

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> January 8, 2018
	<b>Agenda Item No.</b> 31 <b>Roll Call No.</b> <u>18-0052</u> <b>Communication No.</b> <u>18-003</u> <b>Submitted by:</b> Benjamin R. Page, Park and Recreation Director

**AGENDA HEADING:**

Set date of hearing as January 22, 2018 to enter into a donation and concession agreement with the Parks Area Foundation (PAF) for the Riverview Park concession area.

**SYNOPSIS:**

Recommend entering into a donation and concession agreement with the PAF (515 Euclid Avenue, Des Moines, Iowa, 50313) in exchange for a charitable contribution for the benefit of the citizens of the City of Des Moines raised by PAF for the construction of the stage at Riverview Park.

**FISCAL IMPACT:**

The Riverview Park Improvements project can be found on page 14 in Park Improvements section of the Fiscal Year (FY) 2019-FY2023 Capital Improvement Program (CIP) budget document. The construction of the stage is expected in 2019. G.O. funding planned in FY2019 and FY2020 for improvements at Riverview Park will be used for funding the balance for the stage construction as \$600,000 has currently been secured through awarded grants and the estimated construction cost of the stage is \$1,000,000. Fundraising efforts by PAF to close the gap are ongoing and any additional money raised will be also be passed on to the City per the terms of agreement.

Beginning January 1, 2022, the City shall receive 5% of all annual gross revenue generated by PAF and its subcontractors (including without limitation sales of event tickets, food, beverages, other items, and sponsorships). It is not possible at this time to determine annual gross revenue.

**ADDITIONAL INFORMATION:**

What is PAF

PAF is a civic-minded group of citizens from Oak Park, Highland Park, and Union Park neighborhoods. The group was established in 1998 with the focus of community improvement and an emphasis on historical education. PAF has been involved with neighborhood improvement projects throughout Highland Park, Oak Park and Union Park including streetscape improvements, and urban revitalization efforts.

Rendezvous at Riverview Concert Series

PAF began its Rendezvous at Riverview concert series in 2009. The free concert series is put on by PAF every Friday night in June and July and has grown in its eight (8) years of operating to where a

standard crowd of 1,000 spectators can be seen on any given Friday. The PAF uses the funds generated by concessions sales during the concert as their primary source of income. The funds are directed towards community improvements focused within the three (3) neighborhoods from which the board members come.

### PAF Collaboration with Parks and Recreation Department

PAF first met with City staff in 2013 with the intent to partner on the redevelopment of Riverview Park known then as the Kiwanis Nature Island. Then Council member Robert Mahaffey was also involved in the regularly scheduled meetings to improve the park. Current Council member Linda Westergaard took over Mr. Mahaffey's role as civic leader within the Riverview Park group when he retired. A conceptual design for the park was completed in 2014 by Parks staff, which included an outdoor concert stage. PAF was already hosting a free outdoor music concert series known as Rendezvous at Riverview and was interested in the construction of a permanent stage in Riverview Park to continue their concert series.

### PAF Fundraising

PAF began a private fundraising campaign in September 2016 to raise the estimated \$1,000,000 to build the concert stage portion of the Parks Department conceptual design of Riverview Park. In spring 2016, PAF privately contracted with Ask Studios to develop a formal concept of the stage for use as a marketing tool for their fundraising campaign. In early 2017, Ask Studios, Raker Rhodes Engineering, and Engineering Resource Group completed design development plans for the construction of the Riviera Stage at Riverview Park.

### Significant Agreement Details

- The initial term is 20 years, with one (1) 10-year renewal option upon mutual agreement of the parties.
- PAF will make a minimum charitable contribution of \$600,000 towards the construction of the stage.
- City agrees to comply with the naming rights required under the Prairie Meadows grant, subject to compliance with the City's naming policy. Stage shall be named "Prairie Meadows Riviera Stage."
- PAF will host public and private performing concerts, arts, events, festivals and other cultural events for the benefit of the citizens of Des Moines.
- PAF will have the exclusive privilege to operate these events for 25 days per calendar year, consisting of no more than sixteen (16) weekend dates (Saturday and Sunday), with no more than three (3) consecutive weekends.
- PAF shall have exclusive use of the Riverview Park Concession Area during their events. The Concession Area does not include the bridge, donor plaza or playground areas.
- Riverview Park Concession Area will have a maximum attendance of 6,000 persons, subject to compliance with all applicable laws and regulations.
- The City of Des Moines logo will be prominently displayed on the Riverview Park Stage Improvements and in materials such as brochures, newsletters, and websites.
- The City intends to procure the services of ASK Studios to finalize already underway plans, specifications and construction of the improvements, subject to ASK Studios agreeing to and complying with City's Standard Professional Services Agreement.
- The design of the Riverview Park Stage Improvements shall be subject to the approval of the City Council.

- Plans and specifications must be approved by the City Council in order to be put into effect.
- The City intends to begin work on construction of the Riverview Park stage Improvements during 2019. The period of construction shall be at the City's sole discretion.

This agreement benefits the City, PAF and the taxpayers for the following reasons:

- The project ranked number one (1) on the list of High Priority City of Des Moines Policy Agenda 2016-2017 Targets for Action in the 2016 – 2021 – 2031 Strategic Plan, which is a roadmap for making Des Moines a better place for all that will improve neighborhoods, public safety and quality of life. The Des Moines Strategic Plan, or GuideDSM, clearly communicates Mayor and City Council priorities to Des Moines' residents and businesses.
- The project contributes directly to achieving three (3) GuideDSM goals:
  - o Sustainable Community – Our Neighborhoods, Our Downtown
  - o Livable Community – Expanded Leisure, Arts and Cultural Opportunities
  - o Upgraded City Infrastructure and Buildings



#### **PREVIOUS COUNCIL ACTION(S):**

Date: September 12, 2016

Roll Call Number: [16-1537](#)

Action: [Agreement](#) for Cooperative Public Service with Polk County for the resurfacing of Riverview Park trail and construction of access drive to Riverview Island. ([Council Communication No. 16-524](#)) Moved by Westergaard to approve. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Anticipated actions include ordering construction, public hearing, receive and file bids, designated lowest bidder, and approve contract and bond; also, partial payments to the contractor and final acceptance of work.

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