



Date August 23, 2021

**RESOLUTION APPROVING FIRST AMENDMENT TO CONSENT ORDER,
JUDGMENT AND DECREE BETWEEN THE STATE OF IOWA AND THE CITY OF
DES MOINES AND DES MOINES METROPOLITAN WASTEWATER
RECLAMATION AUTHORITY**

WHEREAS, on March 22, 2010, by Roll Call No. 10-461 the City of Des Moines approved a Consent Order, Judgment and Decree between the State of Iowa, ex rel., Iowa Department of Natural Resources and the City of Des Moines and Des Moines Metropolitan Wastewater Reclamation Authority; and

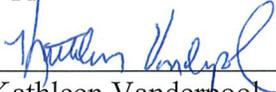
WHEREAS, the WRA and City of Des Moines retained outside counsel, Hall & Associates, and recently approved transfer of that representation to Gary Cohen Environmental Firm, to assist and represent them in negotiations with the Iowa Department of Natural Resources and the Iowa Attorney General’s Office for an amendment to Consent Order, Judgment and Decree; and

WHEREAS, the WRA Board approved the First Amendment to the Consent Order, Judgment and Decree on August 17, 2021, subject to the City of Des Moines approving it.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF DES MOINES,
IOWA:**

That the First Amendment to the Consent Order, Judgment and Decree between the State of Iowa, ex rel., Iowa Department of Natural Resources and the City of Des Moines and Des Moines Metropolitan Wastewater Reclamation Authority is hereby approved and the Mayor and the Deputy City Attorney are hereby authorized and directed to execute the Consent Order, Judgment and Decree on behalf of the City of Des Moines and that any costs as determined by the Court are authorized to be paid.

Approved as to Form:



Kathleen Vanderpool, Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, 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