

Date May 10, 2010

ACCEPTING STATE OF IOWA OFFICE OF ENERGY INDEPENDENCE (OEI) ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FUNDING IN THE AMOUNT OF \$83,225, APPROVING GRANT CONTRACT FOR SAME AND AUTHORIZING MAYOR TO EXECUTE SUCH CONTRACT, AND AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE ASSIGNMENT AND ASSUMPTION AGREEMENT OF SAID GRANT TO WRA

WHEREAS, the City of Des Moines places a high priority on efficient energy use; and

WHEREAS, the State of Iowa OEI provides EECBG funds to local governmental entities to fund activities and programs via a competitive grant process, to assist local governments in creating and implementing strategies to: 1) Reduce fossil emissions in a manner that is environmentally sustainable, and to the maximum extent practicable, maximize benefits for local and regional communities, 2) Reduce total energy use of the eligible entities, 3) Improve energy efficiency in the building, transportation and other appropriate sectors, and 4) Create and retain jobs; and

WHEREAS, the staff of the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) applied for an EECBG with the OEI; and

WHEREAS, OEI has indicated that they will only award grants to a municipality and offered the award to the City of Des Moines in the amount of \$83,225.00 for the installation of a Continuous Commissioning System; and

WHEREAS, the OEI requires the City to execute an Energy Efficiency and Conservation Block Grant Sub-Recipient Contract (Grant Contract), a copy of which is on file in the City Clerk's Office, in order to receive such grant payments and

WHEREAS, such Grant Contract requires the City to provide a dollar to dollar match and the WRA has such funds available; and

WHEREAS, section 13.3 of the Grant Contract requires the written consent of OEI to the assignment of the Grant Contract, and written approval of the OEI to assign said Grant Contract to the WRA has been received by the City; and

WHEREAS, on April 20, 2010, by Resolution No. 10-60, the WRA Board approved a resolution authorizing the WRA Director to enter into an agreement with the City of Des Moines in which the WRA agrees to comply with the terms of said Grant Contract, including being responsible to the City for all violations of the grant agreement by the WRA and authorizing the WRA Director to administer the grant funds in accordance with the grant terms.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that:

1. The Energy Efficiency and Conservation Block Grant Sub-Recipient Contract for a grant in the amount of \$83,225.00 for the installation of a Continuous Commissioning System for use by the WRA, is hereby accepted and approved by the City of Des Moines.
2. The Mayor is authorized and directed to execute such Contract on behalf of the City, and the City Clerk is directed to attest to his signature if such attestation is required by the OEI.
3. The City Manager is authorized and directed to negotiate an Assignment and Assumption Agreement Between the City of Des Moines and the Des Moines Metropolitan Wastewater Reclamation Authority, subject to approval as to form by the Legal Department, and the City Manager is authorized and directed to execute such agreement on behalf of the City, and the City Clerk is directed to attest to his signature.

(Council Communication No. 10-**265**)

Moved by _____ to adopt.

Approved as to Form:


 Ann DiDonato
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

_____ City Clerk