

★ Roll Call Number

10-1270

Agenda Item Number

13

Date August 9, 2010

**RESOLUTION OF INTENT TO CONVEY CITY-OWNED PROPERTY TO THE
DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY
FOR THE WRA EQUALIZATION BASIN UTILIZATION PROJECT**

WHEREAS, pursuant to Article VI, Section 1 of the Amended and Restated Agreement for the Des Moines Metropolitan Wastewater Reclamation Authority ("WRA Agreement"), approved and authorized for execution by this City Council on April 19, 2004, pursuant to Roll Call No. 04-844, existing wastewater conveyance facilities described in Exhibit 1 to said Agreement, acquired by and held in the name of the City of Des Moines and all other participating communities, shall be transferred to the WRA by the participating communities as necessary for the construction, maintenance or improvement of such facilities; and

WHEREAS, the City of Des Moines has identified multiple areas for the I-JOBS II Targeted Disaster Relief Grant including the Southern Tier equalization basin currently owned by the City of Des Moines and located between 3100-3800 block of SE Watrous Avenue, as included in the application submitted by the City for said grant funding; and

WHEREAS, the proposed WRA Equalization Basin Utilization Project requires conveyance of said basin to the WRA in order to conform with both the aforementioned I-JOBS II Targeted Disaster Relief Grant Plan and the WRA Agreement.

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

1. The City of Des Moines, Iowa declares its intent and proposal to grant a Quit Claim Deed to convey real property to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) in accordance with Iowa Code Section 364.7(3) and in accordance with the WRA Agreement, for the public purpose of reconstruction, operation, and maintenance of the existing equalization basin to be improved as part of the proposed WRA Equalization Basin Utilization Project, which real property is identified in Exhibit A attached hereto and is more fully described in the information on file as Exhibit B in the office of the City Clerk.

2. A public hearing shall be held on August 23, 2010 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time, the City Council will consider the above-described proposal.

3. The City Clerk is hereby authorized and directed to publish notice of the proposal and hearing in the form hereto attached all in accordance with Section 362.3 of the Iowa Code.

4. There will be no proceeds associated with the conveyance of this Quit Claim Deed.

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Moved by Moore to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL (7 yeas).

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk