

.....
Date October 12, 2009

**APPROVING PROJECT PARTNERSHIP AGREEMENT BETWEEN
THE CITY AND THE DEPARTMENT OF THE ARMY
FOR CONSTRUCTION OF THE DES MOINES AND RACCOON RIVERS PROJECT**

WHEREAS, on September 13, 1999, by Roll Call 99-2748, the City Council of the City of Des Moines, Iowa, entered into agreement with the Department of the Army for the Des Moines and Raccoon Rivers Feasibility Study; and

WHEREAS, on March 20, 2006, by Roll Call 06-497, the City Council approved the Design Agreement between the City and the Department of the Army for design of the Des Moines and Raccoon Rivers Project for Flood Protection; and

WHEREAS, on August 11, 2008, by Roll Call 08-1468, the City Council submitted a request to the Corps of Engineers to advance funds to complete the design of the Birdland and Central Place levees; and

WHEREAS, on January 26, 2009, by Roll Call 09-070, the City Council approved Amendment No. 1 to the Design Agreement to allow the City to provide funds in excess of the required twenty-five percent of the total cost to allow design of the Birdland and Central Place levees to proceed; and

WHEREAS, the Corps of Engineers has finalized the Project Partnership Agreement for construction of the Des Moines and Raccoon Rivers Project that includes reconstruction of the levee in the Birdland Park area, associated wetland mitigation at the Chichaqua mitigation site, improvements to closures in the downtown flood protection system and construction of a multipurpose trail from the Neal Smith Trail to Riverview and McHenry Park; and

WHEREAS, the Project Partnership Agreement makes the City responsible for 65% of the flood damage reduction project costs and 50% of the recreations costs.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That Project Partnership Agreement between the City and the Department of the Army for the construction of the Des Moines and Raccoon Rivers Project, a copy of which is on file in the office of the City Clerk, is hereby approved as to form and content.

BE IT FURTHER RESOLVED: That the Mayor is hereby authorized and directed to sign said Project Partnership Agreement and all required ancillary documents and certifications for and on behalf of the City of Des Moines, Iowa.

★ **Roll Call Number**

Agenda Item Number

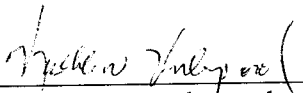
8 A

Date October 12, 2009

BE IT FURTHER RESOLVED: That the City Manager or his designees are hereby directed to administer the Project Partnership in accordance with their terms.

Moved by _____ to adopt.

FORM APPROVED:



 Kathleen Vanderpool
 Deputy City Attorney

(Council Communication No. 09-720)

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