



Agenda Item:

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## **COUNCIL COMMUNICATION**

### **City Manager's Office**

#### **GENERAL INFORMATION**

Agenda Date: 03/28/05  
05-150

Communication No.:

Agenda Item Type: Resolution

Roll Call No.:

Submitted by: Donald M. Tripp, Park and Recreation Director

#### **SUBJECT—**

28E Agreement among the City, Polk County and the Greater Des Moines Community Foundation for the development of Soldiers Field for South Des Moines Little League Baseball Park.

#### **SYNOPSIS—**

Approval of the 28E Agreement with the Polk County Board of Supervisors and the Greater Des Moines Community Foundation for the construction management of this project (County) and for the collection and distribution of donated and borrowed funds (Foundation) with the completed project being leased to the South Des Moines Little League (SDMLL) for use of these improvements.

#### **FISCAL IMPACT—**

None. The City is not obligated to make any financial investment into this project. South Des Moines Little League will maintain the park.

#### **RECOMMENDATION—**

Approval

## **BACKGROUND—**

The City of Des Moines owns a tract of land located at SE 22<sup>nd</sup> Street and Hartford Avenue, known as Soldiers Field, which is adjacent to the James W. Cownie Soccer Park. A master plan was developed to build a soccer stadium and two additional soccer fields at this site. Since the construction of the James W. Cownie Soccer Park, the planned use for this area has changed. The soccer stadium was built at the soccer park, located just across the street (Hartford Avenue). This tract of land is ideal for the construction of another sports venue that can serve the local community and provide economic impact of hosting events. Polk County has agreed to manage the construction for the development of the eight-field baseball park and associated amenities (i.e. parking, concession and rest room facilities). The City, through the Park and Recreation Department, will approve plans, specifications and permits and the Greater Des Moines Community Foundation will manage private donations. This project has another benefit that will allow South Des Moines Little League to vacate two other properties, one they own and one owned by the City at Stone Park. This project will permit these properties to be used for other potentially taxable purposes.

The basic terms of the 28E Agreement include:

1. Granting access to the development site, allowing the Contractor(s) the right to access to construct the improvements.
2. Granting the County the authority to manage the procurement of proposals and process payments from available funds to provide for construction of eight baseball fields, parking lots, concession stands, restroom facilities, and associated improvements. Upon acceptance of the above improvements by the City Engineer, said improvements shall become property of the City.
3. Grant the Greater Des Moines Community Foundation authority to collect and distribute donated and borrowed funds pursuant to Polk County staff approval.
4. Agree to lease the site long term to the South Des Moines Little League for use of said improvements. The Park and Recreation Department intends to negotiate a lease with SDMLL with the following terms and conditions:
  - Twenty-five year lease with two (twenty-five year) options to renew for one dollar per year.
  - Right of City to use said improvements for state, regional or national sporting events, based on availability at no cost to the City.
  - Right of City to inspect land/structures and require modifications/repairs at the sole expense of the South Des Moines Little League.
  - Require South Des Moines Little League to provide all maintenance for said improvements.
  - Require South Des Moines Little League to pay all utility costs for said operation.
  - Grant South Des Moines Little League the right to make additional improvements upon review and approval by the City's Park and Recreation and Engineering Departments.

- Grant South Des Moines Little League the right to secure sponsorships and advertise said sponsors excluding alcohol, tobacco or liquor establishments on premises.

A letter of intent from SDMLL is attached to the Roll Call.

Further, staff intends to come back to the Park and Recreation Board, at a future date, and recommend that the baseball park be named, “James W. Cownie Baseball Park.”