

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	29141	Agenda Number	34.
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Meeting Date:	12/12/2013	Department:	Parks and Recreation
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Subject

Authorize negotiation and execution of a new management and operation agreement with Umlauf Sculpture Garden and Museum (USGM) with an initial term of 50 years with two 25 year renewal options in exchange for USGM's commitment to develop the home and studio property and manage and operate the museum and sculpture garden.

Amount and Source of Funding

Fiscal Note

Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

Purchasing Language:	
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Prior Council Action:	
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For More Information:	Cora Wright (512) 974-6743; April Shaw (512) 974-6716.
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Boards and Commission Action:	To be considered by the Parks and Recreation Board on December 10, 2013.
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MBE / WBE:	
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Related Items:	
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Additional Backup Information

On April 9, 1985, the Gift and Warranty Deeds were executed between the City and Mr. and Mrs. Charles Umlauf which conveyed ownership of the current museum property, the home and studio property, and sculptures to the City, subject to a life estate. Austin City Council took action on April 11, 1985 to accept the gift of the real and personal property.

On April 20, 1990, a Parkland Improvement Agreement was executed between the City and Umlauf Sculpture Garden, Inc. to construct the museum and sculpture garden. On November 6, 1991, after the museum and sculpture garden were completed, the City and the Friends of Umlauf Sculpture Garden, Inc. (FUSG) entered into a Maintenance, Operations and Improvements Agreement. The initial term of that agreement was ten years and the agreement included two additional ten year renewal options. The agreement is currently in the second renewal option which will expire November 6, 2021.

On the passing of Mrs. Umlauf in 2012, the City obtained full rights and access to the Umlauf home and studio

property. In 2012, the Umlauf Sculpture Garden and Museum (USGM, formerly Friends of Umlauf Sculpture Garden, Inc.) approached the City requesting a new agreement that included the home and studio property where Mrs. Umlauf had been residing in order to develop this property as an expansion to the current museum property.

The Umlauf Sculpture Garden and Museum, Inc. (USGM) has been successfully managing and operating the museum for the past 21 years. Based on this history, the City Parks and Recreation Department (PARD) supports entering into a long-term agreement to partner with USGM to stabilize the home and studio property from deterioration, and to allow USGM to develop this property into a world-class facility as an expansion to the current museum and sculpture garden.

Under the current Management and Operation Agreement PARD is responsible for some of the maintenance and operation responsibilities of the Garden. PARD is committed to continuing this responsibility under a new agreement but lacks the resources to develop the property in-line with the vision USGM has for the expanded museum.

PARD supports the request of USGM for a long-term agreement with an initial term of 50 years and two 25 year renewal options. PARD is requesting that USGM develop a business plan for the development of the new property and the expansion of the museum.