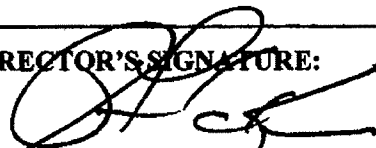
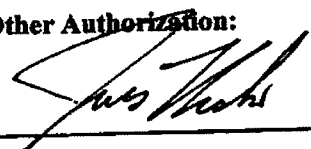


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance approving and authorizing a Development, Operating, and Concession Agreement between the City of Houston, Texas and Houston Arboretum & Nature Center.		Page 1 of 1	Agenda Item #
FROM: (Department or other point of origin): Andrew F. Icken, Chief Development Officer Office of the Mayor		Origination Date:	Agenda Date:
DIRECTOR'S SIGNATURE: 		Council District affected: C	
For additional information contact: Andy Icken - 832-393-1064 James Koski - 832-393-0833		Date and identification of prior authorizing Council Action: Ordinance No. 1993-0019 January 14, 1993	
RECOMMENDATION: Approve an Ordinance approving and authorizing Development, Operating, and Concession Agreement between the City of Houston, Texas and Houston Arboretum & Nature Center.			
Amount and Source of Funding: None			
SPECIFIC EXPLANATION: <p>This agreement continues the partnership between the City of Houston and the Houston Arboretum & Nature Center (Arboretum) in operating and maintaining this portion of Memorial Park. On January 14, 1993, City Council by Ordinance 1993-0019 approved the existing Houston Arboretum Management Contract. The proposed agreement addresses the further development of the Arboretum as envisioned in a Master Plan developed by the City and Arboretum. The Master Plan includes a renovated Botanical Hall and new education center, visitors' center, staff building, maintenance facility and natural landscaping with trails, roads, and parking.</p> <p>It is recommended that City Council approve an ordinance allowing the City of Houston and Arboretum to continue to provide for the benefit of the general public a wildlife and natural conservation educational institution with visitor support activities and services.</p> <p>On December 3, 2015, a presentation was given to the Quality of Life Committee providing an overview of the terms of the agreement. Attached to this RCA are the key terms of the agreement.</p>			
REQUIRED AUTHORIZATION			
Finance Budget:	Other Authorization:	Other Authorization: 	

Houston Arboretum and Nature Center Agreement

Key Terms

December 2015

Objective

The agreement continues a partnership between the City of Houston and Houston Arboretum and Nature Center (Arboretum) and accommodates the restoration, enhancement, and redevelopment of the Arboretum as envisioned in a Master Plan developed by the City and Arboretum. The Master Plan includes a renovated Botanical Hall and new education center, visitors' center, staff building, maintenance facility and natural landscaping with trails, roads, and parking.

Contracting Parties and Term

- City of Houston
- Houston Arboretum and Nature Center, a Texas nonprofit corporation
- Contract effective date is as of the countersignature date and continues for 30 years.

Role of Each Party

City of Houston:

- Final approval over project design, operations, and maintenance standards.
- Projects will be listed in City's Capital Improvement Plan for Council approval.
- Responsible for maintenance and repairs of existing Botanical Hall at Arboretum.
- Provide electricity, water, stormwater, and sanitary services incidental to the operations of the Arboretum.

Arboretum:

- Continue its role of maintaining the Arboretum greenspace and landscaping, and managing operations and programming.
- Authorized to operate various concessions, which may include gift shop, food services, and vending machines. Additionally, the Arboretum can rent facilities for events and programs.
- Responsible for the cost, operations, maintenance, and repairs of new facilities built as part of the Master Plan.
- Arboretum will fundraise for maintenance, operations, and capital improvements.
- Provide good faith efforts to raise funds for an endowment fund to support maintenance and operations.

Note that there is a separate Memorandum of Understanding between the Arboretum and the Uptown Development Authority (UDA) for UDA to provide \$5 million in public infrastructure improvements that are consistent with the Master Plan.

MWBE

- Must follow City of Houston Chapter 15 code of ordinances.
- Record keeping and reports consistent with Office of Business Opportunity standards.

Program and Event Fees

- The agreement includes a fee schedule for events, rentals, and programs.
- Any changes or additions to the fee schedule, is subject to City Ordinances or Council approval as appropriate.

Houston Arboretum and Nature Center Agreement

Key Terms

December 2015

Naming Rights

- Naming rights granted consistent with City Ordinances and Houston Parks and Recreation Department Policies.

Annual Audits

- Arboretum will provide copies of its annual financial audits.