



Council Communication

Office of the City Manager

Date September 25, 2006

Agenda Item No. 58

Roll Call No. ~~06-~~

Communication No. 06-605

Submitted by: Donald M. Tripp, Park and Recreation Director

AGENDA HEADING:

Approving the Downtown Maintenance Agreement relating to the Principal Riverwalk, East Locust Streetscape, M. L. King, Jr. Parkway, and Western Gateway Park.

SYNOPSIS:

Recommend authorization for the Mayor to execute an agreement between the City of Des Moines and the Downtown Des Moines Self-Supported Municipal Improvement District (hereinafter referred to as SSMID) relating to maintenance on the Principal Riverwalk, East Locust Streetscape, M. L. King, Jr. Parkway and Western Gateway Park. The Agreement provides for maintenance required to maintain the sites in a manner that is consistent with the standards of appearance, safety and functionality agreed to by an established committee of advisors and subject to City Council approval.

FISCAL IMPACT:

Amount: not to exceed \$250,000

Funding Source: Total maintenance agreement costs of \$750,000 will be financed as follows:

- \$250,000 - Riverfront Development Authority (RDA)
- \$250,000 - Downtown Community Alliance (DCA).
- \$250,000 – City of Des Moines (2006-07 Operating Budget, Park and Recreation Department, Horticulture Maintenance, GE001 PKS070400, page 142). City will have ongoing responsibility for capital repair and replacement of park and streetscape infrastructure over and above this operating cost.

ADDITIONAL INFORMATION:

On March 24, 2003, Council approved the following guiding principles for operation and maintenance for various downtown projects:

- It is recognized that the overall cost of providing operating and maintenance services for the various downtown projects including Riverwalk, Western and Eastern Gateway, M. L. King, Jr. Parkway, etc. will be minimized if service delivery is managed as a single, consolidated effort as opposed to multiple and independent service providers. Therefore, it is recommended that operating and maintenance be approached as a unified effort that can address all of the projects.
- It is anticipated that there will be a variety of public and private funding sources for operating and maintenance of all of the projects. Therefore, a public/private entity should have the

responsibility to “govern” the operating and maintenance effort. The governing body should have representation from the various entities that are providing the funding.

- The level of service provided for projects such as Riverwalk and Gateway may very well be different than what is currently provided for similar public facilities. Further, it is recognized that the level of service provided will have a profound effect on the cost of the service. Therefore, it is essential that the level of service be clearly defined and agreed upon by all the funding entities in advance of implementation.
- Baseline services currently provided by the City must be identified and costed; these services and expenses must continue to be provided by the City.
- The cost of providing the desired level of service should be determined through a public bid process. Both the City and private service providers should be invited to submit a bid for providing operating and maintenance services. Further, the review and selection of the winning bid should be handled by the public/private entity established to govern the overall operating and maintenance program.

As noted in the attached copy of the Downtown Maintenance Agreement, the goal is to maintain the Principal Riverwalk, East Locust Streetscape, the portion of M. L. King, Jr. Parkway that falls within the SSMID (see attached map) and Western Gateway Park “in the most efficient and cost effective manner while meeting or surpassing the agreed upon standards of appearance, safety and functionality as agreed to by an established committee of advisors. Subject to City Council approval, said standards should “be no less stringent than what is currently provided for in those areas today.” All costs associated with fire and police protection, street snow removal, park management, programming and scheduling and major capital improvements will continue to be provided solely by the City of Des Moines. Because it is imperative that the work of all service providers be coordinated effectively and efficiently on a day-to-day basis, the City will, at its expense, provide a project supervisor.

In addition to funds allocated by the City of Des Moines, two hundred and fifty thousand dollars (\$250,000) per year in funds for the maintenance of the area will come from the Riverfront Development Authority. “The SSMID will contribute the remaining funds necessary to cover the gap between the aforementioned funding sources and the approved budget expenses up to an annual amount of six hundred thousand dollars (\$600,000) to the extent that funds exceeding two hundred and fifty thousand dollars (\$250,000) are available without reducing the nature and amount of services being provided by the SSMID in the SSMID’s district....”

In FY 2007 there was \$125,000 appropriated for this purpose. Since funding appropriations are on a calendar year basis, the City will need to appropriate enough money in FY 2008 to accommodate the \$250,000 needed for calendar year 2007. In fact, it is anticipated that the City will be providing a significant amount of its funding share in kind through the costs of actually providing some of the services (utilities, staff, materials, plants, etc.) A committee has been established of representatives of the City, RDA and Downtown Community Alliance (DCA) will work together to develop maintenance standards and select the most qualified and economical vendors to do the work.

This agreement has been approved by the RDA and SSMID Boards. If approved by Council, the agreement will commence on October 1 and expire on July 1, 2009.

PREVIOUS COUNCIL ACTION(S):

Date: March 24, 2003

Roll Call Number: 03-684

Action: Phase I Concept Plan for the Principal Riverwalk and authorizing staff to continue work on design and funding. ([Council Communication No. 03-132](#)). Moved by Vlassis to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: September 13, 2006

Roll Call Number: 06-091

Action: Park and Recreation Board approval of the downtown operations and maintenance agreement

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Since funding appropriations are on a calendar year basis, the City will need to appropriate enough money in FY 2008 to accommodate the \$250,000 needed for calendar year 2007.