

★ Roll Call Number

10-1402

Agenda Item Number

39

Date August 23, 2010

**CONTINUANCE OF HEARING FOR CONVEYANCE OF 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 I-JOBS II Targeted Disaster Relief Grant Plan 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; and

WHEREAS, on August 9, 2010, by Roll Call No. 10-1270, this City Council approved a proposal to convey 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 more fully described in the information on file as Exhibit B in the office of the City Clerk, to the 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 said equalization basin; and

WHEREAS, on August 9, 2010, by Roll Call No. 10-1270, it was further duly resolved by this City Council that the proposed conveyance to the WRA of the equalization basin located between 3100-3800 block of SE Watrous Avenue be set down for hearing on August 23, 2010 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, a continuance of public hearing until the Council meeting on September 13, 2010, has been requested and re-publication of notice is required in order to correct the description of one parcel to be conveyed to the WRA.

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

1. That the public hearing for the conveyance of City-owned property to the Des Moines Metropolitan Wastewater Reclamation Authority for the WRA Equalization Basin Utilization Project be

★ Roll Call Number

10-1402

Agenda Item Number

39

Date August 23, 2010

continued to September 13, 2010, in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

2. 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.

Moved by Meyer to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

T. M. Franklin Council 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.

Diane Rauh City Clerk