

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	August 20, 2018
	Agenda Item No.	52B
	Roll Call No.	<u>18-1454</u>
	Communication No.	<u>18-422</u>
	Submitted by:	Phillip Delafield, Assistant City Manager

AGENDA HEADING:

Approving escrow agreement with 23 Ingersoll LLC for a private contribution to costs of a pedestrian crossing light on Ingersoll Avenue at 23rd Street.

SYNOPSIS:

- City staff has negotiated an Escrow Agreement with 23 Ingersoll LLC, as successor to Roers in ownership of the property at 2301 Ingersoll Avenue, whereby 23 Ingersoll LLC, has agreed to deposit the sum of \$45,000 with the City to pay for a 50% share of the total cost for the pedestrian crossing light and related improvements at the intersection of Ingersoll Avenue and 23rd Street.
- If a 50% share of the total cost for the pedestrian crossing light and related improvements is less than \$45,000, then the City of Des Moines will return the difference to 23 Ingersoll, LLC upon completion of the project.
- Staff recommends approval of the escrow agreement.

FISCAL IMPACT:

Amount: Matching funds by the City for 50% of the total project costs for the crossing light and related improvements.

Funding Source: S743, CM025033 Economic Development Enterprise (page 43), to be reimbursed by S371, S371CM99 Economic Development Projects - Ingersoll Grand TIF (page 43).

ADDITIONAL INFORMATION:

- On October 10, 2016, the City Council approved Ordinance No. 15,516, which rezoned the property at 2301 Ingersoll Avenue to the Planned Unit Development (PUD) District classification for development in conformance with the approved PUD Conceptual Plan.
- The approved PUD Conceptual Plan for the Property contains the following requirement:
“A cost share agreement between the developer, City and DART shall be reached regarding installation of a pedestrian crossing light on Ingersoll Avenue at 23rd Street that will connect new transit stops and shelters on the north and south sides of Ingersoll Avenue.”
- After reconstruction of applicable portions of Ingersoll Avenue by the City of Des Moines, including bus stop islands in the public right-of-way (anticipated start in Spring of 2020), DART will install bus shelters on the north and south sides of Ingersoll Avenue at 23rd Street.
- On August 7, 2018 the City received bids for installation on the pedestrian crossing light and related improvements. The lowest responsible bid was \$61,288.80. Assuming the contract is awarded by the City Council on August 20, 2018 and there are no change orders or additional authorized costs, a 50% share of the total project costs would be approximately \$30,644.40.

PREVIOUS COUNCIL ACTION(S):

Date: October 10, 2016

Roll Call Number: [16-1746](#)

Action: [Rezone](#) 2301 Ingersoll Avenue from “NPC” (Neighborhood Pedestrian Commercial) to “PUD” (Planned Unit Development). [Plan](#) and Zoning Recommendation. Moved by Hensley that this ordinance do now pass, [#15,516](#). The Developer agrees to bring the final landscape plan and building elevations to City Council for review and comment prior to installation of landscaping and exterior building materials. Motion Carried 6-1. Nays: Moore.

BOARD/COMMISSION ACTION(S): NONE**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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