



Roll Call Number

15-1419

Agenda Item Number

16

Date August 24, 2015

**CONTINUING AUTHORIZATION TO PROCEED WITH ACQUISITION OF THE NECESSARY RIGHT-OF-WAY AND EASEMENTS FOR THE YEADER CREEK GRADE CONTROL IMPROVEMENTS PROJECT BY GIFT, NEGOTIATION, OR EMINENT DOMAIN**

**WHEREAS**, on August 11, 2014, by Roll Call No. 14-1257, the City Council of the City of Des Moines, Iowa, approved a Cooperative Agreement with the Iowa Department of Natural Resources for a project for stream stabilization within Yeader Creek and urban conservation practices within Ewing Park; and

**WHEREAS**, on August 11, 2014, by Roll Call 14-1258, the City Council of the City of Des Moines, Iowa, approved a Professional Services Agreement between the City of Des Moines and Snyder & Associates, Inc. to provide design phase services for the Yeader Creek Grade Control Improvements, Phase 1 Project; and

**WHEREAS**, on August 10, 2015, by Roll Call 15-1346, the City Council of the City of Des Moines, Iowa, continued this item to the Council meeting on August 24, 2015, to allow time to schedule a meeting with affected property owners, allowing the Polk County Conservation staff and City representatives to address the property owners' concerns with the project; and

**WHEREAS**, a public meeting with the affected property owners has been scheduled for August 26, 2015, which was the earliest date available to accommodate the schedules of all affected parties; and

**WHEREAS**, City staff recommends a further continuance of the authorization for property acquisition to September 14, 2015, in order to consider any comments or concerns raised at the public meeting.

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

1. That the Authorization to Proceed with Acquisition of the necessary Right-of-Way and Easement for the Yeader Creek Grade Control Improvements Project by Gift, Negotiation, or Eminent Domain, shall be continued to September 14, 2015.



Roll Call Number

15-1419

Agenda Item Number

16

Date August 24, 2015

Moved by Hensley to adopt.

APPROVED AS TO FORM:

[Signature] Lisa A. Wieland, Assistant City Attorney

PSW

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.

[Signature] Mayor

[Signature] City Clerk