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Date October 9, 2017

**SETTING DATE OF PUBLIC HEARING AND APPROVING PUBLICATION OF  
NOTICE OF HEARING TO REVIEW THE ANTICIPATED ENVIRONMENTAL  
IMPACT OF RIVER BEND AND KING IRVING 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 River Bend and King Irving 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 2<sup>nd</sup> Avenue and Franklin Avenue Combined Sewer Overflow and other flows into the combined sewer system within the project area; and

**WHEREAS**, the Project area is located north of downtown Des Moines and is bounded on the east by 2<sup>nd</sup> Avenue, to the south by I-235, to the west by 12<sup>th</sup> Street, and the Des Moines River to the north; 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 November 20, 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 October 20, 2017, and again during the week of November 6, 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.

Activity ID 07-2018-002

Moved by \_\_\_\_\_ to adopt.

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

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