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Date August 23, 2021

APPROVING COOPERATIVE AGREEMENT WITH POLK COUNTY AND POLK SOIL AND WATER CONSERVATION DISTRICT TO PROVIDE FUNDING FOR WATERSHED IMPROVEMENTS IN FOURMILE CREEK WATERSHED, IN AN AMOUNT NOT TO EXCEED \$50,000

WHEREAS, flooding and water quality along Fourmile Creek has impacted Des Moines residential and commercial properties, and

WHEREAS, the City, along with Polk County, and various other communities have entered into a 28E Agreement to create the Fourmile Creek Watershed Management Authority, and

WHEREAS, the Fourmile Creek Watershed Management Authority has developed and approved the 2015 Fourmile Creek Watershed Management Plan, and

WHEREAS, Polk County has worked with multiple private property owners in rural Polk County to develop a plan to install privately owned agricultural stormwater best management practice as recommended by the Watershed Management Plan, and

WHEREAS, the Public Works Department has determined that the said best management practices on private property within Polk County 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 has determined that fostering cooperation with watershed partners on upstream watershed projects will help encourage further implementation of the Watershed Management Plan; and

WHEREAS, Polk Soil and Water Conservation District has agreed to enter into and enforce operation and maintenance agreements with said private properties owners to ensure operation and maintenance of agricultural stormwater best management practices; and

WHEREAS, Polk County and Polk Soil and Water Conservation District has negotiated with City staff for a Cooperative Agreement with the City in an amount not to exceed \$50,000 for the City cost share of the estimated \$285,000 project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Cooperative Agreement between the City, Polk Soil and Water Conservation District, and Polk County to provide cost share for privately owned best management practices, in an amount not to exceed \$50,000, is on file with the City Clerk and is hereby approved and the City Manager and City Clerk are hereby authorized and directed to execute and attest, respectively, said Cooperative Agreement for and on behalf of the City of Des Moines, Iowa.



Roll Call Number

Agenda Item Number

29

Date August 23, 2021

(Council Communication No. 21-359)

Moved by _____ to adopt.

APPROVED AS TO FORM:

/s/ Ann DiDonato
Ann DiDonato
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| BOESEN | | | | |
| GATTO | | | | |
| GRAY | | | | |
| MANDELBAUM | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |
| _____ Mayor | | | | |

CERTIFICATE

I, P. Kay Cmelik 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