


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	23-180	Meeting:	April 10, 2023
	Agenda Item:	61	Roll Call:	23-0537
	Submitted by:	Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approval of License Agreement between the City and Des Moines Regional Transit Authority (DART) for benches in the right-of-way.

SYNOPSIS:

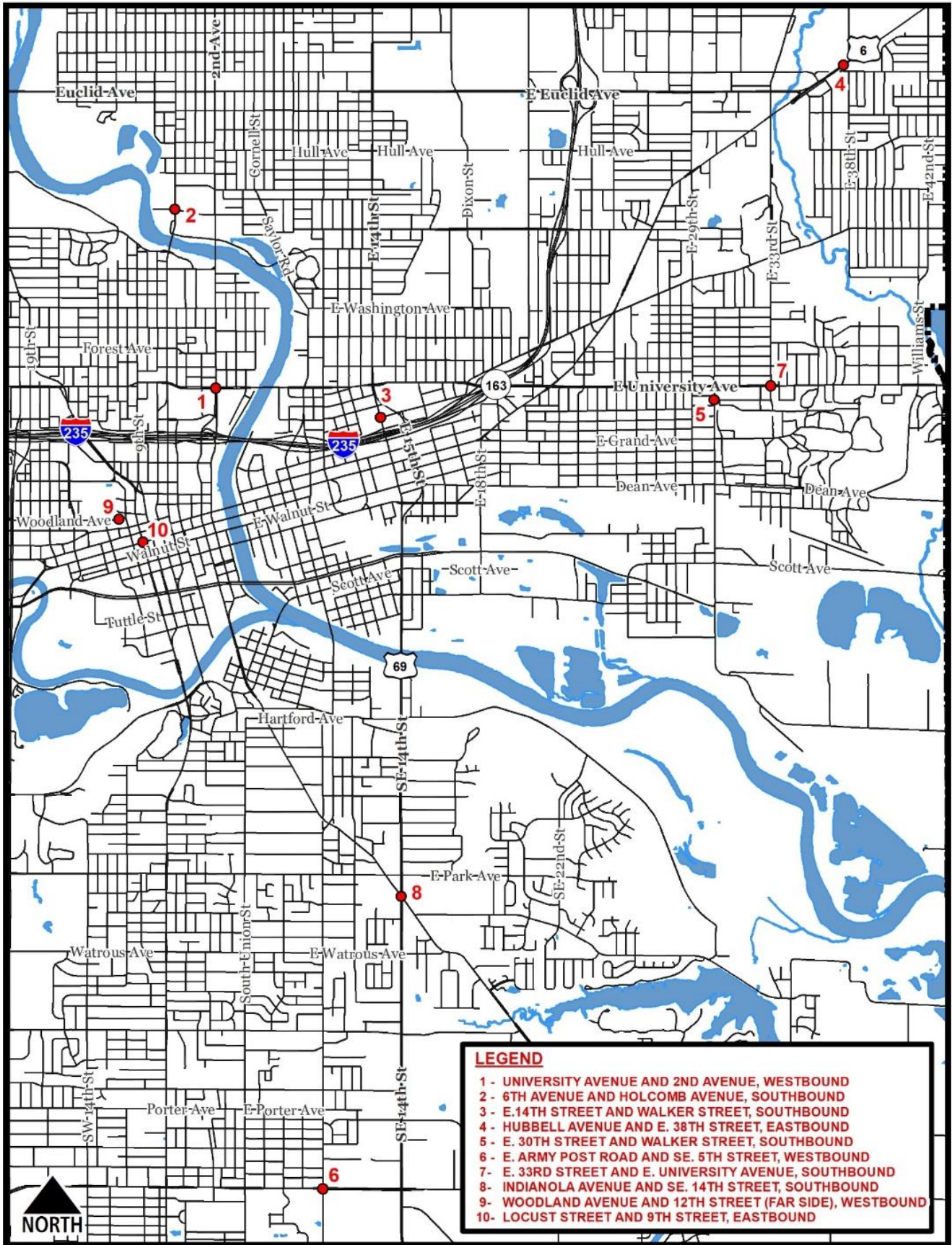
Recommend approval of the license agreement with DART to install and maintain bus benches and in certain locations, concrete pads and trash receptacles related to transit services for use by the general public in the City right-of-way.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- Bus stop amenities are a top request from individuals that utilize the bus services. The license agreement provides for DART to identify locations to place benches, and in certain locations, concrete pads and trash receptacles in the City right-of-way.
- DART is assuming responsibility for benches in City right-of-way related to transit service. The license agreement provides for a 20-year term. DART is responsible for removing snow within 48 hours at bench locations installed by DART. DART is also responsible for trash removal at locations that include trash receptacles.
- DART required mutual indemnification for this agreement. DART is also required to have insurance for the term of the agreement.
- The license agreement allows for updates to the bench locations as DART wishes to proceed with additional or relocated sites. Pending City review of the locations being considered, the exhibit listing all bench locations will be updated. DART has recently purchased 10 benches to be installed at the following locations:
 - University Avenue and 2nd Avenue, Westbound
 - 6th Avenue and Holcomb Avenue, Southbound

- E. 14th Street and Walker Street, Southbound
 - Hubbell Avenue and E. 38th Street, Eastbound
 - E. 30th Street and Walker Street, Southbound
 - E. Army Post Road and SE 5th Street, Westbound
 - E. 33rd Street and E. University Avenue, Southbound
 - Indianola Avenue and SE 14th Street, Southbound
 - Woodland Avenue and 12th Street (far side), Westbound
 - Locust Street and 9th Street, Eastbound
- The contract with Creative Outdoor Advertising of America (COA) for bus bench and pad and related advertising services ended on September 30, 2022. To date, COA has removed approximately half of the benches identified by DART as no longer needed. Thirty-five (35) COA benches have been left in place for public use while the agreement with DART has been finalized, which will also be removed by COA upon notification, in accordance with the contract.
 - DART benches will replace COA benches currently located at eight (8) of the 10 sites referenced above. The two (2) locations where DART benches will be added are at University Avenue and 2nd Avenue, and Hubbell Avenue and E. 38th Avenue.



PREVIOUS COUNCIL ACTION(S):

Date: March 27, 2023

Roll Call Number: [23-0395](#)

Action: [On](#) approval of a License Agreement with the Des Moines Area Regional Transit Authority (DART) for bus benches in street right-of-way, (4-10-23).

Date: September 13, 2021

Roll Call Number: [21-1428](#)

Action: [Amendment](#) and extension of contract with Creative Outdoor Advertising of America to provide bus benches on Des Moines Streets served by public transit. ([Council Communication No. 21-385](#)) Moved by Boesen to adopt. Motion Carried 6-1. Absent: Westergaard.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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