


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	23-558	Meeting:	December 18, 2023
	Agenda Item:	60	Roll Call:	23-1803
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Recommend approval of proposed amendments to Municipal Code Chapter 74 Parks and Recreation regarding various changes that reflect the advancements of the Parks and Recreation Department, update specific fees for use of facilities and programs, and other various changes.

SYNOPSIS:

Recommend approval of changes to Municipal Code Chapter 74, including but not limited to:

Article IV. Facilities

- Section 74-92: Clarifying where it is unlawful to use, possess or consume alcohol and adding alcohol may be consumed by permit at Simon Estes Amphitheater
- Section 74-93: Expanding on what may not be defaced, disturbed, injured or removed
- Section 74-94: Clarifying use of barbecue grills within parks
- Section 74-97: Clarifying use of personal watercraft are not permitted on lakes or ponds except Gray's Lake
- Section 74-100: Adding the Hub Spot to the Principal Riverwalk facilities that have modified hours of operation
- Section 74-107: Clarifying swimming at beaches is only permitted inside the buoys
- Section 74-110: Improving and elaborating upon the use of electric personal assistive mobility devices on Multi-Use Recreational Trails
- Section 74-112: Adding snowshoeing

Article V. Fees

- Changes to existing fees are proposed for the following facilities:
 - Section 74-175(a): Tennis courts, which has been modified to Outdoor sport courts
 - Section 74-177: Bike and related equipment rental
 - Section 74-180(b): Community recreation center building rentals
 - Section 74-181(b) and (d): Golf courses
 - Section 74-182(8): Community garden plot
 - Section 74-183(a)(1): Aquatic centers, swimming pools and marina
 - Section 74-184(a)(1): Brenton Skating Plaza

- Addition of new fees are proposed for the following facilities:
 - Section 74-175(a): Tennis courts, which has been modified to Outdoor sport courts
 - Section 74-177: Bike and related equipment rental

FISCAL IMPACT:

It is estimated that the proposed fee changes will have minimal impacts to the revenue received by the City.

ADDITIONAL INFORMATION:

- Chapter 74 of the Des Moines Municipal Code is dedicated to the organization and management of the City parks and recreation facilities and outlines the role of the Parks and Recreation Board, the authority of the Parks and Recreation Director, operation of City parks and recreation facilities and the fees for use of facilities and programs.
- In addition to Chapter 74, topics related to parks and recreation responsibilities can also be found in Chapter 18 – Animals, Chapter 34 – Cemeteries, Chapter 114 – Traffic and Vehicles, Chapter 130 – Waterways and others, but the proposed changes that are a part of this action are limited to Chapter 74.
- All changes to the City Municipal Code must be approved by the Des Moines City Council.
- The substantive changes proposed to Chapter 74 reflect advancements of the Parks and Recreation Department since the previous most recent update in 2022. These are described in succinct detail below. Additional minor changes are proposed to improve formatting, consistency and clarity, but do not modify the meaning of the existing ordinance language.
- Elected and appointed leaders should use this Communication as a guide to the changes, but still read in detail the proposed modifications shown with “track changes” on in the copy of the Municipal Code Chapter 74 Parks and Recreation provided in their meeting packet. Substantive changes include:

Article IV. Facilities

- *Section 74-92: Clarifying where it is unlawful to use, possess or consume alcohol and adding alcohol may be consumed by permit at Simon Estes Amphitheater* – This proposed change adds trails, land and facilities managed by the department to the list of locations where it is unlawful to use, possess or consume alcohol and adds Simon Estes Amphitheater to the list of facilities at which alcohol may be consumed with a permitted reservation. This venue could potentially reopen in 2024, so this modification will allowed for the type of use anticipated and acceptable at this location.
- *Section 74-93: Expanding on what may not be defaced, disturbed, injured or removed* – This proposed change adds to the list of plant and animal life that is protected from destruction. There is more interest in harvesting from parkland and to support limiting what is defaced, disturbed, injured, removed or otherwise impacted we propose to further itemize what is to be

protected, including explicitly limiting metal detecting from disturbance to reach underground items.

- *Section 74-94: Clarifying use of barbecue grills within parks* – This proposed change clarifies language that was being interpreted in multiple ways, so that it is clear that barbecue grills may be brought to a facility under a permitted reservation and outlines requirements of safe use. The reservation and permit documents will be updated to correspond with this modification, if approved.
- *Section 74-97: Clarifying use of personal watercraft are not permitted on lakes or ponds except Gray's Lake* – This proposed change elaborates upon existing language to encompass all personal watercraft, such as stand-up paddleboards, and not just boats.
- *Section 74-100: Adding the Hub Spot to the Principal Riverwalk facilities that have modified hours of operation* – This proposed change adds the newly converted Hub Spot enclosed shelter to the list of facilities that may operate outside of typical park hours, reflecting the downtown/urban setting and later hours anticipated to be expected by patrons.
- *Section 74-107: Clarifying swimming at beaches is only permitted inside the buoys* – This proposed change reflects the focus on safe use of the beach and its amenities by explicitly noting swimming is only allowed within the buoys.
- *Section 74-110: Improving and elaborating upon the use of electric personal assistive mobility devices on Multi-Use Recreational Trails* – This proposed change adds and expands upon definitions, permitted uses, uses not permitted and hours of permitted use regarding the growing array of electrified devices on trails used by a wide variety of patrons to assist with mobility.
- *Section 74-112: Adding snowshoeing* – This proposed change reflects the growing affinity for snowshoeing within parks and golf course properties and supports the department goal of growing an all seasons, all ages approach to recreation.

Article V. Fees

- Changes to existing fees are proposed for the following facilities and in most cases intend to balance increased operating expenses with revenue:
 - *Section 74-175(a): Tennis courts, which has been modified to Outdoor sport courts* – This proposed change increases the hourly fee for renting a tennis court from \$5 per hour to \$10 per hour to help recoup a greater share of staff time supporting the reservation. If not reserved, courts will continue to be free on a first come first served basis. (Please see below for new fees now included in this section.)
 - *Section 74-177: Bike and related equipment rental* – This proposed change increases fees by \$5 to address inflation per the request of our partner organization and eliminates fees listed for services not provided (trailer bikes, carriers, discounts for large groups and seven {7}-day rentals). These changes align with the evolution of patrons' preferences regarding bicycle rental concessions. (Please see below for new fees now included in this section.)

- *Section 74-180(b): Community recreation center building rentals* – This proposed change increases two (2) of the six (6) categories of fees by \$5 and eliminates a fee that is no longer needed. The increase helps to recoup a greater share of staff time needed to support the reservations.
- *Section 74-181(b) and (d): Golf courses* – This proposed change includes 1) a \$1 increase in the cart fee at Bright Grandview Golf Course so that all three (3) City courses charge the same fee for carts and to help address the substantially greater cost associated with carts; and 2) a \$2 increase to all standard green fees charged at Bright Grandview Golf Course in response to the overall increase to the operational costs due to inflation.
- *Section 74-182(8): Community garden plot* – This proposed change increases the fee from \$25 for a five (5)-month rental to \$35 for a seven (7)-month rental. The GRASP scholarship program is available through Polk County IMPACT to reduce the fee by 75%. The fee has not changed since 2012 and, since that time, the level of service provided by staff to manage community gardens and the resources provided to gardeners has increased. This preferred, enhanced approach and the staff time necessary to manage the community garden program will be offset partially by the increase. This fee is still lower or matches other metro programs.
- *Section 74-183(a)(1): Aquatic centers, swimming pools and marina* – This proposed change modifies the Youth age range from three (3) through 20 to three (3) to 18 and the Adult age range from 21 through 59 to 19 through 59 to help bring more consistency overall to the age ranges utilized at recreation facilities.
- *Section 74-184(a)(1): Brenton Skating Plaza* – This proposed change decreases the fee for skate rental from \$5.25 to \$5 to support growing attendance at this facility.
- Addition of new fees are proposed for the following facilities:
 - *Section 74-175(a): Tennis courts, which has been modified to Outdoor sport courts* – This proposed change adds futsal or Mini-Pitch, pickleball and basketball to this section and standardizes the fee charged for reserving courts to \$10 per hour to help recoup a greater share of staff time supporting the reservation. If not reserved, courts will continue to be free on a first come first served basis. (Please see above for modified fees in this section.)
 - *Section 74-177: Bike and related equipment rental* – This proposed change adds tandem bikes to the options available for rental. The addition aligns with the evolution of patrons' preferences regarding bicycle rental concessions. (Please see above for modified fees in this section.)

PREVIOUS COUNCIL ACTION(S):

Date: December 12, 2022

Roll Call Number: [22-1953](#) and [22-1954](#)

Action: [Amending](#) Chapter 74 of the Municipal Code regulating parks and recreational facilities, fees, and mobile food vendors in designated parks. ([Council Communication No. 22-554](#)) Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.

- (A) [Final](#) consideration of ordinance above (waiver requested by Benjamin Page, Parks and Recreation Director), requires six (6) votes. Moved by Gatto that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #[16,210](#). Second by Voss. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Parks and Recreation

Date: November 28, 2023

Resolution Number: 23-078

Action: Motion by Davis to approve the Chapter 74 changes as presented. Second by Bollard. Motion carried.

Board: Golf Advisory Committee

Date: October 25, 2023

Action: Motion by Nassif Talarico to approve Grandview cart fees to increase by \$1 and for standard green fees to increase by \$2. Second by Pugh. Motion carried.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

City Council consideration of the second and third readings of ordinance changes.

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