

**ORDINANCE NO.**

**AN ORDINANCE AMENDING EXHIBIT “A” TO ORDINANCE NO. 20181911-002 TO REVISE THE FISCAL YEAR 2018-2019 PARKS AND RECREATION DEPARTMENT FEE SCHEDULE TO INCREASE FEES FOR ADMISSION TO THE ZILKER BOTANICAL GARDEN; AND AUTHORIZING NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH THE ZILKER BOTANICAL GARDEN CONSERVANCY TO TRANSFER MANAGEMENT AND OPERATIONS OF ADMISSIONS TO THE GARDEN TO THE CONSERVANCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The City Council makes the following findings:

- (A) Since its creation in 2014, the Zilker Botanical Garden Conservancy (“Conservancy”) has provided financial, educational, and operational support to the Zilker Botanical Gardens and the Zilker Garden Center.
- (B) The City and the Conservancy wish to continue this mutually beneficial relationship.
- (C) The City and the Conservancy are currently parties to an agreement that governs the use of funds raised by the Conservancy for Zilker Botanical Garden (“Garden”) improvements through a membership program and use of the Zilker Garden Center for educational and fundraising events.
- (D) Transferring management and operations of admissions to the Garden to the Conservancy and increasing the fees charged for admission furthers the City’s and Conservancy’s shared goal of improving the Garden and reducing the financial burden currently borne by the City of operating the Garden.
- (E) The Conservancy, a nonprofit organization, has provided significant financial and other benefits to the Garden, and is the only entity positioned to assume management of the Garden. Thus, procurement of the Conservancy to manage and operate admissions is an authorized exception to the procedures prescribed by chapter 252 of the Local Government Code to procure certain goods and services.

**PART 2.** The 2018-2019 Fee Schedule, attached as Exhibit “A” to Ordinance No. 20180911-002, is amended to increase entry fees to the Zilker Botanical Garden as follows:

1  
2 **Parks and Recreation- General Fund**

3 Adult Entry - Non-Resident [~~\$3.00~~] \$8.00 per day

4 Adult Entry Fee – Resident [~~\$2.00~~] \$6.00 per day

5 Child[~~Senior~~] Entry Fee [~~\$1.00~~] \$3.00 per day

6 **PART 3.** Council authorizes negotiation and execution of an amended and restated  
7 agreement with the Conservancy that also governs the Conservancy's management and  
8 operations of admissions to the Garden.

9 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2019.

10  
11 **PASSED AND APPROVED**

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13 §  
14 §  
15 \_\_\_\_\_, 2019 § \_\_\_\_\_  
16 Steve Adler  
17 Mayor

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20 **APPROVED:** \_\_\_\_\_  
21 Anne L. Morgan  
22 City Attorney

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk