

★ Roll Call Number
18-1386

Agenda Item Number
6

Date August 20, 2018

APPROVING AND AUTHORIZING THE EXECUTION OF THE MEMORANDUM OF AGREEMENT (MOA) AMONG THE UNITED STATES ARMY CORPS OF ENGINEERS ROCK ISLAND DISTRICT (USACE), THE IOWA STATE HISTORIC PRESERVATION OFFICE (ISHPO), AND THE CITY OF DES MOINES REGARDING THE E. 1ST STREET AND E. MARKET STREET PUMPING STATION PROJECT, DES MOINES, POLK COUNTY, IOWA.

WHEREAS, the City's Flood Mitigation Program includes replacement of the E. 1st Street and E. Market Street Storm Water Pump Station along the DM-I Levee, which requires coordination with the USACE for the City's request to alter a District civil works project in accordance with 33 USC § 408 (Section 14 of the Rivers and Harbors Act of 1899; hereinafter Section 408 permission request); and

WHEREAS, The decision on a Section 408 permission request is a federal action which requires the District to ensure compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108); and

WHEREAS, the District, ISHPO, and the City have prepared this MOA which provides stipulation that satisfy Section 106 responsibilities for implementing the pump station project under the Section 408 permission.

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

1. That the Memorandum of Agreement (MOA) among the United States Army Corps of Engineers Rock Island District (USACE), the Iowa State Historic Preservation Office (ISHPO), and the City of Des Moines regarding the E. 1st Street and E. Market Street Pumping Station project, Des Moines, Polk County, Iowa, copies on file in the office of the City Clerk are hereby approved.
2. That, 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 18-431 attached)
Activity ID 08-2017-005

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Moved by Boesen to adopt.

FORM APPROVED: Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

SLN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
BOESEN	✓			
MAUDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED
J. M. Franklin Cownie
 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