

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	June 9, 2014
	Agenda Item No.	60
	Roll Call No.	<u>14-0862</u>
	Communication No.	<u>14-262</u>
	Submitted by:	Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Approving and authorizing a 28E Agreement between Polk County, Iowa and the City of Des Moines, Iowa for property acquisition, relocation, and demolition services for the Polk County Clean Water State Revolving Fund Water Resources Restoration Sponsored Project for the Fourmile Creek Watershed.

SYNOPSIS:

Recommend approval of the 28E Agreement for property acquisition, relocation and demolition services for the Polk County Clean Water State Revolving Fund Water Resources Restoration Sponsored Project for the Fourmile Creek Watershed. City Council approval of the 28E Agreement is subject to final approval of the Agreement by the Iowa Department of Natural Resources (IDNR) and the Iowa Finance Authority (IFA). The Polk County Board of Supervisors approved the above 28E Agreement on May 27, 2014.

Polk County has entered into a Chapter 28E Agreement with the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) by which the WRA applied for the Sponsored Project funding from the State of Iowa Clean Water State Revolving Fund (SRF) Water Resources Restoration Sponsored Projects program. The Agreement requires the County to undertake all administration and activities associated with the Sponsored Project and to pay all associated costs that are not covered by the Sponsored Project funding.

Under the 28E Agreement between the City and Polk County, the City will provide acquisition, relocation and demolition services, as agent and consultant for Polk County, for the acquisition of approximately 20 properties located in the Fourmile Creek floodplain. Polk County shall pay for all acquisition, relocation and demolition costs, including the City’s administrative costs, for services provided under the 28E Agreement.

FISCAL IMPACT:

Amount: N/A

Funding Source: Polk County shall pay for all acquisition, relocation and demolition costs, including the City’s administrative costs for services provided under the 28E Agreement.

ADDITIONAL INFORMATION:

The project calls for acquisition and demolition of approximately 20 residential properties in the Fourmile Creek Watershed area, between Easton Boulevard and Hubbell Avenue, in order to improve the water quality within Fourmile Creek and assist in reduction of flow into the WRA sewer system. This is being done pursuant to the SRF Water Resources Restoration Sponsored Projects program. All property will be acquired in the name of Polk County, Iowa, and the County will be responsible for all future ownership and maintenance responsibilities following acquisition of the properties.

The County has requested for the City to act as agent and consultant for the County for property acquisition, relocation, and demolition purposes associated with the Sponsored Project. City staff has extensive experience with acquisition and demolition of property in the Fourmile Creek Floodplain area and can provide such services in an efficient and effective manner. Polk County will be responsible for all future actions relating to approvals for fair market value and acceptance of real estate documents, but standard City procedures and Council approvals will be followed for contracting the demolition work.

In accordance with the 28E Agreement, City staff will prepare all plans, specifications and bid documents for the demolition work. Following Polk County, IDNR and/or IFA approval of the bid and contract documents, the City will make all publications and hold all hearings, as required by Chapter 26 of the Iowa Code, for the award of the Project demolition contract(s). Following the bid, the City shall submit the bid and proposed contract award to the County, and the County shall submit said documents to IDNR and/or IFA for review and approval, prior to City execution and award of the contract(s).



PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Following acquisition of the properties, Council will be asked to take action on bidding and ordering demolition contract(s) for removal of the structures.

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 first 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.