



Date January 10, 2011

Resolution Approving and Accepting a 28E Agreement for Loan of Personnel and Equipment to City of Cumming between the Des Moines Metropolitan Wastewater Reclamation Authority, the City of Des Moines and the City of Cumming

WHEREAS, the City of Cumming has an ongoing need for a licensed Wastewater Operator to meet the operational requirements for its wastewater plant; and

WHEREAS, the City of Des Moines operates the WRA's Wastewater Reclamation Facility (WRF) pursuant to an Operating Agreement and has employees duly licensed as Wastewater Operators who would be qualified to assist Cumming in its need; and

WHEREAS, Cumming has requested Des Moines and the WRA loan it an operator to operate its Wastewater Treatment Plant until such time as Cumming obtains a replacement operator for its plant or the plant is decommissioned; and

WHEREAS, the personnel loaned will be the Operator by Affidavit of the Cumming Wastewater Treatment Plant pursuant the Iowa Administrative Rules; and

WHEREAS, WRA, City of Des Moines as Operating Contractor, and Cumming have negotiated the terms of this Chapter 28E Agreement providing for the loan of personnel for the operation of Cumming's wastewater treatment plant.

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

That it hereby approves the 28E Agreement for Loan of Personnel and Equipment Between the Des Moines Metropolitan Wastewater Reclamation Authority, City of Des Moines, Iowa and the City of Cumming and authorizes and directs the City Mayor and City Clerk to sign the Agreement and the City Clerk to return the Agreement to the WRA Board Clerk for recording with the Secretary of State.

APPROVED AS TO FORM:

Moved by _____ to adopt.

Kathleen Vanderpool
Deputy City Attorney

(Council Communication No. 11-011)

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

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.

Mayor

City Clerk