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Date October 22, 2012

ACCEPTING IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA)
STATE ENERGY PROGRAM GRANT SUB-RECIPIENT CONTRACT
IN THE AMOUNT OF \$40,202.84, 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 DES MOINES
METROPOLITAN WASTEWATER RECLAMATION AUTHORITY

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

WHEREAS, the City staff, as operating contractor for the Des Moines Metropolitan Wastewater Reclamation Authority (WRA), applied for an Iowa Economic Development Authority grant for replacement of motors to energy efficient units at the Wastewater Reclamation Facility (WRF); and

WHEREAS, IEDA 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 \$40,202.84 for the replacement of 37 motors to energy efficient units at the WRF; and

WHEREAS, the IEDA requires the City to execute a State Energy Program 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 IEDA to the assignment of the Grant Contract, and written approval of the IEDA to assign said Grant Contract to the WRA has been obtained by the City; and

WHEREAS, on November 20, 2012, the WRA Board will be asked to approve a resolution authorizing the WRA Board 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 providing the matching grant funds, 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 State Energy Program Grant Sub-Recipient Contract for a grant in the amount of \$40,202.84 for the replacement of 37 motors to energy efficient units at the WRF is hereby accepted and approved by the City of Des Moines, subject to the WRA executing an Assignment and Assumption Agreement as described above.
2. Upon execution by the WRA of an Assignment and Assumption Agreement as described above, the Mayor is authorized and directed to execute such Grant Contract on behalf of the City, and the City Clerk is directed to attest to his signature if such attestation is required by the IEDA.
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 as described above, 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.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
 Ann DiDonato
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
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