

.....  
Date May 21, 2007

APPROVING AMENDED AND SUBSTITUTED CHAPTER 28E AGREEMENT FOR A  
COMMUNITY SPONSORED AUTOMATED FLOOD WARNING SYSTEM

WHEREAS, this Chapter 28E agreement amends and replaces the Memorandum of Understanding and Chapter 28E agreement for the Establishment of an Automated Flood Warning System entered into by Des Moines, West Des Moines, Clive, and the National Weather Service (NWS) on May 2, 1988 and the Amended and Substituted Memorandum of understanding and Chapter 28E Agreement for a Community Sponsored Automated Flood Warning System entered I into on December 5, 1994, for operation of the Des Moines Metro Automated Flood Warning System; and

Whereas, the cost for this Automated Flood Warning System will be split between the CGE with City of Des Moines contributing 56.44%, City of West Des Moines contributing 23.62% and City of Clive contributing 19.94% to cover budgeted costs for the period from May 21, 2005 to July 1, 2025;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the attached Agreement, entered into by and between the National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS) (hereinafter the "National Weather Service"), and the cities of Des Moines, West Des Moines and Clive (hereinafter collectively referred to as the "Contributing Governmental Entities", ["CGE"]), is undertaken for the purpose of establishing and defining a mutual assistance program to design and develop an Automated Flood Warning System for the Des Moines, Iowa Metropolitan Area is hereby approved and the Mayor is authorized and directed to sign such Agreement and the City Clerk to attest to the Mayor's signature.

★ **Roll Call Number**

Agenda Item Number

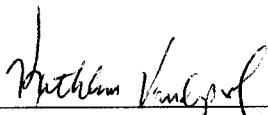
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Date May 21, 2007

- That the Clerk is authorized and directed to file the Agreement with the Secretary of State and the County Recorder.


(Council Letter Number 07-296 attached)

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

FORM APPROVED:   
 Kathleen Vandepool  
 Deputy City Attorney

Funding Source:

- 56.44% City of Des Moines (EN301, PWK 077010, Flood Early Warning System Maintenance, Page 315, 2007-2008 Operating Budget)
- 23.62% City of West Des Moines
- 19.94% City of Clive



COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

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