



# Council Communication

Office of the City Manager

Date

December 18, 2006

Agenda Item No. 9

Roll Call No. 06-

Communication No. 06-781

Submitted by: William G. Stowe, Assistant City Manager/Public Works/Engineering, and Jeb E. Brewer, P.E., City Engineer

## AGENDA HEADING:

Approving and Authorizing Execution of an Agreement and Covenant Regarding Sanitary Sewer Service Outside City Limits for the Capital City Baptist Church in Polk County.

## SYNOPSIS:

Recommend approval of the Agreement and Covenant between the City of Des Moines and Capital City Baptist Church, Barron J. Penner, Deacon, and Gary A. Guy, Treasurer, 5990 NE14<sup>th</sup> Street, Des Moines, IA, 50313-1205, in regards to Sewer Service outside city limits.

## FISCAL IMPACT:

Amount: Revenue based upon Sewer Usage

Funding Source: 2006-07 Operating Budget, Sanitary Sewer Operation Fund, Page 244, EN101, PWK074007, 463060

## ADDITIONAL INFORMATION:

Capital City Baptist Church, as owner of the property at 5990 NE 14<sup>th</sup> Street in Polk County, Iowa, uses the property as a church, gymnasium, and classroom facility and wishes to expand the facility to include a children's youth activity center. The City of Des Moines maintains and operates a sanitary sewer in the right-of-way of NE 14<sup>th</sup> Street. Capital City Baptist Church currently is served by a private sewage disposal system and has proposed that its wastewater be transported through the City of Des Moines sanitary sewer for treatment at the WRA Wastewater Reclamation Facility. The City of Des Moines has determined that the quantities of wastewater originating at the Capital City Baptist Church can be accommodated by the City's sanitary sewer system. It is the City's policy that whenever it is determined to in the best interests of the City of Des Moines and its citizens to do so, it will temporarily permit the use of City sanitary sewer facilities by persons or entities outside the corporate limits of the City of Des Moines. This is permitted pending expected annexation of such areas, and upon payment of just and equitable sewer charges which by ordinance is two times the comparable rate paid within the City. The extension of sanitary sewer service to the proposed facilities on the property would be in the best interest of the City of Des Moines and its citizens and would protect the public health and safety. It is recommended that the City of Des Moines approve and authorize an Agreement and Covenant Regarding Sewer Service Outside City Limits for the Capital City Baptist Church in Polk County.

**PREVIOUS COUNCIL ACTION(S): NONE**

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**