

**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

**02-243**

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

**AGENDA:**

**SYNOPSIS -**

MAY 6, 2002

Staff recommends an ordinance change to establish procedures and fees for vending food, beverage, and souvenir items at Department-sponsored events on park property.

**SUBJECT:**

**FISCAL IMPACT -**

ESTABLISH  
PROCEDURES FOR  
FEES FOR VENDING  
FOOD, BEVERAGE,  
AND SOUVENIR  
ITEMS AT  
DEPARTMENT-  
SPONSORED  
EVENTS

Estimate six vendors at \$850 or \$5,100.

**RECOMMENDATION -**

**Staff recommends City Council approval to a proposed ordinance change of 74-186, Amphitheater vendor fees. Staff recommends a waiver of the second and third reading in order to implement the vending program for 2002 events in planning.**

**TYPE:**

**BACKGROUND -**

RESOLUTION  
**ORDINANCE**  
RECEIVE/FILE

The food and beverage vending at City-sponsored special events is an important component of the overall customer experience. The relationship between individual vendors and Department staff will benefit with agreement on established standards with the intention to assure public health, safety, and fiscal responsibility.

**SUBMITTED BY:**

DONALD M. TRIPP  
PARK AND  
RECREATION  
DIRECTOR

Current ordinance, Section 74-186, sets fees for Amphitheater special events of \$10 per day or \$300 per season, between the hours of 10:00 a.m. and 2:00 p.m., Monday through Friday. At all other times during events by request of the person or entity renting the amphitheater, the fee is \$10 per event.

The proposed Section 74-186 establishes fees for vendors at City-sponsored events, including the Amphitheater and other park locations. The proposed fees will be:

1. An application fee of \$20 (non-refundable). The fee is related to the time required for staff review of all necessary approvals and permits from the City, Polk County, and the State of Iowa.
2. Recommend a fee for priority season vendors of \$850 (to be defined as all Park and Recreation sponsored events on Park and Recreation Department property from the first weekend of each April to the second weekend of each October).
3. Recommend a fee for daily vendors of \$150 (to be defined as an opportunity for unique products, which add to the variety of season vendors at specific one-day events selected by the vendor and approved by the Park and Recreation Department).

Council asked at the April 22, 2002 meeting about the impact of this fee on non-City sponsored special events, such as Beavertdale Neighborhood sponsored events. This proposed ordinance, Section 74-186, does not apply to this. These uses fall under Section 74-178 providing for temporary concession for non-City sponsored events.

**Sec. 74-178. Temporary concession fees.**

In addition to payment of all other required fees, the following fees shall be paid for the use of park facilities for temporary concession purposes:

Percentage of Gross Revenue

- (1) Category One Facilities - 14%
- (2) Category Two Facilities - 13%
- (3) Category Three Facilities - 12%
- (4) Category Four Facilities - 10%
- (5) Category Five Facilities - 9%
- (6) Category Six Facilities (unimproved areas less than nine acres) - charged per day based on attendance

Please see attached ordinance for category explanations.

The Park and Recreation Director is given the discretion to waive the concession fees for non-City sponsored events through Section 74-187.

**Sec. 74-187. Temporary fee adjustment.**

Fees as determined in Sections 74-176 through 74-184 and Section 34-69 may be changed at the discretion of the Park and Recreation Director upon the approval of the City Manager for engaging in

special projects, programs, or promotions that justify such change.

The Council question resulted in a staff review of the Application of Temporary Fee Adjustment to proposed Section 74-186. It was discovered that through a scrivener's error in the ordinance, Sections 74-185 and 74-186 were left out. A separate Council action on today's agenda corrects that error.

The current ordinance would permit a Neighborhood Association to receive the Temporary Fee Adjustment because these are actually covered in Section 74-178.

Staff has included a DRAFT Vendor Application Form as an attachment for Council review.

The Des Moines Park and Recreation Board approved the procedures and fee amounts at their March 26, 2002 meeting.

Attachments

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