



## **Council Communication No. 97-249**

### **SYNOPSIS –**

Chapter 28E Agreement between the City of Des Moines, Polk County, and Kiwanis Nature Island, Inc. for the design, construction, operation, and maintenance of a bridge to Kiwanis Nature Island (KNI) in Riverview Park. Also Amendment 4 to the existing 28E Agreement between City of Des Moines and KNI, Inc. to define operations and maintenance responsibilities of bridge and park.

### **FISCAL IMPACT –**

The City’ s portion of bridge construction will be \$70,000 found in the 1996-97/1997-98 CIP, Index Code 409748.

### **RECOMMENDATION –**

**Approve both the new 28E Agreement and Amendment 4 to the existing 28E Agreement.**

### **BACKGROUND –**

Riverview Park is located along the Des Moines River at the end of Corning Avenue, approximately three blocks west of Sixth Avenue. The park has been utilized as a zoological garden, zoo, and amusement park since the late 1800s. Since the amusement park was abandoned in 1979, it has been owned by the City of Des Moines with a commitment to open it one day for use as a public park. In fact, the City is obligated to open the Island to the public as a park, as a result of a land conversion that occurred in nearby McHenry Park. In 1992, area residents and the Kiwanis Club approached the City to discuss a joint project to improve the KNI site. On August 7, 1992, by Roll Call No. 92-3035, the City Council entered into a 28E Agreement with KNI, Inc. to develop, maintain, and manage Riverview Park. Three subsequent amendments to this original 28E furthered the effort by providing for joint cost-sharing in the development of a master plan for this site, the acquisition and demolition of nearby Clarkson School, and use of a City-owned home in McHenry Park as a project headquarters. The joint City-KNI Master Plan was completed in January 1994. The plan recommended that a bridge be built from the park to the east. Since this time, the Kiwanis have amended their plans for KNI to emphasize pursuit of open space and environmental education improvements and delay, if not eliminate, plans to build major capital improvements on KNI and to the east toward Sixth Avenue.

To date, the City has expended approximately \$246,000 with \$70,000 left in the City’ s

Riverview Park CIP. Since 1994, the Kiwanis have assisted significantly in the cleanup of KNI and have now approached the City requesting permission to build a pedestrian bridge to KNI. The Kiwanis also requested and have received tentative approval from Polk County to assist in the cost of building this bridge. Item #84 on the Council agenda is a Chapter 28E Agreement which provides for the design, construction, operation, and maintenance of a bridge and related improvements to be cost-shared by the three parties. It obligates the City to expend \$70,000 and KNI to expend \$40,086, with Polk County to fund the remaining share. Polk County's share has been estimated to be \$225,000. Under this 28E, Polk County would design and build the bridge with the City and KNI, Inc. input, and then turn ownership of the bridge over to the City of Des Moines. The bridge will be a 340-foot-span concrete bridge, approximately 12 feet in width. It will accommodate pedestrian access and can be used as an emergency and service vehicle access.

Item #84A on the Council agenda is Amendment 4 to the original 28E Agreement which defines the operation and maintenance responsibilities of the City and KNI, Inc. after KNI is open to the public. Essentially, KNI, Inc. is responsible for all maintenance of KNI and the bridge, exclusive of structural repairs to the bridge. The agreement outlines these expectations and the process for City review of KNI, Inc. activities at this site.