

★ Roll Call Number  
08-1270

Agenda Item Number  
72

Date July 14, 2008

APPROVING AN EXCEPTION TO THE REQUEST FOR PROPOSALS PROCUREMENT PROCESS AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR DEVELOPMENT OF A MASTER PLAN FOR THE BOTANICAL CENTER AND GROUNDS AND AUTHORIZING THE EXPENDITURE OF UP TO \$30,000 FOR THE SAME

WHEREAS, the Park and Recreation Department is charged with providing recreational opportunities, leisure activities, and facilities throughout the City of Des Moines; and

WHEREAS, the City owns the Des Moines Botanical Center which is operated and managed by the Board of Water Works Trustees of the City of Des Moines, Iowa pursuant to a Chapter 28E Agreement dated December 12, 2003; and

WHEREAS, said 28E Agreement expires in 2012 with an option to renew for two 3 year renewals; and

WHEREAS, J.C. "Buz" Brenton and Tom Urban have expressed an interest to undertake a master planning process and create a private non-profit Foundation to manage the Botanical Center and desire that the City contribute \$30,000.00 towards the cost of procuring professional services to create a master plan; and

WHEREAS, the development of a master plan for the Botanical Center and grounds will provide significant benefits to the greater metropolitan Des Moines area; and

WHEREAS, the City has budgeted \$30,000.00 in FY08 to in the City's capital improvement program CPO040PKS990000 PKS100, Park Redevelopment Fund; and

WHEREAS, the City Manager recommends that, in order to leverage the private funds to be contributed by Mr. Brenton and Mr. Urban towards the development of a Botanical Center master plan, that the procurement of such master plan be exempted from the competitive Request for Proposals process for good cause shown, pursuant to Section 2-710(b) of the Procurement Ordinance.

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 a master plan for the Des Moines Botanical Center and grounds from the competitive Request for Proposals process.

2. That the City Manager is hereby authorized to negotiate and execute an agreement for development of said master plan on behalf of the City, subject to approval as to form by the Legal Department, and the City Clerk is hereby directed to attest to his signature.

(Council Communication Number 08- 424 )

Moved by Vlassis to adopt.

Approved as to Form:

Ann DiDonato  
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		
<u>T. M. Franklin Cowie</u> Mayor				

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.

Diane Rauh City Clerk