

Date February 9, 2015

APPROVING AND AUTHORIZING AGREEMENT WITH POLK SOIL AND WATER CONSERVATION DISTRICT TO ADMINISTER AND PROVIDE FUNDING FOR EASTER LAKE WATERSHED STORMWATER BEST MANAGEMENT PRACTICES PRIVATE PROPERTY COST SHARING PROGRAM

WHEREAS, the Polk Soil and Water Conservation District (SWCD) and the CITY are committed to improving and conserving natural resources; and

WHEREAS, on February 27, 2012, by Roll Call No. 12-0358, the City Council approved an Intergovernmental 28E Cooperative Agreement with Iowa Department of Natural Resources and Polk County Conservation Board to fund development of an Easter Lake Water Quality Plan; and

WHEREAS, such Easter Lake Water Quality Management Plan dated October 2012, for restoration of Easter Lake, including the goal of increased water quality in contributing water sources to Easter Lake ("the Plan") has been developed; and

WHEREAS, on October 8, 2012, by Roll Call No. 12-1574, the City Council approved support for Polk County Soil and Water Conservation District application for an Iowa Department of Natural Resources Watershed Implementation Grant in the amount of \$692,726.50 to begin implementation of Phase I of the Plan, which included the City's commitment to provide matching funds of up to \$599,787.50 for Phase I projects; and

WHEREAS, on June 24, 2013, by Roll Call No. 13-0992, the City Council approved a Memorandum of Understanding between the City of Des Moines, Polk County Conservation Board, Polk County Soil and Water Conservation District, Iowa Department of Agriculture and Land Stewardship, and Natural Resources Conservation Service to identify project managers for each party, agree to endeavor to cooperate with each other, and to develop a budget for Plan implementation for Phase I projects; and

WHEREAS, one of the Plan components is to implement best management practices on private property by educating property owners and providing a cost sharing program for deployment of such BMPs, as further described in this Agreement ("the BMP Program"); and

WHEREAS, the SWCD has received an Iowa Department of Natural Resources Watershed Implementation Grant in the amount of \$754,537.50 to implement the Plan, including the BMPs; and

WHEREAS, the CITY, SWCD, and Polk County Conservation Board have agreed to each fund one-third of the cost of such BMP Program, in the amount of \$99,786 each by no later than December 31, 2016 to implement the BMP Program; and

★ **Roll Call Number**

Agenda Item Number  
28

Date February 9, 2015

WHEREAS, the parties desire that SWCD administer the BMP Program for a period of 3 years.

WHEREAS, City staff has negotiated an Agreement for Administration and Funding of Easter Lake Watershed Storm Water Best Management Practices Private Property Cost Sharing Program Between the City of Des Moines and Polk Soil and Water Conservation District for the BMP Program, a copy of which is on file in the City Clerk's Office; and

WHEREAS, the Public Works Department recommends approval of this Agreement as the BMP Program should result in reduced sediment and phosphorous pollution and increased water quality in contributing water sources to Easter Lake.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF Des Moines, Iowa, that the Agreement for Administration and Funding of Easter Lake Watershed Storm Water Best Management Practices Private Property Cost Sharing Program Between the City of Des Moines and Polk Soil and Water Conservation District, a copy of which is on file in the City Clerk's Office, is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and attest respectively said Agreement for and on behalf of the City of Des Moines, Iowa.

(Council Communication 15- 054 )

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

APPROVED AS TO FORM

Ann Di Donato  
Ann Di Donato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
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