

Date April 15, 2024

**APPROVAL OF OPERATION AND MAINTENANCE AGREEMENT BETWEEN
CITY OF DES MOINES AND DES MOINES SINGLETRACK ASSOCIATION
FOR MOUNTAIN BIKE TRAIL DEVELOPMENT, MAINTENANCE AND OPERATIONS**

WHEREAS, the Park and Recreation Department is charged with the responsibility of providing recreational activities, including dirt singletrack (native earth surface) trails, within the City of Des Moines and specifically at Ashworth Park (102 45th Street), Ewing Park (5300 Indianola Avenue), Grandview Park (3230 Easton Boulevard), and Greenwood Park (100 45th Street) (collectively “Trails”); and

WHEREAS, the Des Moines Singletrack Association (DBA Central Iowa Trails Association, CITA) (“Operator”) and City desire the Operator to be involved in the communication, maintenance, funding, planning and design of improvements, construction of modifications, and operations for the Trails for the purpose of showcasing City recreational facilities, including but not limited to Operator responsibility for funding approved Trail improvements, purchasing and providing supplies, materials, and volunteer workforce in order to improve the Trails, providing specified maintenance of the Trails, and providing public programming in conjunction with the City; and

WHEREAS, to accomplish this coordination between the City and the Operator, Parks and Recreation Department staff and the Club have negotiated an Operation and Maintenance Agreement Between the City of Des Moines and Des Moines Singletrack Association for Mountain Bike Trail Development, Maintenance and Operations, a copy of which is on file in the City Clerk’s Office, with an initial term through April 1, 2027, with potential renewal for an additional 3-year term upon mutual written agreement of the parties.

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

1. The Operation and Maintenance Agreement Between the City of Des Moines and Des Moines Singletrack Association for Mountain Bike Trail Development, Maintenance and Operations is hereby approved; the Mayor is authorized and directed to sign the Agreement on behalf of the City; and the City Clerk is authorized and directed to attest to her signature.
2. The City Parks and Recreation Department Director or his designee is authorized and directed to administer and monitor the Agreement in accordance with its terms, and to approve and execute the 3-year renewal document upon expiration of the initial term at the discretion of said Director.

(Council Communication No. 24-155) Moved by _____ to adopt.

Approved as to Form:

/s/ Glenna K. Frank _____

Second by _____.

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, Laura Baumgartner, 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