

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	February 23, 2009
	Agenda Item No. 52 Roll Call No. <u>09-</u> Communication No. <u>09-098</u> Submitted by: Donald M. Tripp, Director of Park and Recreation	

AGENDA HEADING:

Martin Luther King Jr. Shelter fees, Martin Luther King Park, East 17th and Garfield – Chapter 74 City Code.

SYNOPSIS:

Approval of fee recommendation from the Park and Recreation Board for the newly constructed Martin Luther King Jr. Shelter.

FISCAL IMPACT:

Amount: \$1,500 (Estimated revenue from rentals)

Funding Source: FY2010 Recommended Operating Budget, revenues to be deposited in Park and Recreation Department, Horticulture Zone 2, East, Page 190, GE001, PKS070420.

ADDITIONAL INFORMATION:

On January 27, 2009, the Des Moines Park and Recreation Board approved a recommendation to establish rental fees for the use of the recently completed Martin Luther King Jr. (MLK) Shelter for private rentals.

The Master Plan for MLK Park (adopted December 1999) included an open-air shelter adjacent to the new wading pool, and an attached enclosed all-season shelter.

City staff has held several meetings with Polk County staff and with the Polk County Board of Supervisors to discuss design, review plans, and work out an agreed upon budget for the construction, management, and maintenance of the combined Polk County Congregate Meals site and the City Park and Recreation Department’s enclosed picnic shelter. Provisions of the 28E Agreement which was approved by the Des Moines City Council on July 23, 2007 include:

- 1) The facility when completed will be jointly owned by both parties.
- 2) The agreement continues in effect through June 30, 2057 and may be extended for a renewal period of twenty-five years.
- 3) The City and Polk County will each provide a maximum of \$550,000 in funding or 50% of the cost, whichever is less. The City, however, shall have the right to reject all bids which exceed the cost of the total of \$1,100,000 and work with Polk County to change the

specifications to bring the total cost within the \$1,100,000 limit, or the parties may mutually agree to provide more funding.

- 4) The City shall manage the construction of the facility.
- 5) Polk County shall have exclusive use of the facility as a Senior Congregate Meal site Monday through Friday from 8:00 a.m. – 3:00 p.m.
- 6) Any revenue generated by the use of the facility will off-set the operating expenses equally shared by each party.
- 7) The County and City shall each pay 50% of the annual operating expenses, including utilities, custodial care, general repairs, and major structural repair and improvements.
- 8) Upon termination of the agreement, for reason(s) stated in the agreement, the City may assume sole ownership of the facility upon payment to the County of an amortized amount as reimbursement of the County's initial contribution to the facility's construction. How ownership would be handled upon termination of the agreement is still a matter of negotiation.

Polk County took occupancy of the building in November 2008, using the site for their congregate meal program. In an effort to provide a private rental component for the neighborhood during the weekday evenings and on the weekends, staff is recommending the following fee schedule as it is comparable to the current rates being charged at the City's Community Center locations. The recommended fee schedule as a part of Chapter 74 of the City Code is detailed below:

\$25.00 per hour for the first two hours (minimum requirement);
 \$20.00 for the third hour; and
 \$15.00 for each hour thereafter.

Examples:

Two-hour rental	\$50.00
Three-hour rental	\$70.00
Four-hour rental	\$85.00

The proposed fee schedule is priced a little lower than the fees for a multipurpose room at one of the City's Community Centers and is in line with the fees established by Polk County for their other congregate meal site locations that they control as this site is more similar to those facilities than that of an enclosed shelter within the park system.

PREVIOUS COUNCIL ACTION(S):

Date: July 23, 2007

Roll Call : 07-1467

Action: Intergovernmental 28E Agreement with Polk County for construction, management and maintenance of Martin Luther King, Jr. Park Shelter. (Council Communication No. 07-451) Moved by Mahaffey to approve. Motion Carried 7-0.

Date: June 19, 2006

Roll Call : 06-1175

Action: M. L. King, Jr. Park Shelter – Receiving of bids, (7-11-06), and Setting date of hearing, (7-24-06). (Construction Estimate - \$350,000). (Council Communication No. 06-368) Moved by Vlassis to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: January 27, 2009 Park and Recreation Board Meeting

Roll Call Number: N/A

Action: Approved recommendation to the Des Moines City Council to establish fees for the rental of the Martin Luther King Jr. Shelter.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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