



Roll Call Number

21-1332

Agenda Item Number

25

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: Moved by Gatto to adopt.

Kathleen Vanderpool, Deputy City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (7).

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.

MOTION CARRIED APPROVED
J. M. Frankel, Mayor

P. Kay Cmelik, City Clerk