

Legislation Text

File #: AI 13-2484, Version: 2

Consider recommendation from the Executive Committee to approve an agreement with the San Antonio Zoological Society, Inc., for the lease of self-contained portable research facilities, in exchange for in-kind considerations.

RECOMMENDED MOTION:

Move the board approve an equipment lease agreement between the EAA and the San Antonio Zoological Society, Inc, for the lease of self-contained portable research facilities, in exchange for in-kind considerations associated with collaborative educational opportunities at the San Antonio Zoo.

SUMMARY:

The purpose of this agenda item is for the board to consider an Executive Committee recommendation to approve an equipment lease agreement with the San Antonio Zoological Society, Inc. (Zoo) for the lease of three self-contained portable research facilities owned by the EAA and located at the Zoo. These facilities, which consist of three fully-equipped shipping containers informally referred to as "pods," were installed in 2015 to support the EAA's salvage refugia operations as required by the Edwards Aquifer Habitat Conservation Plan (EAHCP). Upon execution of a long-term agreement with the U.S. Fish & Wildlife Service for off-site refugia for the eleven covered species identified in the EAHCP, the Zoo expressed interest in retaining the EAA-owned pods. In September 2017, the EAA and the Zoo entered into a memorandum of understanding (MOU) to serve as the basis for a draft equipment lease agreement to be presented at a future date for board approval. The board recently extended the expiration of this MOU through October 15, to allow the parties time to complete the negotiation of the equipment lease agreement.

The equipment lease agreement, which has been reviewed by legal counsel, is attached to this summary. Under the terms of this agreement, the EAA will allow the Zoo to continue using the pods for its own research purposes. In exchange, the Zoo agrees to:

- Install and maintain signage located in the Zoo promoting the EAA's mission, activities, and accomplishments;
- Provide up to four opportunities each year for the EAA to provide educational programming and/or exhibits in the Zoo;
- Work with the EAA to seek mutually beneficial educational opportunities as the Zoo develops its master plan for exhibits;
- Allow the EAA and/or to use the Zoo's private event space and facilities for up to four events per year without a facilities use charge.

At any time during the 10-year term of the agreement, the Zoo may purchase the pods and generator from the EAA for the then current value as determined by the EAA's asset depreciation schedule.

At the meeting on October 6, the Executive Committee voted to recommend the board approve an equipment lease agreement between the EAA and the San Antonio Zoological Society, Inc, as amended, for the lease of self-contained portable research facilities, in exchange for in-kind considerations associated with collaborative educational opportunities at the San Antonio Zoo. The amendments are of a non-substantive nature and are shown in the attached redline version of the contract.

STRATEGIC PLAN REFERENCE:

This agenda item supports the EAA's policy direction as set forth in the EAA 2016-20 Strategic Plan: Goal G. Build Shared Value in the EAA Mission.

FISCAL IMPACT:

None. However, the Zoo's in-kind considerations will serve to avoid EAA costs through the term of this agreement.