

★ Roll Call Number  
..... 08-1734 .....

Agenda Item Number  
..... 11 .....

Date ..... October 13, 2008 .....

AUTHORIZING PUBLIC WORKS DIRECTOR TO  
EXECUTE AN AGREEMENT WITH THE  
U.S. ARMY CORPS OF ENGINEERS FOR  
THE REPAIR OF FEDERAL FLOOD CONTROL WORK  
AND RELATED REPAIRS

WHEREAS, the City of Des Moines incurred significant damage as a result of flooding in 2008; and

WHEREAS, pursuant to 33 U.S.C. 701n, the Federal Government is authorized to assist in the repair or restoration of flood control improvements threatened or destroyed by floods; and

WHEREAS, the Corps of Engineers has prepared construction documents for the repair to the City of Des Moines Flood Protection System; and

WHEREAS, the Corps of Engineers and City of Des Moines staff have coordinated the development of the repairs to include both the levee repair and the related sewer work at two locations, being the north side of the Des Moines River near SE 4<sup>th</sup> and SE 7<sup>th</sup> Streets; and

WHEREAS, the City of Des Moines is responsible for the related sewer work that the Corps of Engineers has estimated to cost \$21,400; and

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That William G. Stowe, Assistant City Manager/Public Works/Engineering is hereby authorized to execute on behalf of the City of Des Moines Flood Protection System as its free and voluntary act, a certain Agreement between the United States of America represented by the Commander, U.S. Army Corps of Engineers, Rock Island District and City of Des Moines Flood Protection System for the repair of the levee breaches, scour holes and such other ancillary documents as may be necessary for the completion of said project. The draft agreement is on file in the Office of the City Clerk.

(Council Letter Number 08-626 attached)

Moved by Hensley to adopt.

FORM APPROVED: Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

Funding Source: 2008-2009 Capital Improvements Program, Sanitary Sewer Improvements- Page 5, City-wide Sanitary Sewers, SAE054

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		

T. M. Franklin 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.

Diane Rauh City Clerk