


# COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	<b>22-506</b>	Meeting:	<b>November 7, 2022</b>
	Agenda Item:	<b>26</b>	Roll Call:	<b>22-1734</b>
	Submitted by:	<b>Steven L. Naber, P.E., City Engineer</b>		

## AGENDA HEADING:

Approving Borrow Site Agreement between the City of Des Moines and the Des Moines Airport Authority (Authority) for removal of excess fill dirt for levee projects.

## SYNOPSIS:

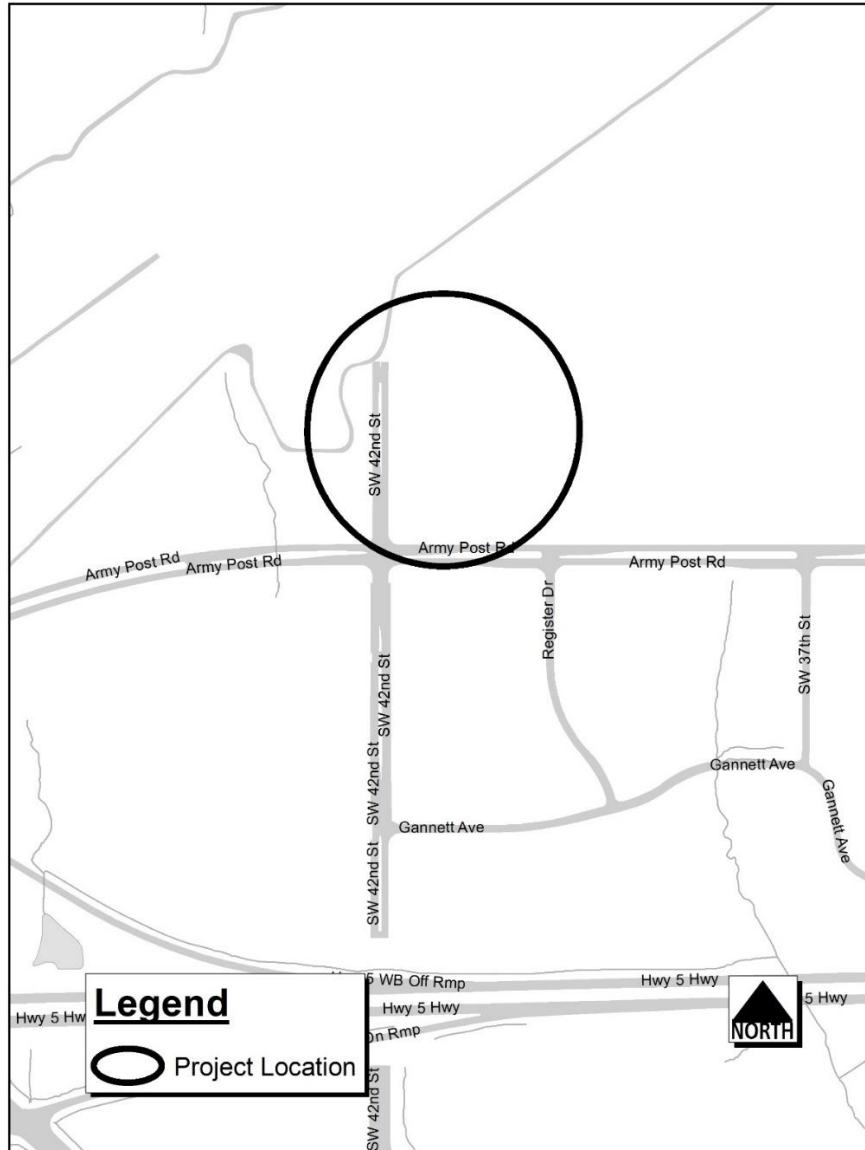
Recommend approval of Agreement between the City and the Authority establishing the terms and conditions for the City's use of a borrow site on property currently being leased by the City to the Authority.

## FISCAL IMPACT: NONE

## ADDITIONAL INFORMATION:

- The Authority has excess fill dirt located on property that it currently leases from the City, which is located east of SW 42nd Street and north of Army Post Road.
- The Authority previously issued a Request for Proposals to have the fill dirt removed from the site but received no responses from prospective contractors. As a result, the fill dirt has remained on the property.
- The City needs fill dirt to complete multiple upcoming Des Moines and Raccoon River Levee Alteration projects over an extended period of time.
- If the Agreement is approved, the City's removal of fill dirt from the property will mean that the Authority may not need to contract to have the fill dirt removed from the site.
- Both parties believe it to be in the best interest of the public to document the terms and conditions under which the City may utilize and remove fill dirt from this property.
- If the Agreement is approved, the City will agree to comply with Federal Aviation Authority (FAA) provisions as described in Exhibit B to the Agreement, including agreeing to include certain FAA provisions within subsequent agreements entered into by the City as they relate to operations at the Airport, and also require the other parties to the subsequent agreements to similarly include the FAA provisions in further agreements.

- If this Agreement is approved by the City Council, the Des Moines Airport Authority Board will also need to approve the Agreement at a future Des Moines Airport Authority Board meeting.



**PREVIOUS COUNCIL ACTION(S): NONE**

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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