

February 8, 2010

**Date** .....

WHEREAS, the City has a National Pollution Discharge Permit for stormwater from its stormwater discharge system (MS4) for discharge into waters of the state; and

WHEREAS, Yeader Creek discharges into one of the receiving waters designated in the permit, Easter Lake; and

WHEREAS, the Iowa Department of Natural Resources has received funds appropriated by the Iowa Legislature to improve water quality in significant publically owned lakes; and

WHEREAS, Easter Lake has been designated a priority lake; and

WHEREAS, a feasibility analysis must be completed and the Iowa Department of Natural Resources along with the United States Department of Agriculture, Natural Resource Conservation Service has requested City staff assist in data collection from this feasibility analysis; and

WHEREAS, through a proposed agreement with the Iowa Department of Resources, the City of Des Moines agrees to assist with data collection and costs for staff time for the data collection will be reimbursed in an amount not to exceed \$7,160.00; and

WHEREAS, it is recommended that the City Council approve the agreement with the Iowa Department of Natural Resources and authorize the Mayor to execute the agreement and the Clerk to attest to his signature.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa: That the 28E Agreement between the City of Des Moines, Iowa and the Iowa Department of Natural Resources is hereby approved and the Mayor is authorized and directed to execute the agreement and the City Clerk to attest to his signature and that the City Clerk is directed to file such agreement with the Secretary of State.

APPROVED AS TO FORM:

Moved by \_\_\_\_\_ to adopt.



**(Council Communication No. 10-056 )**

Kathleen Vanderpool, Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
City Clerk