


COUNCIL COMMUNICATION

	Number:	20-480	Meeting:	November 9, 2020
	Agenda Item:	29	Roll Call:	20-1772
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Setting date of hearing on amendment to donation and concession agreement for Riverview Park Concession with Parks Area Foundation (PAF).

SYNOPSIS:

Approving extension of the agreement between the City of Des Moines and PAF for the operation and management of the Riverview Park Stage.

FISCAL IMPACT:

Amount: Beginning now on January 1, 2023, the City shall receive 5% of all annual gross revenue generated by PAF and its subcontractors (including without limitation sales of event tickets, food, beverages, other items, and sponsorships). It is not possible currently to determine annual gross revenue before official programming is developed and scheduled.

Funding Source: Revenues will be deposited in the Parks and Recreation Special Events budget. 2021 Operating Budget, Park and Recreation, Special Events, G001 PK201265, page 168.

ADDITIONAL INFORMATION:

- On January 22, 2018, the City Council approved a Donation and Concession Agreement By and Between City of Des Moines and the Parks Area Foundation (PAF) for Riverview Park Stage with an initial term until January 8, 2047, with one (1) 10-year renewal option upon mutual consent, for the consideration of 5% of annual gross revenues for sales of food, beverages, alcoholic beverages, event ticket sales, and other items received starting in 2021.
- The PAF has requested an amendment to this current agreement due to the implications of the COVID-19 pandemic, including not being able to host events in 2020.
- The amendment proposes that all dates noted above would be extended and modified as follows:
 - Extend the initial term by one (1) year, until December 31, 2038.
 - Option to renew for two (2) additional 10-year terms, December 31, 2048 and December 31, 2058, upon mutual agreement of the parties.
 - Delay the start of the concession payments on gross revenues to 2022.

PREVIOUS COUNCIL ACTION(S):

Date: January 22, 2018

Roll Call Number: [18-0151](#), [18-0152](#), and [18-0153](#)

Action: [On](#) Donation and Concession Agreement for Riverview Park concessions with Parks Area Foundation. ([Council Communication No. 18-039](#)) Moved by Westergaard to adopt. Motion Carried 7-0.

- (A) [Approving](#) agreement with Polk County Conservation Board and Iowa Department of Natural Resources (DNR) for donation of fill soil at Riverview Park. ([Council Communication No. 18-043](#)) Moved by Westergaard to adopt. Motion Carried 7-0.
- (B) [Approval](#) of donation agreement with Variety - the Children's Charity of Iowa regarding playground at Riverview Park. ([Council Communication No. 18-042](#)) Moved by Westergaard to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.