

★ Roll Call Number  
18-1848

Agenda Item Number  
34

Date November 5, 2018

**APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE NATURE CONSERVANCY FOR COOPERATION ON THE RESTORATION OF AN OXBOW WITHIN FOUR MILE CREEK**

WHEREAS, the Lower Four Mile Creek Greenway Master Plan was approved by the City Council on November 6, 2017 by Roll Call No. 17-1901, which Plan has designated restoration of an oxbow on City owned property within Four Mile creek near East 39<sup>th</sup> Street; and

WHEREAS, The Nature Conservancy has agreed to be responsible for and to bear all costs related to the necessary tree clearing for restoration of such oxbow, pursuant to an Oxbow Restoration Agreement, a copy of which is on file with the City Clerk's Office; and

WHEREAS, the Public Works Department recommends approval of this Agreement as this project should result in improved water quality and flood control benefits in Lower Four Mile Creek.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Oxbow Restoration Agreement, a copy of which is on file in the City Clerk's Office, is hereby approved, and the Mayor is hereby authorized and directed to sign such Agreement on behalf of the City and the City Clerk to attest to the Mayor's signature.

(Council Communication No. 18550)

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Ann DiDonato  
 Ann DiDonato  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
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.

J. M. Franke  
 Mayor

Diane Rauh City Clerk