



**Roll Call Number**

23-0743

**Agenda Item Number**

35

**Date** May 22, 2023

**APPROVAL OF AGREEMENT WITH DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT FOR SHARED USE OF CITY PARKS AND RECREATIONAL FACILITIES AND SCHOOL DISTRICT FACILITIES**

**WHEREAS**, the City of Des Moines, acting through the Parks and Recreation Department, is charged with the responsibility of providing recreational and leisure activities throughout Des Moines; and

**WHEREAS**, the Des Moines Parks and Recreation Department and the Des Moines Independent Community School District (“School District”) both need grounds and facilities to provide activities and programs, and both the City and the School District are agreeable to sharing such grounds and facilities; and

**WHEREAS**, on August 14, 2017, by Roll Call No. 17-1386, the City Council approved an Agreement for Shared Use of City of Des Moines Park and Recreational Facilities and Des Moines Independent Community School District Facilities until April 30, 2020, with one renewal option until April 30, 2023; and

**WHEREAS**, City and School District staff have negotiated a subsequent shared use agreement, in form on file in the office of the City Clerk, from May 1, 2023 through April 30, 2026 with one automatic renewal until April 30, 2029 unless either party provides notice of an intention not to renew, and in which the School District has again agreed to provide \$100,000.00 to support the City of Des Moines summer playground program and spraygrounds and to pay costs of trash removal incurred by the City; and

**WHEREAS**, the School District has also agreed that the Parks and Recreation Department will be responsible for scheduling of the subject school facilities by the public during the times that the City has priority for use of the school grounds and City park rules and park ordinances and permitting requirements shall apply to such school grounds; and

**WHEREAS**, the School District approved the shared use agreement at its meeting on May 2, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, that:

1. The Agreement for Shared Use of City of Des Moines Park and Recreational Facilities and Des Moines Independent Community School District Facilities between the City and the School District, in form on file in the City Clerk’s Office, is hereby approved, and the Mayor is authorized and directed to sign the Agreement on behalf of the City and the City Clerk is authorized and directed to attest to his signature.
2. The Parks and Recreation Department Director or designee is authorized and directed to administer and monitor the Agreement on behalf of the City.



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(Council Communication No. 23- 259 )

Moved by Getto to adopt.

Second by Boesen

APPROVED AS TO FORM:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, Laura Baumgartner, 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.

MOTION CARRIED APPROVED
J. M. Frankin Cownie Mayor

Laura Baumgartner City Clerk