TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance approving and authorizing a Development, Operating, and
Concession Agreement between the City of Houston, Texas and Houston Arboretum &
Nature Center.

FROM: (Department or other point of origin):
Andrew F. Icken, Chief Development Officer
Office of the Mayor

DIRECTOR'S SIGNATURE:

Origination Date: 
Agenda Date:

Council District affected:
C

For additional information contact:
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Date and identification of prior authorizing Council
Action: Ordinance No. 1993-0019 January 14, 1993

RECOMMENDATION: Approve an Ordinance approving and authorizing Development, Operating, and Concession
Agreement between the City of Houston, Texas and Houston Arboretum & Nature Center.

Amount and Source of Funding:
None

SPECIFIC EXPLANATION:

This agreement continues the partnership between the City of Houston and the Houston Arboretum & Nature Center
(Arboretum) in operating and maintaining this portion of Memorial Park. On January 14, 1993, City Council by Ordinance
1993-0019 approved the existing Houston Arboretum Management Contract. The proposed agreement addresses the further
development of the Arboretum as envisioned in a Master Plan developed by the City and Arboretum. The Master Plan
includes a renovated Botanical Hall and new education center, visitors’ center, staff building, maintenance facility and natural
landscaping with trails, roads, and parking.

It is recommended that City Council approve an ordinance allowing the City of Houston and Arboretum to continue to provide
for the benefit of the general public a wildlife and natural conservation educational institution with visitor support activities
and services.

On December 3, 2015, a presentation was given to the Quality of Life Committee providing an overview of the terms of the
agreement. Attached to this RCA are the key terms of the agreement.

REQUIRED AUTHORIZATION

Finance Budget: 
Other Authorization: 
Other Authorization: 

[Signature]
Houston Arboretum and Nature Center Agreement

Key Terms
December 2015

Objective
The agreement continues a partnership between the City of Houston and Houston Arboretum and Nature Center (Arboretum) and accommodates the restoration, enhancement, and redevelopment of the Arboretum as envisioned in a Master Plan developed by the City and Arboretum. The Master Plan includes a renovated Botanical Hall and new education center, visitors’ center, staff building, maintenance facility and natural landscaping with trails, roads, and parking.

Contracting Parties and Term
- City of Houston
- Houston Arboretum and Nature Center, a Texas nonprofit corporation
- Contract effective date is as of the countersignature date and continues for 30 years.

Role of Each Party
City of Houston:
- Final approval over project design, operations, and maintenance standards.
- Projects will be listed in City’s Capital Improvement Plan for Council approval.
- Responsible for maintenance and repairs of existing Botanical Hall at Arboretum.
- Provide electricity, water, stormwater, and sanitary services incidental to the operations of the Arboretum.

Arboretum:
- Continue its role of maintaining the Arboretum greenspace and landscaping, and managing operations and programming.
- Authorized to operate various concessions, which may include gift shop, food services, and vending machines. Additionally, the Arboretum can rent facilities for events and programs.
- Responsible for the cost, operations, maintenance, and repairs of new facilities built as part of the Master Plan.
- Arboretum will fundraise for maintenance, operations, and capital improvements.
- Provide good faith efforts to raise funds for an endowment fund to support maintenance and operations.

Note that there is a separate Memorandum of Understanding between the Arboretum and the Uptown Development Authority (UDA) for UDA to provide $5 million in public infrastructure improvements that are consistent with the Master Plan.

MWBE
- Must follow City of Houston Chapter 15 code of ordinances.
- Record keeping and reports consistent with Office of Business Opportunity standards.

Program and Event Fees
- The agreement includes a fee schedule for events, rentals, and programs.
- Any changes or additions to the fee schedule, is subject to City Ordinances or Council approval as appropriate.
Houston Arboretum and Nature Center Agreement
Key Terms
December 2015

**Naming Rights**
- Naming rights granted consistent with City Ordinances and Houston Parks and Recreation Department Policies.

**Annual Audits**
- Arboretum will provide copies of its annual financial audits.