



Date September 8, 2025

**APPROVING WATER RESOURCE RESTORATION SPONSORED PROJECT
PERFORMANCE AGREEMENT BETWEEN THE IOWA DEPARTMENT OF
NATURAL RESOURCES (IDNR) AND THE CITY OF DES MOINES AND
ASSOCIATED MAINTENANCE AGREEMENTS BETWEEN TWO PRIVATE
PROPERTY OWNERS AND THE CITY OF DES MOINES FOR THE SWAN LAKE
BRANCH SPONSORED PROJECT**

WHEREAS, the City has outstanding State Revolving Funds (SRF) loans for City Improvements, which loans are eligible to be amended to include Sponsored Projects; and

WHEREAS, on February 19, 2018, by Roll Call No. 18-0292, the Des Moines City Council approved an Iowa Department of Natural Resources (IDNR) Sponsored Project application which included nutrient reduction agricultural edge of field best management practices recommended in the Swan Lake Branch Watershed Plan; and

WHEREAS, IDNR has approved said Sponsored Project application and for up to \$250,000 of design, construction, and administrative costs for edge of field best management practices; installation of nutrient reducing agricultural edge of field practices (hereinafter “City Project”) is funded subject to modification of existing eligible City of Des Moines SRF wastewater project loans to include the City Project and associated interest rate reduction resulting in no additional cost to the City over the 20 year term of the wastewater loan; and

WHEREAS, on January 22, 2024, Roll Call No. 24-0119, the Des Moines City Council approved an agreement with Polk County, pursuant to Chapter 28E of the Code of Iowa, relating to the construction, administration, and funding of the City Project; and

WHEREAS, the IDNR requires a Water Resource Sponsored Project Performance Agreement between the CITY and the IDNR and Project Maintenance Agreements with individual property owners to provide for the long term maintenance of the City Project; and

WHEREAS, City staff have negotiated Project Maintenance Agreements with the owners of two private properties on which the City Project was constructed; and

WHEREAS, City staff have negotiated a Water Resource Sponsored Project Performance Agreement with the IDNR for the City Project; and

WHEREAS, City staff recommend for the approval of the negotiated Maintenance Agreements and Sponsored Project Performance Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa as follows:



Roll Call Number

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Date September 8, 2025

1. The proposed Water Resources Sponsored Project Maintenance Agreement between the City of Des Moines and Laura Stebbins and Robert Stebbins, Dallas County, Iowa is hereby approved.
2. The proposed Water Resources Sponsored Project Maintenance Agreement between the City of Des Moines and Roger D. Winterhof Trust, Dallas County, Iowa is hereby approved.
3. The proposed Water Resource Restoration Sponsored Project Performance Agreement between the City of Des Moines and the Iowa Department of Natural Resources is hereby approved
4. The Mayor is hereby authorized and directed to sign the Agreements on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such documents.
5. Upon execution of the Agreements as provided above, the City Clerk is hereby further authorized and directed to record the Agreements with the Dallas County Recorder.

(COUNCIL COMMUNICATION NO. 25 - 323)

MOVED BY _____ TO APPROVE. SECOND BY _____

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED		APPROVED		

Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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

