

★ Roll Call Number

Agenda Item Number

40

April 9, 2007

Date

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by adding and enacting a new Section 74-179 thereof, relating to rentals at the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street",

which was considered and voted upon for the first time under Roll Call No. 07- 476 of March 12, 2007, and considered and voted upon for the second time under Roll Call No. 07- 568 of March 26, 2007, again presented.

Moved by _____ that this ordinance do now pass.

ORDINANCE NO. _____

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk



**Council
Communication**
Office of the City Manager

Date March 12, 2007

Agenda Item No. 40
 Roll Call No. 07-476 07-568
 Communication No. 07-148
 Submitted by: Donald M. Tripp,
 Parks and Recreation Director

AGENDA HEADING:

First reading of the ordinance amending Chapter 74 of the City Code to establish facility use rental fees and billing rates for events at the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street.

SYNOPSIS:

Recommendation to City Council to amend Chapter 74 of the City Code to include facility use rental fees and billing rates for maintenance and repairs for events held at the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street.

The fees and rates would be as follows:

- Facility Rentals: \$500 per half day (<4 hours) or \$1,000 per day for For-profit entities.
\$250 per half day (<4 hours) or \$500 per day for Non-profit entities.
- Billed Items: \$40 per hour per staff member for clean-up if not completed by event organizer
\$3 per square yard for seeding damaged areas
\$10 per square yard for sodding damaged areas
Actual costs for damage to infrastructure, fixtures and furnishings

FISCAL IMPACT:

Amount: \$3,000 (estimated revenue for the City)

Funding Source: For-profit and non-profit entities that pay for facility use.

ADDITIONAL INFORMATION:

The fee structure was presented to the Des Moines Park and Recreation Board to be received and filed at its January 23, 2007 board meeting. During the meeting, it was recommended that the fee proposal be presented to the Des Moines Music Commission. The Des Moines Music Commission met on Tuesday, February 13, 2007, to hear the presentation. During the meeting, it was recommended that the City establish separate rates for non-profit and for-profit organizations. The above fee schedule incorporates the Des Moines Music Commission recommendation.

The Des Moines Park and Recreation Board approved the fee structure for the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street at its February 27, 2007 board meeting. The Board also recommended that the fees to the Des Moines Arts Festival be waived for 2007.

The Des Moines Park and Recreation Board is recommending that the above fee structure be approved by the Des Moines City Council regarding use of the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street. The above fees are reflective of supervisory costs that will be incurred by the Park and Recreation department for the 2007 Arts Festival, and based on analysis from the 2006 Art and Wine Festival events. Event requests that do not greatly restrict general public access/use (company picnics, family reunions, etc.) will be free of charge; however, each event will have to be reviewed and pre-approved through the Park and Recreation Department's Park Use Permit process.

The following fees and charges will be applied to 1) any business, agency, or individual whose event/use of the park is intended for the general public where no actual admission fee is charged at the site, but advanced fundraising has created the need for park use and 2) a "cultural art" event/use where an admission fee is being charged and general recreational use of the park is prohibited or greatly limited to the general public:

Item	Fee	Date Due
Facility Use – For-profit	\$500 / half-day (4 hours)	25% deposit at booking Balance due two weeks prior to event
Facility Use – For-profit	\$1,000 / day	25% deposit at booking Balance due two weeks prior to event
Facility Use – Non-profit	\$250 / half-day (4 hours)	25% deposit at booking Balance due two weeks prior to event
Facility Use – Non-profit	\$500 / day	25% deposit at booking Balance due two weeks prior to event
Clean up	\$40 / hour per staff member	Billed to event if park area is not cleaned up after event
Seeding	\$3 / square yard	Billed to event if damage occurs
Sodding	\$10 / square yard	Billed to event if damage occurs
Damage	Actual cost for replacement	Billed to event if damage occurs

For major events, such as the Des Moines Arts Festival, the Park and Recreation Department shall provide an on-site staff person during the entire event, including set-up and tear down, in order to assist the event organizer protect park property and coordinate with surrounding businesses within the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street. Expenses incurred for major events include staff costs for set-up supervision, assistance during event, and the monitoring of event tear down and clean-up of the park. Major events like the Arts Festival require aerifying the lawn areas after heavy event foot traffic. Any damage to the property shall be billed directly to the event organizer based upon the recommended fee schedule.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S):

Date: February 27, 2007 (Park and Recreation Board)

Roll Call Number: NA

Action: Approval of recommended fees for the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

07-426
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ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by adding and enacting a new Section 74-179 thereof, relating to rentals at the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by adding and enacting a new Section 74-179 thereof, relating to rentals at the park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street, as follows:

Sec. 74-179. Park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street - rentals.

<u>Item</u>	<u>Fee</u>
<u>Facility Use - For Profit Activities</u>	<u>\$500.00/half-day (4 hours)</u>
<u>Facility Use - For Profit Activities</u>	<u>\$1,000/day</u>
<u>Facility Use - Non-Profit Activities</u>	<u>\$250.00/half-day (4 hours)</u>
<u>Facility Use - Non-Profit Activities</u>	<u>\$500.00/day</u>
<u>Clean up</u>	<u>\$40.00/hour per staff position</u>
<u>Seeding</u>	<u>\$3.00/square yard</u>
<u>Sodding</u>	<u>\$10.00/square yard</u>
<u>Damage</u>	<u>Actual cost for replacement</u>

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato
Ann DiDonato
Assistant City Attorney