 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	February 24, 2014
	Agenda Item No.	54
	Roll Call No.	<u>14-0331</u>
	Communication No.	<u>14-077</u>
	Submitted by:	Benjamin R. Page, Park and Recreation Director

AGENDA HEADING:

Approving a Chapter 28E Agreement by and between the City of Des Moines, Iowa and the Polk County Conservation Board (PCCB) for the Mark C. Ackelson and Easter Lake Spine Recreational Trails Construction and Maintenance.

SYNOPSIS:

Recommend approval of a Chapter 28E Agreement by and between the City of Des Moines, Iowa and the PCCB for the Mark C. Ackelson and Easter Lake Spine Recreational Trails Construction and Maintenance. The trail will create a much needed connection between the City’s Ewing Park and Polk County’s Easter Lake Park.

FISCAL IMPACT:

Amount: \$331,000

Funding Source: 2013-14 CIP, Page Park Improvements – 11, Multi-Use Trails, PKS045, \$331,000
G.O. Bonds Issued

ADDITIONAL INFORMATION:

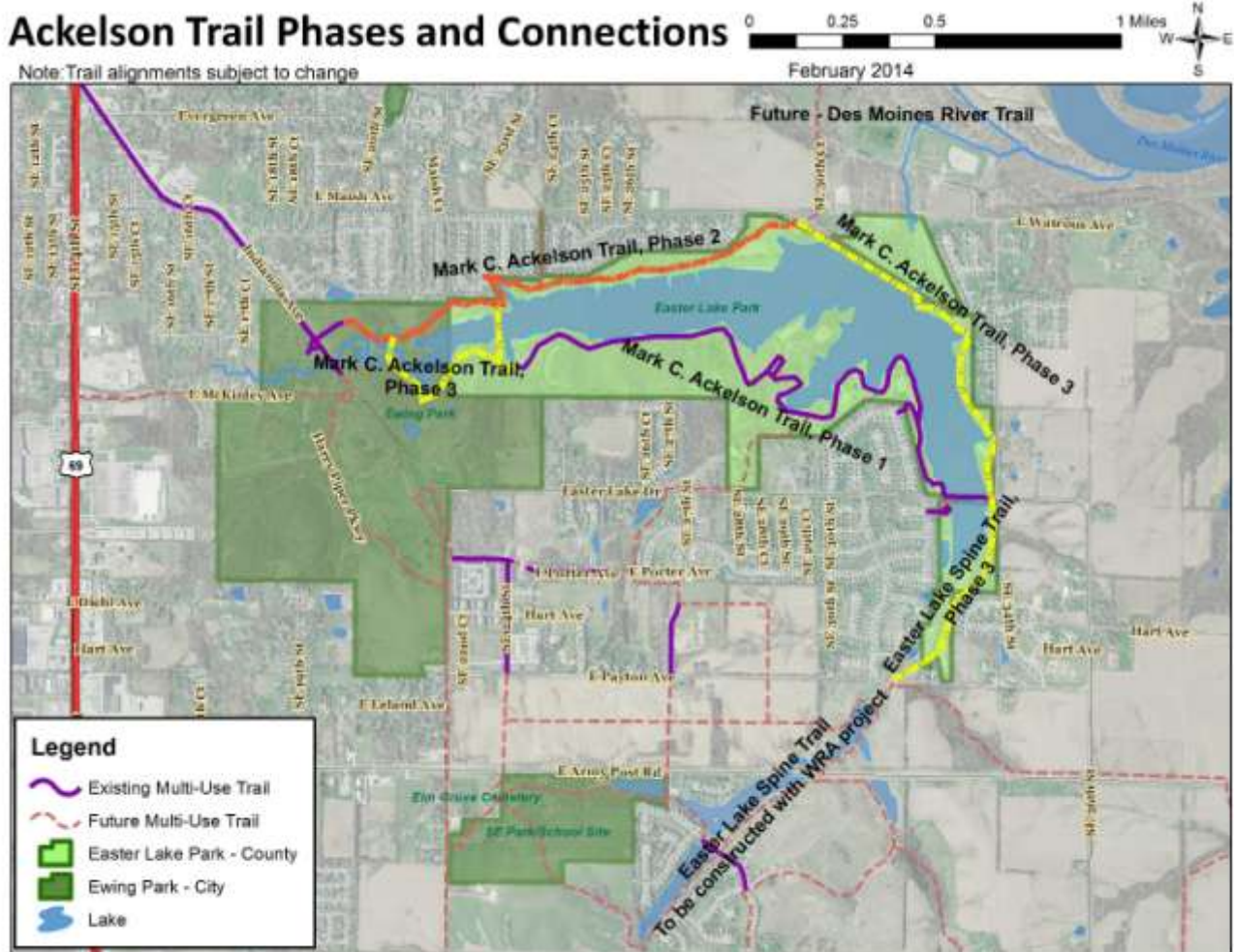
The City’s Ewing Park abuts the western boundary of the PCCB’s Easter Lake Park. The City and PCCB have been working together for several years to plan and fund a 5-mile trail around Easter Lake and related trail connections; the PCCB has named this trail the Mark C. Ackelson Trail in honor of Mr. Ackelson’s more than 33 years of service to the Iowa Natural Heritage Foundation, including 20 years as its president. In the proposed 28E Agreement, the City also agrees to this naming recognition for Mr. Ackelson on the trail segments to be constructed on City-owned property, which complete the trail around Easter Lake. Phase 1 of the trail was completed by the PCCB in 2013 and stretches along the southern shoreline of Easter Lake in Easter Lake Park.

The PCCB will begin construction of the project’s second phase this spring. It will follow along the northern shoreline of Easter Lake in Easter Lake Park and extend to the west tip of the lake in Ewing Park. At that point it will connect with an existing City trail segment that connects Ewing Park to the Indianola Avenue Trail. The planned Phase 3 is scheduled to begin construction by 2016 and will complete the circumferential trail around the eastern third of the lake. At the southern-most tip of the

lake, a short trail segment will pass south through a small portion of Easter Lake Park and across City-owned storm water property to Payton Avenue; this segment will be known as the Easter Lake Spine Trail.

An additional segment of the Easter Lake Spine Trail will extend southwesterly along the east side of City storm water detention basins to East Pine Avenue and is planned for construction within the next year in accordance with the City's 28E Agreement with the Metropolitan Wastewater Reclamation Authority (WRA) as part of the WRA Southern Tier Interceptor, Phase 10, Segment 15-16 Project, previously approved by Council on August 12, 2013, per Roll Call No. 13-1291. The map below depicts the phases of construction along with these trail connections.

The Ackelson Trail project was identified in master plans completed for both Ewing Park (2005) and Easter Lake Park (2003), which emphasized the need for bicycle and pedestrian amenities within the parks, connections between the parks, and links to the surrounding neighborhoods. The City's Bicycle and Trail Master Plan likewise outlined these two (2) trails. The Bicycle and Trail Master Plan also includes a segment that will connect the Des Moines River Trail from the James W. Cownie Sports Parks to the northeastern area of the Ackelson Trail, thereby connecting southeastern Des Moines to the 550 miles of the Central Iowa Trail System.



As indicated, construction of Phase 2 and 3 is scheduled to take place in 2014 and 2016 respectively. The staffs of the Des Moines Park and Recreation Department and the PCCB have negotiated a 28E Agreement, whereby the City will pay PCCB up to \$331,000 for construction of the portions of these

trail improvements to take place on City property and PCCB has agreed to provide management and certain maintenance responsibilities for the Mark C. Ackelson Trail and Easter Lake Spine Trail segments on City property.

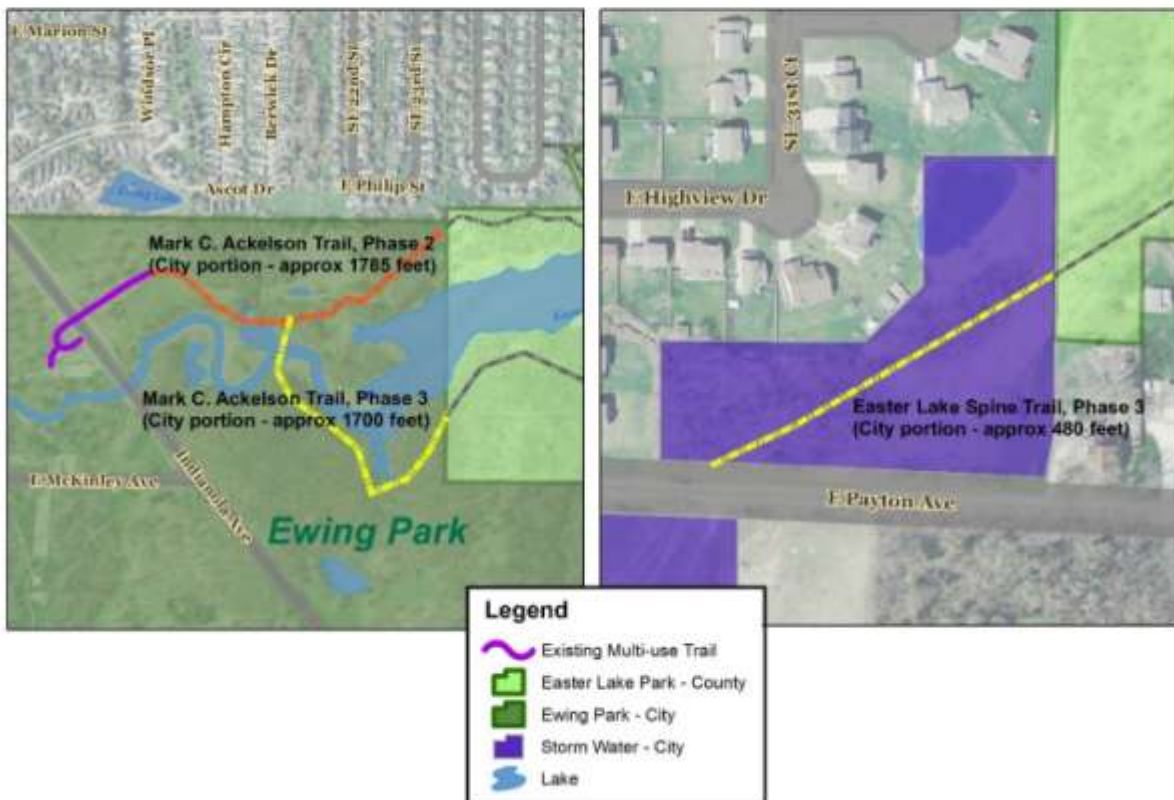
In addition to planning these trails, for the past several years, the City and PCCB have been applying for and receiving grant awards for the project. Through the Des Moines Area Metropolitan Planning Organization (MPO), a total of \$897,665 of Transportation Alternative Program (TAP) funds has been awarded to the City and PCCB. Following is a list of the grant funding received, and the year in which it is allocated by the MPO:

- Des Moines 2014 - \$190,000
- Des Moines 2015 - \$250,000
- Polk County 2015 - \$208,000
- Des Moines 2015 - \$99,665
- Des Moines/Polk County 2016 - \$150,000

The \$331,000 of City funding indicated in the 28E Agreement represents the City’s CIP matching funds commitment made in these grant applications. The PCCB will be contributing an additional \$1,701,335 for an estimated total project cost of \$2,930,000. To streamline the MPO’s grant payment process, both the City’s and PCCB’s awarded funds will be directed to PCCB for construction of the Ackelson Trail and the joint portion of the Easter Lake Spine Trail as construction of the project progresses. The PCCB is continuing to apply for grants for Phase 3 and will be responsible for any additional local matching fund requirements due to receipt of additional grant funds within the limits of their funds budgeted for this project.

City Trail Improvements & Phases

Note: Trail alignments subject to change



Upon completion of the trail, the PCCB will be responsible for litter, maintenance of trail signage, mowing and trimming grass and trees, and other landscape maintenance within 10-feet on each side of the trails. According to the 28E Agreement, the PCCB shall also be responsible for managing overall trail usage, including enforcement of the City's trail rules and permitting of special events.

The City and PCCB shall be jointly responsible for all major repairs of City portions of these trails (i.e., those with a total design and repair cost of over \$25,000 per project). PCCB shall be solely responsible for all minor repairs of City portions of these trails (i.e., those with a total design and repair cost of up to and including \$25,000 per project).

On February 12, 2014, the PCCB approved the 28E Agreement for the Mark C. Ackelson and Easter Lake Spine Recreational Trails Construction and Maintenance. It is a benefit to the City to enter into this 28E Agreement to capitalize upon the PCCB's funding for infrastructure cost, maintenance and shared repair expenses and improved recreational opportunities for the citizens of Des Moines.

PREVIOUS COUNCIL ACTION(S):

Date: August 12, 2013

Roll Call Number: [13-1291](#)

Action: [Approving](#) a Chapter 28E Agreement by and between the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) and the City of Des Moines, Iowa for the Design and Construction of the Easter Lake Spine Trail as Part of the WRA Southern Tier Interceptor, Phase 10, Segment 15-16 Project. ([Council Communication No. 13-420](#)) Moved by Meyer to adopt; refer to the City Manager, Parks Department and WRA to work with the neighbors for a buffer zone and move the trail as close to the detention basin as possible. Motion Carried 6-1. Nays: Cownie.

Date: June 13, 2011

Roll Call Number: [11-1046](#)

Action: [Adopting](#) the Bicycle and Trail Master Plan as part of the 2020 Community Character Plan. ([Council Communication No. 11-360](#)) Moved by Moore to adopt. Motion carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: June 2, 2011

Action: Recommend approval of the Bicycle and Trail Master Plan as an element of the 2020 Community Character Plan.

Board: Park and Recreation Board

Date: May 24, 2011

Resolution Number: 11-060

Action: Recommend approval of the Bicycle and Trail Master Plan as an element of the 2020 Community Character Plan.

Board: Park and Recreation Board

Date: May 24, 2005

Resolution Number: 05-068

Action: Approval of the Ewing Park Master Plan.

Board: Traffic Safety Committee

Date: May 10, 2011

Action: Recommend adoption of the City of Des Moines Bicycle and Trail Master Plan as an element of the 2020 Community Character Plan.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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