

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: April 23, 2018
	Agenda Item No. 54 Roll Call No. <u>18-0724</u> Communication No. <u>18-196</u> Submitted by: Benjamin R. Page, Park and Recreation Director

AGENDA HEADING:

Recommend approval of a 28E Agreement for construction and funding of Fleur Drive underpass between Des Moines Water Works, Des Moines Water Works Park Foundation and City of Des Moines.

SYNOPSIS:

Recommend approval of a 28E Agreement for construction and funding of Fleur Drive underpass between Des Moines Water Works, Des Moines Water Works Park Foundation and City of Des Moines. The Water Works Park Foundation is funding the construction of the underpass, which is estimated at \$3,500,000 and providing the City a maintenance fund of \$300,000 to assist with major maintenance expenses. The proposed name of the underpass is the “Ruan Connector,” subject to City Council approval as part of this agreement.

FISCAL IMPACT:

Amount: Future City costs will include:

- Daily operation and maintenance costs of underpass, which are expected to be minimal.
- Long term operation and maintenance of new facilities, including repair and replacement.

Funding Source: Expenses for major capital repairs and maintenance of the underpass will be offset by a \$300,000 fund, payable over three (3) years, and given to the City by the Water Works Park Foundation as part of the agreement. This fund will not be used for daily maintenance of the underpass and reserved for major repair expenses in the future.

ADDITIONAL INFORMATION:

- In 2013, Des Moines Water Works launched a master plan process for Water Works Park to create a long lasting vision for the future of this important 1,500-acre urban park. Almost twice the size of Central Park, Water Works Park affords the Des Moines region a powerful opportunity to continue the metro’s “renaissance” and build on the exceptional popularity of the neighboring Gray’s Lake.
- Upon approval of the master plan, the Des Moines Water Works Park Foundation (Foundation) was formed in order to undertake implementation of the master plan.

- As its first project, the Foundation chose an enhanced public activity node at the eastern end of Water Works Park and adjacent to Gray's Lake Park. The program in this area will attract the community and provide complementary uses to the existing offerings at nearby Gray's Lake. New connections will provide strong and direct access between these two (2) parks. Activities will include a great lawn for a variety of active and passive recreational uses, multiple children's play zones, seating, concessions, equipment rental, and access to the proposed Circuit landscape for fun recreational water activities.
- A key feature of this first project is an underpass connecting Gray's Lake and Water Works Parks, which has been estimated to cost \$3,500,000 and will be funded by the Foundation.
- Under the proposed agreement, the City of Des Moines will construct, own, and maintain the underpass. The Foundation will also provide the City a \$300,000 maintenance fund for major repairs to the underpass, payable over three (3) years with the first payment due to the City prior to acceptance of the underpass from the selected contractor.
- Subject to approval by the City Council the underpass is proposed to be called the "Ruan Connector"
- At the August 26, 2016 Park and Recreation Board meeting, the Board approved an updated master plan for Gray's Lake Park. As part of that master plan, an underpass under Fleur Drive between Gray's Lake Park and Water Works Park was proposed. The approval of the plan with the underpass was contingent upon the Foundation answering the following questions about the underpass:
 1. What is the total cost of the Underpass project? Are approaches included in this cost?
 2. How will the Underpass project be funded? What are the specific sources?
 3. How will the Breezeway/Underpass be maintained: What is the estimated cost to maintain this element? Who will be responsible for maintenance costs, including the approaches?
 4. How will the Breezeway/Underpass influence hydrology during and after flood events? Who will pay for repairs to the approaches to the Breezeway/Underpass resulting from flood events?
 5. Who will be the owner for purposes of liability claims?
 6. What will be the impact to Gray's Lake (And Fleur Drive) during construction?
- At its March 27, 2018 meeting, the Park and Recreation Board heard the responses to the above questions about the underpass from the Foundation. The Board made a unanimous recommendation to the City Council recommending that the City Council should approve the underpass between Gray's Lake Park and Water Works Park.
- Should an agreement be approved, construction is proposed to occur in 2019 to coincide with additional work occurring along Fleur Drive. Impacts to the Kruidenier Trail at Gray's Lake are expected to be minimal with short detours or closures for trail construction at the end of the passageway. Park users will be updated on any closures or detours as far in advance as possible, allowing them to make alternative plans, if needed.

PREVIOUS COUNCIL ACTION(S):

Date: September 12, 2016

Roll Call Number: [16-1535](#)

Action: [Updated](#) Gray's Lake Park Master Plan, areas A through G. ([Council Communication No. 16-490](#)) Moved by Hensley to adopt areas A-H of the Gray's Lake Master Plan, refer to the City Manager and Parks Department to work with the Water Works Board and the Water Works Foundation regarding final details of the plan. Motion Carried 6-1. Nays: Moore.

BOARD/COMMISSION ACTION(S):

Board: Park and Recreation

Date: March 27, 2018

Resolution Number: 18-023

Action: Motion by Potter to approve proposal. Second by Boggus. Motion carried 13-0. Two absent Woodard, and Avant.

Board: Park and Recreation Board

Date: August 23, 2016

Roll Call: 16-065

Action: While the board approves the master plan, we make note of special concerns regarding the proposed tunnel from Water Works Park to Gray's Lake. The board requests that the Water Works Foundation, or committee where appropriate, enhance outreach efforts to parties directly impacted by the proposed tunnel, including local neighborhood associations. The board requests that the tunnel project be brought back to the Park and Recreation Board for further comment and approval at the appropriate time. Specific concerns include the following:

- 1) What is the total cost of the tunnel project? Are approaches included in this cost?
- 2) How will the tunnel project be funded? What are the specific sources?
- 3) How will it be maintained? What is the estimated cost? Who will be responsible for maintenance cost, including the approaches?
- 4) With the tunnel in place, how will that impact the hydrology during and after flood events? Who will pay for repairs to the approaches to the tunnel due to flood events?
- 5) Who will be the end owner for purposes of liability claims?
- 6) What will be the impact to the Gray's Lake (and Fleur Drive) during construction?

Second by Davis. Motion carried.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Hiring of a consultant team to design the underpass, bidding and award of a contract for construction of underpass and associated improvements.

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