

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: May 24, 2010
	Agenda Item No. 60 Roll Call No. <u>10-855</u> Communication No. <u>10-280</u> Submitted by: William G. Stowe, Assistant City Manager-Public Works Director, and Jeb E. Brewer, P.E. City Engineer

AGENDA HEADING:

Approving and Authorizing the Execution of Iowa Jobs Program Grant Award Agreement with the Iowa Jobs Board and the Iowa Finance Authority for \$2,205,000 for the Birdland Levee Replacement.

SYNOPSIS:

Recommend approval and authorization to execute Iowa Jobs Program Grant Award Agreement with the Iowa Jobs Board and the Iowa Finance Authority (IFA) for the Birdland Levee Replacement. On August 31, 2009, IFA notified the City of Des Moines that they had awarded the City an I-Jobs grant in the amount not to exceed \$2,205,000 for the Birdland Levee Replacement project. The Grant Award Agreement was approved by the Iowa Jobs Board on May 5, 2010, and by IFA on May 6, 2010.

FISCAL IMPACT:

Amount: \$11,097,405

Funding Source: Various funding sources, as follows:

- \$2,205,000 – I-JOBS Grant
- \$1,490,620 - 2010-11 CIP, Flood Protection System Improvements, FLD008, Page Storm Water Improvements – 10
- \$269,246 - 2010-11 CIP, Recreation Trails, PKS045, Page Park Improvements – 20, GO Bonds
- \$7,132,539 - Federal share provided by a combination of Appropriations and Stimulus funds through the U.S. Army Corps of Engineers.

ADDITIONAL INFORMATION:

On July 27, 2009, by Roll Call 09-1395, City Council authorized submittal of the Birdland Levee Replacement application to I-Jobs. The application was for \$2,250,000 of the estimated \$8,400,000 total project cost. On August 31, 2009, IFA notified the City of Des Moines that they had awarded the City an I-Jobs grant in the amount not to exceed \$2,205,000 for the Birdland Levee Replacement project. The Grant Award Agreement was approved by the Iowa Jobs Board on May 5, 2010, and by IFA on May 6, 2010.

On October 12, 2009, by Roll Call 09-1833, City Council approved the Project Partnership Agreement (PPA) with the Corps of Engineers for construction of the Birdland Park levee, wetland mitigation, and downtown closure improvements. The PPA makes the City responsible for 35% of the flood damage reduction project costs and 50% of the recreation costs. Funding provided to date, as well as eligible City costs, will be credited towards the City's share. A portion of the City responsibility will be paid using the I-Jobs funding.

The Corps of Engineers accepted bids on the Birdland Park levee reconstruction on March 12, 2010. There were nine bidders. The Corps of Engineers awarded the construction contract to Ceres Environmental Services with a low bid of \$7,476,790. Construction is expected to begin in June 2010. The Corps of Engineers recently updated the estimated total project cost to be \$11.1 million. This amount includes design, construction management, property acquisition, relocations, and construction.

The Central Place levee will be included in a separate PPA. The Corps of Engineers is working through their review process and expect to provide a PPA for City approval for construction of Central Place this summer. Funding is in place and Congress increased the authorization amount needed for Central Place to move forward. The plans and specifications for the Central Place levee are being finalized. The construction contract for the Central Place levee should be awarded by Fall 2010.

PREVIOUS COUNCIL ACTION(S):

Date: March 22, 2010

Roll Call Number: [10-463](#)

Action: [Increase](#) of total project costs in the Project Partnership Agreement with Department of the Army, for construction of the Des Moines and Raccoon Rivers Project for the Birdland Park Levee, (increase to \$11.3 Million, Federal share \$7.3 Million, City Share \$4 Million). ([Council Communication No. 10-164](#)) Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: November 23, 2009

Roll Call Number: [09-2143](#)

Action: [Recommendation](#) to construct a trail connection to McHenry Park as part of the rebuild of the Birdland Levee. ([Council Communication No. 09-828](#)). Moved by Mahaffey to adopt. Motion Carried 6-1. Pass: Cownie.

Date: October 12, 2009

Roll Call Number: [09-1833](#) and [09-1834](#)

Action: Items regarding Des Raccoon Rivers Project: ([Council Communication No. 09-720](#)) (A) [Approving](#) Project Partnership Agreement with Department of the Army for construction. Moved by Mahaffey to adopt. Motion Carried 7-0. (B) [Authorization](#) to proceed with acquisition of the necessary right-of-way and easements. Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: July 27, 2009

Roll Call Number: [09-1395](#)

Action: [Authorization](#) to submit a grant application to I-Jobs for flood related improvements, repair and mitigation and other public improvements and approval of City of Des Moines matching fund commitment requirements. ([Council Communication No. 09-518](#)) Moved by Meyer to approve. Motion Carried 7-0.

Date: January 26, 2009

Roll Call Number: [09-070](#)

Action: [Approving](#) Amendment No. 1 to the Design Agreement with The Department of the Army for design of the Des Moines and Raccoon Rivers Project. (Birdland and Central Place Levees) ([Council Communication No. 09-048](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: October 27, 2008

Roll Call Number: [08-1856](#)

Action: [Requesting](#) Army Corps of Engineers to design a trail as part of the proposed Central Place Levee to provide trail connections from the Principal Riverwalk to the River Bend Neighborhood along the Des Moines River and payment of up to \$50,000 to the Army Corps of Engineers. ([Council Communication No. 08-635](#)) Moved by Vlassis to approve. Motion Carried 7-0.

Date: August 11, 2008

Roll Call Number: [08-1468](#)

Action: [Authorization](#) to submit request and enter into an agreement with Corps of Engineers to advance funds up to \$750,000 to complete design of Birdland and Central Place levees. ([Council Communication No. 08-480](#)) Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Vlassis.

Date: March 20, 2006

Roll Call Number: [06-497](#)

Action: [Approving](#) Design Agreement with U.S. Army Corp of Engineers for design of the Des Moines and Raccoon Rivers Project for Flood Protection, not to exceed \$298,000. ([Council Communication No. 06-143](#)) Moved by Hensley to adopt. Motion Carried 5-2. Nays: Kiernan and Mahaffey.

Date: July 9, 2001

Roll Call Number: 01-2160

Action: Granting Right-of-Entry to the U.S. Army Corps of Engineers for survey and exploration of city property to determine adequacy of flood control system on Des Moines and Raccoon Rivers. ([Council Communication No. 01-353](#)). Moved by Hensley to adopt.. Motion Carried 6-1. Absent: Flagg.

Date: September 13, 1999

Roll Call Number: 99-2748

Action: Approving Agreement with Department of the Army for the Des Moines and Raccoon Rivers Feasibility Study. ([Council Communication No. 99-404](#)) Moved by McPherson to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): Park and Recreation Board

Date: November 19, 2009

Roll Call Number: 09-110

Action: Park and Recreation Board Unanimously approved staff recommendation with the consideration that the Army Corps of Engineers look to remove the beavers before construction starts, and ask if a complete loop around the lake can be completed as part of the project, can a trail detour during construction be setup and require that the City tree policy be followed related to tree protection for trees that will be saved during the construction process.

Date: October 27, 2009

Roll Call Number.: 09-103

Action: Park and Recreation Board Motion by Feltner to support the overall plan of marrying the bike trail and the flood project, but understanding that the Corp and the Park staff has agreed to work together to mitigate the environmental damages. Our park board subcommittee would like to review the result of those collaborations before it becomes final action, and if necessary, call a special board meeting, before moving forward.

Date: September 22, 2009

Roll Call Number: 09-094

Action: Park and Recreation Board Receive and File Recommendation to move forward with a trail connection between McHenry Park and Kiwanis Nature Island.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Enter into Project Partnership Agreement with the Corps of Engineers for the construction of the Central Place levee and setting fair market value for properties and easements to be acquired.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.