


COUNCIL COMMUNICATION

	Number:	19-486	Meeting:	November 18, 2019
	Agenda Item:	41	Roll Call:	19-1845
	Submitted by:	Benjamin R. Page, Park and Recreation Director and Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approval of Chapter 28E Agreement with Des Moines Independent Community School District (School District) regarding Weeks Middle School Park.

SYNOPSIS:

Approval of the 28E Agreement between the School District and the City of Des Moines regarding the construction, maintenance, and operation of Weeks Middle School Park. The improvements include a playground with play equipment, loop path with neighborhood connections, enhanced recreation/athletic fields, full basketball court, open-air shelter and storm water improvements consisting of installation of a storm water retention basin.

FISCAL IMPACT:

Amount: Not to exceed \$920,000.

Funding Source: To be included in 2020-2021 CIP, Page Park – TBD, Weeks Middle School Park, PK188, Being: \$617,434 in G.O. Bonds issued; \$302,566 in G.O. Bonds to be issued.

ADDITIONAL INFORMATION:

- LiveDSM, Parks and Recreation Comprehensive Plan, was approved by the City Council on December 17, 2018 by Roll Call No. 18-2107, as a component of PlanDSM, the City's comprehensive plan.
- One (1) of the Plan's key goals is ensuring that all Des Moines residents have a high-quality park or trail within a 10-minute walk (approximately .5-mile) of their home.
- Currently approximately 69% of Des Moines residents live within a 10-minute walk from a park or trail, but much of the area surrounding Weeks Middle School does not currently have a park within that 10-minute walk, so it was identified as a good candidate to improve the school grounds for use as a public park.
- As a result of this project, it is estimated that an additional 3,550 people will now have a high-quality park within a 10-minute walk of their house helping to reach the LiveDSM goal of ensuring all people have access to high-quality parks and trails near their home.

- The proposed improvements are mutually beneficial to both the City and the School District, as it helps the City accomplish the adopted LiveDSM goal of every resident being within a 10-minute walk of a park or recreation facility and will provide the School District with exterior improvements not feasible within their current funding projections.
- The City and the School District, in conjunction with Weeks Middle School staff and neighborhood residents, following a series of public meetings and meetings with the Weeks Middle School's leadership, teachers and students, established a mutually agreed to conceptual plan indicating improvements to be constructed at the site.
- The City will provide full project funding, design services, project bidding, construction, construction administration, and installation of the improvements.
- The City will also provide regular inspection, repair and replacement of the improvements, but it will be the City's discretion to determine whether an improvement requires replacement, repair or removal, all subject to future City Council budget approval.
- Prior to the start of construction, the School District will acquire the real property owned by Polk County adjacent to the school for use as a storm water detention basin. The School District shall be responsible for maintaining it in good working order and in compliance with applicable ordinances.
- The School District will be responsible for any expansion, maintenance, custodial care, repair and replacement of any current and future improvements not included with this project.
- The School District will have use of the grounds at all times during the school year and summer. The School District will provide the City with a minimum of 30 days of use through written request via the designated School District liaison for an event or activity at such premises. During non-school uses, the improvements will be open to the public free of charge from 6:00 a.m. until 10:00 p.m. all days of the week.
- The School District will adopt the City rules and regulations associated with use of the grounds, which may be amended or changed by the City pursuant to its usual procedure. During scheduled use, the School District authorizes the City to apply and enforce such rules, regulations, and fees in its management of the use of the grounds. The City shall keep all fees collected for City use of the school grounds.

Existing Weeks Middle School Property



Weeks Middle School Concept Plan



- On November 5, 2019, the School District Board unanimously approved this 28E Agreement.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Ordering construction, consideration of lowest responsible bid, partial payments to the contractor and final acceptance of work.

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