

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	November 5, 2012
	Agenda Item No.	43
	Roll Call No.	<u>12-1739</u>
	Communication No.	<u>12-571</u>
	Submitted by:	Ben R. Page, Interim Parks and Recreation Director

AGENDA HEADING:

Approve Agreement for Shared Use of Park and Recreation Department Facilities and Des Moines Independent Community School District Facilities.

SYNOPSIS:

Recommend approval of the Agreement for Shared Use of Park and Recreation Department Facilities and Des Moines Independent Community School District Facilities effective May 1, 2011 through April 30, 2014.

FISCAL IMPACT:

Amount: Revenue of \$100,000 annually; to be paid by May 1, beginning May 1, 2011, for the three-year term, with final payment by May 1, 2013 (total revenue \$300,000).

This Agreement reflects the continuation of an ongoing relationship and similar agreements between the City and Des Moines Independent Community School District (School District); the most recent agreement expired on April 30, 2011. In anticipation of the continuation of this relationship and approval of a new agreement, the School District proceeded to make the first two (2) annual payments of \$100,000 (which would under the terms of the new Agreement be due on May 1, 2011 and May 1, 2012) to the City on April 12, 2011 and April 3, 2012. The remaining payment of \$100,000 will be due on May 1, 2013 under the terms of the new contract.

Funding Source: \$100,000, FY2013 Operating Budget, Park and Recreation GE001 PKS101000 (Summer Playground Program), page 178.

ADDITIONAL INFORMATION:

On May 4, 2009, by Roll Call No. 09-743, City Council approved an Agreement for Shared Use of Park and Recreation Department Facilities and Des Moines Independent Community School District Facilities to provide use for activities and programs inherent to the needs of both agencies. In addition, between July 26, 1993 and January 23, 2006, the City and School District entered into eight (8) 28E agreements of varying ongoing terms for shared use and construction costs of playgrounds and facilities located at schools including Harding Middle, Kurtz Transitional (originally Brooks Elementary), Jefferson Elementary, Carver Elementary (formerly Granger Elementary), Hiatt Middle, Meredith Middle, Brody Middle, and Hoover High and at park facilities including Northwest and Nahas Aquatic Centers as well as Prospect Park. In the course of several meetings over a period of

several months, City and School District staffs have worked to develop a new agreement for shared use of specified grounds and facilities that incorporates all of the previous agreements and expands the number of shared facilities. It will commence at the expiration of the previous agreement, which extended through April 30, 2011.

Per the new Agreement, which will be effective retroactively May 1, 2011 through April 30, 2014, the Des Moines Independent Community School District will continue to provide one hundred thousand dollars (\$100,000) annually to support the City of Des Moines' summer playground programs. The contract outlines times during which the Park and Recreation Department will have priority use and be responsible for scheduling of the school facilities and grounds and likewise, times which the School District will have priority use of park facilities and space as well as scheduling. Each agency will be responsible for adhering to the other's rules and ordinances and permitting processes.

As provided in the Agreement, the Park and Recreation Department will have specified use of tennis courts at designated schools and times for the purpose of tennis instruction. A swimming pool will be provided for the City's canoe and swimming lessons and life guard training. The City will supervise these activities and pay for any added expense attributable to these particular uses that occur beyond regularly-scheduled working hours of School District staff. Additionally, the School District will include certain City Park and Recreation facilities in its regular patrol of proximate School District facilities and contact Des Moines Police as is deemed necessary.

During non-regular school year timeframes, the City will have priority in scheduling use of school grounds including Hoover High School and Brody Middle School, where facilities exist through previous financial collaboration of the two agencies.

The City will provide the School District use of outlined facilities for conducting varsity athletic programs, intramurals, physical education classes or other programs. Facilities and uses include the following:

- tennis courts for practice and matches;
- the three municipal golf courses for student team practice (a \$1.00/student/round fee will be paid to the City's golf course contractor, C Corporation, with a portion resulting in revenue to the City through revenue sharing outlined in the contractor agreement);
- park shelters on weekdays during the school year;
- Nahas Aquatic Center parking lot except during the swimming facility season;
- James W. Cownie Soccer Park for high school soccer matches, except during high-demand periods at which time use will be subject to the City's fees for the facility;
- Ewing Park for cross country races;
- Gray's Lake for Adult Education canoeing and sailing classes;
- Designated parks to be determined annually for distribution of the School District's summer meal program.

Non-exclusive right to use of parking lot space at Prospect Park will be granted to the School District for school bus parking. The City will also provide "Pass and Play" passes or similar program passes at its discretion for distribution by the School District to its students to further the goals of the School District and to promote use of the City's recreational facilities.

The School District will bear the costs of operating programs utilizing these facilities, will supervise these activities, and pay for any added expense attributable to these particular uses.

The Des Moines Independent Community School District Board, at its April 3, 2012 meeting, approved this Agreement for Shared Use of Park and Recreation Department Facilities and Des Moines Independent Community School District Facilities for a contract period to extend from May 1, 2011 until April 30, 2014, a copy of which is on file in the City Clerk's Office.

PREVIOUS COUNCIL ACTION(S):

Date: May 4, 2009

Roll Call Number: [09-743](#)

Action: [Agreement](#) for shared use of Park and Recreation Facilities and Des Moines Independent Community School District Facilities. ([Council Communication No. 09-285](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: June 19, 2006

Roll Call Number: 06-1254

Action: Intergovernmental 28E Shared Use Agreement for shared use of Park and Recreational Facilities and Des Moines Independent Community School District Facilities for recreation and leisure activities. (Council Communication No. 06-380). Moved by Coleman to adopt. Motion carried 7-0.

Date: June 20, 2005

Roll Call Number: 05-1533

Action: Intergovernmental 28E Shared Use Agreement with Des Moines Independent School District. (Council Communication No. 05-347). Moved by Coleman to adopt. Motion carried 6-1.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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