



Council Communication

Office of the City Manager

Date

November 5, 2008

Agenda Item No. **5B**
Roll Call No. **07-**
Communication No. **07-667**
Submitted by: **Jeb E. Brewer, P.E.**
City Engineer

AGENDA HEADING:

Ordering construction of the following: American Discovery Trail Wetlands Mitigation - Receiving bids, (11-20-07), and Setting date of hearing, (12-3-07). (Construction Estimate - \$215,000).

SYNOPSIS:

Recommend the City Council proceed with construction of the improvement and set dates to receive bids and hold a public hearing, as required by Iowa Code, utilizing the method of financing referenced below. The construction of Segment 3 of the American Discovery Trail along the east side of Walnut Creek between North Valley Drive and the Bill Riley Trail will impact existing wetlands. This project provides for the construction of replacement wetlands at a site in the Chichaqua Bottoms Greenbelt, in order to comply with Section 404 of the Clean Water Act.

FISCAL IMPACT:

Amount: \$215,000 City Engineer's Estimate

Funding Source: 2007-2008 CIP, Page Park-22, Recreation Trails, PKS045, G. O. Bonds

ADDITIONAL INFORMATION:

The 0.9-mile alignment of Segment 3 of the Walnut Creek Connection of the American Discovery Trail (ADT) will be a ten-foot wide asphalt recreational trail along the east side of Walnut Creek that will connect other segments of the ADT between North Valley Drive and the Bill Riley Trail in Ashworth Park.

Section 404 of the Clean Water Act requires the City of Des Moines to mitigate the loss of wetlands as defined under Executive Order 11990 – Protection of Wetlands. Existing wetlands will be impacted by the construction of the American Discovery Trail – Segment 3 Project. City staff has identified suitable wetlands mitigation site near the Chichaqua Bottoms Greenbelt located in northeast Polk County. The site is owned by the Iowa Natural Heritage Foundation (INHF) and currently consists of approximately 113 acres located south of NE 118th Avenue and east of NE 82nd Street. The City has acquired a permanent conservation easement over approximately 22 acres of the property for wetland mitigation requirements for Segment 3 and potential future phases of this project. Polk County will incorporate the wetlands mitigation site into their adjacent Chichaqua Bottoms Greenbelt property for future maintenance and wetlands mitigation compliance with the United States Army Corps of Engineers.

The Engineering Department has prepared plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the American Discovery Trail Wetlands Mitigation, 11-2008-

002. The improvement includes a twenty-one acre wetland construction project which includes earthwork, seeding, shrubs, trees and other related items, all in accordance with the contract documents including Plan File Nos. 478-077/088, in the vicinity of NE 118th Avenue and the Skunk River near Elkhart, Iowa in the northeast corner of Polk County.

The estimated construction cost is \$215,000. The proposed plans, specifications, and form of contract documents are available for public inspection in the City Engineer's Office.

PREVIOUS COUNCIL ACTION(S):

Date: October 22, 2007

Roll Call Number: [07-2084](#)

Action: [Intergovernmental](#) 28E Agreement with Polk County Conservation Board for Wetlands Mitigation for the American Discovery Trail, Walnut Creek Connection. ([Council Communication No. 07-633](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: June 18, 2007

Roll Call Number: [07-1152](#)

Action: [Establishing](#) Fair Market Value for a permanent easement for wetlands mitigation located in Northeast Polk County from Iowa Natural Heritage Foundation for American Discovery Trail - Phase 3, in the amount of \$72,600. ([Council Communication No. 07-374](#)) Moved by Coleman to adopt. Motion Carried 6-1.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Anticipated actions include public hearing, receive and file bids, designate lowest bidder, and approve contract and bond; also partial payments to the contractor and final acceptance of work.