


COUNCIL COMMUNICATION

	Number:	19-270	Meeting:	June 24, 2019
	Agenda Item:	59	Roll Call:	19-1044
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Approving the Renewal Agreement for Downtown Maintenance at Principal Riverwalk, East Locust Streetscape, Martin Luther King Jr. Parkway and Gateway West and exemption from the City's procurement ordinance requirements.

SYNOPSIS:

Recommend authorization for the City Manager to execute a 5-year Renewal Agreement between the City of Des Moines and the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID) relating to maintenance of the Principal Riverwalk, East Locust Streetscape, Martin Luther King Jr. Parkway and Gateway West.

FISCAL IMPACT:

Amount: \$406,000 per year cash or in-kind (\$293,000 cash, \$113,000 in-kind)

Funding Source: Fiscal Year (FY) 2020, Operating Budget, Park and Recreation Department, Downtown Maintenance, G001, PK200225, page 164

ADDITIONAL INFORMATION:

- On September 25, 2006, by Roll Call No. 06-1930, City Council approved the Management and Operations Agreement between the City of Des Moines, Riverfront Development Authority (RDA), and Des Moines Downtown SSMID for overall appearance, cleanliness, beautification and management of downtown's Gateway West, the Principal Riverwalk, Martin Luther King Jr. Parkway, and East Village Streetscape through the management firm of Operation Downtown, Inc. (OD).
- On May 9, 2016, City Council approved a 3-year renewal of the Agreement through July 1, 2019. The Agreement provided for required maintenance for these areas in a manner that is consistent with the standards of appearance, safety and functionality agreed to by an established committee of advisors known as the Advisory Oversight Committee (AOC), consisting of representatives of the City and RDA, which meets with OD staff to provide oversight. The Agreement specifically excludes management of programs and schedules, which are the responsibility of the Parks and Recreation Department.

- In the Agreement, the City is obligated to contribute \$406,000 in cash or in-kind service annually. In FY 2020, it is anticipated that approximately \$113,000 of this obligation will be met in the form of in-kind work, such as that which is detailed in the Downtown Maintenance Responsibility matrix attached to the blue letter, as well as through the assumption of the liability for the Principal Riverwalk. It is anticipated that a similar amount of in-kind service will offset the City's FY 2021 through FY 2024 financial obligation. The City will continue to have ongoing responsibility for capital repair and replacement of park and streetscape infrastructure apart from the \$406,000 maintenance funding.
- In addition to funding from the City of Des Moines, the Agreement requires the SSMID to provide up to \$725,000 in cash annually through FY 2024 to cover expenses.
- The Agreement provides for the SSMID, through OD, to act as the contracting authority for private contractors and to select the most qualified and economical vendors to do the required maintenance work. The City and RDA representatives in the AOC have the ability to voice their preference in this regard.
- This Agreement Renewal has been approved by the SSMID Board. If approved by Council, the 5-year renewal will commence on July 1, 2019 and expire on June 30, 2024. Significant points in the agreement include:
 - The City's cash contribution of \$293,000 (\$406,000 minus \$113,000 in-kind) will have an annual inflator or deflator not to exceed 3% annually based on increases or decreases in property tax valuations within the SSMID boundaries.
 - Maintenance costs for E. Martin Luther King Jr. Parkway, from the Des Moines River to E. 9th Street, will be paid two-thirds by OD and one-third by the City. This allows OD to keep the contracts for plant maintenance, mowing, irrigation, and snow removal instead of stopping at the SSMID boundary at E. 7th Street which is in the middle of a median.
 - OD will continue to pay the City \$15,000 annually for Long Term Capital Repairs.

PREVIOUS COUNCIL ACTION(S):

Date: May 9, 2016

Roll Call Number: [16-0796](#)

Action: [Agreement](#) with Downtown Des Moines Self-Supported Municipal Improvement District (SSMID), for maintenance of Principal Riverwalk, Hansen Triangle, Western Gateway Park and ML King Jr. Parkway and exemption from the procurement ordinance requirements. ([Council Communication No. 16-243](#)) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Parks and Recreation

Date: September 13, 2006

Resolution Number: 06-091

Action: Parks and Recreation Board approval of the downtown operations and maintenance agreement.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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EXHIBIT B

Downtown Maintenance Responsibilities

Maintenance Activity	Areas					Supervisor
	Riverwalk General**	Western Gateway***	East Locust	MLK	Bridges	
Mowing the grass (excluding flood levee), spraying weeds	SSMID	SSMID ***	N/A	SSMID	N/A	City
Pressure washing	SSMID	SSMID	N/A	N/A	SSMID	OD Ops
Removing snow (interior/exterior sidewalks)	SSMID	SSMID	BUS.	SSMID	SSMID	City
Litter and trash removal	SSMID	SSMID	SSMID	SSMID	SSMID	OD Ops
Landscaping/plantings/bushes	SSMID	SSMID	SSMID	SSMID	SSMID	City
Tree care	City	City	City	City	City	City Arbor/Hort
Water features (runnel, fountains, etc.) - system set-up, back-flow inspection, on-going maintenance in summer	City *	City *	N/A	N/A	N/A	City
Irrigation set-up, back-flow inspection, routine maintenance in summer, shutdown	SSMID	SSMID	N/A	SSMID	N/A	City
Site furniture cleaning	SSMID	SSMID	N/A	SSMID	SSMID	OD Ops
Flood clean-up/signage/barricades (natural disaster) ****	SSMID	SSMID	SSMID	SSMID	SSMID	City
Graffiti removal	SSMID	SSMID	SSMID	SSMID	SSMID	OD Ops
Artwork maintenance and repair	Art Center	Library/Art Center				City and OD
Window/glass cleaning	SSMID	N/A	N/A	N/A	SSMID	City
Elevator cleaning	SSMID	N/A	N/A	N/A	N/A	OD
Elevator monitoring and repairs	City *	N/A	N/A	N/A	N/A	City
Minor electrical repairs	City *	City *	City	City	City	City
Replacing lights bulbs, except street lights	City *	City *	City *	City *	City *	City
Repair/paint fixtures	City *	City *	City *	City *	City *	City
Repair/clean drains	SSMID	SSMID	N/A	N/A	N/A	OD Ops
Signage maintenance /repair	City *	City *	City *	City *	City *	City
Repair brick pavers	City *	City *	City	City	N/A	City
Minor plumbing repair	City *	City *	N/A	N/A	N/A	City

* Maintenance work performed by the City that will be tracked as part of the \$113,000 annual in-kind city services contribution.

** Riverwalk General includes City Hall, Long Look Gardens and Armory landscaping and sidewalks, Hansen Triangle, Iowa Women of Achievement Bridge, and Red Bridge.

*** All horticulture/landscaping inside the Pappajohn Sculpture Park (with the exception of the outer sidewalk perimeter beds) will be performed by the City as part of the \$113k annual minimum in-kind city services.

**** Flood clean-up is assisting the City, but notification on timing for signage/barricades needed from City.

Long-Term Capital Repairs

The City is responsible for Long-Term Capital Repairs. SSMID will provide \$15,000 annually to the City for such repairs. Long-Term Capital Repairs *may include any of the following*: site furniture repair/replacement; soil erosion repairs; bridge decking repairs; electrical pedestals; emergency phones; landscaping replacement (plants, hardscape); fencing/railing; and light poles.

City Responsibility

The City is responsible for the following items that are not to be included as part of the \$113,000 City services in-kind contribution : tree care; minor electrical repairs on East Locust, MLK and the bridges; brick pavers on East Locust and MLK; major electrical repairs; major plumbing repairs; major irrigation repairs; water feature repair/replacement; and concrete patching/repair/replacement/caulking.