


COUNCIL COMMUNICATION

	Number:	24-465	Meeting:	November 18, 2024
	Agenda Item:	30	Roll Call:	24-1578
	Submitted by:	Benjamin R. Page, Park and Recreation Director		

AGENDA HEADING:

Resolution approving Second Amendment to Agreement Between the City of Des Moines and Downtown Self-Supported Municipal Improvement District (SSMID) for Park, Open Space and Streetscape Maintenance of Principal Riverwalk, Hansen Triangle, Western Gateway Park, East Locust Streetscape, and MLK JR. Parkway.

SYNOPSIS:

Recommend approval of a second amendment to the Agreement to allow for a further extension thereof to June 30, 2025, under the existing terms of the Agreement.

FISCAL IMPACT:

Amount: \$101,500 for three (3)-month extension through March 31, 2025 (either in cash or in-kind). Additional optional three (3)-month through June 30, 2025, is also \$101,500.

Funding Source: Fiscal Year (FY) 2024-2025 Operating Budget, Park and Recreation Department, Downtown Maintenance, PK200225, Page 143; Park and Recreation Department, Horticulture Maintenance, PK200226, Page 144; Park and Recreation Department, Gray's Lake, PK201262, Page 149; and City Manager, Facilities Maintenance, CM030000, Page 26

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 April 29, 2009, by Roll Call No. 09-694, City Council agreed to renew the Agreement, set to expire July 1, 2014, under the same terms and conditions.
- On February 24, 2014, by Roll Call No.14-0312, City Council approved a two (2)-year renewal of the Agreement through July 1, 2016, under the same terms and conditions.

- On May 9, 2016, by Roll Call No. 16-243, City Council approved a three (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 current Agreement, the City is obligated to contribute \$406,000 in cash or in-kind service annually. In FY 2025, it is anticipated that approximately \$113,000 of this obligation will be met in the form of in-kind work, as well as through the assumption of the liability for the Principal Riverwalk. 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.
- 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 will expire on December 31, 2024. With this amendment, the agreement shall continue in full force and effect until midnight on June 30, 2025, unless sooner terminated according to the terms of this Agreement.

PREVIOUS COUNCIL ACTION(S):

Date: June 17, 2024

Roll Call Number: [24-0878](#)

Action: [Approving](#) the first amendment to agreement for park, open space and streetscape maintenance of Principal Riverwalk, Hansen Triangle, Western Gateway Park, East Locust Streetscape and MLK Jr. Parkway. ([Council Communication No. 24-278](#)) Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Parks and Recreation

Date: September 13, 2006

Resolution Number: 06-091

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

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Consideration of negotiated and completed new agreement.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.