



# Council Communication

Office of the City Manager

<b>Date</b>	February 9, 2009
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<b>Agenda Item No.</b>	<b>11</b>
<b>Roll Call No.</b>	<b><u>09-</u></b>
<b>Communication No.</b>	<b><u>09-056</u></b>
<b>Submitted by: William G. Stowe, Assistant City Manager/Public Works/Engineering and Jeb E. Brewer, P.E., City Engineer</b>	

## **AGENDA HEADING:**

Authorizing Public Works Director and Mayor to execute a Letter of Agreement and Request for Provisionally Accredited Levee (PAL) Designation and Agreement to provide adequate compliance with the Code of Federal Regulations, Title 44, Section 65.10 with the Federal Emergency Management Agency (FEMA).

## **SYNOPSIS:**

Recommend designating signatory authority for and approval of a Letter of Agreement and Request for Provisionally Accredited Levee (PAL) Designation and Agreement to provide adequate compliance with the Code of Federal Regulations, Title 44, Section 65.10 with the Federal Emergency Management Agency (FEMA) for the levees designated as DM-I, DM- II, and DM - III.

## **FISCAL IMPACT: NONE**

Amount: N/A

Funding Source: N/A

## **ADDITIONAL INFORMATION:**

The Federal Emergency Management Agency (FEMA) is in the process of producing a countywide Flood Insurance Study report and Digital Flood Insurance Rate Map for Polk County. This effort is being undertaken as part of FEMA's Flood Map Modernization program. For FEMA to continue to accredit the levees with providing protection from the base flood, the levees must meet the requirements of the Code of Federal Regulations, Title 44, Section 65.10. The City of Des Moines must provide data pertaining to design and construction that satisfies criteria as defined in that regulation. The provided data must be certified by a registered professional engineer.

The Letter of Agreement stipulates that all necessary information to show that the levees comply with the Code of Federal Regulations, Title 44, Section 65.10, will be provided to FEMA before March 24, 2011.

A Professional Services Agreement with Howard R. Green Company was approved by the Council on February 26, 2007, for certification of the City flood protection system for compliance with FEMA requirements. That certification study has been completed and is under final review by city staff. Upon completion of review, the certification study will be submitted to FEMA. The Birdland and Central

Place levees are not covered by this certification study, but will be certified after being reconstructed by the U.S. Army Corps of Engineers and the City.

**PREVIOUS COUNCIL ACTION(S):**

Date: February 26, 2007

Roll Call Number: 07-322

Action: Approving Professional Services Agreement with Howard R. Green Company for the following:  
(A) Certification of Flood Protection System Levees for Federal Emergency Management Agency Compliance, \$350,000. (Council Communication No. 07-113)  
) Moved by Hensley to adopt. Motion  
Carried 6-1.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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