



# Council Communication

Office of the City Manager

Date July 23, 2007

Agenda Item No. 55  
Roll Call No. 07-  
Communication No. 07-462  
Submitted by: Richard A. Clark, City Manager

## AGENDA HEADING:

Approval of physical improvements to the Civic Center of Greater Des Moines and approval of an exception to the electronic sign moratorium.

## SYNOPSIS:

Recommend approval of “material changes” to signage for the Civic Center of Greater Des Moines in accordance with the Lease and Management Agreement for development and operation of the Civic Center, and granting an exception to the moratorium on electronic signs.

## FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

## ADDITIONAL INFORMATION:

On January 20, 1992, by Roll Call No. 92-204, the City Council approved an agreement between the City and Civic Center for purchase of leasehold interest in Park Plaza Property which provided \$1.6 million of City funds for improvements and restoration of the Civic Center facility and Nollen Plaza. Under the lease and management agreement, the Civic Center Board of Directors are required to obtain the approval of the City Council for all physical improvements which constitute “material changes” such as additional seating or new additions to the theater.

At a City Council Workshop in March 2006 the Civic Center of Greater Des Moines presented plans for a capital campaign to fund renovations to the City-owned facility beginning in 2007. Those improvements included:

- Replacing current outdoor electronic signs with LED signage
- Renovating the west entrance, Stoner Theater entrance, and skywalk entrance
- Refurbishing seats in the Main Hall and bringing seating up to ADA requirements
- Replacing carpet and furniture throughout the facility
- Updating of dressing rooms on the ground floor and in the basement
- Replacing the concrete surrounding the facility and providing enhanced landscaping
- Improving the lighting design in the east and west lobbies
- Adding \$1 million to the Education Endowment for development of new education programs

It has been determined that the only improvements proposed that are considered “material changes” under the Lease and Management Agreement are the signage improvements. For instance, even though

there will be significant dollars spent to refurbish the seating and meet ADA requirements, there will be an increase of only seven seats.

On September 25, 2006 by Roll Call No. 06-1926, the City Council gave preliminary approval to a grant of funds to be used for physical improvements only in an amount similar to the amounts contributed by Polk County and by the suburban communities for the purpose of constructing improvements to the Civic Center. This grant was not to exceed \$500,000 to be paid over a period of up to ten years, and was subject to final approval of grant terms and conditions to be established by the City Council.

The Civic Center Board of Directors is conducting a fundraising effort with a goal of \$7 million to finance the improvements as detailed above.

On February 12, 2007, by Roll Call No. 07-275, the City Council approved a moratorium until April 10, 2007, on erecting or converting signs over four square feet in area using an electronic display capable of displaying multiple messages in sequence or capable of displaying a video message at any location in the City of Des Moines where visible from a public street. However, the moratorium provides for an exception where necessary to avoid unnecessary hardship.

The existing signs are original to the building (1979) and are computer controlled to provide visual information on upcoming events. However, the technology being used is out-of-date and replacement parts are scarce. The proposed signs are the same size as the existing signs and will provide enhanced graphics as well as improved updating capabilities.

The Civic Center of Greater Des Moines is very close to reaching their \$7 million fundraising goal, and is requesting City Council approval of the proposed improvements and an exception to the moratorium on electronic signage over four square feet, so that they may proceed with these improvements which they hope to begin in early August 2007.

#### **PREVIOUS COUNCIL ACTION (S):**

Date: September 25, 2006

Roll Call Number: 06-1926

Action: Preliminary commitment of financial support for physical improvements to the Civic Center of Greater Des Moines. (Council Communication No. 06-614) Moved by Vlassis to adopt. City funds will be used for physical improvements only. Motion Carried 6-0.

Date: January 20, 1992

Roll Call Number: 92-204

Action: Approval of lease amendment providing \$1.6 million of City funds for improvements and restoration of Civic Center and Nollen Plaza.

#### **BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Final approval of grant funding for capital improvements not to exceed \$500,000. Approval as needed for lease and management agreement amendments.