

Date September 23, 2019

**APPROVING AMENDMENT TO COOPERATIVE AGREEMENT WITH
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR) TO PROVIDE FUNDING
FOR THE S.E. 14TH STREET BIO-RETENTION CELL PROJECT**

WHEREAS, on February 27, 2012, by Roll No. 12-0358, the City Council approved a 28E Cooperative Agreement with the Iowa Department of Natural Resources (DNR) and Polk County Conservation Board to develop a Water Quality Plan for Easter Lake to address impairments caused by excess nutrients and sediment delivery to Easter Lake; and

WHEREAS, on April 8, 2019, by Roll Call No. 19-0540, the City Council approved a Cooperative Agreement with DNR in which DNR agreed to reimburse the City up to \$164,765 of the construction costs of a project for the S.E. 14th Street Bio-retention Cell project, as part of the Easter Lake Quality Management Plan; and

WHEREAS, such cooperative Agreement provides that the project be completed by September 30, 2019, and additional time is needed to complete the project; and

WHEREAS, DNR has prepared an Amendment Number 1 to the Cooperative Agreement to extend the completion date to June 1, 2020 for such project, a copy of which is on file in the City Clerk's Office; 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 above described Cooperative Agreement, a copy of which is on file in the City Clerk's Office, is hereby approved, and the Mayor is hereby authorized and directed to sign such Agreement on behalf of the City and the City Clerk to attest to the Mayor's signature.

(Council Communication No. 19 - *402*)

APPROVED AS TO FORM:

Moved By _____ to adopt.

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
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