

## **DRAFT**

September 3, 2021

### **Bay Park Implementation Agreement**

This is the Implementation Agreement (IA) for The Bay Park.

This IA applies to the first phase, all subsequent phases, and the entire 53-acre park.

This IA is intended to be an integral part of the going Partnership Agreement (PA) between the City and The Bay Park Conservancy (BPC).

The attached exhibit shows the park area the BPC will be responsible for managing and operating beginning in the summer of 2022.

#### **Principles:**

This Bay Park IA addresses management, operations and maintenance subjects identified and addressed in the 15-year Long-Term Partnership Agreement (LTPA) between the City and the BPC signed on April 24, 2019 by Mayor Liz Alpert and BPC Board Chair Cathy Layton.

The IA affirms and enables the six guiding principles agreed to by: the City, Bayfront 20:20, Sarasota Bayfront Planning Organization (SBPO), and BPC. These principles were also included in the 2019-approved LTPA.

The guiding principles enable:

1. The conservation of city land for a public park.
2. Environmental restoration, enhancement, and sustainability of land and water.
3. Open, free and welcoming access.
4. 360-degree connectivity.
5. An enlivened, activated and programmed public destination.
6. A financially and operationally sustainable park conservancy and public park.

The BPC, the City, and this joint IA will comply with all City ordinances, City Parks and Recreation policies and regulations, and City Special Events policies and procedures which govern the management and operations of a public park in the City of Sarasota.

For example, from the Sarasota Code of Ordinances: 1) Chapter 22 Parks and Recreation governing Public Parks, 2) Chapters 22.2 and 29.6 governing Special Event permits, and 3) Chapter 20 governing Sound regulations.

Neither the City, nor the BPC, nor The Bay Park user community shall be required to comply with any ordinances, policies or procedures that do not apply to other public parks in the City.

The Bay Park operations and maintenance shall be similar, if not identical, to comparable City public parks. Bayfront Park is the most comparable park to The Bay Park.

The IA includes the necessary operational policies to enable effective BPC management of The Bay Park... but no more. For example, the IA references City and City Parks and Recreation ordinances, policies, and procedures, but not excerpt or repeat their provisions so that the IA is a manageable guide to Bay Park operations that will not require an amendment or change every time a City ordinance, policy or procedure changes.

The City has clear and well-established procedures and processes for interested citizens to recommend changes in City ordinances or policies. For example, the City's Noise Ordinance or the City's Special Events policies should be addressed outside of this IA.

#### **Purpose:**

The primary purpose of this IA is to provide for the governance and joint management of completed Bay Park use areas by the BPC and the City as indicated in the 15-year LTPA.

The Site Plan for the current development of Phase 1 was approved by the City Commission on March 8, 2021. The natural shoreline was completed by the City in the fall of 2019. The Fountain Garden was completed by the BPC in January 2020. The Blue Pagoda walkway and Municipal Auditorium lawn were completed by the BPC in the summer of 2021. The North Tamiami Trail landscaping and the BOTA entry walkway by the Fountain Garden and Sarasota Garden Club will be completed by Spring 2022.

Further additions to The Bay Park may be added at the discretion of the City or the BPC working in partnership to create an enjoyable experience for all park visitors.

#### **Specific Practices:**

Clean, safe and well-maintained are best practices for well-managed and operated parks.

- Hours of Operation: 5am-11pm. This is consistent with the City's recent approval of operating hours for all City parks.

*Note: Centennial Park hours are extended from 11pm to 5am for active boating and fishing uses.*

- Access and Connectivity: 360-degrees via walking, automobile, bicycle, boat, public transportation, ride share, et al. The main entrance to The Bay Park is at 10th street. Walking and biking access routes, parking lots, ride share drop-offs, etc. were all included in the March 2021 approved Phase 1 Site are available on The Bay Park website and social media and will be appropriately signed in the park.

*Note: Hours of operation, access and connectivity, etc. for Centennial Park and the current Public Boat Launch are addressed on the City's Parks and Recreation website.*

- Micro-mobility: The Bay Park will comply with City ordinances and regulations governing micro-mobility (e.g., bikes, e-bikes, scooters, et al) to ensure we achieve the right balance of access and safety for all park users.
- Public Restrooms: Will be available in the Concession Pavilion in Phase 1 during park hours. The City will be responsible for daily, regular cleaning and service. The BPC will provide enhanced service for the restrooms in the Concession Pavilion and the Blue Pagoda Visitor's Center, if/as needed.

*Note: Public restrooms at the Centennial Park Public Boat Launch will continue to be managed by the City and open during indicated hours.*

- Trash (including Recycling) Pick Up: Will be provided by the City throughout The Bay Park on a daily schedule. BPC will provide enhanced service if/as needed.
- Security: Will be provided by the Sarasota Police Department (SPD) commensurate with coverage and patrols provided to the Bayfront Park. In consultation with SPD, BPC will be testing sophisticated audio and video security monitoring. In addition, BPC management, staff and volunteers will be in the park on a regular basis.
- Landscape Maintenance: Basic maintenance will be provided Monday through Friday by the City. Enhanced maintenance will be provided by BPC. BPC will recruit and train park volunteers to provide some of these enhanced maintenance services.
- Capital and Maintenance of Essential Infrastructure (including but not limited to energy, stormwater, water and other utilities): Will continue to be provided by the City, per the LTPA. Basic lighting will be provided by the City, enhanced lighting by the BPC. Storm water drains and sewers will be maintained by the City, cleaning of the top of the storm water grates will be maintained by the BPC.

- Sunset Boardwalk: The Army Corps of Engineers (ACOE) will review the design and plan for the Sunset Boardwalk over the next 18-24 months. With an ACOE-approved design and permits, the Sunset Boardwalk will be constructed within 12 months of permitting or as soon as practicable and could open in late 2023/ early 2024.

The Sunset Boardwalk is intended to be a pedestrian boardwalk that provides access over Sarasota Bay and connects with the natural shoreline, Mangrove Bayou walkway and other walkways in the park. The boardwalk is NOT a dock or a pier. NO motorized boats will be allowed to tie up to the boardwalk. NO fishing will be allowed from the boardwalk. NO dogs or other pets (excluding service animals) will be allowed on the boardwalk. NO micro-mobility devices (excluding mobility chairs/scooters for disabled persons) will be allowed on the boardwalk.

- Public Boat launch and surrounding docks: All areas will comply with applicable City codes.
- Programming and Activation: BPC will primarily be responsible for the activation and programming in The Bay Park. All activation and programming will comply with the City’s ordinances and policies. BPC will coordinate calendars with other organizations and venues on the site.

Bay Park ongoing activities and programs will include, but not be limited to, arts/cultural/educational, fitness/health/recreation programs and other public park activities.

- Special Events: The City shall retain responsibility for the approval and conduct of Special Events, as defined in the City’s Special Events policies and procedures and provided for in the LTPA. In the future, as the City and BPC gain experience with Special Events in The Bay Park, the City, at its discretion, may delegate approval and management responsibility to the BPC.

*Note: There is currently only one city-approved Special Event at The Bay Park planned for 2022.*

The City will process Special Event applications for the BPC as it does for other City-sponsored events. The BPC will issue and approve normal park permits and permits for events not categorized as “Special Events” for The Bay Park in accordance with City Parks and Recreation policies.

- State of Emergency and Emergency Management: BPC will be responsible for preparing and securing The Bay Park site in accordance with policies and procedures employed by other city parks.

- Traffic Management: City and State will continue to manage city streets and state highways adjacent to the park. BPC will manage roadways, coordinate and manage MURTs and walkways in the park, including safety measures, speed limits, et al.

At the City's request, BPC will:

1. Review and approve any/ all food and beverage provider agreement(s) for The Bay Park.
2. Review and approve the renewal of and any changes to City leases in The Bay Park, including the Sarasota Garden Club and the Art Center Sarasota; but excluding the Sarasota Orchestra, the Van Wezel and the new Sarasota Performing Arts Center.

*Note: The Chidsey and Coast Guard Auxiliary buildings owned by the City are unoccupied and in need of repair. Their future viability will need to be resolved to the satisfaction of both parties.*

3. Propose separately a plan for transitioning the programming of Municipal Auditorium (including the Bay Community Center) and the adjacent lawn to the north from the City to the BPC. The City will continue to provide capital improvements, maintenance and repair, utilities and other necessary support for the Municipal Auditorium building.



1. BAYFRONT OVERLOOKS X5
2. FISHING PIER
3. STAIRS\*
4. SEATWALL\*
5. HAMMOCK GROVE\*
6. SMALL WETLAND BRIDGES\*
7. SWING NODE\*
8. CABBAGE PALM NODE\*
9. TWIN OAK NODE\*
10. PARKING, DROP-OFF, AND PARK LOADING
11. OVAL LAWN AND TERRACES
12. COMMUNITY PAVILION AND SHADE STRUCTURE
13. MANGROVE PEDESTRIAN BRIDGE
14. LAWN NODE X2
15. "COMMON GROUND" LAWN
16. READING ROOM
17. PLAY GROVE
18. NEST NODE
19. BEACH NODE
20. BEACH
21. BAYFRONT CORNER SIGN + SEATWALL
22. RENOVATED HAZZARD FOUNTAIN
- \* COMPLETED IMPROVEMENTS

**BAY PARK PHASE 1 + 2**  
 Current and Future Improvements  
 August 2021

