

Introduced by _____ Council Bill No. R 206-07

A RESOLUTION

authorizing a memorandum of understanding with the Missouri Department of Conservation relating to the development and operation of a conservation education center and office.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute a memorandum of understanding with the Missouri Department of Conservation relating to the development and operation of a conservation education center and office. The form and content of the agreement shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

ADOPTED this _____ day of _____, 2007.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into on this _____ day of _____, 2007, by and between the City of Columbia, Missouri ("City"), a municipal corporation, and the Missouri Department of Conservation ("MDC"), a Missouri state agency.

RECITALS

- A. MDC is a constitutionally authorized agency of the State of Missouri with responsibility for the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and all wildlife resources of the state.
- B. City owns several properties managed by the Parks & Recreation Department, including Phillips Park and the Crane Park property.
- C. MDC owns several properties within Columbia that serve public recreational needs and fulfill necessary administrative office functions, scientific research and public outreach programming.
- D. MDC desires to consolidate its office and research functions at one location in a facility demonstrating conservation friendly practices with public visibility and enhanced access, and desires to reassess the management of public recreational properties under its control.
- E. City proposes to develop the Phillips Park and the Crane Park property in a manner that promotes partnerships to advance public leisure opportunities and protection of the City's natural resources.

UNDERSTANDING

NOW, THEREFORE, the parties propose the following:

1. *Purpose.* The purpose of this Memorandum of Understanding is to set forth the general expectations of City and MDC in order to conduct a feasibility analysis for the development and operation of a conservation education center and office on City property pursuant to mutually acceptable terms and conditions.
2. *Method.* Within 14 days of the execution of this memorandum, the parties will each designate a primary point of contact to lead the feasibility analysis and draft recommendations for the parties' consideration on or before May 1, 2008.
3. *Scope.* The analysis shall include, but not be limited to, locations suitable for the construction of a facility, infrastructure needs to accommodate the parties' intended uses, opportunities for mutually beneficial partnerships with other entities, identification of any potential financial resources that would enhance

mutual objectives, and, where desirable, consideration of alternate management and maintenance arrangements on properties owned by either party.

4. *Non-Binding Memorandum of Understanding.* This Memorandum of Understanding evidences the intention and desire of City and MDC to commit their time and financial resources to explore and negotiate in good faith towards the development of a conservation education center and office on City property. This Memorandum of Understanding is not a binding agreement upon City or MDC. The legal agreements reflecting any resulting project shall be set forth in definitive agreements subsequently negotiated, authorized and entered into by City and MDC. Either City or MDC shall have the ability to terminate such negotiations at any time. Each party shall bear its own expenses in connection with the negotiation of such definitive agreements.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed as of the date herein written.

CITY OF COLUMBIA, MISSOURI

By: _____
H. William Watkins, City Manager

ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

MISSOURI DEPARTMENT OF
CONSERVATION

By: _____
John D. Hoskins, Director

APPROVED AS TO FORM:

Source:

Mike Hood



TO: City Council

FROM: City Manager and Staff 

DATE: September 10, 2007

RE: Memorandum of Understanding with Department of Conservation - Potential Future Conservation Education Center

Fiscal Impact

YES

NO

Other Info.

SUMMARY: At the pre-council work session on August 6, 2007, representatives of the Missouri Department of Conservation (MDC) outlined a preliminary proposal to work with the City of Columbia regarding the potential development of a new Conservation Education Center and Regional Office to be located in the Columbia area. The possibility of using a small portion of either the Crane or Philips property as the site of the new facility was discussed, as well as the potential for additional public use of some of the existing MDC areas.

Upon completion of the MDC's presentation, Council directed staff to work with the Department to develop a more detailed agreement for proceeding with consideration of the project. Staff of both agencies have worked together to draft a Memorandum of Understanding (attached) which outlines the general expectations of the two agencies in regard to studies, negotiations, and planning efforts that will be needed to advance this potential project. This resolution authorizes the City Manager to sign the Memorandum of Understanding on behalf of the City.

DISCUSSION: A draft Memorandum of Understanding between the City of Columbia and the Missouri Department of Conservation (MDC) regarding a potential partnership between the two agencies has been developed. The proposed partnership would involve the possible development of a new Conservation Education Center and Regional Office by the MDC. The Memorandum of Understanding outlines the general expectations of the two agencies in regard to studies, negotiations, and planning efforts that will be needed to advance this project. The project may include the use of city-owned land (Philips, Crane, or other city-owned properties) as the site of the new facility as well as provide the potential for additional city sponsored, public use of MDC owned lands.

Key points outlined in the Memorandum of Understanding include:

- 1.) MDC desires to consolidate its office and research functions into one location which will also demonstrate conservation friendly practices as well as enhance public visibility and access.

- 2.) MDC owns several properties within Columbia that serve public recreational needs and desires to reassess the management of those properties.
- 3.) The City is proposing to develop the Philips and Crane Properties in a manner that promotes partnerships to advance public recreation opportunities and protects the two sites' natural resources.
- 4.) The City and MDC expect to conduct a feasibility analysis for the development and operation of a conservation education center and office on city-owned property.
- 5.) Both agencies will appoint a primary point of contact to lead the feasibility analysis and to draft recommendations for both agencies consideration.
- 6.) The feasibility analysis shall include locations suitable for such a facility, infrastructure needs, opportunities for mutually beneficial partnerships, identification of potential financial resources for the project, and consideration of alternate management and maintenance arrangements on properties owned by either party.
- 7.) The Memorandum is a non-binding agreement. Future definitive legal agreements will be required at some point in the future if, following the feasibility analysis, both parties agree to proceed with the project.

Staff has worked with the MDC in the development of this Memorandum of Understanding and believes it appropriately reflects the commitments of both parties at this stage of the proposed project. It is staff's recommendation that the City enter into the proposed Memorandum of Understanding with the MDC.

SUGGESTED COUNCIL ACTION: If the Council concurs that the City should continue to work with the MDC with regard to the possible future development of a Conservation Education Center, the resolution authorizing the City Manager to sign the Memorandum of Understanding should be passed.