

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: El Paso Zoo

AGENDA DATE: May 1, 2007

CONTACT PERSON/PHONE: Steve Marshall/521-1850

DISTRICT(S) AFFECTED: District 3 Primary District

SUBJECT:

That the Mayor be authorized to sign a Joint Resolution by and between the Public Service Board of El Paso (PSB) and the City of El Paso for the construction and operation of the Discovery Education Center facility to be constructed at the El Paso Zoo

BACKGROUND / DISCUSSION:

El Paso Water Utilities and the Public Service board have contributed to the El Paso Zoo and have promoted zoo projects and programs related to Zoo mission including but not limited to The Sea Lion Exhibit, reclaimed water and water resource conservation, education and animal outreach. Similar messages by PSB and the zoo on water conservation allow the partnership to benefit both organizations.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Approved design and construction of Zoo Western Expansion Project including new Entry complex with public activities/education building.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

PSB funding of \$750,000.00 for Education Building wing, supplementing existing Quality of Life Western Expansion Bond Project funds. These resources also represent leverage for matching funds to be placed as follows:

Zoo Western Expansion Project PQLZO 106, Department 31255014 Local Capital Project,
Account 50827 Construction, Fund 27709 Capital Projects Private, Class 31000 Public Works .

BOARD / COMMISSION ACTION:

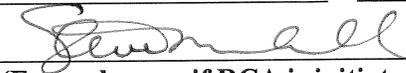
Enter appropriate comments or N/A

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:


(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

07 APR 26 PM 5:43
CITY CLERK DEPT.

JOINT RESOLUTION

WHEREAS, the Public Service Board of El Paso (PSB) is a governing board of trustees duly formed in accordance with Texas law, entrusted with the complete management and control of the City of El Paso water and wastewater system and required by its enabling city ordinance to effectively manage water resources; and

WHEREAS, the PSB's Water Conservation Education Department strives to increase water consciousness throughout the community by educating people to understand how crucial it is to work collectively as a region to address the critical water issues; and

WHEREAS, the PSB's intent is to deliver the message of Water Conservation in a meaningful and understanding way for all age groups; and

WHEREAS, participation by the PSB in the construction of this project at the El Paso Zoo will provide a ready outlet for the delivery of Water Conservation education and awareness, as well as world wildlife habitats and Chihuahuan Desert flora and fauna conservation, to a large number of persons within the City of El Paso; and

WHEREAS, the El Paso Zoological Society has approached the City and the PSB about participation in the creation of a Discovery Education Center at the entrance to the El Paso Zoo property; and

WHEREAS, the El Paso Zoological Society is an important catalyst and partner in the process of the fundraising for the construction of this building and some of the exhibits that will be included therein; and

WHEREAS, the City has committed to working with the El Paso Zoological Society regarding additional fundraising needed for the construction of this facility; and

WHEREAS, the El Paso Zoo is in the process of being improved, pursuant to a quality of life bond, voted on and approved by the citizens of El Paso; and

WHEREAS, based on the contributions being made to and the function this facility will serve, it is appropriate that the facility be named as the El Paso Water Utilities Discovery Education Center.

NOW THEREFORE BE IT RESOLVED BY THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD AND THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. The findings and recitations set out in the preamble to this Joint Resolution are found to be true and correct, and are hereby adopted by the PSB and the City Council and made a part of this Joint Resolution for all purposes.

Section 2. The PSB hereby determines that the transfer of funds to be used for the construction by the City of the Discovery Education Center at the El Paso Zoo will substantially contribute to Water Conservation education, is in the best interests of the bondholders of the PSB, and will benefit the operation of the Utility and its management of water resources.

Section 3. The PSB shall, after the effective date of this Joint Resolution, transfer funding to the City of El Paso in the amount of \$750,000.00 to the appropriate account for the Zoo Western Expansion Project to be used for the construction of the Discovery Education Center. The PSB shall transfer said funds in the amounts and at the times specified:

- \$175,000 Upon issuance of City's initial Education/Discovery Building Change Order
- \$175,000 Six months from date of City's Education/Discovery Building Change Order
- \$175,000 Twelve months from date of City's Education/Discovery Building Change Order
- \$175,000 Eighteen months from date of City's Education/Discovery Building Change Order
- \$ 50,000 Upon completion and issuance of Certificate of Occupancy for the Education/Discovery Building

Section 4. That the City will construct the Discovery Education Center facility in an area of the Zoo located at the new Plaza entry, in conjunction with other ongoing improvements at the Zoo, and such facility shall provide space to house a classroom, interactive exhibits, and a computer and technology center.

Section 5. That upon completion of construction, the City will operate the facility as part of its Zoo operations in conformity with funds budgeted and appropriated for such purpose and as determined appropriate by City staff.

Section 6. That City staff shall collaborate with PSB staff regarding the appropriate programming and exhibits for the portion of the facility devoted to Water Conservation education.

Section 7. That the City shall collaborate with the El Paso Zoological Society regarding the raising of the remaining funds and services necessary to complete the construction and provide for some of the initial exhibits fabrication supplies, equipment and graphics in the facility.

Section 8. That the facility shall be named the El Paso Water Utilities Discovery Education Center.

Section 9. That for any and all purposes connected with the construction and operation of the Discovery Education Center, the City and the PSB are performing governmental functions.

Section 10. That for the City, the City Manager is hereby authorized to make all necessary budget transfers to carry out the intent of this Joint Resolution and the construction of the project.

Section 11. This resolution shall become effective from and after its adoption, as allowed by law.

PASSED AND APPROVED at regular meeting of the Public Service Board of the City of El Paso, Texas, this 9th day of May, 2007, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001 et. seq.

PUBLIC SERVICE BOARD

Chair

ATTEST:

APPROVED AS TO FORM:

Secretary-Treasurer

General Counsel

(Signatures continue on the next page)

ADOPTED THIS 1st day of May 2007, by the City Council of the City of El Paso.

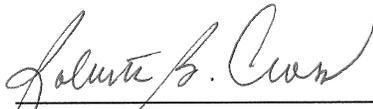
CITY OF EL PASO:

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



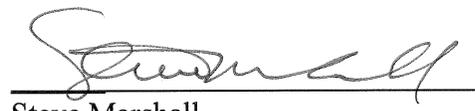
Roberta B. Cross
Assistant City Attorney

APPROVED AS TO CONTENT:



Deborah Hamlyn
Deputy CAO

APPROVED AS TO CONTENT:



Steve Marshall
Zoo Director