

★ Roll Call Number

Agenda Item Number

55

June 18, 2007

Date

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,606 passed November 6, 2006 by amending Section 74-184 thereof, relating to fees at the Brenton Skating Plaza.

which was considered and voted upon under Roll Call No. 07-1093 of June 4, 2007; again presented.

Moved by _____ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VCLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

4955

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,606 passed November 6, 2006 by amending Section 74-184 thereof, relating to fees at the Brenton Skating Plaza.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,606 passed November 6, 2006 is hereby amended by amending Section 74-184 relating to fees at the Brenton Skating Plaza, as follows:

Sec. 74-184. Brenton Skating Plaza fees.

(a) Fees for use of the Brenton Skating Plaza ice rink shall be as follows:


- (1) Ice rink admissions:
 - a. Adult (21 years and older): \$ 3.00
 - b. Child \$ 2.00
 - c. Freestyle (figure skating only): \$ 7.00
 - d. Family night (Thursdays): \$ 8.50 (for family of four or more)
- (2) Skate rental: \$ 2.50
- (3) Ice rink rental:
 - a. Private rental: \$250.00/hour
 - b. Private skate rental: \$ 2.50
 - c. Private rental (non-profit): \$200.00/hour
 - d. Private (non-profit) skate rental: \$ 1.00


(b) Fees for use of the Brenton Skating Plaza during the non-skating season are as follows:

	Half Day (up to 6 hours)	Extra Charges
Free Public Event	\$400.00	\$100.00 each additional hour
Fee-based event	\$750.00	\$100.00 each additional hour
Private social events (individuals)	\$350.00	\$100.00 each additional hour
Non-profit organizations (all uses)	\$350.00	\$100.00 each additional hour

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:


Ann DiDonato
Assistant City Attorney

	Council Communication Office of the City Manager	Date	June 4, 2007
		Agenda Item No. 49 Roll Call No. <u>07-1093</u> Communication No. <u>07-338</u> Submitted by: Donald M. Tripp, Park and Recreation Director	

AGENDA HEADING:

Brenton Skating Plaza facility rental fees for non-skating season

SYNOPSIS:

Recommendation to the Des Moines City Council to amend Chapter 74 of the City Code to add rental fees for the non-skating season at the Brenton Skating Plaza. The income generated through promoting the uses accommodated by these fees helps reduce the subsidy.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

On April 24 2007, the Des Moines Park and Recreation Board recommended approval to amend Chapter 74 of the City Code to add rental fees for the non-skating season at the Brenton Skating Plaza.

The City of Des Moines has entered into an agreement with the Riverfront Development Authority (RDA), which was approved by the Des Moines City Council on September 25, 2006, by Roll Call No. 06-1928, for the management, operations and maintenance of the Brenton Skating Plaza. The agreement is for a three-year term with one two-year renewal.

Within the terms and conditions of the agreement, RDA advised the City that it intends to contract with Rink Management Services (RMS) as the Skating Plaza operator. Additionally, the contract states; "The RDA shall operate the Skating Plaza open to the public and subject to, and in compliance with, the Municipal Code of the City of Des Moines and all City rules and regulations pertaining to parks, including setting hours, rules and regulations as with other City parks." Additionally, the contract states; "All fees and charges shall be established by the City. When setting such fees, the City Council shall take into consideration the RDA's recommendations regarding fees. In the event that the City Council does not adopt the RDA's recommendations regarding fees, the RDA shall have the right to terminate this Agreement upon written notice to the City effective upon ninety (90) days of receipt of such notice. The RDA shall have thirty (30) days from such City Council action in which to exercise such right to terminate or such right will be deemed waived. The RDA shall honor reduced skating admissions or skating lessons scholarship cards if issued by the City's Park and Recreation Department."

As a part of the operating costs, the RDA agrees to provide operating support in the amount of \$25,000, the City shall contribute up to \$25,000 and the RDA shall seek an additional \$25,000 contribution from the Downtown Community Alliance (DCA) during the term of the Agreement to subsidize the operations of the Brenton Skating Plaza. Any deficiency beyond the support identified above shall be borne by the RDA.

The RDA is proposing the following fees and charges for use of the Brenton Skating Plaza during the non-skating season:

	Half Day (up to 6 hours)	Extra charges
Non-profit:	\$350	\$100 each additional hour
Free Public Event	\$400	\$100 each additional hour
Fee-based Event	\$750	\$100 each additional hour
Private social events (individuals)	\$350	\$100 each additional hour
For profit organizations	\$750	\$100 each additional hour

Park and Recreation Department staff has reviewed the recommendation from Rink Management Systems and supports the proposed fee schedule. In comparing the proposed fee schedule with the Simon Estes Amphitheater, the City charges \$500.00 for four hours for a Free Public Event plus \$100.00 for each hour thereafter.

PREVIOUS COUNCIL ACTION(S):

Date: November 6, 2006

Roll Call Number: 06-2231

Action: First consideration of ordinance amending Chapter 74 of the Municipal Code regarding ice rink fees for Brenton Skating Plaza. (Council Communication No. 06-689) Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-0.

Date: September 25, 2006

Roll Call Number: 06-1928

Action: Agreement for the Management, Operation and Maintenance of the Brenton Skating Plaza with The Brenton Foundation and the naming of the plaza. Moved by Coleman to adopt. Motion Carried 6-0.

BOARD/COMMISSION ACTION(S):

Date: October 24, 2006

Action: The Parks and Recreation Board approved the fee recommendation to Des Moines City Council

Date: April 24, 2007

Action: The Park and Recreation Board approved the Brenton Skating Plaza facility rental fees for non-skating season.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE