

★ Roll Call Number

Agenda Item Number

18-0052

31

Date.....January 8, 2018.....

SETTING DATE OF HEARING ON CONCESSION AGREEMENT FOR RIVERVIEW PARK
CONCESSION WITH PARKS AREA FOUNDATION

WHEREAS, the City Park and Recreation Department is charged with the responsibility of providing recreational activities, including outdoor performance stages, within the City of Des Moines; and

WHEREAS, the City owns Riverview Park, located at 710 Corning Avenue, Des Moines, Iowa; and

WHEREAS, the Parks Area Foundation (PAF) is a not-for-profit corporation which has engaged in a private fundraising effort to partially fund the construction of the Riverview Park Stage within Riverview Park, which plans and specifications must be approved by the City Council in order to be put into effect; and

WHEREAS, PAF, along with other donors to PAF's fundraising program, desires to make a charitable contribution for the benefit of the citizens of the City of Des Moines of the funds raised for construction of the Riverview Park Stage improvements, totaling \$600,000, consisting of grants from Prairie Meadows of \$250,000, from Polk County of \$250,000, and from the Community Foundation of Greater Des Moines of \$100,000; and

WHEREAS the City is desirous of accepting this donation and agrees to comply with the naming rights required under the Prairie Meadows grant, subject to compliance with the City's Policy For Naming of Streets, Facilities and Park Land In The City of Des Moines, adopted by the City Council on May 4, 2009; and

WHEREAS, PAF also desires to have the ability to host public and private performing concerts, arts, events, festivals and other cultural events at Riverview Park and the Riverview Park Stage, to provide public and private events, including concerts, as further described herein, for the benefit of the citizens of Des Moines; and

WHEREAS, the CITY, for the convenience of persons or groups renting Riverview Park or the Riverview Park Stage, for public and private gatherings of all types, including concerts and weddings, desires that PAF shall have the non-exclusive right to provide the sale and dispensing of alcoholic beverages and food and non-alcoholic beverages and other items for such uses; and

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WHEREAS, Park and Recreation Department staff have negotiated a Donation and Concession Agreement with an initial term from the date of approval by the City Council until January 8, 2047, with one 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The City Council of the City of Des Moines shall consider a Donation and Concession Agreement between the City of Des Moines, Iowa, and Parks Area Foundation to operate the concession for food, beverages, alcoholic beverages, events, and other items at Riverview Park at 710 Corning Avenue, Des Moines, for an initial term from December 18, 2017 until December 31, 2047, with one 10 year renewal option upon mutual consent of the parties, for the consideration of 5% revenue on all annual gross revenues for sales of food, beverages, alcoholic beverages, event ticket sales and other items.
2. A public hearing shall be held on January 22, 2018 at 5:00 pm in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa.
3. The City Clerk is authorized and directed to publish notice of the proposal and hearing in the form hereto attached not less than four or more than twenty days from the date of the hearing.

(Council Communication 18- 003)

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

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.

T. M. Franklin Cownie
Mayor

Diane Rauh
City Clerk