

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH THE AUSTIN AREA GARDEN CENTER, INC., REGARDING THE ZILKER GARDEN CENTER AND WAIVING CERTAIN FEES AS PART OF THE AGREEMENT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The City Council makes the following findings:

- (A) The Austin Area Garden Center, Inc., doing business as the Austin Area Garden Council, has provided significant financial, educational, and operational support to the Zilker Garden Center for over 50 years.
- (B) The City of Austin and the Austin Area Garden Center, Inc., wish to continue this longstanding and mutually beneficial relationship.

**PART 2.** Council authorizes negotiation and execution of an agreement with the Austin Area Garden Center, Inc., for educational services, fundraising for garden improvements, and use of the Zilker Garden Center.

**PART 3.** Council authorizes the waiver of the building-use fees listed in Part 4, in an amount not to exceed \$175,551 as part of an agreement to be negotiated and executed with the Austin Area Garden Center, Inc.

**PART 4. Fees Waived or Reimbursed (Parks and Recreation Department):**

\$ 162,776 Rental Fees

\$ 12, 775 Set Up and Take Down Fees

\$ 175,551 Total Fees

**PART 5.** This ordinance takes effect on \_\_\_\_\_, 2016.

**PASSED AND APPROVED**

\_\_\_\_\_, 2016      §  
   §  
   § \_\_\_\_\_  
   Steve Adler  
   Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
Anne L. Morgan      Jannette S. Goodall  
City Attorney      City Clerk