


## COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	<b>23-383</b>	Meeting:	<b>August 21, 2023</b>
	Agenda Item:	<b>37</b>	Roll Call:	<b>23-1200</b>
	Submitted by:	<b>Benjamin R. Page, Park and Recreation Director and Steven L. Naber, P.E., City Engineer</b>		

### AGENDA HEADING:

Authorization to proceed with acquisition of the necessary property interests for the Central Place Levee Trail Phase 1 Project by gift, negotiation, or eminent domain.

### SYNOPSIS:

Recommend approval of authorization to proceed with acquisition of the necessary property interests for the Central Place Levee Trail Phase 1 Project by gift, negotiation, or eminent domain. This action is required by Iowa law when property acquisition is needed for recreational trail purposes before the City can initiate the property acquisition process for this project under eminent domain. Relocation of personal property may be required for this project.

### FISCAL IMPACT:

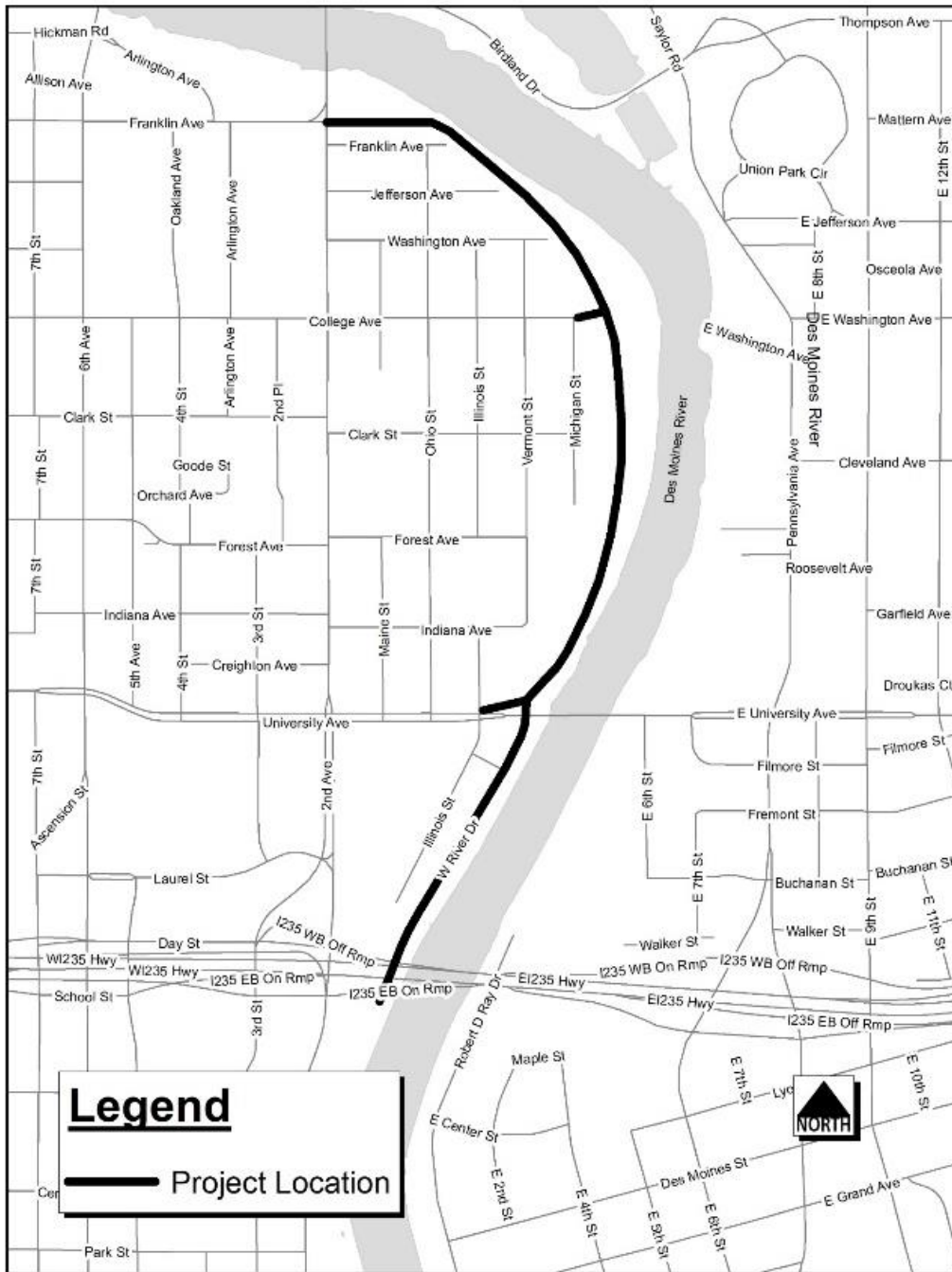
Amount: To be determined after final design is completed.

Funding Source: 2023-24 CIP, Page 93, Central Place Levee Trail, PK 193, Being: Various City, Federal, private secured funding and future anticipated State grant funding

### ADDITIONAL INFORMATION:

- On August 8, 2022, by Roll Call No. 22-1229, the City Council approved a Professional Services Agreement (PSA) with Bolton & Menk, Inc. for design services for the Central Place Levee Trail Phase 1, not to exceed \$126,027.
- Phase 1 of the Central Place Levee Trail includes the construction of a new multi-use trail section between Lauridsen Skatepark, located just southeast of 2nd Avenue and School Street, and the intersection of Franklin Avenue and 2nd Avenue in north-central Des Moines. Much of the trail alignment is atop the Central Place levee offering views of the Des Moines River Greenway. The new trail will be a 10-foot-wide paved section, approximately 1.5-miles in length, and will include additional access spurs at University Avenue and College Avenue. The last remaining segment of West River Drive will be demolished as part of this project and an emergency access off Illinois Street will be constructed to serve the trail and Lauridsen Skatepark. Project construction is tentatively anticipated to start in calendar year 2024 pending City Council approval.

- On May 8, 2023, by Roll Call No. 23-0632, the City Council approved Supplemental Agreement No. 1 to the PSA with Bolton & Menk, Inc. to perform hydraulic modeling for the Des Moines River where earth fill is required to connect the new trail to the Central Place Levee at University Avenue. The supplemental agreement also includes additional coordination between the Central Place Levee Trail Phase 1 Project and the adjacent Lauridsen Skatepark Parking Lot Project that is being led by Polk County Conservation, including division of construction work items, project staging, and emergency access and Riverwalk Dog Park access during construction.
- The City of Des Moines multi-use trail counters logged an estimated 1,755,415 trail trips in 2022 across the system. It is anticipated that this number will increase year-by-year as the system continues to grow and gaps such as the one being filled by this project are completed.
- On August 4, 2023, under provisions of Iowa Code 6B.2D, notices of the proposed resolution authorizing acquisition of the necessary property interests for multi-use trail purposes were mailed to each affected property owner, contract purchaser of record, and tenants known to be occupying the properties required for the Project.
- The affected property owners are afforded the right to attend the City Council Meeting on August 21, 2023, to voice any objections to the proposed property interests to be acquired.
- Approximately one (1) partial acquisition, four (4) temporary construction easements, and five (5) permanent easements are needed from five (5) property owners to complete construction of this project. Relocation of personal property may be required for this Project.
- In addition to the above private property interests to be acquired, a permit will also be required from the Iowa Department of Transportation for the portion of trail to be constructed within State of Iowa owned right-of-way along West River Drive, under the I-235 bridge.



**PREVIOUS COUNCIL ACTION(S):**

Date: May 8, 2023

Roll Call Number: [23-0632](#)

Action: [Approving](#) Supplemental Agreement No. 1 to the PSA with Bolton & Menk, Inc. for design services for Central Place Levee Trail, Phase 1, not to exceed \$25,250. ([Council Communication No. 23-226](#)) Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Anticipated future actions related to this project include approval of grant agreements, ordering construction, public hearing, receive and file bids, designate lowest bidder, and approve contract and bond; also partial payments to the contractor and final acceptance of work.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).