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**Date** May 8, 2023

**RATIFICATION OF NATIONAL PARK SERVICE LAND AND WATER CONSERVATION FUND  
OUTDOOR RECREATION LEGACY PARTNERSHIP GRANT APPLICATION SEEKING  
\$5,291,000 FOR BIRDLAND PARK AND MARINA MASTER PLAN IMPROVEMENTS PHASE 1**

**WHEREAS**, the City of Des Moines Parks and Recreation Department desires to implement Phase 1 and portions of Phase 4 and Phase 5 of the Birdland Park and Marina Master Plan at Birdland Park and Marina, located at 2100 Saylor Road, Des Moines, Polk County, Iowa, for the enjoyment of the residents of Des Moines and the State of Iowa pursuant to this Project, at a total estimated cost of \$13,341,000; and

**WHEREAS**, the Project includes a nature-themed playscape including an ADA-inclusive playground, sprayground, and skating ribbon, the construction of a new water trail access point and associated parking improvements for recreational users of all abilities to easily enter and exit the river, multiple open-air shelters to support family and neighborhood gatherings, the construction of a restroom and concessionaire building, streambank improvements to limit erosion and enhance flood resilience, the construction of an exterior deck on the Ding Darling enclosed shelter to better support community events, elevating a segment of the Neal Smith National Recreation Trail (American Discovery Trail) to enhance flood resilience, development of a new powerboat ramp and associated parking area to relieve traffic congestion and circulation conflicts, pedestrian crossing improvements for increased safety, planting of native trees, shrubs, and prairie vegetation to broadly support water quality and urban wildlife habitat, installation of park user amenities including LED lighting, kayak storage, benches, and bike racks; and

**WHEREAS**, the Parks and Recreation Department desires to seek a grant through the Iowa Department of Natural Resources (IDNR) from the National Park Service (NPS) Land and Water Conservation Fund Outdoor Recreation Legacy Partnership Program (LWCF-ORLP) for financial assistance for the development of the Project, and, in order to meet such grant application deadline, submitted such application on or before April 28, 2023; and

**WHEREAS**, said application was further submitted by the Parks and Recreation Department as a cooperative effort with Iowa Confluence Water Trails (ICON); and

**WHEREAS**, such grant application requires that the City Council provide certain authorizations and certifications when making application for such grant, as described below.

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

1. The above-described Project is authorized.
2. The grant application submitted by the Parks and Recreation Department to the Iowa Department of Natural Resources to seek Land and Water Conservation Fund financial assistance from the National Park Service in the amount of \$5,291,000 (39.66%) of the actual cost of the above-described Project, is hereby ratified and the Department is authorized to have made such application on behalf of the City of Des Moines.
3. The City will accept the terms and conditions set forth in the LWCF State Assistance Manual and which will be a part of the Project Agreement for any grant awarded under the attached proposal/grant application (“proposal”).



**Roll Call Number**

**Agenda Item Number**

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- 4. The City is in complete accord with the attached proposal and it will carry out the development in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the Iowa Department of Natural Resources.
- 5. The City has the ability and intention to finance its share of the cost of the Project and that the Project will be operated and maintained by the City for public outdoor recreational use.
- 6. No financial assistance has been given or promised under any other federal program or activity with regard to the proposed Project.
- 7. The City will not discriminate against any person on the basis of race, color, or natural origin in the use of the property developed pursuant to the proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P.L. 88-352 (1964), and of the regulations promulgated pursuant to such Act by the Secretary of the Interior contained in 43 CFR 17.
- 8. The City will maintain adequate financial records on the proposed Project to substantiate claims for cost-sharing.

(Council Communication No. 23-235)

Moved by \_\_\_\_\_ to adopt.

Second by \_\_\_\_\_.

Attachment: LWCF-ORLP Application

APPROVED AS TO FORM:

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

**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.

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         |      |      |      |        |
| BOESEN         |      |      |      |        |
| GATTO          |      |      |      |        |
| MANDELBAUM     |      |      |      |        |
| SHEUMAKER      |      |      |      |        |
| VOSS           |      |      |      |        |
| WESTERGAARD    |      |      |      |        |
| TOTAL          |      |      |      |        |

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

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