



**Council**  
**Communication**  
Office of the City Manager

Date

October 8, 2007

Agenda Item No. 57

Roll Call No. 07-

Communication No. 07-615

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

**AGENDA HEADING:**

Receive and file report from Polk County Conservation Board and a letter from The Academy relating to reuse of the former Science Center and authorize City Manager to negotiate with the Academy for lease of the same.

**SYNOPSIS:**

Recommend approval to receive and file a report from the Polk County Conservation Board (PCCB) and a letter from The Academy regarding potential future reuse for the former Science Center building located in Greenwood/Ashworth Parks. This action also authorizes the City Manager or his designee to negotiate an end use agreement with The Academy and to notify Polk County Conservation Board/Greenwood Studios (PCCB) of this action.

**FISCAL IMPACT:**

Amount: The Science Center of Iowa vacated the site on September 15, 2005. In those 24 months, the City has incurred approximately \$200,000 in expenses related to the upkeep of the property. This figure includes repair and replacement of the roof (\$136,547) and utility costs (\$46,610). Based on past utility bills, it is estimated that the next six months of utilities will cost approximately \$20,000. Security costs for the same six-month period will be approximately \$3,400. Staff hopes to avoid future costs related to the maintenance of the facility by negotiating an end use with The Academy.

Staff also anticipates costs of \$1,500 to \$2,000 for an appraisal. An appraisal is required to determine the fair market value before City Council can approve a disposition of a real property interest.

Funding Source: Fiscal Year 2007-08 Operating Budget, Park and Recreation Department, Property Management, GE001 PKS161600, page 254.

**ADDITIONAL INFORMATION:**

Beginning on October 17, 1970, the Science Center of Iowa (SCI) operated a science center facility in Greenwood/Ashworth Parks. The structure was built on City-owned property pursuant to a science and industry grant whereby the City of Des Moines provided SCI the land for the facility as long as it was used as a science center. SCI was responsible for all maintenance and other expenses relating to the facility. The SCI opened their new location at 401 West Martin Luther King Jr. Parkway in the spring of 2005. SCI vacated the facility in Greenwood/Ashworth Parks effective September 15, 2005, and all maintenance and other expenses were assumed by the City on that date.

In response to the Council authorization on July 25, 2005 by Roll Call No. 05-1831, City staff issued a Request for Qualifications (RFQ) for use of the facility. Staff and a citizen review committee met on November 1, 2005, to review a single proposal submitted jointly by Polk County Conservation/RDG Greenwood Studio for the GreenWood project. Committee members included the following:

Christine Hensley	Des Moines City Council
Robert Mahaffey	Business Community Representative
Kristi Lund Lozier & Judy McCarty	Greenwood Historic Neighborhood Association
Clark Smith	Ingersoll Park Neighborhood Association
Amanda Bellis & Carey McGhee	Youth Advisory Board
Mark Cooper	Waterbury Neighborhood Association
Denise Holck	Salisbury Oaks Neighborhood Association
Dani Lin	Linden Heights Neighborhood Association
Susan Noland	Park and Recreation Board Member

On November 7, 2005, by Roll Call No.05-2720, Council directed staff to begin negotiations for an agreement based on the conceptual plan as submitted. Staff began negotiations with PCCB while still maintaining and covering all expenses related to the facility.

The vacant structure has been vandalized and has been the victim of urban mining. In an attempt to control additional damage to the facility, the Des Moines Police Department K-9 Unit used the empty building and the surrounding park area for training. In June 2006, damage to the roof and salvage of copper and wires from the HVAC unit were discovered and reported to Property Management by the K-9 Officer.

On July 18, 2006, staff sent a letter to Pat Boddy, Director of PCCB, stating that the City intended to cease all maintenance on the building starting October 15, 2006. The hope was that the PCCB would be prepared to take over operation of the building by that time. Numerous counts of vandalism and theft were reported at the facility, and we hoped to avoid maintenance repairs that would be necessary for the building prior to winter. Ms. Boddy responded to the July 18<sup>th</sup> letter with a request for additional time to complete a feasibility study and start a capital campaign prior to negotiations of the expected 28E.

In October of 2006, vandals returned to salvage additional wire and copper from the HVAC unit. Further, it was noticed that roof leakage was occurring. Staff recommended the roof be repaired to maintain the value of the building. Council authorized replacement of the roof for a cost of \$136,547. Per Mar Security is under contract for site security and makes multiple visits each 24-hour period.

During the interim period when PCCB was working on the feasibility study, The Academy contacted the City to inquire about use of the facility for a K-8 school. The Academy was first founded in 1977 as the Des Moines Jewish Academy. It was reincorporated in 2004 as The Academy, a private state-accredited K-8 school. The 2007 school year has 102 students enrolled with a faculty of 15. The Academy's plan is to use the facility for educational classrooms through the 8<sup>th</sup> grade, with a maximum classroom size of 15 students. The school year would be similar to the Des Moines Independent Schools.

At the time of the first inquiry, The Academy's representative, David Phillips, was told to contact the PCCB to determine if shared use of the building would be possible. The two groups met, but no agreement was reached. On July 2, 2007, the City Manager and other staff met with Pat Boddy and David Phillips to help facilitate a solution for occupying the building. Ms. Boddy asked for an additional 60 days to complete the feasibility study.

The Academy has since returned and requested to enter into negotiations for the site for a private K-8 school. Without a report of a feasibility study from PCCB, on September 5, 2007, Ms. Boddy was notified that the City Manager intends to pursue an end use agreement with The Academy. It is estimated that the City has incurred approximately \$200,000 since the building was vacated by SCI and will continue to incur costs in direct relation to maintaining an uninhabited facility. The City's primary interest is to occupy the building with a use that is appropriate for the park setting as soon as possible.

The Polk County Conservation Board has since developed a feasibility study concerning the GreenWood project. An executive summary of that study as presented to the Park and Recreation Executive Board on September 12, 2007, is included in the Council packet. PCCB also followed up with a report of fundraising that has been conducted. A copy of that letter is attached. Further, the PCCB has held meetings to explore the opportunity to raise funds. Although there has been progress made, the GreenWood project is not yet funded at a level to assure that it is viable to the full extent outlined in the feasibility study.

Given The Academy's desire to lease, maintain and control the building, it seems prudent to begin negotiations with them on their use. They have indicated urgency in their decision as to where they intend to relocate. Since many of the classes proposed by GreenWood will occur during non-school hours, it may be possible that space in the existing structure could be shared. If directed by this action, City staff will attempt to provide for a potential for shared use of the building. From initial discussions with The Academy, they are proposing to use only the main level of the building, thereby leaving the lower level for another use. The Academy seems viable now, and GreenWood is not yet funded, so a strategy to negotiate in earnest with The Academy, while attempting to allow for some GreenWood space seems preferable. The Academy has stated they are open to shared use of the structure.

When the Science Center of Iowa occupied the building, traffic during the day could include multiple school or tour buses. During the summer break, evening and weekend traffic could be heavy when special programs were offered. The traffic involved with a private school would generally be heaviest during the school day. It is anticipated the traffic count would be much lower as a school than that experienced in the past as a museum. Prior to a final agreement with any entity, public meetings will be held to notify and request input from the general public and neighborhood leaders.

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

Date: November 6, 2006

Roll Call Number: \_06-2158

Action: 4500 Grand Avenue Reroofing – Receiving of bids, (11-21-06), and Setting date of hearing, (12-4-06). (Construction Estimate - \$102,600). ([Council Communication No. 06-691](#)) Moved by Vlassis to adopt. Motion Carried 6-0.

Date: November 7, 2005

Roll Call Number: 05-2720

Action: Negotiation with Polk County Conservation Board (PCCB) and RDG Greenwood Studios to develop Intergovernmental 28E Agreement for reuse of the old Science Center Facility for conservation and art uses. ([Council Communication No. 05-623](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: July 25, 2005

Roll Call Number: 05-1831

Action: Issuance of Request for Qualifications (RFQ) for reuse of the former Science Center of Iowa (SCI) in Greenwood Park. ([Council Communication No. 05-410](#)) Moved by Coleman to adopt, and add Council Member Hensley to the Committee. Motion Carried 6-1.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

The acceptance of any end use agreement must be approved by City Council.