

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

DEPARTMENT: El Paso Zoo

AGENDA DATE: 08/11/2009 Public Hearing

CONTACT PERSON/PHONE: Steve Marshall, Director 521-1850

DISTRICT(S) AFFECTED: All

SUBJECT:

An Ordinance amending Title 13 (Streets, sidewalks, public places), Chapter 13.25 (El Paso Zoo) Section 13.25.010 (El Paso Zoo Fees); establishing authority for the Zoo Director to discount Admission to Zoo Designated Promotional Events and participation in Zoo Education Programs up to fifty percent (50%) aimed at increasing attendance, honoring groups of importance to the city, or otherwise creates good will in the community and for the purpose of providing opportunities for learning in fulfillment of the mission of the Zoo.

BACKGROUND / DISCUSSION:

Major changes to the El Paso Fee ordinance:

1. Provides for up to 50% discount on admission discount to Designated Promotional Events. i.e., Local, Regional or National Campaign's.
2. The director may create additional Education Programs throughout each fiscal year and the fee shall be established by the director in conjunction with the director of the office of management and budget or his designee in an amount to cover program costs also providing for a discount of up to fifty percent (50%).
3. Age for Senior Citizens has been changed to 60 to reflect the direction of City Council.

PRIOR COUNCIL ACTION:

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

Yes, Ordinance 016989, dated August 12, 2008.

AMOUNT AND SOURCE OF FUNDING:

No funding required.

BOARD / COMMISSION ACTION:

Enter appropriate comments or 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: _____

ORDINANCE NO.: _____

AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.25 (EL PASO ZOO) SECTION 13.25.010 (EL PASO ZOO FEES) OF THE CITY CODE, TO EXPAND THE TYPES OF PROGRAMS AND SPECIAL EVENTS FEE REDUCTIONS THAT MAY BE OFFERED BY THE ZOO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1: That Section 13.25.010 of the El Paso City Code, El Paso Zoo Fees, is amended as follows:

13.25.010 El Paso Zoo Fees

A. Fees. Fees for admission to the El Paso Zoo, admission to Zoo Designated Special Event Days, admission to Zoo Designated Promotional Events, participation in Zoo Education Programs and facility rental shall be in the amounts set forth in the budget resolution of the city council or as established by the director, in conjunction with the director of the office of management and budget or his designee, so as to cover the program costs, subject to the guidelines and requirements set forth in this chapter. Such fees 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, Association membership, contractual terms or prior reservations of the person seeking to enter the zoo, or school group reservations as further described below. Military status shall be limited to active military and spouses of active military. Age groups will be as follows: (a) children ages three through twelve when accompanied by an adult; (b) persons thirteen through fifty-nine; and (c) persons sixty 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 the 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. Members of other zoological societies that have a reciprocal admission agreement with the El Paso Zoological Society shall be admitted according to the respective reciprocating agreement provisions.
 - b. General admission fees will not be charged to members of the Association of Zoos and Aquariums, zoo activity volunteers and individuals conducting official business at the zoo. Proof of association with such groups will be required prior to waiver of the regular admission fee.
 - c. Admission fees for reserved school groups shall be discounted one dollar off the regular admission. An advance reservation and completed application will be required of any school group prior to entrance at the zoo. School groups shall agree to comply with Zoo policy concerning the conduct of school group members while at the Zoo to be eligible for the school group Admission Fee Discount. The director may accept reservations and the payment for food items provided to school groups by the Zoo's concessionaire, as may be provided for in the effective contract between the City and the Zoo's concessionaire. School groups are defined to include any public or private licensed child daycare, pre-kindergarten, kindergarten, primary, secondary and special education through grade twelve or other similar group as determined by the director.
2. Advance Ticket Discount Rate. The zoo concessionaire and the El Paso Zoological society shall be entitled to make advance ticket purchases in blocks of five hundred or more. The discount for such advance ticket

purchases shall not be more than twenty percent 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.

3. Zoo Designated Special Event Days. The director is permitted to designate up to eight 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, the director may authorize an Admission Fee Discount of up to 50% off of the regular admission fee in compliance with the provisions in this chapter. 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 in subsection (A)(3) 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. As part of these special promotions, the director may authorize an Admission Fee Discount of up to 50% off of the regular admission fee. Admission for Zoo Designated Promotional Events will require an authorized promotional coupon, ticket, or specified condition to obtain a discount, if any, on the regular admission into the zoo. Promotional Events may also include special education programs conducted by zoo staff and or zoo consultants. No other discount offers

will be accepted or permitted in conjunction with the Zoo Designated Promotional Events admission fee.

5. Education Programs. The director is authorized to provide Education Programs for the community for the purpose of providing opportunities for learning in fulfillment of the mission of the Zoo. The fee for participation in the Education Programs listed in the annual budget resolution shall be in the amounts set forth in therein. The director may create additional Education Programs throughout each fiscal year and the fee shall be established by the director, in conjunction with the director of the office of management and budget or his designee, in an amount calculated to cover the program costs. The director may authorize a fee discount of up to 50% off of the fee for participation in all Education Programs when such discount is aimed at increasing attendance, honoring groups of importance to the city, or otherwise creates good will in the community. Members of the El Paso Zoological Society are entitled to a 10% discount off of the fee for participation in Education Programs, with proof of membership.
6. Rental Authorization and Fees. The city council of El Paso authorizes the rental of venues within the zoo, rental of equipment such as tables, chairs and sound systems, and rental of areas or equipment for the purpose of creating displays of items and materials in conjunction with Zoo events and activities, in accordance with the following guidelines. Such rental fees shall be in accordance with the amounts set in the annual budget resolution or other appropriate resolution of the city council. A cleaning/damage deposit in an amount not to exceed fifty percent 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. The rental of areas or equipment for the purpose of creating displays of items and materials in conjunction with Zoo events and activities shall additionally be in accordance with a written policy and procedure for such rentals, as approved by resolution of the city council.

- a. Arrangements for rental of venues and areas within the zoo, and rental of equipment such as tables, chairs and sound systems must be coordinated by the renter with the zoo and approved by the director or designee prior to the rental.
 - b. All catered events, including the service of food and beverages, must be 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 and all relevant provisions 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.
7. The director is authorized to regulate El Paso Zoological Society sponsored events in accordance with the society's license agreement with city.

SECTION 2. Except as herein amended, Title 13 of the El Paso City Code shall remain in full force and effect.

(signatures appear on the following page)

SECTION 3. This ordinance shall take effect September 1, 2009.

ADOPTED THIS _____ day of _____, 2009.

CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Kristen L. Choi
Assistant City Attorney

Steve Marshall, Director
El Paso Zoo