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Date December 19, 2016

**SETTING DATE OF PUBLIC HEARING AND APPROVING PUBLICATION OF
NOTICE OF HEARING TO REVIEW THE ANTICIPATED ENVIRONMENTAL
IMPACT OF NEAR WEST SIDE SEWER SEPARATION PROJECT**

WHEREAS, the City of Des Moines developed a Long Term Control Plan (hereinafter "Plan") to eliminate combined sewer overflows as submitted to the Iowa Department of Natural Resources (IDNR) in compliance with the current National Pollutant Discharge Elimination System (NPDES) permit for the operation of Wastewater Collection System and the Consent Decree with the IDNR dated April 28, 2010; and

WHEREAS, the Near West Side Sewer Separation Project (hereinafter "Project") was developed as part of said Plan and includes the removal of storm water inlets from the combined sewer system tributary to the 22nd and High Street Combined Sewer Overflow and other flows into the combined sewer system within the project area; and

WHEREAS, the Project area is located west of downtown Des Moines and is bounded on the east by Martin Luther King Jr. Parkway (MLK), to the south by Grand Avenue, to the west by 31st Street, and multiple local streets to the north with Clark Street as the northern most street; and

WHEREAS, the City anticipates applying with the State of Iowa Clean Water State Revolving Fund loan program to fund the Project in part; and

WHEREAS, pursuant to the requirements of the State of Iowa Clean Water State Revolving Fund loan program, before the City can proceed with the Project, the City must hold a public hearing to inform area residents of the proposed Project, to discuss the potential environmental impact of the proposed Project to the community as determined by the State's Department of Natural Resources (DNR) Environmental Review, to discuss the City's facility plan for the Project, and to address area residents' concerns, if any, with the Project.

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

A public hearing shall be held on February 6, 2017, at 5:00 p.m. in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa.

The City Clerk is hereby authorized and directed to publish notice of said hearing twice: once before January 6, 2017, and again during the week of January 23, 2017. The publication by the City Clerk of the time and place of this public hearing, as required by the State of Iowa under its Clean Water State Revolving Fund loan program, is hereby approved.

★ Roll Call Number

Agenda Item Number

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The City Clerk is hereby instructed to place the City's facility plan for the Project and the preliminary Environmental Information Document(s) for the Project, upon receipt of said document(s) from the DNR, on file for public inspection in the City Clerk's office during the notice period until the public hearing is held.

(Council Letter Number _____ attached)
Activity ID 01-2014-019

Moved by _____ to adopt.

FORM APPROVED: *Lisa A. Wieland*
Lisa A. Wieland
Assistant City Attorney

AE

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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