

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

CITY CLERK DEPT.
05 JUL 31 PM 2:27

DEPARTMENT: El Paso Zoo

AGENDA DATE: August 8, 2006

CONTACT PERSON/PHONE: Lea R. Hutchinson, VMD, MS

DISTRICT(S) AFFECTED: all

SUBJECT: ORDINANCE

AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS & PUBLIC PLACES), CHAPTER 13.25 (EL PASO ZOO), BY AMENDING SECTION 13.25.010 (EL PASO ZOO FEES) TO REMOVE LISTED FEES AND ESTABLISH CRITERIA AND GUIDELINES FOR THE SETTING OF FEES; TO REPEAL SECTION 13.25.015 (PARKING FEES FOR EL PASO ZOO PATRONS); AND TO AMEND SECTION 13.25.020 (EL PASO ZOO PARKING LOT – USE AND FEES) TO ESTABLISH CRITERIA AND GUIDELINES FOR THE SETTING OF ALL PARKING FEES.

BACKGROUND / DISCUSSION:

Revision of the ORDINANCE to facilitate the establishment of Admission and Rental Fees in the City's annual budget resolution as was previously accomplished by other City Departments during the FY2006 budget process.

PRIOR COUNCIL ACTION:

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

YES.

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?

N/A

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: _____

CITY CLERK DEPT.
ORDINANCE NO. _____

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AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS & PUBLIC PLACES), CHAPTER 13.25 (EL PASO ZOO), BY AMENDING SECTION 13.25.010 (EL PASO ZOO FEES) TO REMOVE LISTED FEES AND ESTABLISH CRITERIA AND GUIDELINES FOR THE SETTING OF FEES; TO REPEAL SECTION 13.25.015 (PARKING FEES FOR EL PASO ZOO PATRONS); AND TO AMEND SECTION 13.25.020 (EL PASO ZOO PARKING LOT – USE AND FEES) TO ESTABLISH CRITERIA AND GUIDELINES FOR THE SETTING OF ALL PARKING FEES.

WHEREAS, the El Paso Zoo (“Zoo”) serves as a regional center for education, recreation and scientific study, actively supports conservation efforts aimed at protecting the world’s wildlife and natural environment, and relies on admission and facility rental fees as means to off-set costs associated with continuation of current operations; and

WHEREAS, the City Council finds that allowing Zoo facilities to be rented for a fee is an appropriate use of such facilities; and,

WHEREAS, it is the desire of City Council that the admission and rental fees for the Zoo be established in the annual budget resolution pursuant to guidelines and criteria provided for herein; and

WHEREAS, it is understood by City Council that Zoo facility operation may one day be under management of the El Paso Zoological Society and that should such transition occur, that the society should be authorized to set fees as it deems appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

Section 1. That Section 13.25.010 of the El Paso City Code (Admission Fees of the El Paso Zoo) is amended to read as follows:

13.25.010: El Paso Zoo Fees

A. Fees. Fees for admission to the El Paso Zoo, special events and facility rental shall be in the amounts set forth in the budget resolution of the City Council, subject to the guidelines and requirements set forth in this chapter. Such fees shall be in effect unless or until such time as the City authorizes the fees to be set by a zoological society pursuant to authorization granted within a Zoo operations management agreement with the City or by the Director when expressly provided for herein and shall further comply with the following guidelines and criteria:

1. Regular Admission. Regular admission fees will be in the amounts established by resolution of the City Council and will be based on the age or military status of the person seeking to enter the Zoo. Age groups will be as

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follows: (a) children ages three through twelve when accompanied by an adult; (b) persons thirteen through sixty-one; and (c) persons sixty-two and older. There shall be no admission fee for children under three years of age. Children under the age of thirteen are not permitted without an accompanying adult.

- a. General admission fees will not be charged to members or employees of the El Paso Zoological Society and Zoo concessionaire pursuant to the terms of their respective contracts with the City of El Paso. Proof of association with such groups will be required prior to waiver of the general admission fee.
- b. General admission fees will not be charged to members of the Association of Zoos and Aquariums ("AZA"), Zoo activity volunteers, Zoo designated special program participants, members of other zoological societies that have a reciprocal admission agreement with the El Paso Zoological Society or individuals conducting official business at the Zoo. Proof of association with such groups will be required prior to waiver of the regular admission fee. Members of other zoological societies that have a reciprocal admission agreement with the El Paso Zoological Society ("Society") shall be admitted according to the respective reciprocating agreement provisions.
- c. Admission fees for reserved school groups shall be discounted \$1.00 off the regular admission. An advance reservation and completed application will be required of any school group prior to entrance at the Zoo. Reservations are limited to Monday through Friday, except for City holidays. School groups is defined to include any public or private licensed child daycare, pre-kindergarten, kindergarten, primary, secondary and special education through grade 12 or other similar group as determined by the Director.

2. Advance Ticket Discount Rate. Advanced ticket purchases in blocks of fifty (50) through four hundred ninety-nine (499) shall be entitled to a discount of \$1.00 off the regular admission fee. Advance ticket purchases in blocks of five hundred (500) or more shall be entitled to a discount of not more than 50% off the regular admission fee, the actual discount to be determined by the Director as appropriate to promote increased attendance, honor groups of importance to the City, when use is provided in conjunction with a community education program, or when use and ticket sales otherwise create good will in the community. All discounts are determined based on the age of the person seeking to enter the Zoo with such a ticket.

3. Zoo Designated Special Event Days. The Director is permitted to designate up to eight (8) days per calendar year as reduced price special event days when such designation is aimed at increasing attendance, honoring groups of importance to the City, held in conjunction with a community education program, or otherwise creates good will

in the community. On these Zoo designated special event days, regular price admission fees may be reduced for the general public, in an amount as determined by the Director, in compliance with the provisions herein, yet not to exceed a 50% reduction from the regular admission fee. One reduced price special event day shall be set aside to honor active Military Personnel and Veterans. Group admissions will not be scheduled on any of the Zoo designated special event days. No other discount offers will be accepted or permitted in conjunction with Zoo designated special event days.

4. Zoo Designated Promotional Events. The Director is permitted to provide for and administer special promotions that are separate and distinct from Zoo designated special event days referenced above in Paragraph 4 when such promotional events are aimed at increasing attendance, honoring groups of importance to the City, held in conjunction with a community education program that educates the public as to the mission of and the benefits derived by the presence of a Zoo in El Paso, or otherwise creates good will in the community. Admission for Zoo designated promotions will require an authorized promotional coupon, ticket, or specified condition to obtain a discount, if any, on the regular admission into the Zoo, such discount not to exceed 50% off the regular admission fee. No other discount offers will be accepted or permitted in conjunction with the Zoo designated promotional admission.

5. Rental Authorization & Fees. The City Council of El Paso authorizes the rental of venues within the Zoo in accordance with the following guidelines. Such rental fees shall be in accordance with the amounts set by City Council in the annual budget resolution. A cleaning/damage deposit in an amount not to exceed 50% of the rental fee may be required for all rentals, in accordance with written procedures established by the Director and approved by the City Manager.

a. Arrangements for use of facilities and sites or tables, chairs, sound systems or any other equipment must be coordinated by the renter with the Zoo and approved by the Director or designee prior to use of such.

b. All catered events, including the service of food and beverages, are coordinated and conducted through the Zoo's concessionaire. No outside food or beverages will be permitted in a rented Zoo venue without express written approval from the Zoo's concessionaire.

c. If alcohol is to be served during a rental under this provision, the renter must make arrangements with the Zoo's concessionaire, and must comply with the requirements of the Texas Alcohol and Beverage Commission as well as any relevant provision of the El Paso City Code.

d. All rentals will be based on availability and require a written agreement authorized by the Director or designee.

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6. The Director is authorized to regulate Society sponsored events in accordance with the Society's license agreement with City.

Section 2. That Section 13.25.015 (Parking Fees for El Paso Zoo patrons) of the El Paso City Code is repealed in its entirety.

Section 3. That Section 13.25.020 (El Paso Zoo parking lot – Parking charge for non Zoo patrons) of the El Paso City Code is hereby amended to read as follows:

13.25.20 (El Paso Zoo parking lot use and fees)

A. The parking fee for Zoo patrons, if any, is as set forth in Council resolution. This fee shall not apply to any individual or group otherwise exempt from admission fees pursuant to this Chapter.

B. The parking fee for non-Zoo patrons is as set forth in Council resolution. In lieu of charging the required fee, the Zoo Director is authorized to enter into reciprocal use agreements not to exceed one year in duration with other area venues which allow the City to gain necessary access to overflow parking without significantly restricting or impeding necessary Zoo patron parking.

Section 4. That this Ordinance be effective as of September 1, 2006.

ADOPTED on this the ____ day of _____, 2006.

CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

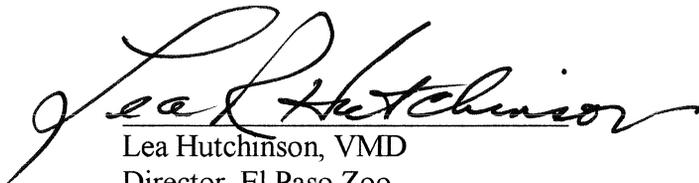
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Matt Watson
Assistant City Attorney



Lea Hutchinson, VMD
Director, El Paso Zoo