


COUNCIL COMMUNICATION

	Number:	19-366	Meeting:	August 19, 2019
	Agenda Item:	31	Roll Call:	19-1327
	Submitted by:	Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Resolution approving a Memorandum of Agreement (MOU) between the United States General Services Administration (GSA) and the City of Des Moines for the conveyance of a storm sewer easement within 101 Locust Street from GSA to the City in consideration of the City's conveyance of City-owned property adjoining 101 Locust Street to GSA.

SYNOPSIS:

Recommended approval of a MOA between the United States General Services Administration (GSA) and the City of Des Moines for the conveyance of a storm sewer easement within 101 Locust Street from GSA to the City in consideration of the City's conveyance of City-owned property adjoining 101 Locust Street to GSA. This action is needed before City and GSA staff move forward with developing the terms of the easement and property conveyance documents.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The City has an existing storm sewer that runs diagonally through GSA's property, however, there is no recorded easement for this purpose. GSA has offered to convey a 30-foot-wide storm sewer easement to the City at no cost, in consideration of the City's vacation and conveyance of an approximately 25-foot-wide strip of land between the Principal Riverwalk and GSA's property line.
- GSA would incorporate the City's 25-foot-wide strip of ground into their proposed federal courthouse site to make landscaping and other improvements that will enhance the transition and public experience between the federal courthouse building and the Principal Riverwalk.
- The City's conveyance of the 25-foot-wide strip of land would be subject to the following restrictions and easement reservations:
 - The property shall be open for public use during the hours that the Principal Riverwalk is open to the public.
 - The design and development of the 25-foot-wide strip of land shall **take into consideration the comments and concerns of** ~~be subject to a site plan approved by the~~ City Manager.

- Reservation of an easement within the property for all existing utilities in place until such time that they are abandoned or relocated at no cost to the City.
- Reservation of a Permanent Access Easement over the property for all activities related to the purpose of the City constructing, reconstructing, repairing, enlarging, and maintaining, including snow storage, the adjoining Principal Riverwalk improvements.
- The final terms of the offer to purchase, quit claim deed, and easement shall be subject to the review and approval of both the GSA and City legal departments.
- The conveyance of the City Property and the acceptance of the easement are subject to City Council approval as well as all statutory requirements for the City to vacate and convey real estate.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

After GSA and City staff reach agreement on the terms of the proposed easement and property conveyance documents, a public hearing will be scheduled for final City Council approval of this transaction.

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 first 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.