

CONSERVATION COMMITTEE REPORT

December 1, 2010

09:00–10:00 am

140 West Pine Street

Members Present: Marilyn Marler (chair), Pam Walzer, Bob Jaffe, Dick Haines, Renee Mitchell, Ed Childers, Jon Wilkins, Dave Strohmaier, Stacy Rye, Lyn Hellegaard, and Roy Houseman

Members Absent:

Others Present: Jackie Corday, Genevieve Jessop Marsh, Alan White

I. ADMINISTRATIVE BUSINESS

A. Approve minutes.

Minutes of November 17, 2010 were approved as submitted.

II. FINAL CONSIDERATION AGENDA ITEMS

III. CONSENT AGENDA ITEMS

- 1) Review and recommend approval of the design/build contract with Sirius Construction in the amount of \$109,015.40 for repair and maintenance of the California Street pedestrian bridge. ([memo](#))—Regular Agenda (Alan White) (**Referred to committee: 11/22/2010**)(REMOVE FROM AGENDA)

MOTION: The committee recommends Council approve and authorize the Mayor to sign a design/build contract with Sirius Construction in the amount of \$109,015.40 for repair and maintenance of the California Street pedestrian bridge.

Parks received a CDBG grant in the amount of \$105,582 for the repair and maintenance including lighting modifications for safety and security of the California Street pedestrian bridge. The project was put forward as a Design Build including a qualifying engineering firm for the design aspect. City staff and OPG reviewed the proposal response and received approval to move forward with the proposal negotiations. Sirius Construction collaborated with HDR Engineering to offer a proposal acceptable to the Department. The contract will address the necessary maintenance repairs of the ten year old structure. The bridge is a critical component of the City's non motorized commuter network and experiences heavy usage. The phase of this project is funding through CDBG grant.

Renee – why the LED lights expenditure and why can't we convert what we have?

Alan – with the existing pancake lighting it is a constant battle to eliminate vandalism. The lights are not as powerful giving the bridge the perception of being less safe. We will use wiring and any other parts that we can from the existing lights. The new lights will be on a modified overhead bracket with LED bulbs which have a longer life expectancy and are cheaper to operate and will provide more light to the bridge. The lights will be in compliance with the Light Ordinance and will be fabricated to retain the same aesthetics of the bridge.

Dick Haines wanted to know why this was a Parks and not Public Works project as it involved a structure and he said it would be valuable to have the city engineers review the project.

Alan - Parks is responsible for non motorized structures and maintenance of the bridges. The majority of the project is not for upgrades but rather will be used to change out electrical boxes, and clean and seal the decks. The decks have seen deterioration due to water damage over the last ten years. Maintenance costs should be less in the future as a maintenance plan was developed for both bridges. There will also be scheduled inspections on both the California and Northside Pedestrian Bridge.

Jon –what was the cost of the security cameras which would be good to retain in the project to provide surveillance and protect our investment.

Alan – the cameras were \$20,300 but moved out of the current project to fund the more necessary maintenance items but this will only be phase one of this project as Parks intends to seek another round of funding for the bridge.

It was moved to recommend Council approve the agreement and authorize the Mayor to sign the contract with Sirius Construction in the amount of \$109,015.40.

IV. REGULAR AGENDA ITEMS –

2. Approve an agreement between the City and Garden City Harvest (GCH) to allow for community gardens on City owned properties that will be identified in the future. ([memo](#))—Regular Agenda (Jackie Corday) (Referred to committee: 10/25/10) **(HELD IN COMMITTEE) (GCH Agreement) (Template)**

Marilyn – I asked Jackie to provide a blank template for this agreement to allow other groups to apply for garden lease agreements so am glad she has provided that to us for our review.

Jackie – The template provides for having a public process for this type of agreement. The second document is the agreement for you to review and approve with Garden City Harvest, as they are the group with the most experience and would like to move forward.

Jon – what if we need that piece of land in the future for example a road, is there anything in the template to terminate the agreement?

Jackie – if any of the land in question is public right away, then Public Works would be involved in the review and approval for use of that property. This document established a process for a Garden Committee which would consist of the appropriate players, or any agency that needs to be involved. That committee reviews and makes recommendations to Council who has final approval. The lease is for five years or less and is not permanent.

Marilyn – this document is important as there has not been a process in place and I spent several years trying to get approval for the 8th Street project.

Bob – I was expecting a lease agreement rather than a general policy document. At some point we need to make a decision to move forward, consider the possibilities and act on whether to make a weed lot useable. There still may be conflicts in the future but we should make decisions and act.

Jackie –this agreement sets out the process where we can work with groups to identify sites, establish the committee, and then how to move forward. The lease would be step two once the parcel has been identified and acceptable to the city for a garden site. This will be done on a case by case basis. State law gives the Park Board the ability to determine uses in parks, and allows them to lease out land in park for five year or less without Council approval, for example Little League.

Jon –I think we need to modify the name of the agreement and strike out the word vegetables.

Dick – I have some of the same concerns as others and what about the possibilities of using a bond as a way to reimburse the lease if we need to take back the area. I also have a question regarding liability and who is responsible if someone is hurt at the site?

Ed – I don't think it is possible to have bond use for reimbursement. I don't like the template and I am making changes that I will send to you. The agreement with GCH is fine. As for liability there are ways to address the liability issues. I don't want to approve the template at this time.

Lyn – I would suggest a termination clause to allow termination of the lease if needed, such as in the example Jon gave regarding roads.

Pam –I would suggest taking out the words "That Garden City Harvest it the entity" and I am fine with having one agreement for community gardens and it is reasonable to have another template for other uses as this is mostly focused on food production and maybe use a separate template for other garden types

Marilyn – one template could be used by just allowing for a spot to fill in the blank for the purpose of _____. I would like to see one process and one agreement and be able to change as needed.

Stacy –I would suggest including the Council ward reps tin the garden committee where the land is located and I would be prefer to have Council review all agreements and not just the Park Board.

Genevieve Jessop Marsh - as stated before only gardens will be placed in neighborhoods that want them.

V. NON-AGENDA ITEMS

VI. HELD AND ONGOING AGENDA ITEMS - PER COMMITTEE CHAIR – Marilyn Marler

1. Information on Trail Projects ([memo](#)).—Regular Agenda (Marilyn Marler) (Referred to committee: 08/23/2010)
2. Consider amending an ordinance to allow bow hunting on certain lands. ([memo](#))—Regular Agenda (Jackie Corday) (Referred to committee: 10/25/10)
3. Discussion on the Knife River Gravel pit property. ([memo](#))—Regular Agenda (Lyn Hellegaard) (Referred to committee: 11/08/10)
4. Budget update on aquatics. ([memo](#))—Regular Agenda (Lyn Hellegaard) (Referred to committee: 11/08/10)
5. Reorganization of conservation lands advisory committees. ([memo](#))—Regular Agenda (Marilyn Marler) (Referred to committee: 11/08/10)
6. Consider a new ordinance that will create a process and criteria for the naming of public parks, trails, open space, and recreation facilities. ([memo](#))—Regular Agenda (Jackie Corday) (Referred to committee: 10/25/10)
7. Update from the Greenhouse Gas Conservation Energy Team. ([memo](#))—Regular Agenda (Marilyn Marler) (Referred to committee: 09/13/10)

ADJOURNMENT - The meeting adjourned at 10:00 am.