

**CITY COUNCIL
COMMUNICATION:**

02-644

AGENDA:

DECEMBER 16,
2002

SUBJECT:

FIRST AMENDMENT
TO WEB OF LIFE
INTERPRETIVE
CENTER
AGREEMENT WITH
BLANK PARK ZOO
FOUNDATION

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

DONALD M. TRIPP
PARK AND
RECREATION
DIRECTOR

ITEM 66-B

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

SYNOPSIS —

Propose Council action to approve the First Amendment to the 28E Web of Life Interpretive Center Agreement between the City of Des Moines and the Blank Park Zoo Foundation.

FISCAL IMPACT —

The Blank Park Zoo Foundation reimburses the City for the Discovery Center annual operating expenses of \$475,000.

RECOMMENDATION —

Approval.

BACKGROUND —

On May 3, 1999, by Roll Call No. 99-1411, City Council approved a 28E Web of Life Interpretive Center Agreement with the Blank Park Zoo Foundation for the construction of the Discovery Center. The Agreement stipulates that the Zoo Foundation pay all construction costs and will pay all operating expenses associated with the Discovery Center. The Zoo Foundation conducted a private fund-raising campaign to pay for the \$6.7 million construction cost, and continues to raise private funds to pay the operating costs of \$475,000 annually. The Agreement also stipulates that upon approval by Council of the completed project, ownership of the Discovery Center would transfer to the City.

The Web of Life 28E Agreement terminates upon the City's acceptance by resolution of the Discovery Center.

It is the intent of the City and the Blank Park Zoo Foundation to enter into a future 28E Agreement for operating support, management, and capital improvements, whereby the City would own the Zoo with the Zoo Foundation assuming management responsibilities. The current 28E Operating Agreement expires on July 21, 2003; therefore, an amendment to the 28E Web of Life agreement is necessary for the Foundation to continue paying the Discovery Center operating

expenses until the parties negotiate a new 28E Management Agreement to be implemented by July 1, 2003.

The Foundation has agreed to fund operating expenses until July 1, 2003, if the facility is accepted before that time. An amendment to the 28E in which the Foundation agrees to this continued funding of the operating expenses should be executed by the Foundation prior to, or at the time of, the City's acceptance.