


## COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	<b>23-056</b>	Meeting:	<b>February 6, 2023</b>
	Agenda Item:	<b>30</b>	Roll Call:	<b>23-168</b>
	Submitted by:	<b>Jonathan A. Gano, P.E., Public Works Director and Steven L. Naber, P.E., City Engineer</b>		

### AGENDA HEADING:

Authorizing the purchase of 1.74 acres of Forested Wetland Mitigation Credits from the C&W Hunter Mitigation Bank for the Des Moines Levee Alterations – Phase C, in the amount of \$113,400.

### SYNOPSIS:

Recommend approval of the purchase of 1.74-acres of Forested Wetland Mitigation Credits from the C&W Mitigation Bank for the Des Moines Levee Alterations – Phase C, in the amount of \$113,400.

### FISCAL IMPACT:

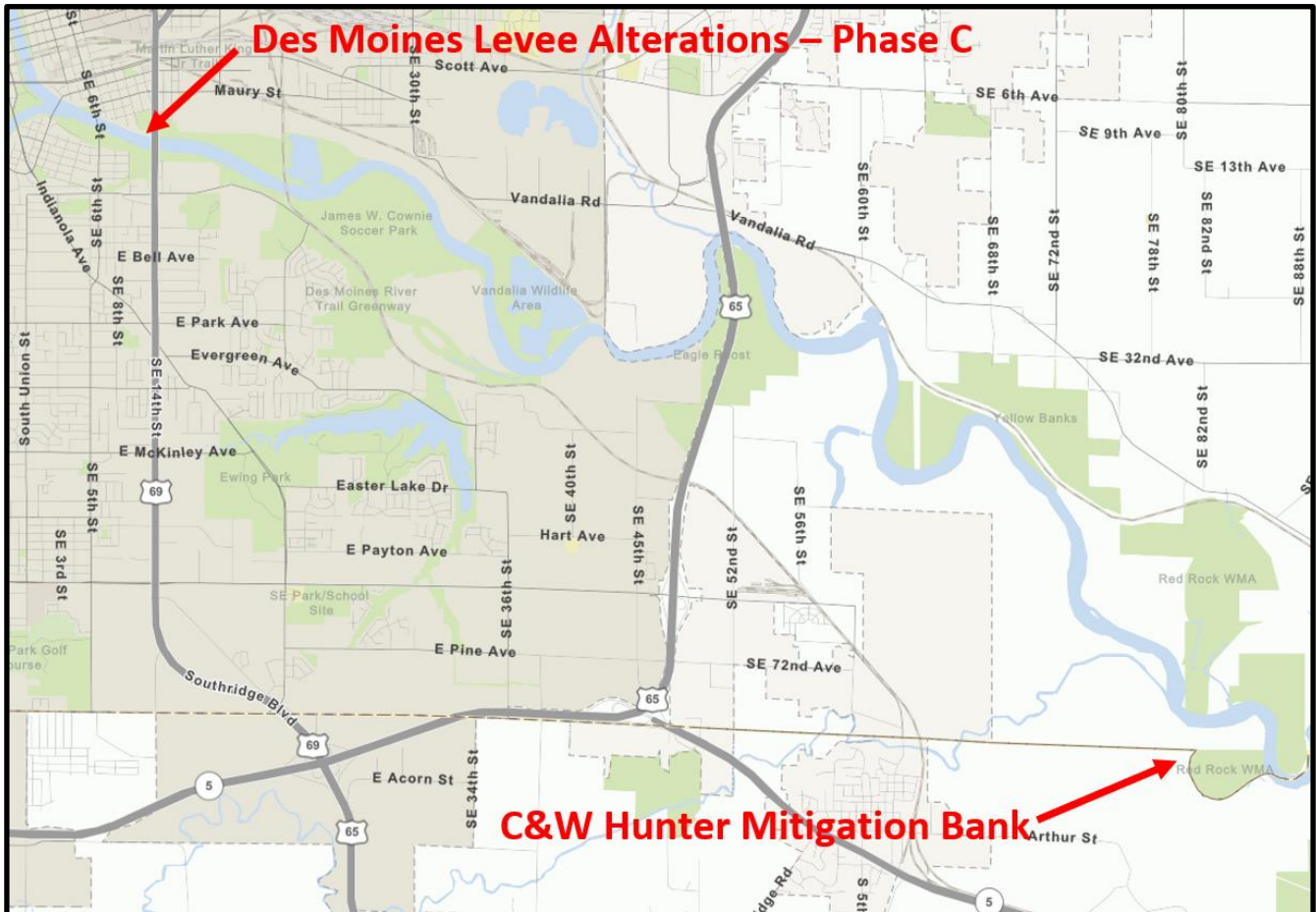
Amount: \$113,400

Funding Source: 2022-2023 CIP, Page 106, Flood Mitigation Improvements, SM087, Being: Storm Water Utility Funds and Flood Mitigation Sales Tax.

### ADDITIONAL INFORMATION:

- The Des Moines Levee Alterations – Phase C project includes improvements to the levee system along the Des Moines River from the confluence of the Raccoon River to S.E. 14<sup>th</sup> Street and is part of the City’s Flood Mitigation Program with the goal of mitigating flood risk and meeting the requirements for Federal Emergency Management Agency (FEMA) accreditation of the downtown levees. Improvements include earthen levee raises, gateway structure modifications, pipe penetration improvements (sewer replacement and abandonments), and construction of seepage relief trenches to increase levee stability.
- On the north side of the Des Moines River and west of SE 14<sup>th</sup> Street, 1.74-acres of forested wetlands are to be removed as a part of the levee project to meet compensatory storage requirements. A mitigation bank is a wetland, stream or other aquatic resource area that has been restored, established, enhanced, or reserved for the purpose of providing compensation for unavoidable impacts to aquatic resources permitted under Section 404 of the Clean Water Act or a similar state or local wetland regulation. To compensate for the removal of the forested wetlands, City staff recommend purchasing credits with the C&W Hunter Mitigation Bank. The C&W Hunter Mitigation Bank, in close proximity to the levee project, is located northeast of Carlisle, Iowa along the Des Moines River and has also been determined by staff to be the most economical option for this project.

- A non-refundable 15% reservation fee to purchase 1.74-acres for \$113,100 (plus \$300 non-refundable application fee) is required by C&W Hunter Mitigation Bank. The project has submitted a check in the amount of \$16,965 that serves as the non-refundable 15% reservation fee for eventual purchase of 1.74-acres of forested wetland credits when they become available.



**PREVIOUS COUNCIL ACTION(S):**

Date: December 12, 2022

Roll Call Number: [22-1932](#) and [22-1933](#)

Action: [On](#) Des Moines Levee Alterations – Phase C: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Peterson Contractors, Inc. (Cordell Peterson, President), \$17,388,129.50. ([Council Communication No. 22-572](#)) Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.

- (A) [Approval](#) of contract and bond and permission to sublet. Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Actions related to construction of the Des Moines Levee Alterations public improvement project, including partial payments to the contractor and final acceptance of work.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).