

Date May 9, 2016

APPROVING AGREEMENT BETWEEN THE CITY OF DES MOINES AND DOWNTOWN
DES MOINES SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT FOR
MAINTENANCE FOR PRINCIPAL RIVERWALK, HANSEN TRIANGLE, WESTERN
GATEWAY PARK, AND MLK JR. PARKWAY AND EXEMPTION FROM THE
PROCUREMENT ORDINANCE REQUIREMENTS

WHEREAS, the City owns and maintains the Principal Riverwalk parkland, including the Long Look Civic Gardens and Simon Estes Amphitheater, the park commonly known as Western Gateway Park, including the John and Mary Pappajohn Sculpture Park, the East Village streetscape and Martin Luther King, Jr. Parkway (“MLK Jr. Parkway”), and operates the Hansen Triangle as a public park (“the Downtown Parks and Streetscapes”); and

WHEREAS, the improvements to the Riverwalk were constructed with the understanding that the private sector would contribute to the increased maintenance costs for such improvements; and

WHEREAS, on February 24, 2014, by Roll Call No. 14-0312, the City, the RDA and the SSMID entered into an agreement to provide for the maintenance of the Downtown Parks and Streetscapes, which expires on July 1, 2016; and

WHEREAS, on July 28, 2014, the City Council by Resolution No. 14-1183 approved the SSMID Operating Agreement between the City and SSMID as the entity responsible to provide and manage services, improvements and activities described in the Petition to Continue the SSMID District to the SSMID in the Metro Center Area Urban Renewal Project Increment Financing District; and

WHEREAS, the City continues to desire that SSMID provide non-major maintenance of the Downtown Parks and Streetscapes and SSMID desires to undertake such services for the benefit of the citizens of Des Moines; and

WHEREAS, the parties have negotiated an Agreement for Park, Open Space and Streetscape Maintenance of Principal Riverwalk, Hansen Triangle, Western Gateway Park, East Locust Streetscape and MLK Jr. Parkway in which the City will annually contribute (i) \$106,000 of in-kind services; (ii) \$269,000 in cash, with an up to 3% annual inflator or deflator, based on increases or decreases in SSMID property tax valuations, and (iii) one-third of the costs for MLK streetscape expenses, and the SSMID will provide up to \$725,000 annually for the costs of such services plus \$15,000 towards capital repairs, for a period of 3 years, a copy of which is on file in the City Clerk’s Office; and



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WHEREAS, the City Manager recommends that such agreement be approved and that the procurement of goods and services under such renewal agreement be exempted from the competitive procurement requirements for good cause shown, pursuant to Section 2-710 of the Municipal Code of the City of Des Moines.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

- 1. That good cause has been shown to exempt the procurement of maintenance and operations services and goods, as described above, from the requirements of the Procurement Ordinance.
2. That the Agreement Between the City and the SSMID for Park, Open Space and Streetscape Maintenance of Principal Riverwalk, Hansen Triangle, Western Gateway Park, East Locust Streetscape and MLK Jr. Parkway, a copy of which is on file in the City Clerk's Office, is hereby approved and the and the Mayor is hereby authorized and directed to sign said renewal agreement on behalf of the City and the City Clerk is hereby directed to attest to his signature.

Moved by _____ to adopt.

(Council Communication No. 16- 243)

Approved As To Form:

Ann DiDonato
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL.

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk