

Date..... July 25, 2011

APPROVAL OF SECOND ADDENDUM TO CHAPTER 28E AGREEMENT BETWEEN THE CITY OF DES MOINES AND THE CITY OF PLEASANT HILL FOR THE FUNDING AND CONSTRUCTION OF A CENTRAL IOWA TRAIL INFORMATION HUB AT COPPER CREEK LAKE PARK

WHEREAS, Des Moines and Pleasant Hill have entered into a Chapter 28E Agreement dated January 22, 1996, which is on file with the Iowa Secretary of State and recorded on February 15, 1996 in the records of the Polk County Recorder at Book 97343 and Page 240, regarding the joint development of a recreational trail within a 3.6 mile segment of the Four Mile Greenway (“the 28E Agreement”); and

WHEREAS, Des Moines and Pleasant Hill entered into an Addendum to the 28E Agreement on August 7, 2000, to share in the cost of additional expense for completion of the trail construction; and

WHEREAS, Copper Creek Lake Park serves as a gateway to portions of the Gay Lea Wilson Trail that runs along Four Mile Creek within the City of Des Moines; and

WHEREAS, Des Moines and Pleasant Hill desire to modify the 28E Agreement further to share in the cost of additional expense for a Central Iowa Trail Info Hub sign to be located in Copper Creek Lake Park, on property owned by Pleasant Hill and currently located within the boundaries of the City of Des Moines at Copper Creek Lake Park; and

WHEREAS, staffs for the cities have negotiated a Second Addendum to the 28E Agreement, a copy of which is on file in the City Clerk’s Office, which provides that Des Moines will be responsible for the installation of such hub sign and will pay \$8,648.75 towards the costs of such sign, that Pleasant Hill will pay \$8500.00 for the costs of such sign, and the parties agree to equally share in the costs of any change order of up to \$20,000.00 total for the project; and

WHEREAS, the Central Iowa Trail Info Hub sign improvements will be owned by the City of Pleasant Hill upon its completion; and

WHEREAS, at its meeting on July 26, 2011, the Pleasant Hill City Council will consider approval of the Second Addendum; and

WHEREAS, it is in the best interests of the City of Des Moines to enter into said Second Addendum to capitalize on shared costs and improved recreational opportunities for the citizens of Des Moines.

Date July 25, 2011

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above described Second Addendum Between the City of Des Moines and the City of Pleasant Hill, which is on file in the City Clerk's Office, is hereby approved and the Mayor is authorized and directed to sign said Second Addendum on behalf of the City and the City Clerk is hereby authorized and directed to attest to said signature.

(Council Communication No. 11-495 )

Moved by \_\_\_\_\_ to approve.

APPROVED AS TO FORM:

*Ann DiDonato*

Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		

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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk