

★ Roll Call Number

12-0299

Agenda Item Number

34

Date February 27, 2012

**RESOLUTION APPROVING AMENDMENT NO. 3 TO
OPERATING CONTRACT BETWEEN THE DES MOINES METROPOLITAN
WASTEWATER RECLAMATION AUTHORITY AND THE CITY OF DES MOINES
TO ADDRESS INSURANCE MATTERS**

WHEREAS, on July 1, 2004, by Resolution No. 04-017, the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) ratified and confirmed the Initial Operating Contract with the City of Des Moines; and

WHEREAS, on March 22, 2005, by Resolution No. 05-24, the WRA Board approved Amendment No. 1 to the WRA Operating Contract between the WRA and the City of Des Moines; and

WHEREAS, on April 19, 2004, the City Council approved Roll Call No. 04-845 approving the Operating Contract between the WRA and the City; and

WHEREAS, on March 7, 2005, the City Council approved Amendment No. 1 to the WRA Operating Contract between the WRA and the City of Des Moines; and

WHEREAS, on June 20, 2006, the WRA Board approved Amendment No. 2 to the WRA Operating Contract by Resolution No. 06-67 and on July 10, 2010 by the Des Moines City Council, by Resolution No. 06-1353; and

WHEREAS, on September 20, 2011, the WRA Board requested legal counsel to draft an amendment to the Operating Agreement pertaining to WRA Insurance and Risk Share Policies to allow, where possible, WRA to have separate insurance policies/programs from the City of Des Moines effective July 1, 2012; and

WHEREAS, on December 20, 2011, by Resolution No. 11-183, the WRA Board approved Amendment No. 3 to the Operating Agreement.

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NOW THEREFORE, BE IT RESOLVED by the Des Moines City Council that Amendment No. 3 to the Operating Contract between the WRA and the City of Des Moines is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, said Amendment No. 3 to the Operating Contract for and on behalf of the City of Des Moines.

Moved by Meyer to adopt.

APPROVED AS TO FORM:

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

(Council Communication No. 12-102)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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 Mayor

Diane Rauh City Clerk