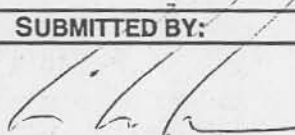


OFFICE OF THE CITY MANAGER
DES MOINES, IOWA

CITY COUNCIL COMMUNICATION 96-088
FEBRUARY 26, 1996 AGENDA

| SUBJECT: | TYPE: | PREPARED BY: | SUBMITTED BY: |
|---|---|--|---|
| KIWANIS NATURE ISLAND— THIRD AMENDMENT TO 28E AGREEMENT | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | DON TRIPP PARK & RECREATION DIRECTOR |  ERIC A. ANDERSON CITY MANAGER |

SYNOPSIS —

The Des Moines Park and Recreation Board has approved a mutually acceptable Third Amendment to the 28E Agreement between the City and Kiwanis Nature Island, Inc. for development of the former Riverview Park, as well as use of a structure in McHenry Park. Approval of the Third Amendment is requested by Council.

FISCAL IMPACT —

An amount not to exceed \$12,000 will be paid by the City to Kiwanis Nature Island, Inc. to reimburse the cost of engineering services in conjunction with design of a new entry bridge into Riverview Park. Funding for this payment is budgeted for in the Riverview Park Capital Improvements Project (Account Code 409748), page 189. Sufficient funds exist in this account to cover this obligation.

RECOMMENDATION —

Approval of the Third Amendment to the 28E Agreement, and authorize and direct the Mayor to sign on behalf of the City of Des Moines.

BACKGROUND —

Since the original 28E Agreement was signed in 1992 between the City and Kiwanis Nature Island, Inc., that organization has been actively fund-raising and moving forward plans for redevelopment of the former Riverview Park as an environmental education center. Science and environmental awareness programs for large numbers of school children have been conducted with great success. With these developments, creation of a safe and adequate access to the Riverview Nature Island facility has become a top priority. Initially, it was believed that a small pedestrian access bridge from McHenry Park to the north would suffice until a new replacement bridge from Corning Ave. could be designed and funded.

The Riverview Park Master Plan developed in 1994 identified a new main entrance bridge as one of the most-needed improvements so large numbers of visitors and school children could be accommodated at the new facility. With this shift in priorities, additional engineering design, soil testing, survey, and environmental investigation fees were incurred. Subsequently, Kiwanis Nature Island, Inc. negotiated a consulting contract with Calhoun-Burns Associates, Inc. of Des Moines to provide the needed design

services to satisfy City requirements. The City, as part of the Riverview Park Capital Improvements Project, agreed to fund a portion of these additional design services up to a maximum of \$12,000.

A supplement to the agreement between the City and Kiwanis, negotiated and approved by the City Council in October 1993, provided for use and occupancy by Kiwanis of a City-owned house in McHenry Park at 1012 Oak Park Avenue. The intended use was as a meeting place and residence for Kiwanis' project manager for the Riverview Park project. That person moved out of the residence on or about January 1, 1995, and the structure was vacant during the entire year. Kiwanis has now determined that the residence will be used only as a meeting place and project office, and not as a residence, and have asked the City to reduce the monthly rent from the previous amount of \$300 per month to \$75 per month. Staff feels this is a reasonable request inasmuch as the house will no longer be used as a dwelling. The new rental rates would be effective January 1, 1996, and no rent would be due or payable for all of 1995 since the building was empty.