



**Roll Call Number**

21.1940

**Agenda Item Number**

56

**Date** December 20, 2021

**APPROVING AND AUTHORIZING THE EXECUTION OF AGREEMENT WITH IOWA DEPARTMENT OF NATURAL RESOURCES FOR THE FEDERAL LAND AND WATER CONSERVATION FUND PROGRAM FOR CHESTERFIELD PARK DEVELOPMENT**

WHEREAS, the City of Des Moines Parks and Recreation Department operates the 5.8 acre Chesterfield Park, which existing improvements are in need of repair or replacement; and

WHEREAS, the Parks and Recreation Department desires to provide improvements to the park consisting of renovation of a restroom, replacement of a wading pool with a spray ground, a playground replacement, replacement parking lot, a new walking loop around the park, a new open air shelter, a new regulation sized basketball court, and installation of a new permanent table tennis equipment (“Chesterfield Park Development Project”): and

WHEREAS, on March 23, 2021, by Roll Call No. 20-0537, the City Council approved a grant application to the National Park Service (NPS) Land and Water Conservation fund for financial assistance for the Chesterfield Park Development; and

WHEREAS, the Parks and Recreation Department has received a grant from the National Park Service (NPS) Land and Water Conservation Fund (LWCF) for financial assistance for the Chesterfield Park Development Project, to be administered by the Iowa Department of Natural Resources in the amount of \$200,000; and

WHEREAS, such grant requires the City to enter into a grant agreement with the Iowa Department of Natural Resources.

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

1. That Agreement No. 19-01345 between the City of Des Moines and the Iowa Department of Natural Resources, for a National Park Service Land and Water Conservation Fund for the Chesterfield Park Development, a copy of which is now on file in the office of the City Clerk, is hereby approved as to form and content.
2. That the Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, said Agreement for and on behalf of the City of Des Moines, Iowa.



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Activity ID 11-2019-014

Moved by Boesen to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato  
Assistant City Attorney

Funding Source – Various funding being:

- \$200,000 - National Park Service - Land and Water Conservation Funds
- \$930,000 GO Bonds Issued - 2021-22 CIP, PK187 Chesterfield Park Improvements, page 81
- \$50,000 GO Bonds Issued transferred from PK034
- \$160,000 GO Bonds Issued transferred from PK176
- \$250,000 GO Bonds to be issued transferred from PK034
- \$95,000 GO Bonds to be issued transferred from PK137
- \$75,000 Private Donations

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.

J. M. Franklin Cownie  
Mayor

P. Kay Cmelik

City Clerk

**FEDERAL LAND AND WATER CONSERVATION FUND PROGRAM**  
**CFDA #: 15.916, Outdoor Recreation/Acquisition, Development & Planning**  
**Federal Opportunity #: P21AP12046**  
**IOWA DEPARTMENT OF NATURAL RESOURCES**  
**PROJECT AGREEMENT**

COUNTY: POLK  
PROJECT NO.: 19-01345

NAME OF PARTICIPATING AGENCY: CITY OF DES MOINES  
DUNS NUMBER: 073482507  
ADDRESS: 400 ROBERT D RAY DRIVE  
DES MOINES, IA 50309  
PROJECT TITLE: CHESTERFIELD PARK DEVELOPMENT  
PROJECT PERIOD: 8/5/2021 – 09/30/2024  
PROJECT SCOPE:

DEVELOPMENT AT CHESTFIELD PARK INCLUDING A TRAIL, SPLASHPAD,  
PLAYGROUND SHELTER, RESTROOMS, TENNIS TABLES AND BASKETBALL COURT,  
LOCATED ALONG SCOTT AVENUE, CITY OF DES MOINES, POLK COUNTY, IOWA.

In the event that Historic Properties are inadvertently encountered during the undertaking of this project, work will immediately cease and the Grantee will notify the Iowa Department of Natural Resources within 48 hours, or as soon as reasonably possible. The DNR, in consultation with the National Park Service, State Historic Preservation Officer, and Indian Tribes will make reasonable efforts to avoid, minimize or mitigate adverse effects on those historic properties.

**PROJECT SEGMENT COVERED BY THIS AGREEMENT:**

**PROJECT COST:**

Total Cost	\$	<u>1,120,245.00</u>
Fund (LWCF) amount not to exceed 50%		
Fund (LWCF) Amount	\$	<u>200,000.00 (18%)</u>
Cost of this Segment	\$	<u>1,120,245.00</u>
Assistance this Segment	\$	<u>200000.00</u>

The State of Iowa, represented by the Director, Department of Natural Resources, and the local agency named on the reverse side, mutually agree to perform this agreement in accordance with the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964) as amended, with the general provisions attached hereto and made a part hereof, and with the approved project proposal including attachments and any amendment thereto which have been or will be submitted for this project.

The State hereby promises, in consideration of the promises made by the local agency herein, to take the necessary steps and action and to attempt to enter an agreement and any necessary amendments to obtain federal cost-sharing for that portion of the project cost referred to on the reverse side as "Fund Amount," to accept such funds from the United States and disburse the same to reimburse the local agency that portion of the total project cost that is the United States' share. It is understood by the parties hereto that this agreement shall not obligate State of Iowa funds for the project costs described herein, to execute the project or project segment described on the reverse side in accordance with the terms of the agreement. It is further understood that incurred costs will not be reimbursed without written approval that such federal funds have been encumbered.

The following special project terms and conditions were added to this agreement before the parties signed it hereto:

*A final billing for reimbursement shall be submitted to the State not later than 90 days following the expiration of the project period. Failure to do so shall, at the discretion of the State, be cause for termination of the project with no further reimbursement of funds.*

*The grantee shall comply with 43 CFR Part 12, Subpart B -Audit Requirements for State and Local Governments.*

STATE OF IOWA

By: \_\_\_\_\_  
Kayla Lyon, Director  
Iowa Department of Natural Resources

LOCAL AGENCY

By: T.M. Frankin Cownie  
Signature

T.M. Frankin Cownie, Mayor  
Name & Title:

\_\_\_\_\_  
Date

APPROVED AS TO FORM:  
Chris G. Kuntz  
(Adopted City Attorney)