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Date December 20, 2010

APPROVING AND AUTHORIZING THE EXECUTION OF IOWA JOBS PROGRAM GRANT AWARD AGREEMENT WITH THE IOWA JOBS BOARD AND THE IOWA FINANCE AUTHORITY FOR \$500,000 FOR THE WASTEWATER RECLAMATION AUTHORITY EQUALIZATION BASIN UTILIZATION PROJECT, AND AN AGREEMENT BETWEEN THE CITY OF DES MOINES AND THE DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY (WRA) REGARDING IOWA JOBS PROGRAM GRANT AWARD AGREEMENT

WHEREAS, on July 9, 2010, the Iowa Finance Authority (IFA) notified the City of Des Moines that the City had received an Iowa Jobs Program Grant in the amount not to exceed \$500,000 for the WRA Equalization Basin Utilization project; and

WHEREAS, the City of Des Moines has received the IFA grant award agreement for the \$500,000 grant and at the December 14, 2010 IFA and Iowa Jobs Board meeting the grant award agreement was approved; and

WHEREAS, the City must be the grantee under the Iowa Jobs Program Grant Award Agreement (Grant Agreement) and under the Grant Agreement the City, and the WRA are jointly and severally responsible to the Board and Authority for ensuring the Project is financed, constructed and maintained in accordance with the Grant Agreement; and

WHEREAS, the Grant Agreement prohibits assignment of the agreement or any of the rights, powers, duties and obligations under the Agreement; and

WHEREAS, in consideration of the City agreeing to assume such responsibility pursuant to the Grant Agreement in order to receive financing for the WRA's Project, the parties desire to enter into an agreement whereby the WRA agrees to provide all funding necessary to finance, construct and maintain the WRA's Project and to indemnify the City of the obligations assumed by the City under the Grant Agreement, and

WHEREAS, the Grant Agreement and Agreement between the City of Des Moines, and the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) regarding Iowa Jobs Program Grant award agreement will be presented to the WRA Board for its consideration at its December 21, 2011 meeting; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the following Iowa Jobs Program Grant Award Agreement between the Iowa Jobs Board and the Iowa Finance Authority (IFA), and the City of Des Moines and Des Moines Wastewater Reclamation Authority (WRA) Board in the amount of 500,000 for the WRA Equalization Basin Utilization project is hereby approved.

★ **Roll Call Number**

Agenda Item Number
9

Date December 20, 2010

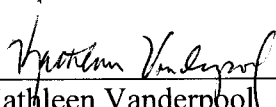
BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute, said grant award agreement and other related documents on behalf of the City of Des Moines, Iowa, and the City Clerk is authorized and directed to attest to the Mayor's signature.

BE IT FURTHER RESOLVED that the City Manager or his designee is hereby directed to administer all terms of the Iowa Jobs Program Grant Award Agreement including the satisfaction of all conditions and provision and execution of all documentation required for disbursement of the maintenance and provision of all accounting records, documentation, and reports.

BE IT FURTHER RESOLVED that the Agreement between the City of Des Moines and the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) regarding Iowa Jobs Program Grant Award Agreement is hereby approved, and the Mayor is authorized and directed to execute said Agreement and the City Clerk is authorized and directed to attest to the Mayor's signature.

(Council Communication No. 10-757)
Activity ID 04-2010-015

Moved by _____ to adopt.

FORM APPROVED: 
Kathleen Vanderpool
Deputy City Attorney

Funding Source: Various funding sources for construction as follows:

- \$500,000 – I-JOBS grant,
- \$500,000 – 2010-11 SRF Funds, WRA Equalization Basin Utilization

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

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.

MOTION CARRIED APPROVED

Mayor

City Clerk