


COUNCIL COMMUNICATION

	Number:	23-212	Meeting:	April 24, 2023
	Agenda Item:	37	Roll Call:	23-0597
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Approval of Donation Agreement with Community Foundation of Greater Des Moines for Design and Funding of the Gray's Lake Playground and Sprayground Project.

SYNOPSIS:

Recommend the City Council approve the Gray's Lake Playground and Sprayground design and funding agreement with the Community Foundation of Greater Des Moines (CFGDM). The CFGDM is supporting the efforts of the Gray's Lake Park and Meredith Trail Advisory Committee in this endeavor and will enter into this agreement with the City. Playground and sprayground improvements were included in the approved 2016 Gray's Lake Master Plan and identified as the first phase of improvements to implement.

FISCAL IMPACT:

Amount: Anticipated approximate \$2,400,000 donation, including the estimated \$2,000,000 improvements plus a 10% contingency and an additional 10% to cover City costs incurred during design and construction.

Funding Source: Private funds donated to the City in the amount of approximately \$2,400,000.

ADDITIONAL INFORMATION:

- Gray's Lake Park is one of Des Moines' signature parks and has been honored by the American Planning Association as one of a limited number of *Great Places in America*. The park features a multitude of improvements that support both active recreation and passive enjoyment of nature in the City.
- On March 7, 2005, by Roll Call No. 05-609, the City Council approved a Memorandum Agreement between the City and the Gray's Lake Park and Meredith Trail Advisory Committee regarding future input from the committee on budgets and operations of both facilities. Since that time, Parks and Recreation Department staff have regularly met with the committee to discuss ongoing improvements, repairs and operations at Gray's Lake Park and the Meredith Trail.
- In 2015, the Advisory Committee and City staff agreed that an update to the 1999 master plan was needed to help continue the success of Gray's Lake Park. The Advisory Committee championed this roughly 18-month process.

- On August 23, 2016, by Resolution No.16-065, the Parks and Recreation Board approved the updated Gray's Lake Park Master Plan. The plan provides guidance on all areas within the park boundary at that time. They are organized by zone and referred to as Areas A through H:



- Area C features the playground and sprayground project that the master plan recommends as the first phase of implementation. The master plan also notes that once the new playground is open for use, the existing playground will be removed. This approach is still anticipated.

ENLARGEMENT-C



- The agreement with the CFGDM, on behalf of the Advisory Committee, is attached to the roll call for reference and outlines that:
 - The CFGDM agrees to accept donations to the Gray's Lake Playground Sprayground Fund to be used for the design, permitting and installation of playground and sprayground equipment and related elements.
 - The CFGDM intends to engage Confluence, Inc., a landscape architecture and engineering firm registered to practice in Iowa, and their subconsultants to develop the conceptual plan and preliminary design specifications for the improvements.
 - The City will then proceed with final design and installation of the improvements under typical City processes, with all funding provided by the CFGDM for design and installation.
 - The CFGDM will be responsible for the payment of any costs associated with the final design and installation of the improvements, regardless if these equal or exceed said total estimated cost.
 - The cost of final design and installation of the improvements is estimated at \$2,000,000 plus a 10 percent (10%) contingency and a 10 percent (10%) payment to cover City costs incurred during design and construction in accordance with the customary charges incurred by the City typical to similar capital projects.
 - The design, bidding and construction of the improvements will be subject to City Council approval following review and consideration by all applicable boards and commissions and shall be completed in a format approved by the City and in accordance with City standards and all applicable laws.
 - A minimum of two (2) meetings for the general public to provide input, one meeting each of the Parks and Recreation Board and the City Council, and additional public and Board/Council meetings as may be reasonably requested by the City are expected and will be conducted in a format approved in advance by the City.
 - All parties are committed to the best possible results for residents, visitors and Gray's Lake Park and anticipate improvements that contribute further to the park's status as a *Great Places in America* site. However, both the CFGDM and City have opportunities at logical points as the project progresses to modify or stop the work. The existing conditions discovery, permitting, cost estimating, bidding and potential unforeseen circumstances may cause this to be considered if the project proves to be unfeasible. For example, the City is under no obligation to let bids or incur any costs associated with the installation of the improvements until the CFGDM has received and provided to the City the funds in an amount equal to the cost estimate for installation of the improvements, plus the 10% contingency and a 10% payment to cover City costs as outlined above.
 - Upon the acceptance of the improvements by City Council, they shall be designated a name to be determined as the project and fundraising progresses. All naming rights are subject to approval by City Council resolution, shall not exceed a period of 20 years and are subject to compliance with the City's Policy for Naming of Streets, Facilities and Park Land.

PREVIOUS COUNCIL ACTION(S):

Date: May 23, 2022

Roll Call Number: [22-0820](#), [22-0821](#), [22-0822](#), [22-0823](#)

Action: Items related to Gray's Lake Park, 2101 Fleur Drive.

- (A) Hearing on vacation of excess City right-of-way located in Gray's Lake Park, 2101 Fleur Drive. ([Council Communication No. 22-232](#)) Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.
- (B) First consideration of ordinance above. Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Boesen. Motion Carried 6-1. Absent: Gatto.
- (C) Final consideration of ordinance above (waiver requested by Ben Page, Parks and Recreation Director), requires six (6) votes. Moved by Mandelbaum that the rule requiring that an ordinance must be considered and voted on for passage at two (2) Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#16,131](#). Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.
- (D) Approving Naming and Dedication of Gray's Lake Wetlands Project Area as Parkland. Moved by Mandelbaum to adopt. Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.

BOARD/COMMISSION ACTION(S):

Board: Parks and Recreation Board

Date: September 28, 2021

Resolution Number: 21-062

Action: Motion by Davis to approve the Southwest Infrastructure Plan subject to the land adjacent to Gray's Lake becoming part of parkland inventory.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Anticipated actions include conceptual plan and preliminary design approval, professional services agreement for final design and construction services, public hearing, receive and file bids, designate lowest bidder, and approve contract and bond; also partial payments to the contractor and final acceptance of work.

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