

★ Roll Call Number
15-0978

Agenda Item Number
67

Date June 8, 2015

**RESOLUTION APPROVING SUBMISSION OF AN
IOWA FLOOD MITIGATION JOINT APPLICATION WITH
THE DES MOINES METROPOLITAN RECLAMATION AUTHORITY (WRA)
TO THE HOMELAND SECURITY AND EMERGENCY MANAGEMENT
DEPARTMENT AND APPROVING A SECOND AMENDMENT TO THE 28E
AGREEMENT BY AND BETWEEN THE CITY OF DES MOINES, IOWA AND THE
DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY
FOR THE JOINT APPLICATION FOR ADMINISTRATION AND FUNDING OF A
PROJECT PLAN PURSUANT TO THE IOWA FLOOD MITIGATION PROGRAM**

WHEREAS, the Iowa Homeland Security & Emergency Management Department is accepting applications for the Iowa Flood Mitigation Program, pursuant to Iowa Code Chapter 418, for the use of Sales Tax Revenues to provide funding to governmental entities to implement long-term flood mitigation projects; and

WHEREAS, the City and the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) are planning long-term flood mitigation projects which are beneficial to both parties, including but not limited to the reduction of flood potentials for the downtown and southeast Des Moines area, the WRA system and the Wastewater Reclamation Facility (WRF) and the ability to better operate the WRF and maintain capacity in the WRA System during wet weather events; and

WHEREAS, on March 18, 2014, by Resolution No. 14-34, the WRA approved a resolution authorizing submission of an Iowa Flood Mitigation Program Joint Application with the City of Des Moines to Iowa Homeland Security and Management Agency, Approving the Project Plan, and Approving a 28E Agreement by and between the City of Des Moines, Iowa and the Wastewater Reclamation Authority for the Joint Application for Administration and Funding of a Project Plan Pursuant to the Iowa Flood Mitigation Program; and

WHEREAS, on March 24, 2014, by Resolution No. 14-0505, the City Council approved a resolution authorizing submission of an Iowa Flood Mitigation Program Joint Application with the Des Moines Metropolitan Wastewater Reclamation Authority to the to Iowa Homeland Security and Management Agency, Approving the Project Plan, and Approving a 28E Agreement by and between the City of Des Moines, Iowa and the Wastewater Reclamation Authority for the Joint Application for Administration and Funding of a Project Plan Pursuant to the Iowa Flood Mitigation Program; and

WHEREAS, the WRA approved a First Amendment to the 28E on April 15, 2014 and the City Council approved it on April 7, 2014 adding an additional project to the Project Plan; and

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WHEREAS, the Flood Mitigation Board did not act on that Joint Application; and

WHEREAS, the WRA and City desire to submit a new Joint Application to the Homeland Security Emergency Management Department.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the Second Amendment to the 28E Agreement by and between the City of Des Moines, Iowa and the Wastewater Reclamation Authority for the Joint Application for Administration and Funding of a Project Plan Pursuant to the Iowa Flood Mitigation Program, in substantially the form as on file with the City Clerk, be and is hereby approved and the Mayor and City Clerk, respectively, are authorized and directed to execute and attest to said Second Amendment for an on behalf of the City of Des Moines following approval as to form by the City Legal Department.
2. That submission of a joint application between the City of Des Moines and the Des Moines Metropolitan Wastewater Reclamation Authority, in substantially the form as on file with the City Engineer, be and is hereby authorized, and that the City Engineer is hereby authorized and directed to execute said Application for and on behalf of the City of Des Moines, and submit said Application to the Iowa Homeland Security and Emergency Management Agency.
3. That the City Council hereby adopts the Project Plan set forth in the Second Amendment to the 28E Agreement and Joint Application with the City responsible for construction and funding of the projects identified in the Project Plan as City projects, and the WRA responsible for construction and funding of the projects in the Project Plan identified as WRA projects.
4. That the City Clerk is authorized to file the fully executed Second Amendment to the 28E Agreement with the Secretary of State.
5. That the City Engineer is authorized and directed to administer the Application, Project Plan and 28E in accordance with the terms thereof.

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6. That the City Manager is authorized and directed to approve and execute minor, non-substantial amendments to the Joint Application which are determined to be needed for consistency with State law or Iowa Flood Mitigation Program requirements.

(Council Communication No. 15-303)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

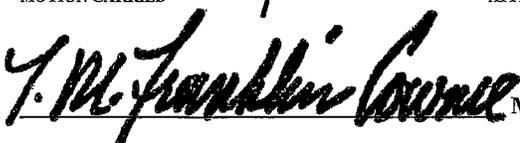

 Kathleen Vanderpool
 Deputy City Attorney

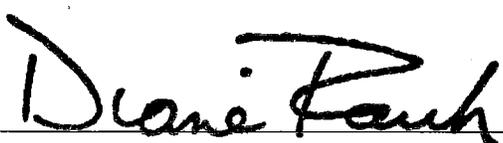
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

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.


 T. M. Franklin
 Mayor


 Diane Rauh
 City Clerk