

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Parks and Recreation

**AGENDA DATE:** January 7, 2020

**CONTACT PERSON/PHONE:** Tracy A. Novak, Parks & Recreation Director, (915) 212-1708  
Bruce Collins, Purchasing Director – (915)-212-1181

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** NO. 4 – Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

This award will support the continuous effort to create innovative recreational, educational and cultural programs while delivering exceptional concessionaire services at the Water Parks for the community.

**SUBJECT:**

That the City Manager be authorized to sign a Concession Agreement between THE CITY OF EL PASO and BORREGO ENTERPRISES, INC., a Texas corporation ("Concessionaire"), for the Concessionaire to sell food and beverages, including alcoholic beverages, and offer catering services at the Camp Cohen, Lost Kingdom, Chapoteo, and Oasis water parks ("Water Parks") for a term of 2 years with three 1 year options to extend beginning on the Commencement Date, for a concessionaire fee of 18% of the gross revenue to be paid to the City.

**BACKGROUND / DISCUSSION:**

The operation of the City's four regional water parks includes the provision of food and beverage concessions at each facility, to provide refreshments and enhance a pleasurable outdoor recreation experience. The request for proposal included a specific menu for a concession operation to deliver, based on extensive research on outdoor aquatic based water park operations. The food menu will comply with the City's Healthy Choice ordinance, and pricing is anticipated to be consistent with retail operations in the area.

This is a revenue generating concession contract that will provide revenue sharing of 18% of total gross revenue, with no expenses to the City. The concessionaire will operate during scheduled public use hours, and offer concession and catering services with non-alcoholic beverages. During private rental opportunities, the concessionaire will also offer concession and catering services, along with alcoholic and non-alcoholic beverages. The concessionaire will be required to maintain their own required licensing to serve alcoholic beverages in compliance with local, state and federal laws. The City will retain the right to modify the menu based on public demand and revenue generation.

**SELECTION SUMMARY**

NA

**CONTRACT VARIANCE:**

NA

**PRIOR COUNCIL ACTION:**

NA

**AMOUNT AND SOURCE OF FUNDING:**

Revenue Generating Contract

Revenue Accounts:

451-51245-443060-1000-P5125

451-51245-443060-1000-P5126

451-51245-443060-1000-P5127

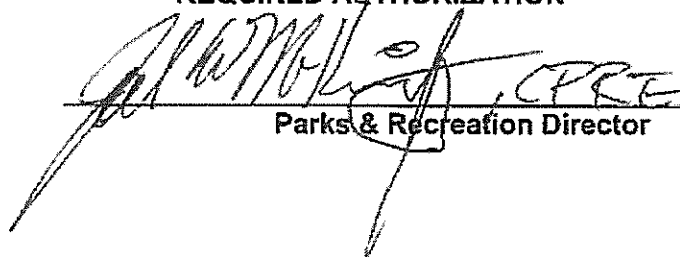
451-51245-443060-1000-P5128

**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

 CPRE

Parks & Recreation Director

**COUNCIL PROJECT FORM  
(Agreement)**

\*\*\*\*\***POSTING LANGUAGE BELOW**\*\*\*\*\*

Please place the following item on the **CONSENT** agenda for the Council Meeting of **JANUARY 7, 2020**.

**STRATEGIC GOAL: NO. 4 – Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments**

This award will support the continuous effort to create innovative recreational, educational and cultural programs while delivering exceptional concessionaire services at the Water Parks for the community.

**Award Summary:**

That the City Manager be authorized to sign a Concession Agreement known as 2020-546 Water Parks Concessions between THE CITY OF EL PASO and BORREGO ENTERPRISES, INC., a Texas corporation (“Concessionaire”), for the Concessionaire to sell food and beverages, including alcoholic beverages, and offer catering services at the Camp Cohen, Lost Kingdom, Chapoteo, and Oasis water parks (“Water Parks”) for a term of 2 years with three 1 year options to extend beginning on the Commencement Date, for a concessionaire fee of 18% of the gross revenue to be paid to the City. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

Additionally, it is requested that the City Attorney’s Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

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## RESOLUTION

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager be authorized to sign a Concession Agreement known as 2020-546 Water Parks Concessions between THE CITY OF EL PASO and **BORREGO ENTERPRISES, INC.**, a Texas corporation (“**Concessionaire**”), for the Concessionaire to sell food and beverages, including alcoholic beverages, and offer catering services at the Camp Cohen, Lost Kingdom, Chapoteo, and Oasis water parks (“Water Parks”) for a term of 2 years with three 1 year options to extend beginning on the Commencement Date, for a concessionaire fee of 18% of the gross revenue to be paid to the City. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

Additionally, it is requested that the City Attorney’s Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

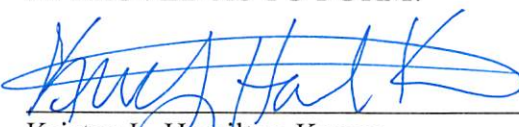
### THE CITY OF EL PASO:

\_\_\_\_\_  
Dee Margo  
Mayor

### ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

### APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kristen L. Hamilton-Karam  
Assistant City Attorney

### APPROVED AS TO CONTENT:

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Bruce D. Collins, Director  
Purchasing and Strategic Sourcing Dept.