



Roll Call Number

Agenda Item Number

30

Date July 14, 2025

**APPROVAL OF DONATION AGREEMENT AND RIGHT OF ENTRY
WITH PLUMBERS AND STEAMFITTERS LOCAL UNION 33 FOR BILL RILEY TRAIL**

WHEREAS, the City of Des Moines, acting through the Parks and Recreation Department, is charged with the responsibility of providing recreational trails within the City for the benefit and enjoyment of the residents of the City, including the Bill Riley Trail directly north of 2501 and 2403 Bell Avenue in south Des Moines ("Trail"); and

WHEREAS, the Plumbers and Steamfitters Local Union 33 ("Donor") owns the real property locally known as 2501 Bell Avenue, Des Moines, which property abuts the Trail, and the Donor wishes to donate to the City several trees planted by Donor within the Trail and to donate volunteer time and resources to maintain and mow the area immediately surrounding the trees within the Trail, which donation the City Parks and Recreation Department wishes to accept; and

WHEREAS, a Donation Agreement and Right of Entry between the City of Des Moines and Donor, in form on file in the office of the City Clerk, provides for Donor to make such charitable and volunteer donation to the City, granting ownership of the trees to the City and granting a right-of-entry to the Trail to Donor, which right of entry shall terminate immediately upon any termination of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Donation Agreement and Right of Entry between the City of Des Moines and Plumbers and Steamfitters Local Union 33 for the donation of trees planted within the Bill Riley Trail and volunteer efforts for mowing and maintenance of the portion of the Trail surrounding said trees is hereby approved and ownership of the trees is hereby accepted; the City Manager is authorized and directed to sign the Donation Agreement on behalf of the City; the Parks and Recreation Department Director or designee is authorized and directed to administer and monitor the Agreement on behalf of the City and to terminate the Agreement in accordance with its terms if determined necessary by said Director in consultation with the Legal Department.

Moved by _____ to adopt.

APPROVED AS TO FORM:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

Second by _____.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk