

# City of Sacramento

## Legislation Text

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**File #:** 2021-00311, **Version:** 1

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**Title:**

**Agreement: Tenth Amendment to Sacramento Zoological Society Operating Agreement**

File ID: 2021-00311

**Location:** Sacramento Zoo, 3930 W. Land Park Drive, District 4

**Recommendation:**

Pass a Motion: 1) finding that special circumstances make the use of the bid procedure inappropriate and it is in the best interest of the City to lease without bidding pursuant to City Code section 3.68.110(F); and 2) authorizing the City Manager or the City Manager's designee to execute the Tenth Amendment to City Agreement No. 1997-0021 with the Sacramento Zoological Society to extend the Agreement for one year through June 30, 2022 for the operation and management of the Sacramento Zoo.

**Contact:** Rebecca Bitter, Administrative Analyst, (916) 808-8052; Jody Ulich, Director, (916) 808-5105, Department of Convention and Cultural Services

**Presenter:** None

**Attachments:**

- 1-Description/Analysis
- 2-Sacramento Zoo Partnership Agreement

**Description/Analysis**

**Issue Detail:** The Sacramento Zoological Society ("Society") is a 501(c)(3) nonprofit public benefit corporation and has operated the Sacramento Zoo through City Agreement No. 1997-0021 since 1997. In 2020, the City and Society executed a Ninth Amendment to extend the term of the Agreement for one year through June 30, 2021 while the City and Society negotiated a new agreement in good faith. The impact of the ongoing COVID-19 pandemic to the Zoo's operations have interrupted efforts to work on drafting a new agreement, so the City and Society desire to extend the term of City Agreement No. 1997-0021 through June 30, 2022.

**Policy Considerations:** The proposed amendment supports the City's 2035 General Plan Goal ERC

4.1 to provide a diversity of arts and cultural facilities and programs for people of all ages to improve knowledge of Sacramento's history, enhance quality of life, and enrich community culture, and policies that encourage partnerships with organizations to support cultural educational activities and programming, children's programming, and reinvestment in City facilities.

**Economic Impacts:** Not Applicable

**Environmental Considerations:** The report concerns administrative activities that will not have a significant effect on the environment and is exempt from the Environmental Quality Act (CEQA) review [CEQA Guidelines Sections 15061(b)(3); 15378(b)(2)].

**Sustainability:** Not Applicable

**Commission/Committee Action:** Not Applicable

**Rationale for Recommendation:** The City and Society extended City Agreement No. 1997-0021 for one year through June 30, 2021. All available term extensions under the Agreement have been exhausted. With no remaining term extensions available, any extensions must be approved by City Council.

City Code section 3.68.110(F) provides that City Council may determine that, in the best interest of the City, special circumstances make the use of the bid procedure inappropriate. Staff recommends that it is in the best interests of the City to approve the proposed amendment to City Agreement No. 1997-0021 for one additional year due to the long-standing and successful operation of the Sacramento Zoo by Society.

**Financial Considerations:** City funding for the Zoo is in two parts. Society will receive approximately \$290,000 from the General Fund (Fund 1001) and \$70,000 from the Community Center Fund (Fund 6010) for the cost of the City positions (3.0 FTE) at the Zoo along with limited services and supplies in Fiscal Year (FY)2020/21. Society also receives approximately \$50,000 annually from Funderland revenue. Funderland revenue is shared equally among the Fairytale Town Fund, the Sacramento Zoo Fund, and the Land Park Improvement Fund, as defined by City Agreement No. 2006-0258 and its amendments.

Sufficient funding is available in the FY2021/22 Convention and Cultural Services Department Operating Budget, pending City Council approval, to execute the Tenth Amendment to City Agreement No. 1997-0021.

**Local Business Enterprise (LBE):** Not Applicable