

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: May 9, 2016
	Agenda Item No. 25 Roll Call No. <u>16-0764</u> Communication No. <u>16-244</u> Submitted by: Benjamin R. Page, Park and Recreation Director

AGENDA HEADING:

Approving Amendment to and Renewal of Concession Agreement for the Management, Operation and Maintenance of the Brenton Skating Plaza (Skating Plaza) between the City, the Downtown Des Moines Self-Supported Municipal Improvement District a/k/a Operation Downtown (OD), and the Des Moines Riverfront Development Authority (RMS) regarding establishment of facility hours and the allowance of free City events.

SYNOPSIS:

Approval of the Amendment to the Concession Agreement for the Management, Operation and Maintenance of the Skating Plaza between the City, OD, and the RMS to allow the Park and Recreation Director to continue to establish facility hours of operation for the Skating Plaza and maintain the number of complimentary event dates/times the City is allowed annually at the facility.

FISCAL IMPACT:

Amount: Cost to the City not to exceed \$25,000 for an annual operating subsidy for the term of the Agreement, if such is needed. The City also has an ongoing responsibility for capital repairs of the skating plaza and related equipment, which are now past the 10th skating season.

Funding Source: FY2017 Operating Budget, Park and Recreation Department, Brenton Ice Skating Plaza, G001 PK201266, page 167.

ADDITIONAL INFORMATION:

On November 6, 2006, by Roll Call No. 06-2230, City Council approved the request from RDA for the Brenton Skating Plaza Management Services Agreement with RMS for the management, operations and maintenance of the Brenton Skating Plaza.

On September 9, 2013, by Roll Call No. 13-1401, City Council approved the concession agreement for the management, operation, and maintenance of the Plaza between the City, OD, and the RDA

On November 18, 2013, by Roll Call No. 13-1815, City Council approved the agreement between the City, OD, and RMS for operation of the Skating Plaza. Per this agreement, the Park and Recreation Board and City Council must approve all hours of operation for the Skating Plaza. Staff recommended that the agreement be amended to instead allow for the hours of operation of the facility to be established by the Park and Recreation Director, making the Skating Plaza Agreement consistent with other Park and Recreation facility concessionaire agreements.

On September 22, 2014, by Roll Call No. 14-1504, City Council approved the amendment between the City, OD, and RMS for operation of the Skating Plaza. Per this amendment, the Park and Recreation Board and City Council must approve all hours of operation for the Skating Plaza.

The current agreement and subsequent amendment is set to expire on June 30, 2016. The proposed Amendment to and Renewal of Concession Agreement exists in much the same way as previously instituted. Significant changes incorporated in this agreement include:

- Three (3) 1-year extensions with a new agreement end date of October 15th;
- A deadline to renew for the following year by February 15th;
- Limiting the booking of non-skating events to no later than October 15th; and
- Removal of the shade structure within 10 days of the expiration of the agreement.

PREVIOUS COUNCIL ACTION(S):

Date: September 22, 2014

Roll Call Number: [14-1504](#)

Action: [Amending](#) Chapter 74 of the Municipal Code regarding facility hours at the Brenton Ice Skating Rink and support pavilion. ([Council Communication No. 14-464](#)) Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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