

**OFFICE OF THE CITY MANAGER
DES MOINES, IOWA**

**CITY COUNCIL COMMUNICATION 96-417
SEPTEMBER 23, 1996 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
BOTANICAL CENTER, INC.—OPERATION OF GARDEN GATE CAFE AND ALCOHOLIC BEVERAGE CONCESSION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	DON TRIPP PARK & RECREATION DIRECTOR

SYNOPSIS —

The Facility Use Agreement between Des Moines Botanical Center, Inc. and the City, under which the Botanical Center Board was given the authority to operate the Garden Gate Cafe, lapsed in 1991. In the revised agreement, Des Moines Botanical Center, Inc. is, in addition to the Garden Gate Cafe, given the responsibility of overseeing the alcoholic beverage concession.

FISCAL IMPACT —

This agreement requires the Botanical Center, Inc. to return 7.5 percent of all gross revenues to the City of Des Moines. This is estimated to provide approximately \$50,000 in net revenue to the City over the five-year term of the agreement. The Botanical Center, Inc. will also receive 7.5 percent of all gross revenues, which they will spend in support of the Botanical Center's programs.

RECOMMENDATION —

Approval.

BACKGROUND —

A Facility Use Agreement with the Des Moines Botanical Center, Inc. was approved by General Resolution No. 88-3909 on August 22, 1988. It was inadvertently allowed to lapse in 1991. Under the terms of that agreement, the Des Moines Botanical Center, Inc. was given the responsibility for overseeing the operation of the Garden Gate Cafe. The Garden Gate Cafe has continued to be operated under the same terms and conditions as the previous agreement. Their management has received strong evaluations. In order to upgrade the level of service provided to groups renting the Botanical Center for private events, the Des Moines Botanical Center, Inc. has requested oversight of the alcohol beverage concession in order to enable *one-stop shopping*. This agreement was passed by the Park and Recreation Board (Resolution No. 11760) at their September 10, 1996, meeting.

Pursuant to City Council consideration of this matter at the September 16, meeting, and further discussion of this matter with the City Manager, the Facility Use Agreement has been amended to provide that the Botanical Center Board's selection of a concessionaire would be subject to City Council concurrence, as well as granting of the liquor license as required by the Iowa Code.