



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 11/30/2021

District D

Item Creation Date:

PRD- Revised Fourth Amendment Houston Zoo Lease and Services Agreement

Agenda Item#: 51.

Summary:

NOT A REAL CAPTION

ORDINANCE approving and authorizing a fourth amendment to lease and services agreement between the City of Houston, Texas, as landlord, and **HOUSTON ZOO DEVELOPMENT CORPORATION**, as tenant, relating to the Houston Zoo located at Hermann Park - \$10,514,821.00 - General Fund – **DISTRICT D - EVANS-SHABAZZ**

Background:

The Houston Parks and Recreation Department recommends approval of an Ordinance to authorize a revised fourth amendment to the Lease and Services Agreement between the City of Houston, Texas, and Houston Zoo Development Corporation to provide for two payments to the Houston Zoo instead of 12 for Lease Year 2022.

On September 29, 2021, (Ordinance 2021-843) Council approved a fourth amendment to make a single payment to the Houston Zoo for Lease Year 2022. The council vote occurred prior to the meeting of the Zoo Board. Subsequently, the Zoo Board declined to execute the fourth amendment as approved by council and asked for a revision to the amendment to have the City make 2 payments instead of a one-time payment. Therefore, Council is now asked to approve a revised fourth amendment which states that, during Lease Year 2022, in lieu of the City's payment to Operator of the Annual Management Fee applicable to the Lease Year 2021 in twelve (12) equal monthly installments, the City will pay the Annual Management Fee to Operator in two installments, with the first installment in the amount of \$5,257,410.50 due on December 1, 2021 and the second and final installment \$5,257,410.50 due on June 1, 2022. The two equal payments will be made from the General Fund.

The City of Houston approved a Lease and Services Agreement between the City of Houston and the Houston Zoo Development Corporation on June 26, 2002. (Ordinance No.2002-0574). The City of Houston made a first amendment to the Lease and Services Agreement on May 31, 2017. (Ordinance No. 2017-389). A second amendment to the Lease and Services agreement was approved by council on April 18, 2018. (Ordinance No. 2018-334) and a third amendment was approved on July 8, 2020. (Ordinance No. 2020-0615).

Fiscal Note:

Funding for this item is not included in the FY2022 Adopted Budget. Therefore, a fiscal note is required as stated in the Financial Policies

Estimated Fiscal Operating Impact			
Recurring or One-Time			
Fund Name	FY2022	Out Year	Total
PRD - General Fund	\$10,514,821.00		\$10,514,821.00
Total	10,514,821.00	-	10,514,821.00

Director's Signature:

DocuSigned by:

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Kenneth Allen, Director

Houston Parks and Recreation Department

Prior Council Action:

September 29, 2021. (Ordinance 2021-843)
July 8, 2020. (Ordinance No. 2020-0615)
April 18, 2018. (Ordinance No. 2018-334)
May 31, 2017. (Ordinance No. 2017-389)
June 26, 2002. (Ordinance No.2002-0574)

Amount and Source of Funding:

\$10,514,821.00 – General Fund (1000)

Contact Information:

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ATTACHMENTS:

Description

Ordinance
4th Amendment
Funding Information
Funding Verification

Type

Ordinance/Resolution/Motion
Contract/Exhibit
Financial Information
Financial Information