

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: March 23, 2015
	Agenda Item No. 43 Roll Call No. <u>15-526</u> Communication No. <u>15-135</u> Submitted by: Benjamin R. Page, Park and Recreation Director

AGENDA HEADING:

Hearing on lease agreement with Bloomfield United Methodist Church (Church) for the use of 1.32 acres in Ewing Park.

SYNOPSIS:

Recommend approval of lease agreement with the Church (Doug Philips, President, 5930 Indianola Road, Des Moines, IA 50320) for the use of 1.32 acres in Ewing Park. This is a non-exclusive use lease for parking lot improvements being funded and contracted for construction by the Church for their congregation member’s use and the use by park patrons.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

In March 2014, the City was approached by members of the Church in regards to their congregation and current overflow parking along Indianola Avenue. With the road expansion project, parking on the shoulder of Indianola Avenue will no longer be allowed once the new four-lane divided roadway is completed.

Approximately five (5) years ago, an addition to the original building was finished adding a fellowship hall, two (2) classrooms, and additional seating in the sanctuary. This growth also impacted the recently enlarged parking lot which is still constantly overflowing during Sunday’s services and other wedding and funeral events.

Looking ahead to the future and the continually growing congregation, the Church members inquired about the possibility of leasing property from the City in order to expand their parking lot. In reviewing the Indianola Avenue roadway project, it became clear that the City was also going to face parking concerns with the sports practice field space located just north of Fire Station #10 as many of the parents park on the shoulder for easy access to the fields. In discussions with the church members and City staff, a solution was developed together that would be beneficial to all concerned.

The Church would fund and construct a parking lot in Ewing Park on City property that could be used by both the congregation members and park patrons. A lease agreement was drafted with the following terms:

- Term of lease is 30 years from April 1, 2015 and may be renewed for an additional 10 year term;

- Agreement is for non-exclusive use of the leased premises;
- If the Church fails to keep the terms of the Lease, then the City can terminate or cancel the Lease Agreement, and there shall be no damages or other reimbursement of costs due to or payable to the Church as a result of early termination;
- Church would fund and contract for the purchase construction of 37 parking stalls as phase 1, with the option of expanding the lot an additional 66 spaces in the future, and includes detention basin with associated storm sewer, landscape screening, and lighting;
- Upon completion and approval of the City Engineer, the City shall accept ownership by resolution of the City Council;
- Maintenance of the parking lot, lights, detention basin and associated storm sewer, and landscaping will be the responsibility of the Church; and
- A permanent easement for mutual ingress and egress to the proposed parking lot over Church's property would be executed.

The value of the parking lot improvements and maintenance is equivalent to or greater than the fair market rental rate for this non-exclusive lease. Staff is recommending City Council approve the lease agreement with the Church.

Exhibit A



PREVIOUS COUNCIL ACTION(S):

Date: March 9, 2015

Roll Call Number: [15-0389](#)

Action: [On](#) lease agreement with Bloomfield United Methodist Church for the use of 1.32 Acres in Ewing Park, (3-23-15). ([Council Communication No. 15-116](#)) Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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