


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	22-002	Meeting:	January 10, 2022
	Agenda Item:	34	Roll Call:	22-0047
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Approval of second renewal agreement to license agreement with Islamic Center of Des Moines for use of a portion of Glendale Cemetery to bury deceased members of the Islamic Faith.

SYNOPSIS:

Recommend approval of the second renewal of the License Agreement for the exclusive use of a section of the Glendale Cemetery to bury deceased members of the Islamic faith. There are 306 spaces available in Block 37B of the Glendale Cemetery.

FISCAL IMPACT:

Amount: \$5,000. The agreement does not include sales of burial spaces, lots or plots, burial services, memorials, or cemetery monument foundations.

Funding Source: FY 2021-2022 Adopted Budget, Cemetery, G001 PK200220, page 151.

ADDITIONAL INFORMATION:

- On October 8, 1996, the Park and Recreation Board approved Resolution No. 11770, the designation of an exclusive area in Glendale Cemetery, approximately one-half acre in size, for the burial of members of the Islamic faith. City Council approved the recommendation from the Park and Recreation Board, by Roll Call No. 97-074, at its January 6, 1997, meeting and permitted the Islamic Center of Des Moines the right to perform burials without a vault or burial space liner and permit certain variations in the burial process with regards to the manner of digging graves and handling the body as it is lowered into the grave.
- The Islamic Center of Des Moines was granted a license in 1997 to use 527 spaces in Block 37B of Glendale Cemetery to bury members of the Islamic faith. That License agreement terminates on January 6, 2022, with the Islamic Center having the option to renew the License. 218 spaces have been used since the agreement was established. An additional three spaces are expected to be taken by trees. There are 306 spaces remaining in block 37B.
- The Cemetery Manager met with members of the Islamic Center of Des Moines recently to discuss renewing the agreement. The following terms were agreed upon by all parties and is recommended to the City Council for its approval:

- Use of a vault or liner will be discontinued for Islamic burials unless requested on an individual basis by the family.
 - The grave will be dug normal depth, but narrower to accommodate the special placement requirements of the body.
 - Representatives of the deceased will be responsible for handling the body and lowering it into the grave; no one, including staff, will go into the grave for any reason.
 - Representatives of the deceased will cover the body completely with dirt prior to cemetery staff backfilling the grave.
 - Cemetery staff, after filling the grave, will tamp and refill the grave with dirt as needed to ensure minimal settling.
 - A burial service must not occur when backfilling a grave cannot take place before dark. This situation will be determined by the Cemetery Supervisor or his designee.
 - A funeral director or institutional (hospital) mortician, who issues the death certificate, is responsible for notifying the Cemetery Supervisor, or his designee, that a burial opening/closing may occur.
- Since the last changes in the License Agreement were made, a significant population of Muslims of Eastern European ancestry moved into the Des Moines area and became members of the Islamic Center. The preferred style of burial for the Eastern European Moslem is slightly different from that of the Muslim of African or Middle Eastern ancestry. Consequently, staff was asked to consider additional changes to the License Agreement in order to accommodate the religious burial preferences of the Eastern European Moslem. Concurrently, a slight alteration in the digging of the graves for African and Middle Eastern Moslems was suggested.
 - The Islamic Center will pay the Parks and Recreation Department \$5,000 and the terms of the License Agreement shall be extended until January 6, 2027. The Islamic Center may exercise up to two (2) additional 5-year renewal terms of this License Agreement for the payment of \$5,000 per renewal if, no later than 90 days prior to the expiration of the then current term, the Islamic Center communicates its desire to renew the License Agreement in writing to the Parks and Recreation Department. Any renewal will be subject to the availability of burial space in Glendale Cemetery and subject to the continuing determination that the \$5,000 payment provides fair market value. The total payments from the Islamic Center to the Parks of this 20-year agreement will be \$20,000, plus any burial spaces sold.
 - City Municipal Cemeteries has separate agreements with other religious groups.

PREVIOUS COUNCIL ACTION(S):

Date: October 10, 2016

Roll Call Number: [16-1729](#)

Action: [Renewal](#) Agreement to License Agreement with Islamic Center of Des Moines for use of a portion of Glendale Cemetery to bury deceased members of the Islamic faith. ([Council Communication No. 16-577](#)) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Parks and Recreation Board

Date: September 27, 2016

Resolution Number: 16-071

Action: Motion by Davis accept the Islamic Renewal Agreement. Second by Scavo. Motion carried.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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