


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	22-554	Meeting:	December 12, 2022
	Agenda Item:	70	Roll Call:	22-1953
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Recommend approval of proposed amendments to Municipal Code Chapter 74 Parks and Recreation regarding various changes that reflect the advancements of the Parks and Recreation Department, update specific fees for use of facilities and programs, and other various changes.

SYNOPSIS:

Recommend approval of changes to Municipal Code Chapter 74, including but not limited to:

- Article IV. Facilities
 - Section 74-92: Clarifying and updating where alcohol may be consumed by permit
 - Section 74-100: Clarifying hours for Brenton Skating Plaza and support pavilion and for Rotary Riverwalk Park

- Article V. Fees
 - Changes to existing fees are proposed for the following facilities:
 - Section 74-176(b): Ball diamonds
 - Section 74-176(c): James W. Cownie Soccer Park
 - Section 74-179: Western Gateway Park
 - Section 74-182(3)a: Enclosed shelter fees
 - Section 74-182(5): Gray's Lake Park
 - Section 74-182(10): Wading pool rental
 - Section 74-182(11): Open space permit
 - Section 74-183(a)(2): Season swim passes at aquatic centers and swimming pools for youth agencies
 - Section 74-183(b): Birdland Marina moorage
 - Section 74-184(b): Brenton Skating Plaza rental during the non-skating season
 - Section 74-186(b(formerly)) and (c): Principal Riverwalk - Hub Spot and World Food Prize
 - Section 74-188(b): Special lighting on facilities equipped with programmable LED features

 - Addition of new fees are proposed for the following facilities:
 - Section 74-176(d): James W. Cownie Baseball Park
 - Section 74-176(e): George Davis Softball Park
 - Section 74-186(e) and (f): Principal Riverwalk - Rotary Riverwalk Park and SW 1st Street Bridge

FISCAL IMPACT:

Amount: It is estimated that the proposed fee changes will have minimal impacts to the revenue received by the City.

Funding Source: N/A

ADDITIONAL INFORMATION:

- Chapter 74 of the Des Moines Municipal Code is dedicated to the organization and management of the City parks and recreation facilities and outlines the role of the Parks and Recreation Board, the authority of the Parks and Recreation Director, operation of City parks and recreation facilities and the fees for use of facilities and programs.
- In addition to Chapter 74, parks and recreation facility elements can also be found in Chapter 18 – Animals, Chapter 34 – Cemeteries, Chapter 114 – Traffic and Vehicles and Chapter 130 – Waterways, but the proposed changes covered by this action are limited to Chapter 74.
- All changes to the City Municipal Code must be approved by the Des Moines City Council.
- The majority of substantive changes proposed to Chapter 74 reflect advancements of the Parks and Recreation Department since the previous most recent update in 2021. These are described in succinct detail below. Additional minor changes are proposed to improve formatting, consistency and clarity, but do not modify the meaning of the existing ordinance language.
- Elected leaders should use this communication as a guide to the changes, but still read in detail the proposed modifications shown with “track changes” on in the copy of the Municipal Code Chapter 74 Parks and Recreation provided in their meeting packet. Substantive changes include:
 - Article IV. Facilities
 - *Section 74-92: Clarifying and updating where alcohol may be consumed by permit* – this change adds Gray’s Lake Park Christine Hensley Terrace and Terrace building and designated outdoor areas to the locations that allow consumption of alcohol, removes the Hub Spot from areas within the Principal Riverwalk because this facility will become a rentable enclosed shelter in 2023 so is instead included in item (a)(2) of this Section, removes the Robert D. Ray Asian Garden because that facility is now under the purview of the Greater Des Moines Botanical Garden, and clarifies the language regarding athletic facilities.
 - *Section 74-100: Clarifying hours for Brenton Skating Plaza and support pavilion and for Rotary Riverwalk Park* – this change reflects that the Brenton Skating Plaza and support pavilion are now run by the Parks and Recreation Department and clarifies that Rotary Riverwalk Park follows standard park hours.
 - Article V. Fees
 - Changes to existing fees are proposed for the following facilities in most cases to balance increased operating expenses with revenue and:

- *Section 74-176(b): Ball diamonds* – proposed change modifies and simplifies fees charged for both tournaments and per game, including a game fee for Savage Softball Fields at Easttown Park. No change is recommended for practices.
- *Section 74-176(c): James W. Cownie Soccer Park* – proposed change assigns the existing \$75 fee to exclusive use for youth, college/university programs and special programs and creates a separate \$100 fee for adult (ages 19 and older) use due to the greater impact this age group has on fields.
- *Section 74-179: Western Gateway Park* – proposed change increases the fee for Lawn Use and Set-up/tear down (lawn) to incorporate smaller charges that were often assessed to renters. This change was vetted with regular renters of this space. Additionally, this change clarifies that if cleanup is required of City staff that a 2-hour minimum will be charged.
- *Section 74-182(3)a: Enclosed shelter fees* – proposed change eliminates outdated fees, reduces the Columbus Park Shelter fee, adds the Hub Spot as an enclosed shelter and clarifies the hours Martin Luther King Jr. Park Shelter is available for rent.
- *Section 74-182(5): Gray's Lake Park* – proposed change adds an option to rent the Christine Hensley Terrace in single hour increments beyond the original 3-hour minimum block and adds the Gray's Lake Railroad Corridor to the options for renting space at Gray's Lake Park. This is the area that was recently converted from right-of-way to parkland, so is new to the system for 2023.
- *Section 74-182(10): Wading pool rental* – proposed change modifies wading pool rental availability from after-hours to weekends.
- *Section 74-182(11): Open space permit* – proposed change removes outdated information.
- *Section 74-183(a)(2): Season swim passes at aquatic centers and swimming pools for youth agencies* – proposed change increases the day per week fees by \$5. Youth agencies are daycares, summer camps and similar programs that bring their children to City pools and aquatic centers on a regular schedule i.e., one (1) day per week, every Tuesday and Thursday, etc. The cost for replacement tags increases by \$2 to match the cost of replacement tags for all other pass holders.
- *Section 74-183(b): Birdland Marina moorage* – proposed change increases the seasonal double and single access fees based on the longer timeline for moorage season as preferred by the majority of current renters.
- *Section 74-184(b): Brenton Skating Plaza rental during the non-skating season* – proposed change simplifies the fees to a per hour fee in two (2) categories of Monday through Friday and then Saturday and Sunday, each with a minimum of two (2) hours.
- *Section 74-186(b(formerly)) and (c): Principal Riverwalk - Hub Spot and World Food Prize* – proposed change removes the Hub Spot from the Principal Riverwalk special facilities because beginning in 2023 it will be an enclosed shelter and eliminates the option for blocking access for a private event at the World Food Prize Plaza and the associated fee.

- *Section 74-188(b): Special lighting on facilities equipped with programmable LED features* – proposed change removes the stage at Prairie Meadows Riviera Amphitheater at Riverview Park from the facilities that can be permitted for special lighting and clarifies that different color schemes are allowed with separate permits for the same facility.
- Addition of new fees are proposed for the following facilities:
 - *Section 74-176(d): James W. Cownie Baseball Park* – proposed change adds this facility's specific fees, including additional marking and lining.
 - *Section 74-176(e): George Davis Softball Park* – proposed change adds this facility's specific fees, including additional marking and lining, Field Dry and temporary fencing.
 - *Section 74-186(e) and (f): Principal Riverwalk - Rotary Riverwalk Park and SW 1st Street Bridge* – proposed change adds these two (2) facilities to the options of rentable spaces within and adjacent to the Principal Riverwalk.

PREVIOUS COUNCIL ACTION(S):

Date: December 6, 2021

Roll Call Number: [21-1856](#) and [21-1857](#)

Action: [Amending](#) Chapter 74 of the Municipal Code relating to the Parks and Recreation Board and Parks and Recreation Department and Director; regulating conduct for use of parks and recreational facilities; fees for rental and use of parks and recreational facilities and programs and mobile food vendors. ([Council Communication No. 21-530](#)) Moved by Voss that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

- (A) [Final](#) consideration of ordinance above (waiver requested by Ben Page, Parks and Recreation Director), requires six votes. Moved by Voss 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, [#16,085](#). Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Parks and Recreation Board

Date: November 22, 2022

Resolution Number: 22-081

Action: Motion by Davis to approve the proposed Chapter 74 changes. Second by Bollard. Motion carried.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

City Council consideration of the second and third readings of ordinance changes.

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