

Meeting Agendas/Info

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

01-451

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

AGENDA:

AUGUST 20, 2001

SUBJECT:

28E AGREEMENT
WITH POLK
COUNTY
REGARDING THE
IOWA EVENTS
CENTER

TYPE:

**RESOLUTION
ORDINANCE
RECEIVE/FILE**

SUBMITTED BY:

RICHARD CLARK
DEPUTY CITY
MANAGER

SYNOPSIS -

On December 4, 2000, by Roll Call No. 00-4552, the City Council agreed in concept to pay for the realignment of 3rd Street and skywalk construction for the new Iowa Events Center. The capital cost of these improvements was estimated to be \$3,000,000. Council also preliminarily agreed to provide Polk County \$450,000 per year for ten years to help pay for the Iowa Events Center.

Staff has now negotiated a 28E Agreement with Polk County, which formalizes these preliminary commitments. The 28E Agreement also addresses the temporary partial closure of 2nd Avenue and the total closure of 3rd Street, and requires a traffic control plan acceptable to the City. (The Iowa Department of Transportation bridge construction will later cause total closure of 2nd Avenue at I-235 until the new bridge is opened.) It will be necessary for the Council to vacate and convey portions of the 3rd Street, Center Street, and 4th Street rights-of-way, as well as some underground and air rights, to Polk County in exchange for which the County will provide to the City the right-of-way needed for the new 3rd Street alignment. In addition to the 28E Agreement, Council is scheduled to hold a hearing and consider the vacation and conveyance of the necessary rights-of-way on August 20, 2001.

FISCAL IMPACT -

The \$3,000,000 contribution for street and skywalk improvements is a fixed amount due on or before July 31, 2004, and is included in the adopted Capital Improvement Program. The \$450,000 annual payment for ten years is included in our current projection of Hotel/Motel Tax revenues and will be included in the next Operating Budget and each annual budget thereafter for the duration of the agreement. A final decision on the source of funding for the \$450,000 annual payments will be made as part of each annual Operating Budget for the duration of the ten-year agreement.

RECOMMENDATION -

Approval of the 28E Agreement.

BACKGROUND -

Polk County will be responsible for the design and construction of the new portion of 3rd Street and the skywalk bridge. However, the City retains the right to review and approve the detailed engineering design and relevant change orders. The City will also retain review and approval rights for the traffic control plan that will be necessitated by the closure of streets that will occur during construction of the project. The closure of 2nd Avenue and 3rd Street will cause a significant impact on traffic movements in and out of the downtown. As a result, the City will make every effort to work with both Polk County and the Iowa Department of Transportation to devise a traffic control plan that minimizes traffic disruptions as much as possible.
