

**CITY COUNCIL  
COMMUNICATION:**

**03-243**

**AGENDA:**

JUNE 4, 2003

**SUBJECT:**

28E AGREEMENT  
WITH KIWANIS  
NATURE ISLAND  
INC. FOR THE  
OPERATION AND  
MAINTENANCE OF  
KIWANIS NATURE  
ISLAND

**TYPE:**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

**SUBMITTED BY:**

Donald M. Tripp

Park and Recreation  
Director

**ITEM 3**

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

**SYNOPSIS —**

Approval of a Chapter 28E Agreement between the City of Des Moines, Polk County, and Kiwanis Nature Island, Inc. that outlines the maintenance responsibilities of Kiwanis Nature Island (KNI) (also known as Riverview Park) and allows for the use and control of the house, garage and storage shed at 1012 Oak Park Ave. The agreement is for a period of three years.

**FISCAL IMPACT —**

None. Under the agreement, Kiwanis Nature Island Inc. will be responsible for maintenance and operation expenses relating to the Park and property at 1012 Oak Park Ave.

**RECOMMENDATION —**

Approval.

**BACKGROUND —**

The City of Des Moines is the owner of Kiwanis Nature Island (KNI), also known as Riverview Park, and the residence in McHenry Park at 1012 Oak Park Avenue, adjoining KNI.

KNI 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. The City is obligated to open KNI 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.

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On August 7, 1992, by Roll Call No. 92-3035, the City Council entered into a 28E Agreement with Kiwanis Nature Island, Inc. to develop, maintain, and manage KNI. 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 pedestrian bridge be built from the park to the east. On May 5, 1997, by Roll Call 97-1683, a Chapter 28E Agreement was approved by City Council which provided for the design, construction, operation, and maintenance of a pedestrian bridge and related improvements to be cost-shared by Polk County, Kiwanis Nature Island Inc. and the City of Des Moines.

Additionally, on May 5, 1997, by Roll Call 97-1684, Amendment 4 to the original 28E Agreement was approved by City Council which defined the operation and maintenance responsibilities of the City and Kiwanis Nature Island Inc. after KNI was open to the public. The agreement outlined the expectations and the process for City review of Kiwanis Nature Island Inc. activities at this site. Under Amendment 4, Kiwanis Nature Island Inc. became responsible for all maintenance of KNI.