



M E M O R A N D U M

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: June 3, 1993

SUBJECT: Arts and Recreation Subcommittee Appointments

The Parks and Recreation Board is required by ordinance annually to appoint three members to serve on the Arts and Recreation Subcommittee. The Subcommittee serves as the appeals panel for cultural contractors appealing the Arts Commission's funding recommendations. It is composed of seven members, three members of the Parks and Recreation Board, three members of the Arts Commission, and one at large member appointed by the City Council.

The Arts Commission is scheduled to make funding recommendations by June 15, 1993. Once the deadline for filing appeals has passed, the Subcommittee will then meet to review the filed appeals and conduct a hearing on granted appeals. The meeting and hearing are tentatively scheduled for July 7th and 8th and it is necessary that the PARB representatives to the Subcommittee be present in order for there to be a quorum to meet. Last year 10 appeals were filed, 5 heard and three were forwarded to the Commission and Council for further review.

Parks Board members who served last year were ErmaLinda Cruz-Torres, Eleanor McKinney, and Sterling Lands. This year the Arts Commission has appointed Maxine Barkan, Sharon Watkins, and Valerie Menard, as their representatives to the Subcommittee, and the City Council is scheduled to act on their appointment at the first Council meeting in June. I am requesting that the Parks and Recreation Board elect three representatives no later than the June 22nd meeting.

Carolyn D. Nelson

for Michael J. Heitz, A.I.A., Director
Parks and Recreation Department

MJH:AD



M E M O R A N D U M

TO: Members of the Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: June 1, 1993

SUBJECT: Northtown MUD - Proposed Consent Agreement Amendments

Northtown MUD is a 1224 acre project located in the northeast Austin area, just east of the Howard Lane/IH 35 intersection as shown in Attachment A. The Pflugerville Joint Venture that originally signed the Consent Agreement was dissolved in 1989, and the assets, apparently including the Consent Agreement, transferred to Milburn Investments, Inc. (MII).

Over the years, most of the land within the District has either reverted to the original owners or to lending institutions. MII owns a relatively small portion of land within the District at this time, but is the only active developer. The proposed amendments discussed below are proposed to bring MII into compliance with the Consent Agreement so that the District can have its first bond sale to reimburse MII for its investments made to date.

PROPOSED AMENDMENTS

In response to the District representative's proposed changes to the parks and recreation requirements of the Northtown MUD Consent Agreement, we have suggested the alternatives described below. We will provide the District's response and any other updated information to you during your June 8, 1993 meeting.

Parkland Requirements

According to the current Consent Agreement, the Pflugerville Joint Venture (succeeded by MII) was to have dedicated a 46 acre park to the District within one year of confirmation of the District, a milestone long past. This park comprises the largest amount of developable parkland in the entire Northtown MUD park system (as shown on the District land plan), and was intended to have been the major park for the whole development. Most of the remaining parkland is floodplain.

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MII does not own the land on which the 46 acre park lies, so MII cannot dedicate it to the District. The District's representative has proposed to eliminate the requirement for early dedication of the 46 acre park, and to have it dedicated as the remaining 109.1 acres of parkland will be, that is, "in segments as adjacent property is platted." Experience with this method of dedication is that small parcels are dedicated in piecemeal fashion over long periods of time, which is acceptable in many cases.

In this case, however, where homeowners purchased homes with the idea of soon having a major park in their development, we have suggested the following alternative for parkland dedication. When a developer initiates any development activity on a land parcel within Northtown MUD, that developer will dedicate all parkland within the developer's ownership. The timing of actual dedication will occur prior to approval of the first preliminary plan filed on any piece of the parcel. If such timing would be premature for the District, then the District could legitimately request dedication anytime thereafter.

Although this alternative will not necessarily result in the early dedication of the 46 acre park, it will result in dedication of larger park parcels earlier in the development process than under the proposed amendments. Also, the timing of dedication is more specific than "as adjacent property is platted," allowing the District to better anticipate and plan for park development.

Recreation Facility Funding

According to the current Consent Agreement, the Joint Venture (succeeded by MII) was to have expended a minimum of \$1,770,000 to build specific recreation facilities (as spelled out in Exhibit H of the Consent Agreement) on the parkland and donate them to the District, no later than the date of disbursement of proceeds of the first sale of District bonds. These funds were specifically targeted for development of the 46 acre park to include the usual park amenities and an Olympic swimming pool with bathhouse.

The District is hoping to have an initial bond sale of approximately \$1,000,000 to reimburse MII; this amount is not large enough to justify MII's having to pay \$1,770,000 at the same time for park development. The District representative has proposed to eliminate this requirement altogether. In November, 1992, the District imposed on developers a \$300 fee per water and sewer tap, for the purposes of acquiring and improving parks. The fee is supposed to recapture the \$1,770,000, and will, at the 5900th tap, or at or near build out of the entire District, if the District reaches 5900 dwelling units. The City was not consulted about the fee, and has no authority related to the fee.

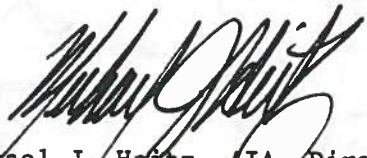
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The City does have authority related to District bond sales, however. Therefore, we have suggested that the \$1,770,000 remain tied to District bond sales, following the precedent established by the Fern Bluff Consent Agreement amendments of 1992. Specifically, we suggested that no later than the date of disbursement of the proceeds of each bond sale, the recipients of such proceeds (developer/s) donate funds to the District equal to fifteen (15%) percent of the bond issue being sold each time, until a total of \$1,770,000 in donations has been reached. The 15% will be applied to the first bond sale. A total of \$11.8 million in bond sales will have to occur to generate \$1,770,000 in recreation facility development funds. These funds will be used by the District to develop the dedicated parkland.

This alternative will result in larger lump sum funding for District park development than the \$300 fee imposed by the District. This alternative will also result in greater park funding earlier in the development process, with the aggregate of \$1,770,000 likely to be reached before build out of the entire District. In addition, this alternative allows the District sufficient lead time to rationally plan for its park development. This alternative could be in lieu of the \$300 fee imposed by the District, or could be in addition to it, at the District's discretion.

RECOMMENDATION

I recommend your endorsement of PARD's proposed alternatives to the proposed Northtown MUD Consent Agreement amendments.



Michael J. Heitz, AIA, Director
Parks and Recreation Department

Attachment



MEMORANDUM

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: June 3, 1993

SUBJECT: Interlocal Agreement with Travis County

Travis County has proposed funding for increased security for the County-owned administrative building, which is located adjacent to Palm Park. They require the additional security patrols to promote safe access to and use of the administrative offices in the building and the parking area. The County has requested that the Austin Park Police conduct "Close Security" patrols of the administrative building, in conjunction with the City's patrols of the adjacent park facilities. During the close patrol, the officer will visit the park approximately once each hour, get out of the patrol vehicle, and perform a thorough security patrol of the area.

At their meeting of May 18, 1993, the Travis County Commissioners Court approved funding of no more than \$8,000 to pay for the Austin Park Police to provide hourly close security patrols at the building site from 7 a.m. to 10 p.m. Monday through Friday and 7 a.m. to 11 a.m. Saturday, from June 1, 1993 through July 31, 1993.

This Agreement provides for 64 hours of security coverage weekly; 32 hours is funded from the County for the County administration building, and the remaining 32 hours is funded by the City in the existing Parks and Recreation Department FY 92-93 Operating Budget.

As a part of this Agreement the County may request "Continuous Presence Security Patrols" when the need dictates. This increased level of service will be provided within 24 hours of the County's request, and is funded with this Agreement. The contract includes a provision for termination with thirty (30) days notice.

Approval is recommended.

Carolyn D. Nelson

for Michael J. Heitz, AIA, Director
Parks and Recreation Department