RESOLUTION NO. 20-231

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COUNCIL BLUFFS (AS TRUSTEE OF THE DISTRICT #22 DRAINAGE DISTRICT), THE M & P DRAINAGE DISTRICT AND THE MIDAMERICAN ENERGY COMPANY FOR PURPOSES OF ESTABLISHING EASEMENTS AND MAINTENANCE, OPERATION RESPONSIBILITY OF THE PARTIES FOR MODIFICATIONS AND IMPROVEMENTS TO THE LEVEE SYSTEM ABUTTING MIDAMERICAN ENERGY COMPANY'S WALTER SCOTT JR. ENERGY CENTER.

WHEREAS, Due to modifications made on its property by MidAmerican Energy Company, the United States Army Corp of Engineers is requiring that certain modifications be made to the Levee system; and

WHEREAS, The purpose of this Memorandum of Understanding is to establish which party will be responsible for the construction of the modification, the ongoing maintenance and the operation of these modifications; and

WHEREAS, To ensure that the United States Army Corp of Engineers will forever be able to cause these modifications to be operated and maintained to its standards, MidAmerican Energy Company has agreed to grant certain easements on its property for the benefit of the United States Army Corp of Engineers; and

WHEREAS, Being fully advised as to the merits of this agreement, this City Council deems said Memorandum of Understanding, attached hereto and made a part hereof, to be in the best interests of the City of Council Bluffs, Iowa.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Memorandum of Understanding attached hereto and made a part hereof is hereby approved as to form and content.

AND BE IT FURTHER RESOLVED

That the Mayor is hereby authorized and directed to execute said Memorandum of Understanding for and on behalf of the city of Council Bluffs, Iowa.

ADOPTED
AND September 14, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk