

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 28, 2010
	<p>Agenda Item No. 10</p> <p>Roll Call No. <u>10-1020</u></p> <p>Communication No. <u>10-411</u></p> <p>Submitted by: William G. Stowe, Assistant City Manager-Public Works Director, and Jeb E. Brewer, P.E. City Engineer</p>

AGENDA HEADING:

Approving Project Partnership Agreement between the City and the Department of the Army for Construction of the Des Moines and Raccoon Rivers Project.

SYNOPSIS:

Recommend approval of the Project Partnership Agreement (PPA) with the Department of the Army to proceed with Corps of Engineers construction of the Des Moines and Raccoon Rivers Project. The agreement includes reconstruction of the levee in the Central Place area, associated wetland, and upland and bottomland forest mitigation. The PPA makes the City responsible for 35% of the flood damage reduction project costs. Funding provided to date, as well as eligible City costs, will be credited towards the City's share.

FISCAL IMPACT:

Amount: \$7,631,998 with \$4,960,799 (Federal) and \$2,671,199 (City)

Funding Source: The Federal share of \$4,960,799 is provided by Federal Appropriations through the U.S. Army Corps of Engineers. The City share of \$2,671,199 is included in the 2010-11 CIP, Page Storm Water Improvements – 10, Flood Protection System Improvements, FLD008, Storm Revenue Bonds

The recreation costs in the Central Place levee project will be included as betterments at 100% City cost. The recreation costs are estimated to be approximately \$20,000 in 2010-11 CIP, Recreation Trails, PKS045, Page Park Improvements – 20, G.O. Bonds.

ADDITIONAL INFORMATION:

The PPA includes the responsibilities of the Corps of Engineers and the City for financial obligations and work related to the Central Place levee project. The Corps of Engineers defined project is estimated to be \$7,631,998 for the Central Place levee. The PPA provides for a maximum project cost of \$9,200,000. Should the project costs increase to this level, the City share would increase to a maximum of \$3,220,000.

The PPA makes the City responsible for 35% of the flood damage reduction project costs. The flood damage reduction project costs include all work and expenses necessary to construct the levee and associated gatewell structures, pump station modification and closure structures to provide a 500-year level of flood protection, including any property required, design and construction costs, and wetland mitigation.

In accordance with the agreement, the City is responsible for acquiring all lands, easements, rights-of-way, and relocations required for the project. In addition to land needed for the levee construction and flood control purposes, borrow sources must be provided and utilities must be relocated. These City costs are related to the levee and will be credited toward the required 35% of the flood damage reduction costs.

The design of the recreation trail was included in the Central Place levee design. The trail will not be constructed at this time; however, the levee project will include construction of embankments to serve as future trail access points as betterments to the contract. This will simplify the future trail construction and address the connection to the levee. The City is responsible for 100% of the betterment cost.

The Birdland Park levee was included in a separate PPA approved by Council on October 12, 2009, by Roll Call 09-1833. The Federal funding required for Central Place, and the necessary language to increase the authorization amount, was approved last fall as part of the FY10 Federal Appropriations. Since last fall, the Corps of Engineers has been preparing the required Post Authorization Change report that documents the increased estimated cost for the project. This report has been completed and is under review at the Corps of Engineers Mississippi Valley Division. The Corps of Engineers has provided the PPA for City approval. With this action, City Council is being asked to authorize execution of the agreement, payment of the local share, and authorization for actions needed to carry out the project.

The Corps of Engineers is finalizing the plans and specifications for the Central Place levee project. The current schedule is to bid the work this summer to allow construction to begin in late 2010. The Corps of Engineers is projecting the construction will take most of two construction seasons to complete. Work will begin on the north end and proceed downstream.

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): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

The Corps of Engineers will proceed with construction of the project as described in the PPA, no further City Council action is anticipated at this time.

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