

★ Roll Call Number

20-0758

Agenda Item Number

31

Date May 4, 2020

APPROVAL OF LAND AND WATER CONSERVATION FUND OUTDOOR
RECREATION LEGACY PARTNERSHIP PROGRAM GRANT APPLICATION AND GRANT
CERTIFICATIONS

WHEREAS, the City of Des Moines Parks and Recreation Department desires to develop an outdoor recreational trail facility along the west side of the Des Moines River, located between 821 W River Drive, Des Moines and 1901 2nd Avenue, Des Moines, for the enjoyment of the residents and visitors of Des Moines pursuant to the Central Place Levee Trail Phase 1 project (“Project”), at a total pre-design estimated cost of \$1,500,000; and

WHEREAS, the Project includes approximately 1.8 miles of 10-foot wide asphalt paved multi-use trail and associated amenities such as an improved bicycle/pedestrian crossing at 2nd Ave, wayfinding signage, seating area, trail counter, and service area spurs connecting to the River Bend Neighborhood and existing DART network; and

WHEREAS, the Parks and Recreation Department desires to seek a grant from the National Park Service (NPS) Land and Water Conservation Fund’s Outdoor Recreation Legacy Partnership Program for financial assistance for the development of the Project, and, in order to meet such grant application deadline, such application must be submitted by May 11, 2020; 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 Outdoor Recreation Legacy Partnership Program financial assistance from the National Park Service (NPS) in the amount of 33% of the actual cost of the above described Project is hereby approved and the Department is authorized to have made such application on behalf of the City of Des Moines.

BE IT FURTHER RESOLVED by the City Council of the City of Des Moines, Iowa, certifies that:

1. The City will accept the terms and conditions set forth in the NPS Grants-in Aid Manual and which will be a part of the Project Agreement for any grant awarded under the attached proposal/grant application (“proposal”).
2. The City is in complete accord with the attached proposal and that it will carry out the acquisition and/or 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.
3. 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 at the City’s expense for public outdoor recreational use.



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4. Federal financial assistance to the amount of \$435,000 has been awarded to the Project from the Des Moines Area Metropolitan Planning Organization's FY2024 Surface Transportation Block Grant (STBG) Set-Aside Program (a.k.a. TAP).
5. The City will not discriminate against any person on the basis of race, color, or natural origin in the use of the property or failure acquired of 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.
6. The City will maintain adequate financial records on the proposed Project to substantiate claims for cost-sharing.

(Council Communication No. 20-192)

Moved by Gatto to adopt.

Attachment: LWCF-ORLP grant application.

APPROVED AS TO FORM:

Ann DiDonato
 Ann DiDonato
 Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |

CERTIFICATE

I, P. Kay Cmelik, 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.

MOTION CARRIED APPROVED
J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk