

 <p style="text-align: center;"><b>Council</b> <b>Communication</b> Office of the City Manager</p>	<b>Date</b>	April 20, 2009
	<b>Agenda Item No.</b> 53 <b>Roll Call No.</b> <u>09-</u> <b>Communication No.</b> <u>09-224</u> <b>Submitted by: Donald M. Tripp</b> <b>Park and Recreation Director</b>	

**AGENDA HEADING:**

Hearing on approval of Lease Agreement with Greater Des Moines Soap Box Derby Association, Inc. and the City of Des Moines to maintain and operate a Soap Box Derby track at Ewing Park.

**SYNOPSIS:**

Recommend approval of the Agreement between the City of Des Moines Park and Recreation Department and the Greater Des Moines Soap Box Derby Association Inc, to maintain and operate a soap box derby track and associated improvements at Ewing Park. The Lease Agreement is for a five year period with an option to extend one five-year period and requires the Association to maintain the improvements on the site.

**FISCAL IMPACT:**

Amount: \$150 (Revenue) - \$30 for five years

Funding Source: GE001, PKS070430 Horticulture Zone 3 South, page 191

**ADDITIONAL INFORMATION:**

The Des Moines Park and Recreation Department and the Greater Des Moines Soap Box Derby Association, Inc. have had a long standing relationship beginning with an initial Lease agreement dated in the early 1970's to provide for recreational opportunities to include the construction and maintenance of a soap box derby track located in Ewing Park. This relationship has been ongoing since the early 1970's with the consistent renewal of Lease Agreements by the City Council including the most recent Agreement approved on September 14, 1998, by Roll Call No. 98-2869. The existing Lease Agreement terminated in 2008, and the club has operated on a hold-over condition under the existing terms and conditions of the executed Lease while the new agreement has been negotiated.

This Agreement has resulted in the Club constructing and maintaining several improvements including, staging area, driveway link to track, asphaltic track, finish line bridge and an announcer deck and starting line structure. The current estimated value of these combined improvements is over \$300,000. The value of these improvements is a part of the consideration in establishing the annual lease amount.

The Club and the City are desirous to continue this long-term relationship to continue to provide this recreational opportunity to the public. The Club recently sought and was awarded the bid to host the 2009 National Derby Racing Event on July 26 through July 31, 2009. This event will host clubs

throughout the United States. The Lease Agreement incorporates appropriate terms and conditions for the City and The Greater Des Moines Soap Box Derby Association to host and conduct such an event.

**PREVIOUS COUNCIL ACTION(S):**

Date: April 6, 2009

Roll Call Number: 09-545

Action: On Lease of a portion of Ewing Park with Greater Des Moines Soap Box Derby Association for a period of five years, with an option for a five-year renewal, (4-20-09). (Council Communication No. 09-192) Moved by Hensley to adopt. Motion Carried 7-0.

Date: September 14, 1998

Roll Call Number: 98- 2869

Action: Lease Agreement with Greater Des Moines Soap Box Derby Association, for use of a portion of Ewing Park for maintenance and use of a soap box derby track, \$15/year for three years. (Council Communication No. 98-408). Moved by McPherson to adopt. Motion Carried 7-0.

Date: April 20, 1970

Roll Call Number: 70-1727

Action: Approve Lease Agreement

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

Date: July 22, 2008

Roll Call Number: N/A

Action: Receive and file lease negotiations

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

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