CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: December 7, 2020

ITEM: Motion – Approval of REAP Grant Agreement – Raccoon River Greenway Acquisition

FINANCIAL IMPACT: Grant revenue of $134,000 for the Raccoon River Greenway Land Acquisition project. City share of the total project cost of $164,300 will be $30,300. This amount is budgeted and available.

BACKGROUND: A grant application for the Raccoon River Greenway Acquisition was submitted in August to the Iowa Department of Natural Resources for funding through the Resource Enhancement and Protection (REAP) program following approval by the Grant Review Team. The grant is for acquisition of three additional parcels of land (36.14 total acres) to expand and enhance existing public open space in the area near 1st/63rd Street between Lincoln Street and the Raccoon River.

The Raccoon River Greenway project is part of the City's Five Waters Project, an ambitious project that will:
1. Establish West Des Moines as an outdoor recreation destination for residents and visitors;
2. Offer innovative new ways to explore and discover nature;
3. Preserve land and protect wildlife for future generations; and
4. Enhance the ability of businesses to attract and retain employees of all ages.

The grant request of $134,000 was fully funded and ranked number one in the 'Large Cities' category by the scoring committee. The grant agreement has been reviewed by the Legal Department.

OUTSTANDING ISSUES: None

RECOMMENDATION: That the City Council approve the REAP grant agreement for the Raccoon River Greenway Acquisition.

Lead Staff Member: David Sadler, Superintendent of Parks

STAFF REVIEWS

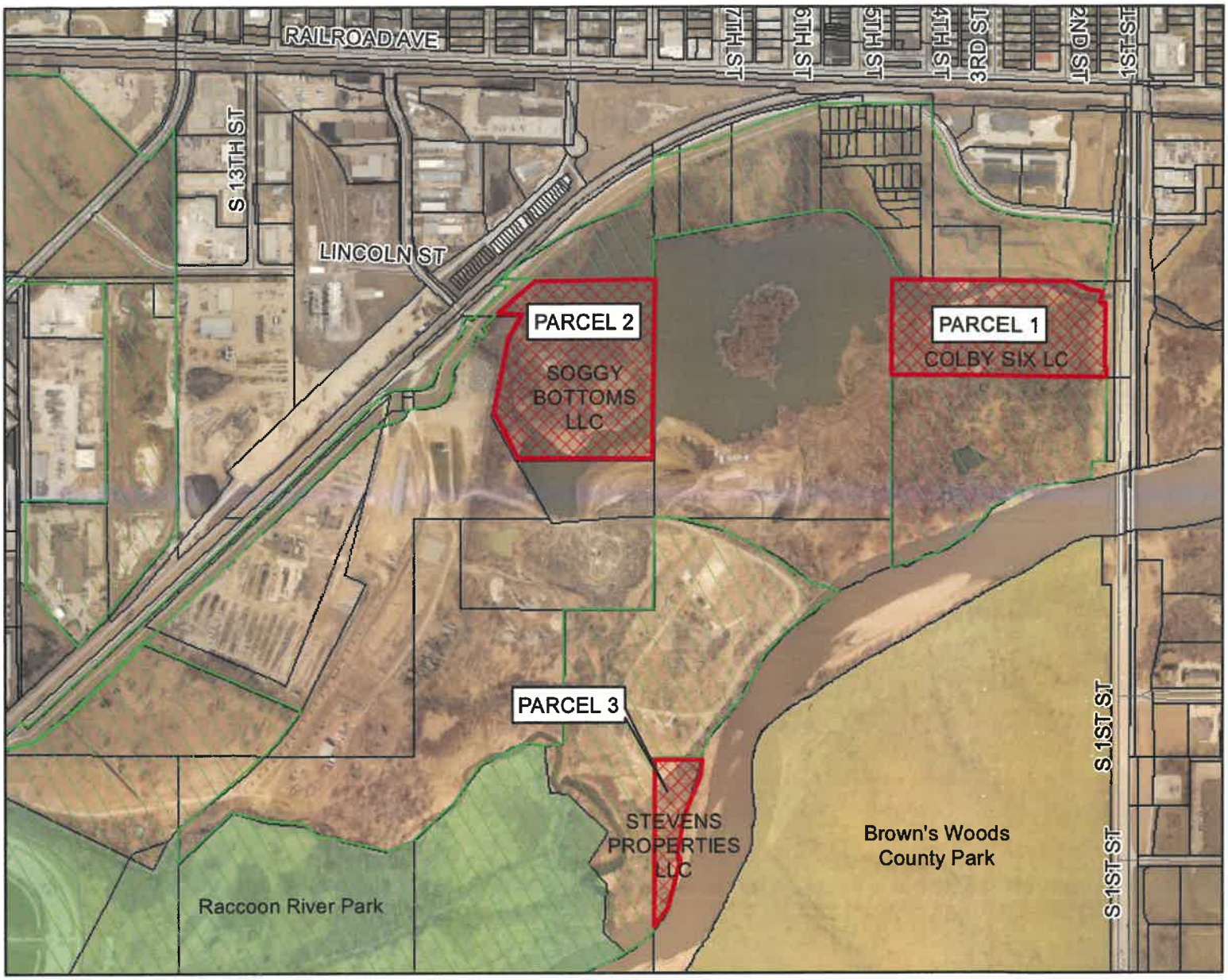
Department Director	Sally Ortgies, Director of Parks & Recreation
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A
Date Reviewed	



VICINITY MAP

LEGEND

City Owned Parcel

Project Location

N

0 750 1,500 Feet

THE CITY OF WEST DES MOINES

PROJECT: **REAP GRANT - RACCOON RIVER GREENWAY LAND ACQUISITION**

LOCATION: **1ST AND LINCOLN STREET**

DRAWN BY: MAA	DATE: 12/2/2020	PROJECT NO.:	SHT. 1 of 1

November 12, 2020

CITY OF WEST DES MOINES
DAVID SADLER
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IA 50265

Re: REAP Grant # 21-R4-HR, RACCOON RIVER GREENWAY ACQUISITION

Dear DAVID SADLER:

Congratulations! Attached please find your organizations Grant Agreement for your Resource Enhancement and Protection (REAP) grant awarded by the Department of Natural Resources (DNR). Please carefully review the grant agreement, print, sign, and return to my attention. A signed copy will be returned to you.

If you have not already done so, please submit your appraisal(s), to my attention, for review and approval. State Appraisal Guidelines are available on the DNR's internet site on the following page: http://www.iowadnr.gov/InsideDNR/AboutDNR/RealtyServices.aspx.

Please start a folder to place all grant and expense documention in. State rules and regulations included with the application and pertaining to the REAP program effectively become part of the grant agreement.

If you have any questions, please contact me at 515-725-8213.

Sincerely,

Kathleen Moench

Kathleen Moench
Budget and Finance Bureau

Enclosures

IOWA DEPARTMENT OF NATURAL RESOURCES
502 E. 9TH STREET DES MOINES, IA 50319

RESOURCE ENHANCEMENT AND PROTECTION FUND
GRANT AGREEMENT-ACQUISITION

GRANTEE:	**CITY OF WEST DES MOINES**	
PROJECT TITLE:	**RACCOON RIVER GREENWAY ACQUISITION**	
CONTACT PERSON:	**DAVID SADLER**	**515-222-3456**
GRANT AWARD:	**$134000.00**	
DNR CONTACT/PHONE #:	Kathleen Moench	515-725-8213

1. **PURPOSE.** The purpose of this REAP Acquisition Grant Agreement is to enable the Iowa Department of Natural Resources (DNR), acting for the State of Iowa, to assist the **CITY OF WEST DES MOINES** (Grantee) in the acquisition of land for the enhancement and protection of open space areas.

2. **PARTIES/AUTHORITY.** The parties to this Grant Agreement are the DNR, an agency of the State of Iowa, and the **CITY OF WEST DES MOINES**. The parties make this Grant Agreement pursuant to 1989 Iowa Code Supplement Section 455A.19(1)(a), which authorizes the Natural Resource Commission to spend certain state funds appropriated for projects to enhance and protect open spaces.

3. **GENERAL DESCRIPTION OF PROJECT LANDS. THIS GRANT AGREEMENT IS FOR YOUR PROJECT** described as:

   ACQ OF (3) PARCELS TO EXPAND AND ENHANCE EXISTING PUBLIC OPEN SPACE. FISHING, RIVER ACCESS, ROPES COURSE, URBAN CAMPING, TRAIL NETWORKS, AND GREENWAYS CONNECTING TO RACCOON RIVER PARK. LOCATED OFF SW 63RD ST, SOUTH OF LINCOLN ST., WDM, POLK COUNTY, IA.

4. **GRANT AWARD AND REIMBURSEMENTS.** The DNR will provide 100 percent of the **acquisition** costs up to a maximum amount of **$134000.00**.

   A. Appraisals must be sent to the Department for review and approval, follow the DNR appraisal guidelines, which can be found at; http://www.iowadnr.gov/InsideDNR/AboutDNR/RealtyServices.aspx, and include a groundwater hazard statement. Submit the appraisal(s) and groundwater hazard statement(s) as soon as possible to:

   REAP Grants Manager, Budget & Finance Bureau
   Iowa Department of Natural Resources
   502 East 9th Street
   Des Moines, Iowa 50319

   B. Upon receiving written approval of the appraisal(s), 100 percent advance reimbursement of the grant award may be requested by submitting a letter of request and the following documents:

   - title opinion showing title is clear and marketable;
   - signed offer to buy or signed purchase agreement.

C. The following documents are required upon completion of the grant:

- a legal description of the property for the Notice of Use Restriction document;
- copy of the recorded deed naming the grantee as owner;
- copy of the recorded groundwater hazard statement(s);
- copies of billings and canceled checks for the acquisition;
- final report, to include a description of the completed project, pictures of the project, and efforts made to procure goods and services from Targeted Small Businesses (TSBs).

5. **ACQUISITION COSTS EXPLAINED.** Acquisition costs include the lesser of the cost or value of the project lands and the lesser of the cost or value of acquisition services as follows:

A. Cost/Value of Project Lands. Acquisition costs include the lesser of the purchase price paid for the project lands by the grantee, or their fair market value established by an appraisal approved by the DNR.

B. Cost/Value of Acquisition Services. Acquisition costs also include the lesser of the price paid by the grantee for acquisition services, or the fair market value of such services based on a written valuation approved by the DNR. Acquisition services include appraisals, surveys, abstracting, and other miscellaneous services reasonably required for acquisition of the project lands.

C. Notwithstanding subparagraphs 5a and 5b, the DNR will not cost-share more than the appraised fair market value of any part of the project lands, and will not cost-share more than the substantiated fair market value of any acquisition services.

6. **RESPONSIBILITIES.** The grantee is solely responsible for closing the acquisition transaction, recording the transaction and Notice of Use Restriction with the appropriate county recorder. The grantee will make a concerted effort to procure goods and services from Targeted Small Businesses (TSBs) during the performance of this Grant Agreement. The DNR may provide assistance at the request of the grantee, or at the Director's recommendation.

7. **WRITTEN WAIVERS.** The grantee may choose at its own risk to acquire title to portions of the project lands if necessary to avoid expiration of an offer to sell or to facilitate fund raising, after obtaining a written waiver of retroactivity from the department.

8. **AMENDMENTS.** This Grant Agreement may be amended only by written ADDENDA signed and dated by the DNR Director or DNR REAP coordinator. Requests for amendments shall be directed to the DNR REAP coordinator.

9. **EFFECTIVE DATE/TERMINATION.** This Grant Agreement shall become effective when it has been signed and dated by the DNR Director and the grantee. All work specified in the project proposal will be completed by **DECEMBER 31, 2022.**

10. **AVAILABILITY OF FUNDS.** If funds anticipated for the continued fulfillment of this agreement are at any time not forthcoming or insufficient, either through the failure of the State of Iowa to appropriate funds, or discontinuance or material alteration of the program under which funds were provided, then the Department shall have the right to terminate the agreement without penalty.

11. By signing this Grant Agreement, the grantee agrees to the terms and conditions set forth in this agreement and all attachments listed below:

- **the REAP "General Provisions" (State rules included with application form);**
- the appraisal guidelines: http://www.iowadnr.gov/InsideDNR/AboutDNR/RealtyServices.aspx

Date	Alex Moon, Deputy Director Iowa Department of Natural Resources
DAVID.SADLER@WDM.IOWA.GOV Email Address	Grantee Signature; Mayor or County Board Director
	Print Name; Mayor or County Board Director

REAP Grant #: 21-R4-HR

Shaded area for DNR use only

Accounting Department Return Copy to: Kathleen Moench _____

Doc #: _____ Date: _____

Warrant #: _____

CITY OF WEST DES MOINES
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IA 50265

State ID #: CV: _____

Fund/Ag/Org/SubOrg/$: _____

DEPARTMENT OF NATURAL RESOURCES
REAP PROJECT BILLING – ACQUISITION GRANT

Project billings must be accompanied by all required documentation (invoices, canceled checks, deeds, etc.) covering expenditures included in the billing. If you have questions, please contact the Budget & Grants Bureau at 515-725-8213. Make additional copies as needed.

Grant Recipient: CITY OF WEST DES MOINES
Project Title: RACCOON RIVER GREENWAY ACQUISITION
Final Billing: Y or N

Use the table below to list your budget items and the expenditures for each item. You should follow the budget items provided with your grant proposal as closely as possible.

Budget Item	Budget Amount	Expenditures This Billing	"To Date" Item Expenditures
Totals			
Less Expenditures In Excess of Total Authorized Project Budget:			
Total "To Date" Expenditures:			
CLAIM REQUEST (__% OF "TO DATE" EXPENDITURES):			
LESS PREVIOUS PAYMENTS OF:			
TOTAL CLAIM TO BE PAID:			

Land Acquisition - List each parcel separately by parcel #. Use purchase price or appraised value, whichever is the lesser.

I certify that this billing is correct and just based upon actual payment(s) of record by the grant recipient, and that the work and services are in accord with the approved grant.

Signature: _____ Date: _____
Print Name: _____
Title: _____ Phone: _____

Mail original Billing Form to DNR Budget & Finance Bureau, backup documentation may be emailed.