

Date August 5, 2019

APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH POLK SOIL AND WATER CONSERVATION DISTRICT TO PROVIDE FUNDING FOR AN OXBOW RESTORATION PROJECT IN THE FOURMILE CREEK WATERSHED

WHEREAS, by Resolution No. 12-1381, on August 27, 2012, the City Council approved a 28E Agreement whereby the City joined with other entities to create the Fourmile Creek Watershed Management Authority which resulted in development of a watershed management plan in 2015; and

WHEREAS, Polk Soil and Water Conservation District (PSWCD) is the watershed coordinator and has identified an opportunity on private property to restore an oxbow along the main channel of Fourmile Creek north of Ankeny, which would result in water quantity reduction benefits by reconnecting the flood plain areas and water quality benefits by restoring natural vegetation and habitat; and

WHEREAS, Public Works Department staff have negotiated an agreement with PSWCD providing that the City will provide up to one half of the estimated costs of such project, \$34,5000, and PSWCD will be responsible for ensuring that the project construction and maintenance meets the Natural Resource Conservation Service Standards, a copy of which is on file with the City Clerk's Office; and

WHEREAS, the Public Works Department has determined that the said project on private property within Polk County is a Best Management Practice which will directly benefit the stormwater management utility and its operations and purpose, pursuant to Des Moines Municipal Code Section 118-272(b); and

WHEREAS, the Public Works Department recommends approval of this Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Agreement for Funding, Construction, and Management of Watershed Improvements in Fourmile Creek Watershed, 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 Agreement on behalf of the City and the City Clerk to attest to the Director's signature.

(Council Communication No. 19-**334**)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

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