

**CITY COUNCIL
COMMUNICATION:**

03-089

AGENDA:

FEBRUARY 24, 2003

SUBJECT:

WALNUT CREEK
TRAIL
SUPPLEMENTAL
AGREEMENT #2

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

DONALD M. TRIPP
PARK AND
RECREATION
DIRECTOR

ITEM 36

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

SYNOPSIS —

Approve Supplemental Agreement #2 to the Professional Services Contract for planning and design of Walnut Creek Trail Segments I-B and II, with Brian Clark and Associates (Brian Clark, President, 303 Locust, Suite 200, Des Moines, Iowa, 50309). Approval recognizes the shared responsibility for moving the alignment of Walnut Creek Trail Segment I-A (Center Street to 63rd Street Bridge) from the west side to the east side of the creek, and its redesign, to the Cities of Des Moines and West Des Moines, original partners in a 28E Trails Agreement with Windsor Heights. Funding for trail construction, with the exception of about \$20,000 to be provided by the City of Des Moines, has been identified from trail grants presently held by the Cities of West Des Moines and Windsor Heights. Arrangements are underway with the Iowa Department of Transportation (IDOT) and Iowa Department of Natural Resources (IDNR) to utilize these grants toward the construction of the new trail alignment of Segment I-A.

FISCAL IMPACT —

\$63,100. \$58,500 is the proposed amount for realigning and redesigning the new Des Moines portion of Segment I-A, and all of I-B of the trail on the opposite side of the creek. The total of \$63,100 includes \$4,600 for a completed survey required to adjust the alignment of Phase II of the trail when the elimination of a bridge crossing became necessary. Survey work was allowed to proceed to save money by conducting the survey before trees were leafed out in 2002. The cost would have been approximately twice as much had it been delayed. The results of the survey also allowed earlier submittal of required concept documents to IDOT by several months. Funding for these services is included in the Fiscal Year (FY) 2003 Capital Improvement Program (CIP), CP040/PKS990000/PKS045.

RECOMMENDATION —

Approval.

BACKGROUND —

On May 21, 2001, by Roll Call No. 01-1593, the City Council approved a Professional Services Agreement with Brian Clark and

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Associates to provide planning and design services for the development of Walnut Creek Trail, Segments I-B and II. Similar agreements were developed by Brian Clark and Associates with the Cities of West Des Moines and Windsor Heights since a portion of the Walnut Creek Trail (Segment I-A) runs through their jurisdictions. The Walnut Creek Trail Segments I-A, I-B, and II total 2.4 miles in length. Under a 28E Agreement with West Des Moines and Windsor Heights that was approved by the Des Moines City Council, by Roll Call No. 01-3477, on November 19, 2001, the City of Des Moines originally was to pay and build only the Des Moines segments, I-B and II, which total 1.8 miles in length. The total cost for the 2.4 miles has been estimated to be \$1,622,000. Of that amount, the City of Des Moines was to pay \$1,160,000.

Relocating the trail became necessary when near the end of the original design process the City was informed by the Corps of Engineers and IDNR that elevation figures and assumptions in locating abutments for two proposed bridges, used in the original Master Plan in 1998, were no longer valid. Elevation measurements had been revised by these agencies resulting in the need to drastically increase the height and length of the proposed bridges. To maintain the same style of bridge, cost estimates increased from \$160,000 to over \$330,000 each. To ensure that water levels at flood stages do not increase in volume upstream, it became necessary to determine what style of bridge, at a given location, could be placed over the creek. Supplemental Agreement #1 was approved by City Council on February 18, 2002, by Roll Call No. 02-413, to allow a study of where and what type of bridge could be reasonably placed across the creek in this segment of proposed trail.

The results of the study disallowed the construction of any style of bridge across this segment of Walnut Creek. This forced the alignment of the trail to move to the other side of the creek. Preliminary findings by the Corps and IDNR suggest that the placement of a trail along the east side of the creek can be accomplished with no impact to flood protection. One of only a few disadvantages of moving to this side of the creek includes having to place the trail through the property of two private residences. While additional properties are involved, none contain residences, and some owners have volunteered to donate trail easements. Conversations and public meetings have been held with all owners, and while a savings of approximately \$320,000 is realized from not having to build two bridges, added costs for redesign, easements, trail enhancements (such as privacy fencing to shelter backyards from the trail), and culverts for two side streams, reduce this savings by approximately \$160,000.

Moving to the east side of Walnut Creek also poses jurisdictional and funding issues. The City of Windsor Heights no longer has a direct role to play in the construction of the trail since the bridge connecting

Windsor Heights to West Des Moines is no longer needed. Before the change from one side of the creek to the other, most of the trail was located in West Des Moines. Now, much of the trail is located in Des Moines, with less than one-half of the I-A segment remaining in West Des Moines. Grants for the design and construction of phase I-A (Center Street in Windsor Heights to the 63rd Street Bridge, approximately 2/3 of a mile) are held by Windsor Heights and West Des Moines. These originate with both IDOT and IDNR. In preliminary discussions with IDOT, it is very possible that the grant funds for the original bridge construction proposed near Center Street (\$192,200) could be diverted from West Des Moines and Windsor Heights to the City of Des Moines for assisting with the construction costs of the trail. Two recreation enhancement and protection (REAP) grants from IDNR, one for \$150,000 to West Des Moines and one for \$100,000 to Windsor Heights, may also be diverted to planning and construction if none of the funds are used in any condemnation proceedings. There is also the possibility that one of the properties may require the use of eminent domain. Total cost of phase I-A has been estimated at \$462,000. If all the grants come through, City expense would be \$20,000 for construction. The City has \$125,000 available in the recommended CIP in the event funds aren't all transferable.