

Date July 10, 2006

ACCEPTING BALLPARK IMPROVEMENTS AT SOLDIER FIELD AND NAMING THE BALLPARK THE JAMES W. COWNIE BASEBALL PARK

WHEREAS, the City of Des Moines, through its Park and Recreation Department, is responsible for providing recreation and leisure activities for the citizens of Des Moines and manages a previously undeveloped tract of land located at SE 22nd and Hartford Streets in Des Moines, locally known as Soldier's Field, and adjacent to the James W. Cownie Soccer Park; and

WHEREAS, on March 28, 2005 by Roll Call No. 05-737, the City Council approved a 28E Agreement between the City, Polk County and the Greater Des Moines Community Foundation in which the Foundation received donations and provided payment for the construction of an eight field ballpark, and provided that Polk County would be responsible for the design and construction management and administration services, and that the City will enter into a long term lease with SDMLL for use of the ballpark; and

WHEREAS, pursuant to the terms of such 28E Agreement, the City agreed to accept ownership of the ball park improvements by resolution of the City Council upon approval of the final payment by the Foundation for all construction contracts, certification by the County Engineer that all of the improvements have been built in accordance with the plans and specifications approved by the City, documentation by the Polk County Engineer that all construction contracts have been paid in full, and any acceptance by the Polk county Board of Supervisors, if necessary, and verification by the City Engineer that the project has been completed in compliance with the plans and specifications approved by the City; and

WHEREAS, the City Engineer is in receipt of a letter from the Polk County Engineer certifying that the construction of the improvements is in conformance with the plans and the specifications approved by the City and the City Engineer recommends acceptance of the ballpark improvements pursuant to the attached letter from the City Engineer; and

WHEREAS, all of the other above described conditions have been met; and

WHEREAS, the construction of such improvements is complete, subject to a number of minor items that will be corrected by Polk County, the Park and Recreation Department staff, or the construction contractor, and is ready for acceptance by the City; and

WHEREAS, such 28E Agreement also provided that the ballpark would be known as the James W. Cownie Baseball Park.

Date July 10, 2006

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. That the City hereby accepts ownership of the ballpark improvements constructed on Soldier's Field as presented by the Greater Des Moines Community Foundation and Polk County.
2. That the site previously known as Soldier's Field, located at SE 22nd and Hartford Streets, is hereby named and is hereby known as the James W. Cownie Baseball Park.

(Council Communication No. 06-444)

Moved by _____ to
adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLISSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

Mayor

City Clerk

June 13, 2006

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To The Honorable Mayor
and
Members of the City Council
City of Des Moines

RE: Final Acceptance of the eight-field ballpark at Soldier's Field, located at SE 22nd and Hartford Streets, to be known as the James W. Cownie Baseball Park.

On March 28, 2005 under Roll Call No. 05-737, the City Council approved a 28E Agreement between the City of Des Moines, Polk County and the Greater Des Moines Community Foundation which provided that the Foundation would receive donations and provide payment for the construction of an eight-field ballpark, and also provided that Polk County would be responsible for the design, construction management, and administration services for the eight-field ballpark. Pursuant to the terms of such 28E Agreement, the City agreed to accept ownership of the ball park improvements by resolution of the City Council upon conditions, one condition being the certification by the County Engineer that all of the improvements have been built in accordance with the plans and specifications and verification by the City Engineer that the project has been completed in compliance with the plans and specifications approved by the City.

On May 26, 2006, and June 2, 2006, Douglas C. Romig, Des Moines Park and Recreation Department received letters from Mr. Kurt D. Bailey, P. E., Polk County Engineer, certifying that the eight-field ballpark improvements have been constructed in conformance with the plans and specifications, design documents, and contract documents and that all punch list items have been completed. On June 9, 2006, City Staff from the Engineering and Parks Departments met with Polk County Engineering Staff and did a final inspection of the site in accordance with the 28E agreement. During this inspection, some minor items were discovered that have not been completed as part of the improvement, and Douglas Romig, Des Moines Park and Recreation Department, has agreed to accept the eight-field ballpark improvements and that the City will work with Polk County to complete the minor items. Upon receipt of the letters from Mr. Kurt D. Bailey, P. E., Polk County Engineer, certifying the improvements as complete, and recommendation from Mr. Douglas Romig, Des Moines Park and Recreation Department, I concur that the City Council accept the eight-field ballpark as substantially complete at Soldier's Field, located at SE 22nd and Hartford Streets, to be known as the James W. Cownie Baseball Park.

Sincerely,


Jeb E. Brewer, P.E.
City Engineer

Attachments

Cc: Ann DiDonato, Assistant City Attorney



ENGINEERING DEPARTMENT
CITY HALL
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1891
(515) 283-4920
FAX (515) 283-4112

ALL-AMERICA CITY
1949, 1976, 1981
2003



COUNTY OF POLK
Public Works Department

5885 NE 14 Street
Des Moines, Iowa 50313
Ph 515.286.3705
Fax 515.286.3437
Email: publicwrks@co.polk.ia.us
www.co.polk.ia.us

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RECEIVED

JUN 02 2006

DEPT. OF ENGINEERING
CITY OF DES MOINES, IOWA

June 2, 2006

Mr. Douglas C. Romig
Parks and Recreation Department
3226 University Avenue
Des Moines, Iowa 50311

Re: Notification of Final Inspection of the James W. Cownie Baseball Park at SE 22nd Street and Hartford in Des Moines.

Dear Mr. Romig:

Please be aware that as per the approved 28E Agreement for the above-referenced project, we have established 1:00 P.M. on June 9, 2006 as the time of Final Inspection of the project improvements for the James W. Cownie Baseball Park at SE 22nd Street and Hartford in Des Moines.

As stated in my previous correspondence of May 26, 2006, I have certified that the improvements have been constructed in conformance with the plans and specifications, design documents, and contract documents and that all punch list items have been completed.

Please arrange to have the appropriate City of Des Moines staff attend this meeting so that we can formalize the transfer of this facility. Thank you for your cooperation in completing this project and let me know if you have any questions.

Sincerely,


Kurt D. Bailey, P. E.
Polk County Engineer

KDB

CC: Larry Land
Jeb Brewer, City Engineer

Air Quality Building Inspection Development Services Engineering
Planning Secondary Roads Utilities Weed Commission Weatherization