


## COUNCIL COMMUNICATION

	Number:	<b>19-322</b>	Meeting:	<b>July 15, 2019</b>
	Agenda Item:	<b>48</b>	Roll Call:	<b>19-1121</b>
	Submitted by:	<b>Benjamin R. Page, Park and Recreation Director</b>		

### AGENDA HEADING:

Approval of Fourmile Creek Greenway management and maintenance agreement.

### SYNOPSIS:

Staff recommends approval of Fourmile Creek Greenway management and maintenance agreement that outlines the roles and responsibilities for the overall management of the Fourmile Creek Greenway in the City of Des Moines and for the future transfer of City-owned properties not being kept by the City for parks and trail to Polk County for Polk County Conservation Board to manage as part of the larger Fourmile Creek Greenway.

### FISCAL IMPACT:

Amount: None at this time. Future funding for road removal and construction of future parks will need to be evaluated as part of normal budget processes for funding with other priorities across the City.

### ADDITIONAL INFORMATION:

- On November 6, 2017 by Roll Call No. 17-1901 the City Council approved the Lower Fourmile Creek Greenway Master Plan. One (1) of the first steps in implementing this plan was to develop a management and maintenance agreement for the oversight of the entire greenway. The full master plan can be found online at: <https://fourmilecreekwatershed.org/greenway-plan/>
- Staff has worked with Polk County Conservation to develop a management and maintenance agreement for the Fourmile Creek Greenway within the City of Des Moines.
- The City of Des Moines will be responsible for the following:
  - Ownership and management of the existing Gay Lea Wilson trail and any new paved trail segments constructed in the City of Des Moines
  - Ownership of five (5) properties for use as existing parks or proposed future parks, including:
    - Sargent Park
    - Reno Dog Park and Pocket Park No. 2



- Removal and/or vacation and abandonment of roads and other associated utilities that are no longer needed in the greenway. These removals will be done by the City of Des Moines in concurrence with Polk County Conservation. The removals will be done at the expense of the city of Des Moines and before the right of way is abandoned and given to Polk County. Removals will depend on the availability of funding through the normal budgeting process.
- Polk Country Conservation will be responsible for the following:
  - Management, use and maintenance of the Greenway (exclusive of the City Trail and City Parks), including the Fourmile Creek Streambank and shoreline, in compliance with the Master Plan.
  - Establish natural areas on land within the Greenway that was previously developed for residential use and maintain the Greenway as natural areas in compliance with the Master Plan.
  - At no charge to the City and upon the City's request, grant the City permanent and temporary construction easements or transfer of real property to enable the City to construct and maintain trail connections to the surrounding neighborhoods.
  - Convey to the City a permanent easement for the City Trail on land owned by PCCB, which shall include the right to use, repair, construct, and maintain the City Trail, including the right of ingress and egress over PCCB land.
  - At no charge to the City and upon the City's request, PCCB agrees to convey to the City, up to 2 acres each for City owned and maintained mini parks along the Greenway, as determined by the City.
- All property not being kept by the City of Des Moines within the 100-year flood plain along Fourmile Creek would be transferred to Polk County to be used as greenway in accordance with the adopted Lower Fourmile Creek Greenway Master Plan.
- Polk County and the City of Des Moines will jointly do the following:
  - Prioritization of future acquisitions within the greenway
  - Acquire properties within the greenway to continue to expand the continuous greenway
- It is recommended that all property not being kept by the City of Des Moines for park land should be transferred to Polk County as soon as they are available for transfer. Many of the properties were purchased with restrictions and will need to be cleared for transfer before the City can transfer them to Polk County.

**PREVIOUS COUNCIL ACTION(S):**

Date: November 6, 2017

Roll Call Number: [17-1901](#)

Action: [Lower](#) Four Mile Creek Greenway Master Plan. ([Council Communication No. 17-769](#))  
Moved by Hensley to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Conveyance of property to Polk County, and conveyance from Polk County to City of property.

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