



MEMORANDUM

TO: Mayor and City Council

FROM: Sara L. Hensley, CPRP, Director
Austin Parks and Recreation Department

DATE: October 21, 2014

SUBJECT: Shoal Creek Conservancy Partnership Exploration

The purpose of this memorandum is to provide a report as requested by Council Resolution No. 20140501-037, regarding exploring a public-private partnership for the creation of a Shoal Creek Watershed Management, Trail, Parks and Open Space Plan; a strategy for the development, management and operation of this plan; and to provide a recommendation for the structure of this partnership, potential roles and responsibilities, and an implementation schedule. Listed below is the chronological order of the process to date to explore a public-private partnership and develop a recommendation:

- **May 2014:** PARD, WPD, and PWD assigned staff to work jointly on behalf of the City to explore a partnership for Shoal Creek. City Staff from the three departments (City staff) communicated with the Shoal Creek Conservancy (SCC) to seek their participation in a collaborative process to explore a partnership for Shoal Creek. On May 29, City staff and representatives from the SCC met to discuss the potential partnership.
- **May 29 – June 10, 2014:** Based on the results of the first meeting, City staff and SCC worked together to develop a draft partnership concept document that addressed an approach to collaboration as well as potential roles and responsibilities for a partnership.
- **June 11, 25, and July 15, 2014:** City staff and SCC met to review and discuss the draft partnership concept.
- **August 4, 2014:** City staff and SCC met to finalize the partnership concept.

City staff and SCC have worked collaboratively to develop the attached partnership concept document.

The goal of the partnership concept is to define the approach to collaboration among City Departments and the SCC that will serve as the foundation for a public-private partnership and provide a framework of strategies to guide shared activities within the Shoal Creek greenbelt and watershed.

In order to document the partnership, the City staff and SCC are pursuing a Memorandum of Understanding (MOU) or other similar agreement that reflects the agreed upon partnership approach detailed in the partnership concept (Attachment A) with a target date of 12/31/14. PARD has conferred with the Law Department who is supportive of this approach to documenting the partnership.

Should you have any further questions or require additional information, please contact Ricardo Soliz, Division Manager, at (512) 974-9452.

cc: Marc A. Ott, City Manager
Bert Lumbreras, Assistant City Manager
Patricia Link, Attorney Senior, Law Department
Victoria Li, Director, Watershed Protection Department
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Ricardo Soliz, Division Manager, Parks and Recreation Department
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Attachments

Attachment A: Detailed COA-SCC Partnership Concept

ATTACHMENT A

City of Austin & Shoal Creek Conservancy Partnership Concept

Goal: *To define the elements of collaboration among City Departments and the Shoal Creek Conservancy (SCC) that will serve as the foundation for a public-private partnership and provide a framework of strategies to guide shared activities within the Shoal Creek greenbelt and watershed, including the development, management and operation of a Shoal Creek Watershed Management, Trails, Parks and Open Space Plan.*

Partners:

SCC is a nonprofit organization dedicated to improving the Shoal Creek trail, greenbelt and watershed and building a strong community in support of these improvements. SCC seeks to play a major role in the planning, development and operations of the Shoal Creek trail and greenbelt by advocating for and helping to implement agreed upon improvements, including planning, capital improvements and operations and maintenance, with an initial focus on the greenbelt, trail and riparian area between 5th to 15th Streets.

The City of Austin is the primary owner of the Shoal Creek trail, greenbelt, creek and riparian area. The City supports the efforts of the SCC to help improve and maintain the Shoal Creek trail, greenbelt and watershed. The City recognizes SCC as a key partner in planning and improvement projects within the watershed and in engaging the community on related issues.

Potential Roles and Responsibilities & Elements of Collaboration

Community Building/Public Education

The City supports the efforts of SCC to build the Shoal Creek Community and provide public education programming.

SCC will build the Shoal Creek community and raise awareness of watershed-wide issues through volunteer improvement projects, outreach and educational activities and public events. SCC may develop events, activities and programming that are consistent with the City's mission and are open to the public.

Community Engagement and Stakeholder Process

The City's success depends on the support, assistance, advocacy and enthusiasm of the public. The City recognizes and values SCC's ability and commitment to engage the community and stakeholders. Through a strategic partnership with the City, SCC will assist with efforts to identify, link and engage the community and interested stakeholders in community engagement and stakeholder input processes related to planning and capital improvements.

Fundraising

Funds acquired through SCC benefit the City by funding planning, infrastructure improvements, maintenance and other mutually agreed on priorities for the Shoal Creek trail and watershed. The City supports SCC fundraising efforts and will assist SCC by providing advice, consultation, and review of documents and fundraising materials.

SCC will seek to raise private funds through grant writing and other fundraising for:

ATTACHMENT A

- Planning – Planning efforts in collaboration with the City
- Improvements - City approved improvements
- Maintenance – Enhanced park, trail and waterway maintenance
- Programming – Educational activities and public events

Planning

The City is responsible for overseeing planning efforts and developing watershed management, trail, parks and open space plans within the Shoal Creek Greenbelt and watershed. The City seeks to leverage private funds and in-kind contributions and supports SCC's efforts to raise funds for consultant-led planning processes and/or collaborate with the City on the development of staff led plans within the greenbelt and watershed. With City input, approval, oversight and collaboration, SCC may work with planning professionals to fund and implement planning efforts within the greenbelt and watershed. City supervision and collaboration with the City from scope development and throughout the planning process will be required.

Capital Improvements

The City is responsible for capital improvements within the Shoal Creek Greenbelt and watershed. The City seeks to leverage private funds for capital improvements and supports the SCC's efforts to implement improvements consistent with City plans. With City input and approval, SCC may work with planning and design professionals to develop and implement capital improvement projects, including all necessary permits and approvals, under a separate agreement with the City. Supervision may be required on City-owned property or easements.

Leveraging Volunteers and Private Resources

The City is responsible for maintenance and improvements within the Shoal Creek Greenbelt and riparian areas. The City seeks to leverage volunteer and private resources to implement maintenance and small-scale non-capital improvements and supports SCC's efforts to implement projects consistent with City guidelines. With City input and approval, SCC may work with volunteers and pro-bono contractors to implement maintenance and small-scale improvement projects such as (but not limited to) graffiti removal, landscaping, habitat restoration, rain gardens and trail maintenance. SCC will recruit volunteers for workdays as well as engage highly skilled pro-bono assistance for designing and implementing projects. Supervision may be required on City-owned property or easements.

Advocacy

SCC will organize a strong voice to advocate and support improvements within the watershed. SCC will advocate for policy changes and long-range planning and implementation for Shoal Creek as identified in adopted City planning documents. SCC will also participate in the public budget process to advocate for improvements to the Shoal Creek trail, greenbelt and watershed.

SCC will help leverage strong partnerships with individuals, businesses, developers, neighborhood associations and other civic groups as well as other nonprofits throughout the watershed, including a growing Conservancy membership.

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Maintenance & Operations

The City is responsible for maintenance and operations within the Shoal Creek Greenbelt, trail and channel. The City will continue to provide maintenance and operations consistent with citywide prioritization and subject to approval by Council.

With City approval, SCC may work with a private contractor to provide an enhanced level of service and enter into an agreement with the City to provide for management and operations of a specific project or section of trail or greenbelt. SCC will also supplement the City's current maintenance activities through regular volunteer workdays.

Recommendation for Partnership Implementation Schedule

In order to document the partnership, the City and SCC are pursuing an MOU or other similar agreement reflecting the agreed upon partnership approach with a target date of 12/31/2014. This MOU will define the recommended structure and roles and responsibilities for the partnership as detailed in this partnership concept document.