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Date August 11, 2008
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**AUTHORIZATION TO SUBMIT REQUEST AND ENTER INTO AN AGREEMENT WITH
THE CORPS OF ENGINEERS TO ADVANCE FUNDS UP TO \$750,000 TO COMPLETE
THE DESIGN OF THE BIRDLAND AND CENTRAL PLACE LEVEES**

WHEREAS, the City of Des Moines, most of the State of Iowa and much of the Midwest experienced considerable damage as a result of weather related events in 2008; and

WHEREAS, City, State and Federal funds exceeding \$77 million have been invested since 1993 to improve flood control in the City of Des Moines; and

WHEREAS, the Des Moines and Raccoon Rivers Project was initiated following the 1993 floods, in which both the Birdland and Central Place levees failed; and

WHEREAS, the Birdland area again experienced significant flood damage in 2008 when the levee was breeched on June 14, 2008; and

WHEREAS, Federal funding has been allocated for the Des Moines and Raccoon Rivers Project, but has not been adequate to complete design; and

WHEREAS, the Corps of Engineers has estimated the cost to complete design of the Des Moines and Raccoon Rivers Project at \$600,000; and

WHEREAS, the City of Des Moines would like to request the Corps of Engineers accept Advanced Funds to complete the design of the Des Moines and Raccoon Rivers Project, including the Birdland and Central Place Levees; and

WHEREAS, the Advanced Funds would allow design to be completed as we work with our Congressional delegation to obtain the Federal funding required for construction of the Birdland and Central Place levees; and

WHEREAS, upon receiving the request to accept Advanced Funds, the Corps of Engineers will initiate their process which includes receiving approval from Office of Management and Budget and notifying the Appropriations Committees of the Congress prior to negotiating the Memorandum of Agreement for acceptance of advance funds; and

WHEREAS, subsequent to negotiating the Memorandum of Agreement, the drafted Memorandum of Agreement is submitted to the U.S. Army Corps of Engineers Headquarters for review and approval and signature by the Assistant Secretary of the Army; and

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WHEREAS, once Federal Appropriations are made available for construction of the Des Moines and Raccoon Rivers Project, the amount provided as Advanced Funds will be credited to the required City contribution.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the Mayor is hereby authorized and directed to sign the request to the Corps of Engineers to accept Advanced Funds of \$600,000 from the City of Des Moines for the design of the Des Moines and Raccoon Rivers project, including the Birdland and Central Place levees, a copy of which is on file in the office of the City Clerk.

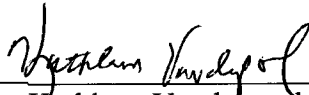
BE IT FURTHER RESOLVED: That the Mayor is hereby authorized and directed to sign the Memorandum of Agreement for Advanced Funds for the design of the Des Moines and Raccoon Rivers Project that will allow the Corps of Engineers to accept advanced funds from the City of Des Moines, subject to Engineering and Legal Department review, and City Clerk are hereby authorized and directed to execute and attest, respectively, said Memorandum of Agreement for and on behalf of the City of Des Moines, Iowa.

BE IT FURTHER RESOLVED: That the City Manager is authorized to approve additional funding not to exceed \$150,000 if necessary to complete the design of the Birdland and Central Place levees.

(Council Letter Number 08-480 attached)

Activity ID 14-2000-031

Moved by _____ to adopt.

FORM APPROVED: 
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: \$750,000 from 2008-2009 Capital Improvements Program, Storm Water Improvements- Page10, Flood Protection System Improvements, FLD008

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

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.

MOTION CARRIED APPROVED
 _____ Mayor

_____ City Clerk