



# Council Communication

Office of the City Manager

Date

September 25, 2006

Agenda Item No. 57

Roll Call No. 06-

Communication No. 06-606

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

## AGENDA HEADING:

Approving Agreement for the Management, Operation and Maintenance of the Brenton Skating Plaza and for the Naming of the Brenton Skating Plaza.

## SYNOPSIS:

Recommend approval of negotiated agreements with the Des Moines Riverfront Development Authority (RDA) for the management, operation and maintenance of the Brenton Skating Plaza. This action also provides for the naming rights to the plaza.

## FISCAL IMPACT:

Amount: Not to exceed \$25,000 annually for the three-year term of the agreement. The City also has an ongoing responsibility for capital repairs of the skating plaza and related equipment.

Funding Source: Because of the delayed construction schedule for this project, funding was not included in the FY 2006-07 Operating Budget. To fund this agreement, a new appropriation will be required as part of the amended budget process.

Although not expected, if facility revenues are sufficient to pay all operating costs, there will not be a City expense. RDA shall pay all other operating subsidies. They will be seeking the same not to exceed \$25,000 contribution from the Downtown Community Alliance (DCA). As part of the naming agreement, the RDA is accepting a gift of \$500,000 that will be used toward the construction cost of the Skating Plaza. The Skating Plaza is being built with private funds and being gifted to the City.

## ADDITIONAL INFORMATION:

Per previous City Council direction, an agreement has been negotiated which provides for the management, operation and maintenance of the Brenton Skating Plaza by the RDA through the services of a professional third party ice rink operator. Further, the agreement fixes the annual City contribution to this operation to be no more than \$25,000. The RDA will provide up to \$25,000 also and be seeking the same amount from the DCA. If the operating subsidy exceeds the \$75,000, herein, the responsibility for this shall be with the RDA. Further, the RDA will be paying all start up costs of equipment (Zamboni, skate sharpeners, skates etc.) The following are some of the more important components of this agreement.

- The agreement shall be for a three-season term, through April 30, 2009. The agreement can be renewed through mutual consent for a two-year term.
- The contract between the RDA and the third party operator is subject to City Council approval.

- The Plaza shall operate as a City Park with the same hours and rules. The schedule shall be submitted to the Park and Recreation Director for approval. The City Park and Recreation Board and City Council will be asked to approve all hours of operation.
- The City shall have the right to hold City-sponsored events (five per year, three per skating season) and the RDA shall provide the City with 500 free skating passes to be used for promotional purposes.
- All fees and charges shall be established by the City Council, after a recommendation from the RDA. The RDA will honor reduced skating admissions if issued by the Park and Recreation Department.
- A contribution of \$500,000 will be accepted and the facility will be named the Brenton Skating Plaza for 25 years. Under the terms in the naming agreement, the City commits to operating the Skating Plaza for 25 years.
- The ice skating season is set at a minimum of 18 weeks.
- The City shall have the responsibility for infrastructure repair and replacement. It is stated in the naming agreement that the facility is expected to have a usable life of 25 years related to major infrastructure. If major reconstruction is needed before the end of 25 years, more capital private fundraising may be necessary.

**PREVIOUS COUNCIL ACTION(S):**

Date: March 28, 2005

Roll Call Number: 05-662

Action: Approving Agreement with Principal Life Insurance Company for construction and funding of Ice Skating and Fountain Plaza. ([Council Communication No. 05-172](#)) Moved by Hensley to adopt. Motion Carried 6-1. Pass: Brooks

**BOARD/COMMISSION ACTION(S):**

Date: September 13, 2006

Roll Call Number: 06-090

Action: Park and Recreation Board approved the naming of the Brenton Skating Plaza and approved the Brenton Skating Plaza agreement with the addition that background checks will be conducted on all employees hired at the facility.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Approval of funding as part of the amended budget process. Acceptance of the improvements and approval of operating hours and fees.