

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: January 22, 2018
	Agenda Item No. 41A Roll Call No. <u>18-0152</u> Communication No. <u>18-043</u> Submitted by: Benjamin R. Page, Park and Recreation Director

AGENDA HEADING:

Enter into a donation agreement with Iowa Department of Natural Resources (DNR) and Polk County Conservation Board (PCCB) for the excavating, loading and hauling of excavated fill soils to Riverview Park.

SYNOPSIS:

Recommend entering into a donation agreement with DNR (Bruce Trautman, Deputy Director, 502 East 9th Street, 4th Floor, Des Moines, IA 50309) and PCCB (Lance Northway, Chairperson, 11407 NW Jester Park Drive, Granger, IA 50109) in exchange for a charitable contribution for the benefit of the citizens of the City of Des Moines for the construction of Riverview Park.

FISCAL IMPACT:

Accept donations in the estimated total amount of \$813,000 with DNR responsible for \$609,750 of the donation and PCCB responsible for \$203,250 of the donation.

ADDITIONAL INFORMATION:

- The City is undertaking significant construction projects at Riverview Park to build various park amenities anticipated to be complete in 2020.
- The site is well-suited for such amenities; however, for it to be useable for the greatest possible number of events, programs and best general park use, the additional soil donated via this agreement will enable the ground plane to slope in an ideal condition so that surface water will both percolate and move over the site properly.
- Currently, PCCB and DNR are working together to complete improvements to PCCB’s Easter Lake Park. This includes deepening the lake to provide better under-water habitat, which is in-line with the conservation missions of both agencies.
- Finding locations to place the amount of excavated material PCCB and DNR desire to remove from Easter Lake has been a challenge, thus the arrangement for PCCB and DNR to donate suitable soil material to the City for the benefit of long-term, improved use of Riverview Park is a great benefit for all three entities.

- Significant Agreement Details:
 - PCCB has tested soil from the excavation areas for hazards and contamination, received positive results and will provide those results to the City with time for review of those tests prior to the first delivery.
 - The City has the right to perform any and all desired soil tests of its own.
 - All excavated soil brought to Riverview must meet SUDAS section 2010, 2.03 which defines suitable embankment materials.
 - Material that does not comply will not be delivered.
 - No cost shall be assessed to or be paid by City for any of the Excavated Soil, its excavation, loading, or delivery.

- This agreement benefits the City and taxpayers for the following reasons:
 - The project ranked number one (1) on the list of High Priority City of Des Moines Policy Agenda 2016-2017 Targets for Action in the 2016 – 2021 – 2031 Strategic Plan, which is a roadmap for making Des Moines a better place for all that will improve neighborhoods, public safety and quality of life. The Des Moines Strategic Plan, or GuideDSM, clearly communicates Mayor and City Council priorities to Des Moines’ residents and businesses.
 - The project contributes directly to achieving three (3) GuideDSM goals:
 - Sustainable Community – Our Neighborhoods, Our Downtown
 - Livable Community – Expanded Leisure, Arts and Cultural Opportunities
 - Upgraded City Infrastructure and Buildings



PREVIOUS COUNCIL ACTION(S):

Date: January 8, 2018

Roll Call Number: [18-0052](#)

Action: [On](#) Donation and Concession Agreement for Riverview Park concessions with Parks Area Foundation, (1-22-18). ([Council Communication No. 18-003](#)) Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Anticipated actions include ordering construction, public hearing, receive and file bids, designated lowest bidder, and approve contract and bond; also, partial payments to the contractor and final acceptance of work.

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