

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	April 26, 2010
	Agenda Item No. 48 Roll Call No. <u>10-</u> Communication No. <u>10-215</u> Submitted by: Jeb E. Brewer, P.E. City Engineer	

AGENDA HEADING:

Amending Chapter 102 of the Municipal Code regarding Bus Benches.

SYNOPSIS:

Recommend approval of the staff recommendations, including first reading of the Ordinance regarding bus benches.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

At the March 22, 2010 meeting, by Roll Call 10-469, the City Council approved a contract with Creative Outdoor Advertising (COA) to provide a bus bench/street side amenities program on the streets of Des Moines that are served by public transit. The terms of the contract provide for some new features in the construction, installation, and maintenance of the bus benches, and referenced that the City would revise the existing bench ordinance to incorporate the same features as contained in the contract.

Staff has prepared the appropriate revisions to sections of the bench ordinance, and recommends Council approval. The ordinance still provides that some other bench company could apply for a license and permits for bus benches, but would have to comply with the same standards for construction, installation and maintenance as in the COA contract.

The amendments to the ordinance are attached to the roll call.

PREVIOUS COUNCIL ACTION(S):

Date: March 22, 2010

Roll Call No.: 10-469

Action: Contract with Creative Outdoor Advertising of America to provide bus benches on Des Moines streets served by Public Transit, through March 31, 2020, guaranteed annual return of \$20,000.

(Council Communication No. 10-168

) Moved by Griess to adopt. Motion Carried 7-0.

Date: October 26, 2009

Roll Call No.: 09-1970

Action: Proposal from Creative Outdoor Advertising (COA) to provide a bus bench/street side amenities program on the streets of Des Moines that are served by public transit. (Council Communication No. 09-755) Moved by Vlassis to adopt; refer to City Manager to bring back a contract for Council approval. Motion Carried 7-0.

Date: June 3, 2002

Roll Call No.: 02-1418

Action: Amending Chapter 102 of the Municipal Code relating to the fees and allowed location and design for bus benches. Moved by Hensley that this ordinance do now pass, #14,095. Motion Carried 7-0.

Date: May 6, 2002

Roll Call No.: 02-1159

Action: Amending Chapter 102 of the Municipal Code relating to the fees and allowed location and design for bus benches. (Council Communication No. 02-242). Moved by Coleman that this ordinance be considered and given first vote for passage, as amended to shorten the time period for compliance of existing benches to December 31, 2003. Motion Carried 5-2. Nays: Cownie and Vlassis.

Date: February 18, 2002

Roll Call No.: 02-509

Action: Approving City Manager's recommendation to defer consideration of proposed changes to the ordinance regarding licensing and placement of bus benches and other encroachments on City property, until the March 18, 2002 Council meeting, and placing a moratorium on new license issue until that time. SPONSOR: Hensley. Moved by Vlassis to receive and file, to direct the Legal Department to prepare the necessary legislation to implement the City Manager's recommendation; and to direct that no new licenses for bus benches be granted until after March 18, 2002, to permit the City Council an opportunity to consider adopting an ordinance implementing the City Manager's recommendations prior to the issuance of further bus bench permits. Questions regarding type of advertising allowed and portion of fees to neighborhoods for beautification referred to City Manager for review and recommendation. Motion Carried 7-0.

Date: January 28, 2002

Roll Call No.: 02-263

Action: Amending Chapter 102 of the Municipal Code regarding increased fees for bus benches and other areaway permits. (Council Communication No. 02-036). Moved by Hensley to refer back to staff for further revisions, incorporating the Council's suggestions. Motion Carried 6-1.

BOARD/COMMISSION ACTION(S):

Date: March 3, 2009

Roll Call No.: N/A

Action: Urban Design Review Board requested that Creative Outdoor Advertising provide a more definitive plan, including potential locations for the proposed benches, and comparisons to other vendors providing these products and services. Motion seconded, with a friendly amendment as follows: Provide additional information regarding maintenance, financial impact and use in neighborhoods with streetscapes/street furniture.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Second and third readings of Ordinance.

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