



Recommendation for Action

File #: 19-1462, **Agenda Item #:** 34.

6/20/2019

Posting Language

Approve an ordinance authorizing the City Manager to negotiate and execute an amended and restated agreement with the Zilker Botanical Garden Conservancy (Conservancy) to authorize the Conservancy to manage and operate the Zilker Botanical Garden admissions; and amending the Ordinance Authorizing Fees and Fines to be Charged or Set by the City (Ordinance No. 20180911-002) to increase the fee charged for admission for visitors who are not Conservancy members.

Lead Department

Parks and Recreation Department

Fiscal Note

Revenue in the amount of \$237,309 is included in the Fiscal Year 2018-2019 Parks and Recreation Department's Operating Budget. Additional revenue would be received by the Zilker Botanical Garden Conservancy, and there would be no impact to the General Fund. A fiscal note is attached.

Prior Council Action:

June 28, 2018-*Council approved Ordinance No. 20180628-036* authorizing the negotiation and execution of an agreement with the Zilker Botanical Garden Conservancy for the creation of a membership program for the Conservancy, waiving Zilker Botanical Garden entrance fees in an amount not to exceed \$69,128 for fiscal year 2019, and authorizing the City Manager to seek waivers for a period beginning fiscal year 2019 on consent on Council Member Flannigan's motion, Council Member Caesar's second on an 11-0 vote.

For More Information:

Lucas Massie, Acting Assistant Director, 512-974-6772; Amanda Ross, Division Manager, 512-978-2601; Vera Labriola, Business Process Specialist, 512-974-6716

Additional Backup Information:

The City and the Austin Area Garden Council have a longstanding relationship of over 50 years focused on operating and enhancing the Zilker Botanical Garden (Garden), which includes collaboration on development projects for the Garden and educational outreach events, volunteer opportunities, and garden club activities at the Garden.

In 2015, the Austin Area Garden Council created the Zilker Botanical Garden Conservancy (Conservancy), a non-profit organization created to guide, enhance, and help fund the Garden. Since its creation the Conservancy has worked to enhance programing, cultivate donors, and increase marketing and publicity for the Garden.

The Conservancy proposes to take over operational management of the entry gate at the Garden. As part of this operational change, it is proposed that the entrance fee to the Garden increase to \$6 for resident adults, \$8 for non-resident adults, \$3 for ages 17 to 3 years old and those under 3 years old will be free. These admission fees will apply to adults of all ages; the senior admission fee will be eliminated. The entrance fee to the Garden includes parking. The Conservancy will return the City's current revenue obligation and the parties will agree and memorialize in the contract how the additional revenue will be allocated between the City and

the Conservancy for maintenance and operation of the Garden.

For comparison, parking in Zilker Park is \$5 per car during the weekends March through August and the adult entrance fee to Barton Springs Pool is \$5 per resident or \$9 for nonresidents. With this proposed fee increase, it will cost a family with two parents and two children visiting Austin \$22 to park and enter the Garden. It currently costs a family with two parents and two children who are at least 3 years old visiting Austin \$29 to park in Zilker Park and enter Barton Springs Pool during a weekend March through Labor Day. A resident family of four currently pays \$19 to park in Zilker Park and enter Barton Springs Pool during a weekend March through Labor Day.

The City and the Conservancy are currently parties to an agreement that is scheduled to expire in January, 2021. The agreement addresses the use of funds raised for Garden improvements through a membership program created by the Conservancy and the use of the Zilker Garden Center for educational and fundraising events. Importantly, the agreement reflects the City's and the Conservancy's shared goal of improving the Garden, and is potentially a first step in a process of transferring the duties of operating the Garden to the Conservancy, with a goal of reducing the financial burden currently borne by the City of operating the Garden. Any such transfer of operational duties will occur incrementally, as the Conservancy grows and is able to assume management and operations of the Garden.