome, and frequently, slightly absurd.

#### CONCLUSION

The Town Lake Comprehensive Plan, which was adopted by ordinance on January 26, 1989, describes the City of Austin policy on the future development of Town Lake Park. Concessions are certainly a component of that recommended development. It is important that concessions in Town Lake Park be located and developed in a way compatible with the Town Lake Comprehensive Plan. The preceding policy is intended to provide a clear direction to existing and future concessionaires in Town Lake Park, as well as to the citizens of Austin.



## Summary of Lighting Phases

This is a verbal summary delineating and describing the eight phases of the Town Lake Hike and Bike Trail Lighting project. A map, which is an item in Exhibit A in our contract with the City, shows the phases and power service points is a good visual reference. On the map, the service points are labelled, and the extent of each phase is indicated with square brackets [...] around each segment of the trail. The driving factors in this choice of phases were 1) the location of available service points, 2) the segmentation of the trail by major streets, 3) the optimal length of a segment, which is the maximum length of wire which can be laid before there is a significant voltage dropoff from accumulated resistance. Costs are estimated, pending the receipt of bids from installation contractors, but are based on preliminary estimates from contractors. Some variation in unit cost between phases is expected, particularly with phase 8 (because of the concrete path), but is hard to predict.

### Phase 1

- Location: Auditorium Shores, S. 1st to West Bouldin Creek
- Number of poles: 18
- Service point: existing PARD pump house vault
- Estimated cost: \$37,800
- Funding source: at-large donations (e.g. individual donations, Motorola, and other corporate, business, and affiliated sponsors)

### Phase 2

- Location: Auditorium Shores, West Bouldin Creek to Lamar
- Number of poles: 6
- Service point: options: pulling from street lighting circuits, service on Lamar bridge
- Estimated cost: \$13,200
- Funding source: at-large donations

### Phase 3

- Location: north shore between Congress and S. First
- Number of poles: 8
- Service point: bell tower (PARD)
- Estimated cost: \$17,600
- Funding source: at-large donations

### Phase 4

- Location: north shore, eastern half of section from 1st to Lamar
- Number of poles: 16
- Service point: existing pad near the trail which will be currently unclaimed and will be turned over to PARD
- Estimated cost: \$35,200
- Funding source: at-large donations

**Phase 5**

- Location: north shore, western half of section from 1st to Lamar
- Number of poles: 10
- Service point: existing service (PARD) near the Lamar bridge
- Estimated cost: \$22,000
- Funding source: at-large donations

**Phase 6**

- Location: south shore, between 1st and Congress (Hyatt)
- Number of poles: 9
- Service point: Hyatt premises
- Estimated cost: \$20,800
- Funding source: Hyatt Regency Austin

**Phase 7**

- Location: south shore, American-Statesman frontage
- Number of poles: 15
- Service point: American-Statesman premises
- Estimated cost: \$33,000
- Funding source: Austin American-Statesman

**Phase 8**

- Location: north shore, between Congress and Waller Creek
- Number of poles: 14-15 (depending on placement of a pole on the Trinity Street link)
- Service point: Boathouse
- Estimated cost: \$32,600 - \$34,800
- Funding source: Four Seasons and Crest Hotels

**Ordering of Phases**

Phases 1 and 2 will be the first, and there is a good likelihood we will have the funding to construct them simultaneously. Beyond this point, the arrival of funding from the American-Statesman, the Hyatt, the Four Seasons, and the Crest Hotel will affect the ordering. Naturally, we will construct their phases when (and if) they fund them. The presence of one or more of those three phases will determine which of phases 3, 4, or 5 we will construct with additional at-large contributions. Phases 3 or 4 would be the most likely choices. The choice will be made with the consultation of the Parks Department and Board. While highly desirable, phases 6, 7, or 8 are not critical to the success of the project, in the sense that failure to construct them would inhibit the usefulness or aesthetic appeal of the rest of the system. In particular, phases 7 and 8 are not part of the central loop of the trail between Congress and Lamar. If these sections are not funded as anticipated, they will likely not be constructed.

January 19, 1992

Dear Sir/Madam

I am writing in support of the Town Lake Hike and Bike Trail Lighting Project. I feel that the lighting would be a lovely addition to the trail and make it safer for walking around the lake on all those warm summer evenings.

I moved to Austin seven months ago from Oakland, California. One of the best things in Oakland is Lake Merritt, a large lake and bird sanctuary right in the heart of the city. I frequently enjoyed the three mile walk around the lake. Several years ago the city, through private donations, restored the "Necklace of Lights" around the lake which made it spectacular at night.

I was delighted to find Town Lake and the trail here in Austin. The addition of lighting would make it even more enjoyable.

DATE

1/22/92

TO

John

Sincerely,

Johanna Oswald

— Please handle

— Response for my signature

— Provide copy of your response

— For your information

— Do you want to be

— on to be to be

— Envelope is addressed to PARB.

Mollinedo, Director

Recreation Department

(W)

JAN 22 1992

PARKS AND RECREATION  
CITY OF AUSTIN

January 20, 1992

As I walked on Iron Lake  
I am very much in favor of having  
lights along the Iron Lake Trail. Its  
a shame the trail shuts down  
(except for transients use) when the  
night becomes too dark to see one  
way. Lets get lights!

Karen Bortright  
2112 Woodmont Ave  
Austin, TX 78703

DATE: 1/23/92  
TO: Stuart

☐ Please handle  
☒ Response for my signature  
☐ Provide copy of your response  
☐ For your information  
to LR by 1/29/92  
low

Manuel A. Mollinedo, Director  
Parks and Recreation Department

JAN 23 1992

PARKS AND RECREATION  
CITY OF AUSTIN