



Date May 23, 2016

APPROVING EXECUTION OF 28E AGREEMENT WITH THE DIVISION OF SOIL CONSERVATION AND WATER QUALITY OF THE IOWA DEPARTMENT OF AGRUCULTURE & LAND STEWARDSHIP FOR FUNDING OF THE SOUTH SIDE SINKHOLE SUBSIDENCE EMERGENCY PROJECT AND AUTHORIZING PUBLIC WORKS DIRECTOR TO EXECUTE SAME

WHEREAS, on April 12, 2016, a sinkhole occurred at 4103 SW 5th Street, which endangered the abutting street and utility infrastructure; and

WHEREAS, due to such threat of collapse, the Des Moines Public Works Department secured the site, which was determined to be from a closed coal mine air shaft; and

WHEREAS, the Division of Soil Conservation and Water Quality, Iowa Department of Agriculture & Land Stewardship (Division) has emergency funds available to assist with performing subsidence of collapsed coal mines and was notified by the Public Works Department for assistance with the abatement of such collapse; and

WHEREAS, the Division has prepared a 28E Agreement Between the Division of Soil Conservation and Water Quality and the City of Des Moines for Funding of the South Side Sinkhole Subsidence Emergency Project in Polk County, State of Iowa, by which the City will be reimbursed for allowable emergency expenditures related to equipment and materials for work associated with the emergency project, which costs are estimated not to exceed \$15,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above described 28E Agreement, a copy of which is on file in the City Clerk's Office, is hereby approved, and the Public Works Director is hereby authorized and directed to sign such 28E Agreement on behalf of the City.

Moved by \_\_\_\_\_ adopt. (Council Communication 16- 287 )

Approved as to Form:

Ann DiDonato
Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, 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.

Mayor

City Clerk