

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	March 28, 2011
	<b>Agenda Item No.</b> <b>Roll Call No.</b> <b>Communication No.</b> <b>Submitted by:</b>	<b>8</b> <u><b>11-0501</b></u> <u><b>11-187</b></u> <b>Donald M. Tripp,</b> <b>Director of Park and</b> <b>Recreation</b> <b>Jeb E. Brewer, P.E.</b> <b>City Engineer</b>

**AGENDA HEADING:**

Approval of a private construction contract between the Blank Park Zoo Foundation, Inc. and Neumann Brothers, Inc. for improvements at the A.H. Blank Park Zoo.

**SYNOPSIS:**

Recommend approval of a private contract between the Blank Park Zoo Foundation, Inc. and Neumann Brothers, Inc. for construction of a quarantine/winter holding building, gibbons holding building, sea lion exhibit, and restoration of the Australian trail adventure exhibit. The total estimated cost of the projects is \$3,873,183 which will be paid by the Blank Park Zoo Foundation, Inc.

**FISCAL IMPACT: NONE**

Amount: \$3,873,183

Funding Source: Blank Park Zoo Foundation

**ADDITIONAL INFORMATION:**

On February 16, 2005, by Roll Call No. 05-376, the City Council approved a 28E agreement between the City of Des Moines (City) and Blank Park Zoo Foundation, Inc. (Foundation) for operation of the A. H. Blank Park Zoo (Zoo). Under this agreement, the City is responsible for zoo improvements for major capital repair, reconstruction and replacement of exhibits in existence as of April 1, 2005, and the Foundation is responsible for construction of new improvements, including structures, exhibits, facilities, walkways, and parking lots constructed after April 1, 2005. In addition, the Foundation is responsible for all costs and expenses for the maintenance, reconstruction, and repair of any such improvements.

The Foundation has developed plans for renovation of four existing facilities, with construction to commence in spring 2011 that under the current agreement is the responsibility of the City. Under this agreement the Foundation will pay for all construction costs. The 28E agreement requires that the Foundation enter into a private construction contract, with payments made directly to the contractor, Neumann Brothers, Inc.

The Foundation and City staff members are currently finalizing a new lease and management agreement for the Zoo, under which the Foundation will own the improvements that it constructs during the term of

the lease agreement. It was originally anticipated by the Foundation that these four projects would have been started after the proposed new lease agreement went into effect, which would therefore not have required the private construction contract process. Under the pending new lease agreement, which is scheduled to come before City Council for consideration in the latter part of April, these four projects would become the property of the Foundation during the term of the lease. Therefore the City would not become the owner of the improvements upon their acceptance by the City, as is typically the case for private construction contracts. Under the pending new agreement, the City will not become owner of the improvements until such time that the lease expires. Under the current agreement the City's financial responsibility for renovation/replacement of existing structures is \$8.1 million over a four year period as provided for in the adopted Capital Improvement Program. The new lease and management agreement will not change the City's overall financial contribution nor the timing related to capital projects at the zoo.

The Foundation is anxious to begin construction of the new and renovated facilities as soon as possible to minimize the impact of construction on Zoo patrons during the 2011 season. Therefore the Foundation is seeking Council approval of the private contract, to allow them to gain valuable construction time, realizing that, at this point, with the new agreement still pending they will not as of yet own the improved facilities. Staff recommends approval.

Following are descriptions of the four improvements to the Zoo:

- Quarantine/Winter Holding Building – This new facility is required in order for the Zoo to remain accredited by the Association of Zoos and Aquariums (AZA), expand its animal collection, and continue to bring in the animals needed to build new exhibits. It will service and hold animals for the entire Zoo and is the first, and one of the most vital pieces of the Zoo's proposed new African exhibit. It will contain holding areas for various animals, including hoof stock, primates, reptiles and birds, and will also have a zookeeper work area. The 5,738 square-foot building will not be open to the public. Since the new building is located within the boundaries of the Fort Des Moines National Historic Landmark, its design was reviewed and approved by the State Historic Preservation Office (SHPO) of Iowa. The total estimated cost of this improvement is \$1,617,737.
- Gibbons Holding Building – This concrete block building will replace an existing wooden gibbons building that has become structurally unsuitable to house animals. It will include holding areas for the gibbons and a zookeeper work area. The new building is vital to the care of the animals and, once completed, will allow the Zoo to participate in the gibbon-breeding program. The 420 square-foot building will not be open to the public. The total estimated cost of this improvement is \$132,377.
- Sea Lion Exhibit – The existing pool and island, which were originally constructed in the 1960s, have deteriorated and are in need of replacement. The new facility will occupy the same area as the current pool but will be deeper, have a reconfigured center island and include shade structures to aid in healthcare management and breeding of the sea lions. The new pool will also include a lower-level viewing area that will allow the public to view the sea lions underwater. The total estimated cost of this improvement is \$1,152,449.
- Australian Trail Adventure Exhibit – This project renews the current exhibit by replacing the outdated wallaby holding building with a new 2,500 square-foot building, renovating the existing train station, constructing a new entry kiosk, and adding a new 650 square-foot bird holding building attached to the existing aviary. This improved exhibit, which will feature educational

interactive signage and an Australian theme, will allow the Zoo to add ten new animal species. The total cost of this improvement is \$970,620.

Plans for these improvements have been reviewed and approved by City staff and the Urban Design Review Board (UDRB). Plans for the quarantine/winter holding building and the Australian trail adventure exhibit have been reviewed and approved by the Access Advisory Board (AAB). Plans for the sea lion exhibit and the gibbons holding building were reviewed by the AAB at their March 16, 2011 meeting. Although the presentation was well received and all questions were answered acceptably, due to the lack of a quorum, the AAB was unable to vote on the plans. The AAB will vote on approval of these two plans at their April 20 meeting.

**PREVIOUS COUNCIL ACTION(S):**

Date: February 16, 2005

Roll Call Number: 05-376

Action: Approving the Blank Park Zoo 28E Operational Agreement. (Council Communication No. 05-068). Moved by Brooks to adopt. Motion Carried 6-1

**BOARD/COMMISSION ACTION(S):**

Board: Urban Design Review Board

Date: March 15, 2011

Resolution Number: N/A

Action: Motion to approve the sea lion exhibit by Garner. Seconded by Abler. Motion carried.

Board: Access Advisory Board

Date: September 15, 2010

Resolution Number: 10-25

Action: Motion to approve Package 1 of the Australian exhibit, by Bell, with proviso that it is very generic, very preliminary and that more information will be forthcoming. Seconded by Stanley. Motion carried.

Resolution Number: 10-26

Action: Motion by Bell to approve Phase 1, quarantine and winter holding buildings, with the knowledge that as plans are detailed out Bell and Sacco will be given the opportunity to review the plans again. Seconded by Stanley. Motion carried.

Board: Urban Design Review Board

Date: August 31, 2010

Resolution Number: N/A

Action: Motion to approve the quarantine and winter holding buildings by Clark. Seconded by Allen. Motion carried.

Board: Urban Design Review Board

Date: June 8, 2010

Resolution Number: N/A

Action: Motion by Garner to approve the Australian trail adventure and the gibbons exhibit concepts as presented. Requested to see the African exhibit as it develops in the future with respect to the community spaces. Seconded by Morgan. Motion carried.

Board: Park and Recreation Board

Date: April 27, 2010

Roll Call Number: 10-034

Action: Received and filed the Zoo Superblock presentation

#### **ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

The Foundation and City staffs are currently finalizing a new management and lease agreement which will transfer the maintenance responsibility and capital improvements to the Foundation. An additional economic development agreement will transfer future financial responsibility for the Zoo to the Foundation. Council actions on these new agreements are scheduled to begin April 11, 2011.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).