 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	February 14, 2011
	Agenda Item No.	72
	Roll Call No.	<u>11-0252</u>
	Communication No.	<u>11-086</u>
	Submitted by:	Donald M. Tripp, Director of Parks and Recreation and Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hearing on the intent to acquire property for recreational trail purposes and authorize acquisition of the necessary property interests from various property owners for the Gray's Lake Neighborhood Connecting Trail Project by gift, negotiation or eminent domain.

SYNOPSIS:

Hold hearing authorizing the intent to acquire property for recreational trail purposes and acquisition of the necessary property interests thereof from various property owners for the Grays Lake Neighborhood Connecting Trail Project by gift, negotiation, or eminent domain. This action is required by Iowa law before the City can initiate the acquisition process under eminent domain.

FISCAL IMPACT:

Amount: \$50,000 estimated for property acquisition, plus closing costs

Funding Source: 2010-11 CIP, Park Improvements – Recreational Trails, PKS045, Page 20 - Park Improvements.

ADDITIONAL INFORMATION:

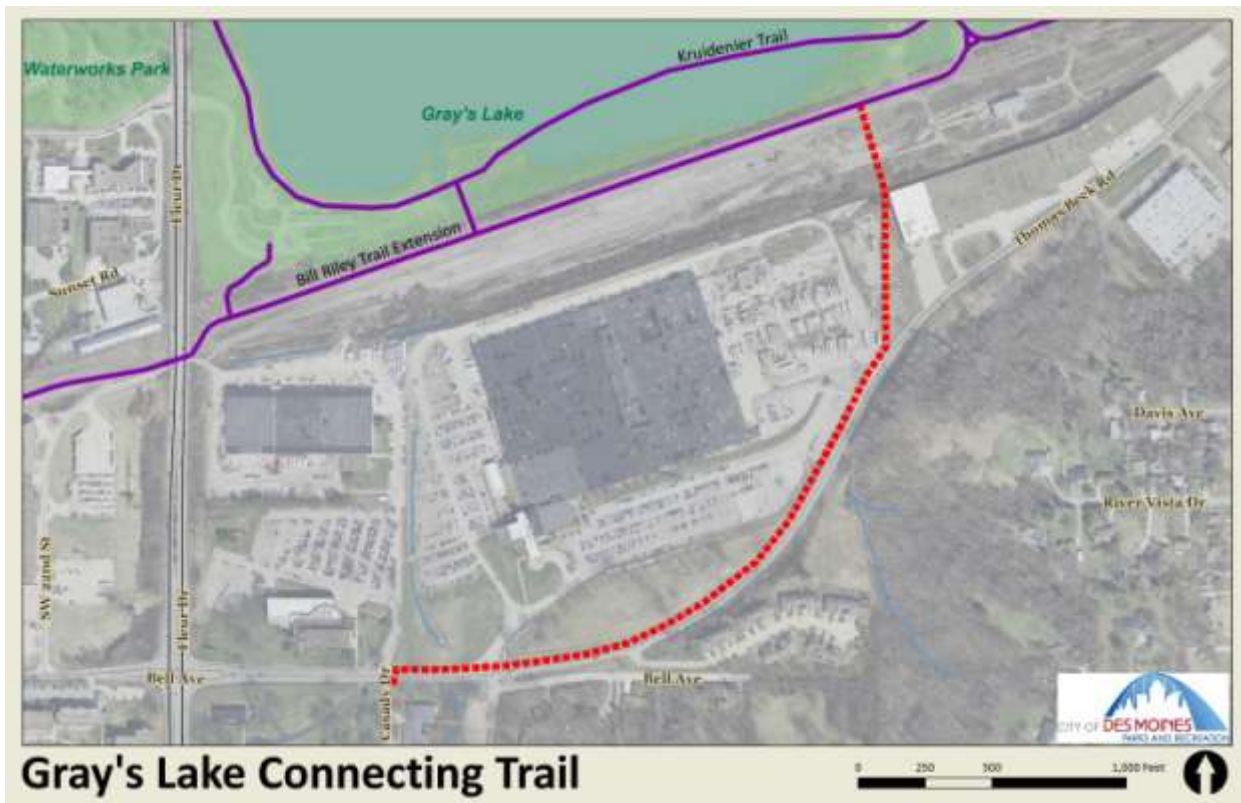
Under the provisions of Chapter 6B of the Iowa Code, a governmental body which proposes to acquire property under power of eminent domain for recreational trail purposes is required to give notice of a proposed resolution, motion, or other document authorizing acquisition of property by eminent domain to each property owner, contract purchaser of record and any tenant known to be occupying the properties that may be acquired in whole or in part for the recreational trail prior to the date of the meeting at which such proposed authorization will be considered.

The City has mailed notice regarding the proposed resolution authorizing acquisition of property for recreational trail purposes for this project, as required by law. Before further proceeding with the acquisition for recreational trail, the City must (a) hold a public hearing, giving affected persons the opportunity to attend the hearing and present their views and objections regarding the proposed acquisition of private property for the recreational trail portion of the project by gift, negotiation, or eminent domain; and (b) adopt a resolution to authorize acquisition of private property for the recreational trail portion of the project by eminent domain.

Compensation for the property interests to be acquired will be based on an independent appraisal and the appraisal will be submitted to City Council or City Manager, as applicable, for approval of the fair market value before an offer is made.

The Gray's Lake Neighborhood Connecting Trail will begin where Casady Drive intersects with Bell Avenue and run easterly along the north side of Bell Avenue as it becomes Thomas Beck Road. It will turn north to pass between two private commercial properties and connect to the Bill Riley Trail extension south of Gray's Lake Park. This 0.6 mile, 10-foot wide trail creates a safe pedestrian and bicycle-friendly connection not only to Gray's Lake Park, but also to the Bill Riley Trail as it heads to all trails west and the Meredith Trail as it heads to downtown Des Moines, thereby connecting it to the extent of Central Iowa's 550-mile trail system. The estimated cost of the trail for design and construction is \$310,000.

If funding can be secured, it is expected that Gray's Lake Neighborhood Connecting Trail will start construction in late summer 2011 and take approximately two months for construction.



This will be a 10-foot wide asphalt recreational trail. Amenities on this trail will include lighting under bridges, mile markers, way-finding elements, trail signage, furniture, and river overlooks.

Two partial fee acquisitions will be needed for the first phase of this project. Relocation assistance will not be required.

PREVIOUS COUNCIL ACTION(S):

Date: January 24, 2011

Roll Call Number: [11-0114](#)

Action: (A) [Setting](#) date of hearing on intent to acquire property for recreational trail purposes and authorize acquisition of the necessary property interests from various property owners for the Gray's Lake Neighborhood Connecting Trail project, (2-14-11). Moved by Hensley to adopt. Motion Carried 7-0.

Date: January 24, 2011

Roll Call Number: [11-0113](#)

Action: [Proposed](#) alignment of Gray's Lake Neighborhood Connecting Trail and addition of such trail to City of Des Moines Multi-Use Recreational Trails Master Plan map. (Council Communication No. 11-043) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Park and Recreation Board

Date: December 28, 2010

Resolution Number: 10-106

Action: Recommending approval of the addition of the Gray's Lake Neighborhood Connecting Trail to the City of Des Moines multi-use trails master plan map. Moved by Gelb to approve. Motion Carried 12-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Establish Fair Market Value if necessary.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.