



Woodall Rodgers Deck Plaza

Proposed Deal Points for a Development Agreement and Use Agreement

VISION

City Council Briefing
February 21, 2007





Purpose of Briefing

- Present and receive concurrence for the proposed Deal Points for a Development Agreement and Use Agreement with the Woodall Rodgers Park Foundation (the Foundation) for Woodall Rodgers Deck Plaza (the Project), including:
 - City's rights and responsibilities – Development Phase
 - Foundation's rights and responsibilities – Development Phase
 - City's rights and responsibilities – Operation Phase
 - Foundation's rights and responsibilities – Operation Phase



Project Background

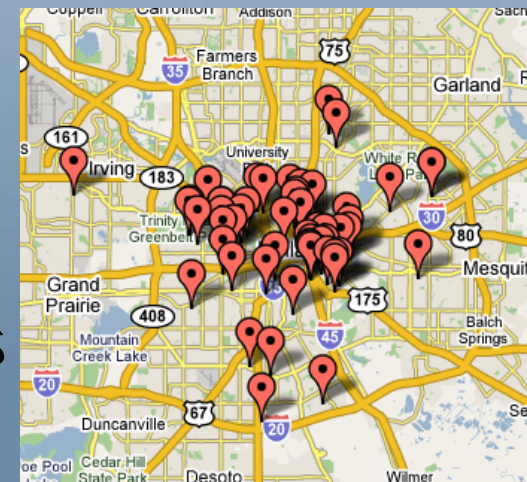
- **The Real Estate Council (TREC)** is a Dallas-based organization that serves more than 1,400 commercial real estate professionals in North Texas.





Project Background

- The Real Estate Council strategic statement:
 - Endorse revitalization of the urban core as an essential component of sustainable, quality regional growth
 - Combine “seed money” approach with a longer term “big impact” project
 - Expand contributors base to public and private sectors outside the real estate industry
 - Expand base of in-kind donations of professional expertise and goods





Project Background

- The **Woodall Rodgers Park Foundation (the Foundation)** is a non-profit 501(c)(3) corporation formed with the goal of developing, operating and maintaining Woodall Rodgers Deck Plaza
- City of Dallas staff, TREC and the Foundation have negotiated these proposed Deal Points, which will form the basis for a Development Agreement and Use Agreement

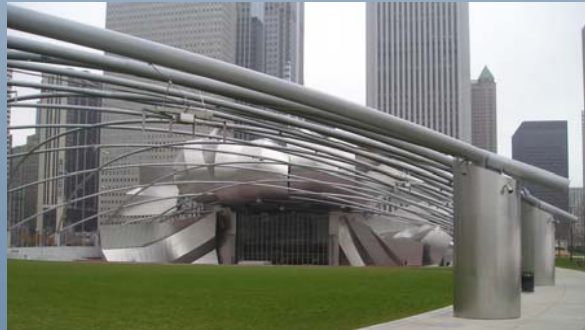


Project Background

- Woodall Rodgers Deck Plaza is anticipated to be a vibrant destination that will tie together Downtown and Uptown, draw a large number of visitors to the area, and add a significant new landmark in downtown Dallas

- Comparable deck parks in other cities:

- Chicago
- Phoenix
- San Diego
- Richmond



- In 2004 the TREC Foundation funded a Feasibility Study and the Schematic Design of this Project



Master Plan

- The Project consists of the following components:
 - A 5.2-acre public park and plaza that spans Woodall Rodgers Freeway between St. Paul Avenue and Pearl Street





Master Plan

- A transportation tunnel system under the park that includes life safety systems as required by the Texas Department of Transportation



- Relocation of utilities and infrastructure to facilitate construction of the park



Funding

- The anticipated construction cost of \$67.7M will be funded from:
 - **City of Dallas - \$20M** (2006 Bond Program)
 - May 2007 \$2.29M
 - November 2007 \$17.71M
 - **Texas Department of Transportation - \$10M** (federal transportation enhancement funds)
 - **The Foundation and other sources - \$37.7M**
- The City's funding shall not exceed \$20M in capital expenditures
- The Foundation will be responsible for all other amounts including any in excess of the current construction cost estimates



Funding

- Award of construction contracts:
 - **Phase 1 – Utilities**
 - \$2.29M from City matches \$790K plus \$1.5M (for preliminary phase) from the Foundation





Funding

- **Phase 2 – Civil and Street Work**
 - \$1.815M from City matches \$1.815M from the Foundation
- In order to break ground on the project in 2007 and show progress to potential donors, it is proposed that these two Phases be awarded and construction initiated prior to the Foundation completing the capital campaign for Phases 3-5
- The Foundation shall raise and deposit with the City their share of the costs of each Phase prior to the start of construction of the respective Phase



Funding

- **Phases 3-5 – Deck and Tunnel Structure; Deck Plaza; Signage**
 - Prior to awarding the contracts for Phases 3-5:
 - The Foundation shall raise and deposit \$35.108M to cover Phases 3-5
 - or –
 - The Foundation shall raise and deposit \$25.223M to cover Phase 3 (\$51.218M) and shall secure an irrevocable letter of credit in the amount of \$9.785M to cover phases 4 and 5 (\$9.785)

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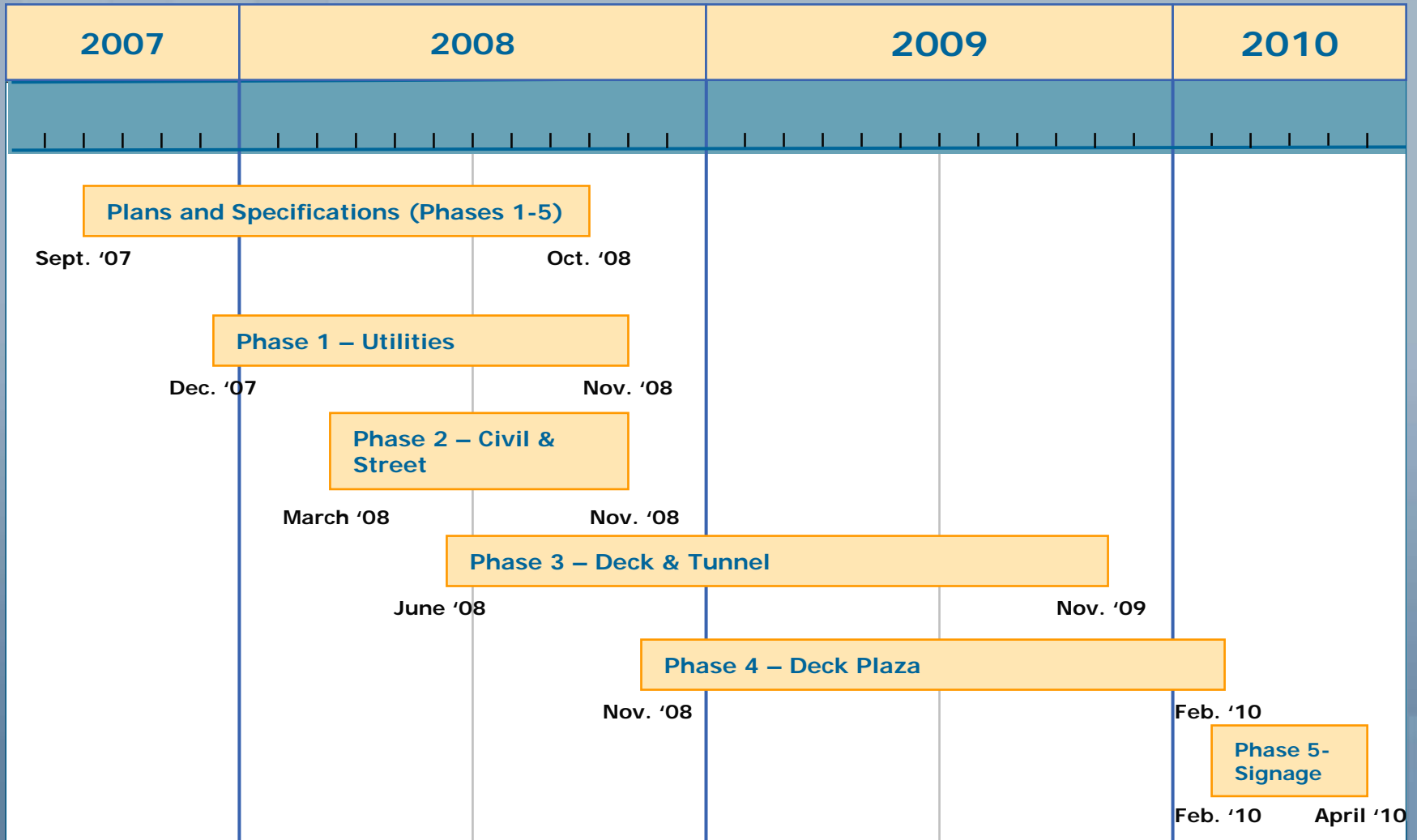


Design and Construction Funding

	TxDOT	City of Dallas	Foundation and other sources	Total
Preliminary Phase – Feasibility Study and Schematic Design			\$1.5M	\$1.5M
Phase 1 - Utilities	\$0	\$2.29M	\$790,000	\$3.08M
Phase 2 - Civil & Street Work	\$0	\$1.815M	\$1.815M	\$3.63M
Phase 3 - Deck & Tunnel Structure	\$10M	\$15.895M	\$25.323M	\$51.218M
Phase 4 - Deck Plaza & Architectural Amenities	\$0	\$0	\$9.235M	\$9.235M
Phase 5 - Branding & Signage	\$0	\$0	\$550,000	\$550,000
Total Phases 1-5	\$10M	\$20M	\$37.713M	\$67.713M



Project Schedule





Planning and Design

■ Design

- The Foundation will be responsible for the preparation of all planning and design documents for Phases 1-5
- The City will manage the design process and approve the final plans for construction
- Good Faith Effort
 - The Foundation shall, in good faith, comply with the City's M/WBE Good Faith Effort program in connection with the planning, design and operation of the Project



Street Adjustments

- During construction Woodall Rodgers Freeway will remain open, but will experience temporary lane closures
- Upon completion, the Project may result in the following street reconfigurations or closures:
 - St. Paul Ave. off-ramp and connection from Woodall Rodgers Freeway will be reconfigured
 - Harwood St. bridge is proposed to be closed where it currently crosses the freeway
 - Curb-side parking will be provided along the Woodall Rodgers Freeway frontage roads



Street Adjustments

- A Traffic Impact Analysis of the proposed project study area has been completed. The conclusions are:
 - A proposed closure is recommended for Harwood Street between the frontage roads on Woodall Rodgers Freeway. The proposed closure will not decrease the level of service at these intersections
 - The proposed geometric modifications of Olive Street, the Pearl/Olive ramp and St. Paul Street will not decrease the level of service at these intersections
 - The temporary closure of cross streets and parallel streets during special events within the park area would be coordinated with the City to minimize the impact on vehicular traffic



Maintenance Funding

- The total maintenance costs are estimated to be \$1.75M - \$2M per year:
 - Plaza Maintenance
 - The Foundation will fund all costs associated with the ongoing maintenance, operations and improvement of the park
 - These annual costs are currently estimated by TREC to exceed \$1.5M
 - Freeway Tunnel Maintenance
 - Early estimates for freeway and tunnel maintenance costs are estimated to be \$250,000 - \$500,000 per year
 - The City will be responsible for these costs



Use Agreement

- The City will retain ownership of the premises and all improvements
- The Foundation will be responsible for the operation of the facility
- 50-year term with four 10-year renewal options (same term as Dallas Center for the Performing Arts Foundation)
- The agreement will be terminable by either party by material default by the other party, with appropriate notice and cure
- There will be no termination-for-convenience clause



Use Agreement

- Insurance
 - The Foundation will maintain insurance for the term of the agreement at limits stipulated by the City
- Maintenance and Future Improvements
 - The Foundation will be responsible for all maintenance, repairs and future capital improvements in the park, in addition to enhanced maintenance of the surrounding streetscape





Use Agreement

- Management and Revenues
 - The Foundation will retain all park-related revenues
 - Revenue generated by the park will be utilized by the Foundation to fund the operation, maintenance, capital improvement and repair of the park and to provide a permanent endowment
 - The Park and Recreation Board will approve rates, fees and charges at the park with respect to public access

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Naming Rights

- The Foundation will have the right to sell, license or convey the naming rights for the park and its individual elements
- The proposed name of the entire park and for individual elements within the park shall be subject to the approval of the City Manager and the Director of the Park and Recreation Department
- All amounts generated by the conveyance of naming rights will be utilized by the Foundation for the design and construction of the Park



Next Steps

- Park and Recreation Board approval of Deal Points with the Foundation – March 2007
- Briefings and approvals of the Downtown Thoroughfare Plan amendment by City Plan Commission and City Council Committees – March to May 2007
- TREC contract execution and City Council approval of Development Agreement and Use Agreement with the Foundation – May 2007
- City and TxDOT enter into a Local Project Advance Funding Agreement (LPAFA) – May 2007



Next Steps

- Final execution by City of a Development Agreement and Use Agreement with Foundation – June 2007

