



Date July 15, 2019

APPROVAL OF LOWER FOURMILE CREEK GREENWAY MANAGEMENT AND MAINTENANCE CHAPTER 28E AGREEMENT BETWEEN CITY OF DES MOINES AND POLK COUNTY CONSERVATION BOARD

WHEREAS, on November 6, 2017, by Roll Call No. 17-1901, the City Council approved the Lower Fourmile Creek Greenway Master Plan (Master Plan) , which included development of a management and maintenance agreement for the oversight of the entire greenway; and

WHEREAS, Parks and Recreation Department staff have worked with Polk County Conservation Board staff to develop a management and maintenance agreement for the Fourmile Creek Greenway within the City of Des Moines pursuant to a 28E Agreement between the City and Polk County Conservation Board (PCCB); and

WHEREAS, such 28E Agreement provides that the City will retain ownership and management of the Gay Lea Wilson Multi-Use Recreational Trail, Reno dog Park, Pocket Park No. 2, Fourmile Creek Park, and two proposed mini parks and trail head, and PCCB will be responsible for the management and maintenance of all other properties included within the greenway in compliance with the Master Plan; and

WHEREAS, such 28E Agreement further provides that properties owned by or acquired by the City will be transferred to PCCB for use in compliance with the Master Plan, subject to certain deed restrictions and the availability of funding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the above described Lower Fourmile Creek Greenway Management and Maintenance Chapter 28E Agreement Between the City of Des Moines and Polk County Conservation Board, a copy of which is on file in the City Clerk's Office, is hereby 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. 19-322)

Moved By _____ to adopt.

Approved as to Form:

Ann DiDonato, Assistant City Attorney

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.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, TOTAL, MOTION CARRIED, APPROVED.

Mayor

City Clerk