

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: February 20, 2017
	Agenda Item No. 17 Roll Call No. <u>17-266</u> Communication No. <u>17-080</u> Submitted by: Benjamin R. Page, Park and Recreation Director

AGENDA HEADING:

Approve setting date of hearing on the second amendment of the James W. Cownie Baseball Park lease agreement with the South Des Moines Little League (SDMLL), President Lana James, 2501 SE 22nd Street, Des Moines, IA 50317.

SYNOPSIS:

Staff recommends to approve setting date of hearing regarding amending the James W. Cownie Baseball Park lease agreement with the SDMLL.

FISCAL IMPACT:

Amount: \$70,000 – Revenue

Funding Source: 2016-2017 Operating Budget, Park and Recreation, James W. Cownie Baseball Park, G001 Pk201273, page 173.

ADDITIONAL INFORMATION:

On March 28, 2005, by Roll Call No. 05-0737, the Des Moines City Council entered into a 28E Agreement with Polk County and the Greater Des Moines Community Foundation to provide for design, financing and construction of Cownie Baseball. This facility was a joint development, built with both private and public funding sources. The terms and conditions set forth in the 28E Agreement included a provision for the City to enter into a Lease Agreement with the SDMLL for use of the facility. On July 10, 2006, by Roll Call No. 06-1395, City Council accepted the improvements at Soldier Field and naming the ball park the James W. Cownie Baseball Park.

On April 9, 2007, by Roll Call No. 07-0689, City Council approved a Lease Agreement with SDMLL for the baseball park for a period of 20 years. Significant provisions within that Agreement have included the following:

- SDMLL to have exclusive rights to block dates for recreational, educational and other services to its league members and the general public from March 15 of a given year through March 14 of the subsequent year.
- Lease rent payment from the SDMLL to be \$60,000 annually during the term of the Agreement.
- SDMLL to continue to operate and retain revenue for concessions.

- SDMLL to continue to pay the City 20% of gross concession revenues for City-hosted tournaments.
- SDMLL pays utilities; however, the City provides trash pickup and removal, maintenance for structures including the playground, facilities and grounds (trash pickup and grounds upkeep are handled through the City's Iowa Cubs Sports Turf Maintenance Agreement).
- City shall have the right to program the Leased Premises at no charge to the City for state, regional or national competitions, including during the SDMLL season, upon written notice at least one (1) month prior to a tournament date.

On November 21, 2016, by Roll Call No. 16-2014, Council approved an amendment to Municipal Code 74 – 176 (ball diamonds, tennis, volleyball courts and soccer field) to charge a \$45 per game rental fee for youth baseball tournaments at the James W. Cownie Baseball Park. The old fee was \$100 per field, per day for youth baseball tournaments. With this new fee the estimated revenue increase from youth baseball tournaments is \$10,000.

The SDMLL has exclusive rights to program and rent the park for youth baseball tournaments and have agreed that the new revenue they will collect should be passed on to the City through their lease agreement. Their lease would increase from \$60,000 to \$70,000 annually.

PREVIOUS COUNCIL ACTION(S):

Date: November 21, 2016

Roll Call Number: [16-2014](#) and [16-2015](#)

Action: [Amending](#) Chapter 74 of the Municipal Code regarding consumption of alcohol at Birdland Marina, and fees for use of tennis courts and ball diamonds. Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

- (A) [Final](#) consideration of ordinance above (waiver requested by Parks and Recreation Director), requires six votes. Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,536](#). Motion Carried 7-0.

Date: July 23, 2012

Roll Call Number: [12-1198](#)

Action: [On](#) amendment to lease agreement with South Des Moines Little League for the James W. Cownie Baseball Park. ([Council Communication No. 12-404](#)) Moved by Meyer to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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