

Date December 7, 2009

ACCEPTING IOWA DEPARTMENT OF NATURAL RESOURCES REAP GRANT OF \$250,000 FOR GRAY'S LAKE SHORELINE STABILIZATION AND RESTORATION AND APPROVING GRANT AGREEMENT FOR SAME

WHEREAS, the Park and Recreation Department is responsible for the maintenance of park lands; and

WHEREAS, the Park and Recreation Department applied for an Iowa Department of Natural Resources (DNR) Resources Enhancement and Protection (REAP) grant; and

WHEREAS, the purpose of the REAP grant is to enable the DNR, acting for the State of Iowa, to assist municipalities in the development of land for the enhancement and protection of open space areas, such as Gray's Lake Shoreline Stabilization and Restoration; and

WHEREAS, this grant will enable the restoration and stabilization of 2000 lineal feet along the eastern shoreline of Gray's Lake; and

WHEREAS, this project is consistent with the Gray's Lake Master Plan as well as the Gray's Lake Natural Area Enhancement proposal prepared by Pizzo & Associates, Ltd.; and

WHEREAS, the grant provides 100 percent of development costs, up to the \$250,000 award amount; and

WHEREAS, the City's contribution is estimated at \$50,000 for engineering and design, which is provided in the City's Capital Improvement Budget; and

WHEREAS, DNR has provided a grant agreement, a copy of which is on file in the City Clerk's Office, which requires the work in the project proposal to be completed by December 31, 2011; and

WHEREAS, it is in the best interest of the City to accept this grant award from the DNR.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above described DNR REAP grant award is accepted, said agreement is approved, and the Mayor is authorized and directed to sign said agreement on behalf of the City and the City Clerk is directed to attest to his signature.

(Council Communication No. 09-844) MOVED by _____ to approve.

APPROVED AS TO FORM:

Ann DiDonato, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and TOTAL.

MOTION CARRIED APPROVED

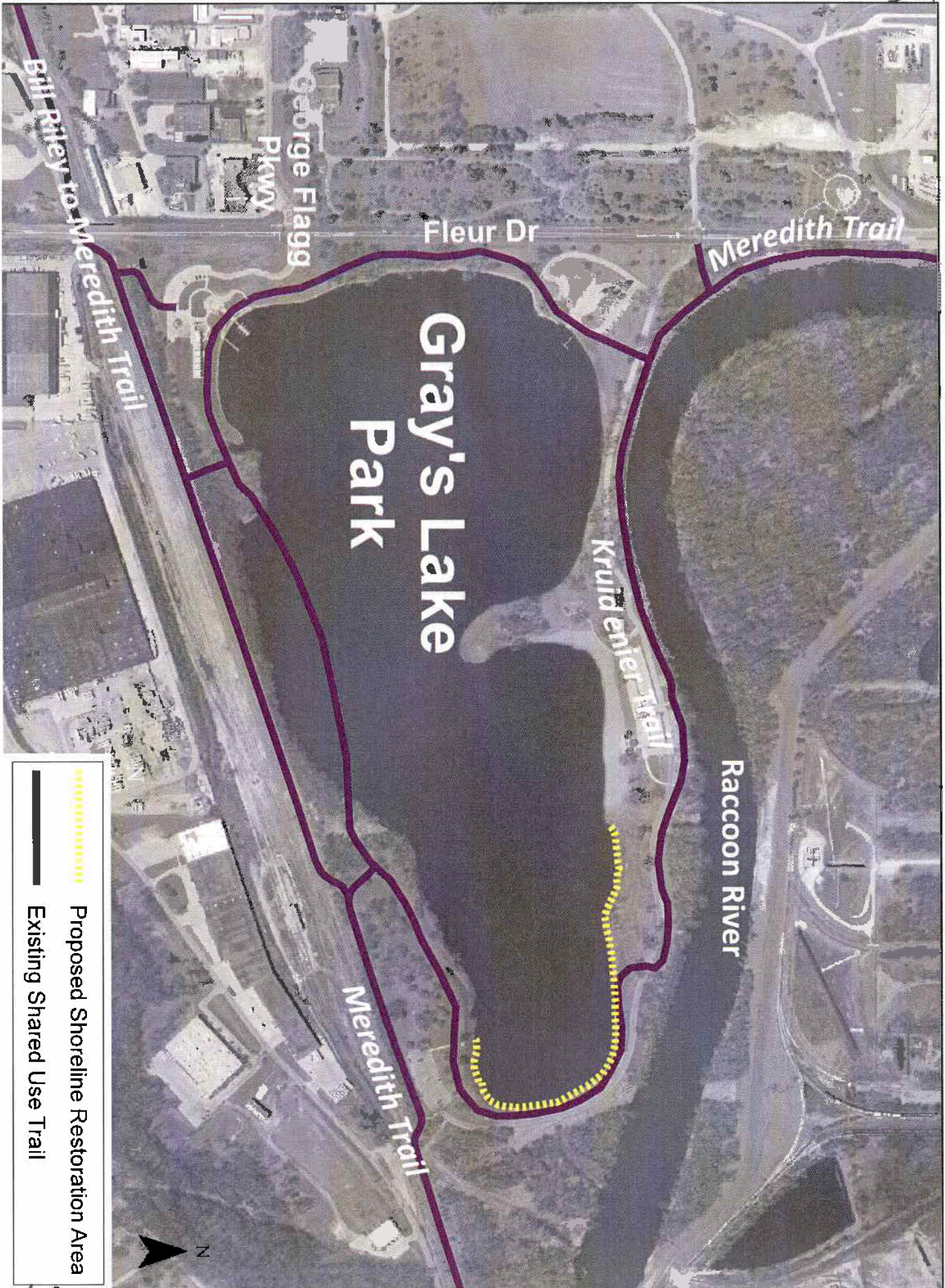
Mayor

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.

City Clerk



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DEPARTMENT OF NATURAL RESOURCES
RESOURCE ENHANCEMENT AND PROTECTION FUND

GRANT AGREEMENT-DEVELOPMENT

GRANTEE:	CITY OF DES MOINES	
PROJECT TITLE:	GRAY'S LAKE SHORELINE STABILIZATION & RESTORATION	
CONTACT PERSON/PHONE #:	MINDY MOORE	515-248-6349
GRANT AWARD:	\$250000.00	
DNR CONTACT/PHONE #:	Kathleen Moench	515-281-3013

1. **PURPOSE.** The purpose of this REAP Development Grant Agreement is to enable the Iowa Department of Natural Resources (DNR), acting for the State of Iowa, to assist the CITY OF DES MOINES (Grantee) in the development of land for the enhancement and protection of open space areas.
2. **PARTIES/AUTHORITY.** The parties to this Grant Agreement are the DNR, an agency of the State of Iowa, and the CITY OF DES MOINES. The parties make this Grant Agreement pursuant to 1989 Iowa Code Supplement Section 455A.19(1)(a), which authorizes the Natural Resource Commission to spend certain state funds appropriated for projects to enhance and protect open spaces.
3. **GENERAL DESCRIPTION OF PROJECT LANDS.** This Grant Agreement is for your project described as:

RESTORATION AND STABILIZATION OF 2000 LINEAL FEET OF SHORELINE ALONG THE EAST SIDE OF GRAYS LAKE, LOCATED AT FLUER DRIVE, DES MOINES, IOWA.
4. **GRANT AWARD AND REIMBURSEMENTS.** The DNR will provide 100 percent of development costs up to a maximum amount of \$250000.00.

A. A ninety (90) percent advance reimbursement of the grant award may be requested by submitting a letter of request to:

Budgets & Grants Bureau
Iowa Department of Natural Resources
Wallace State Office Building
E. 9th & Grand
Des Moines, Iowa 50319

B. **Final** payment and an on-site inspection will be made when the project is completed and the grantee submits a letter of request along with the following grant requirements:

- a legal description of the property;
- pictures of the completed project;
- copies of billings and canceled checks for 100 percent of the grant award;
- copy of "Notice of Use Restriction" recorded with county recorder (legal description of property required if not submitted with project proposal);
- contracted development work requires; a copy of the signed contract, pay estimates, and contractor's reimbursement Refund of Sales Tax;
- final report, to include a description of the completed project and efforts made to procure goods and services from Targeted Small Businesses (TSBs).

5. RESPONSIBILITIES. The grantee is solely responsible for the project completion as outlined in the project proposal. The grantee will make a concerted effort to procure goods and services from Targeted Small Businesses (TSBs) during the performance of this Grant Agreement. The DNR may provide assistance at the request of the grantee, or at the Director's recommendation.
6. AMENDMENTS. This Grant Agreement may be amended only by written ADDENDA signed and dated by the DNR Director or the DNR REAP coordinator. Requests for amendments shall be directed to the DNR REAP coordinator.
7. EFFECTIVE DATE/TERMINATION. This Grant Agreement shall become effective when it has been signed and dated by the DNR Director and the grantee. All work specified in the project proposal will be completed by **DECEMBER 31, 2011.**
8. AVAILABILITY OF FUNDS: If funds anticipated for the continued fulfillment of this agreement are at any time not forthcoming or insufficient, either through the failure of the State of Iowa to appropriate funds, or discontinuance or material alteration of the program under which funds were provided, then the Department shall have the right to terminate the agreement without penalty.
9. By signing this Grant Agreement, the grantee agrees to the terms and conditions set forth in this agreement and all attachments listed below:
 - the REAP "General Provisions" (State Administrative Rules from your application);

_____ Date

Patricia L. Boddy, Deputy Director
Iowa Department of Natural Resources

Grantee Signature, Mayor or County Board Director

Print Name, Mayor or County Board Director