

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

**CITY COUNCIL COMMUNICATION 96-431  
OCTOBER 7, 1996 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
28E AGREEMENT BETWEEN THE CITY OF DES MOINES AND PARK AND RECREATION FOUNDATION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	DONALD TRIPP PARK AND RECREATION DIRECTOR

**SYNOPSIS —**

To approve a 28E Agreement between the City of Des Moines and the Des Moines Park and Recreation Foundation.

**FISCAL IMPACT —**

All fiscal activity will result in a net increase in revenues to the City of Des Moines Park and Recreation Department.

**RECOMMENDATION —**

Approval.

**BACKGROUND —**

In 1993, the Des Moines Park and Recreation Foundation was created to assist the City of Des Moines in raising funds to improve Park and Recreation offerings. The initial funds to begin the Foundation have been raised in memory of 17-year Park and Recreation Board Member, Jimmy Muto. At the time of Mr. Muto's death, memorial gifts were placed in the Foundation. Since then, the Park and Recreation Department, Park and Recreation Foundation, and the Des Moines Downtown Kiwanis Clubs have sponsored an annual golf tournament that has raised over \$10,000 for the Foundation. Initial Foundation Board Members, Gayle Collins and Susan Muelhaupt, agreed that only minimal funds would be used until at least \$10,000 had been accrued.

The Foundation is a not-for-profit corporation and has since added the following Board Members: Gayle Collins, Susan Muelhaupt, Charles Betts, Jack Foster, Nancy Turner, Charlotte Hubbell, and Tim Meline.

This agreement will allow the Foundation to raise funds on behalf of the Des Moines Park and Recreation Department and formalize the relationship between the City and the Foundation. Key points include:

The City will:

- Provide suitable office space to the Foundation under a lease at a site of such size and extent as shall be deemed necessary by the City for the Foundation to accomplish its purpose.
- Waive fees and charges to the Foundation for use of Park and Recreation Department equipment, Park and Recreation Department facilities, or other temporary needs in conducting its activities, if

- Review any and all construction plans for any Park and Recreation facilities involving capital improvements proposed and financed by the Foundation and permit the Foundation to provide for facility construction deemed appropriate by the City, provided that a formal license agreement shall be entered into between the City and the Foundation under such circumstances, if any such project is jointly financed.

The Foundation will:

- Engage in specific promotional activities for fund-raising projects and educational purposes after evaluation and approval of each project by the Park and Recreation Director and the Park and Recreation Board.
- Conduct fund-raising activities for capital construction only after obtaining approval of the specific project from the Park and Recreation Board and the City Council.
- Accept no gift subject to restrictions prior to City Council approval of such restrictions.
- Obtain prior approval of the Park and Recreation Board as to its operating budget, goals, and objectives each fiscal year.

This 28E Agreement is proposed to be effective through 2006.

This agreement is similar to a current agreement between the City of Des Moines and the Blank Park Zoo Foundation, Inc.