

★ Roll Call Number  
17-2043

Agenda Item Number  
10

Date December 4, 2017

**APPROVING AND AUTHORIZING THE EXECUTION OF THE REVISIONS TO  
APPENDICES A AND B OF THE PROGRAMMATIC AGREEMENT AMONG THE  
IOWA DEPARTMENT OF NATURAL RESOURCES, IOWA STATE HISTORICAL  
PRESERVATION OFFICE, IOWA OFFICE OF THE STATE ARCHAEOLOGIST, AND  
THE CITY OF DES MOINES REGARDING THE  
DES MOINES SEWER SEPARATION PROJECT,  
DES MOINES, POLK COUNTY, IOWA**

WHEREAS, an assessment of the potential impact on natural and cultural resources is required for all wastewater and sewer projects financed by the Clean Water State Revolving Fund; and

WHEREAS, on April 17, 2017, by Roll Call No. 17-0655, the City Council approved the Programmatic Agreement among the Iowa Department of Natural Resources, Iowa State Historical Preservation Office, Iowa Office of the State Archaeologist and the City of Des Moines for the Lower Oak Park and Highland Park Sewer Separation project, Near West Side Sewer Separation project, and future sewer separation projects financed by the Clean Water State Revolving Fund (hereinafter PA), subject to final approval by the City Legal Department and City Engineering Department and authorized and directed the Mayor and City Clerk to execute the PA for and on behalf of the City of Des Moines, Iowa; and

WHEREAS, on May 8, 2017, the PA was fully executed by the Iowa Department of Natural Resources, Iowa State Historical Preservation Office, Iowa Office of the State Archaeologist and the City of Des Moines; and

WHEREAS, the Iowa Department of Natural Resources, Iowa State Historical Preservation Office, Iowa Office of the State Archaeologist and the City of Des Moines have made revisions to Appendices A and B of the PA.

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

1. That the Revisions to Appendices A and B of the Programmatic Agreement between Iowa Department of Natural Resources, Iowa State Historical Preservation Office, Iowa Office of the State Archaeologist and the City of Des Moines for the Lower Oak Park and Highland Park Sewer Separation project, Near West Side Sewer Separation project, and future sewer separation projects financed by the Clean Water State Revolving Fund, are hereby approved subject to approval as to form by the City Legal Department and approval by the City Engineering Department.

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2. Subject to approval as to form by the City Legal Department and approval by the City Engineering Department, the Mayor and City Clerk are hereby authorized and directed to execute said Agreement for and on behalf of the City of Des Moines, Iowa.
3. That the Engineering Department is hereby authorized to administer the terms of said Agreement.

(Council Letter Number 17-829 attached)

Moved by Hensley to adopt.

FORM APPROVED: Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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