



Roll Call Number

22-0364

Agenda Item Number

56E

Date March 7, 2022

**APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF DES MOINES AND
THE DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY
FOR THE BIRDLAND PUMP STATION REPLACEMENT, INCLUDING THE GRANTING
OF RIGHT OF ENTRY FOR ACCESS AND CONSTRUCTION**

WHEREAS, Des Moines currently owns and operates the Birdland Pump Station; and

WHEREAS, Article VII, Section 1 of the Second Amended and Restate Agreement for the Des Moines Metropolitan Wastewater Reclamation Authority (hereinafter WRA Agreement) provides for construction of the Birdland Pump Station Replacement as a WRA Core Improvement; and

WHEREAS, the construction of the Birdland Pump Station Replacement and demolition of the existing Birdland Pump Station requires transfer of property interests to the WRA by the City of Des Moines in accordance with Article XV, Section 3 of the WRA Agreement; and

WHEREAS, the parties are entering into agreement to set out the responsibilities for the operation, maintenance and repair of the existing Birdland Pump Station and force main until completion of the transfer of operation to the Birdland Pump Stations Replacement Project (Project) and for the City of Des Moines to convey title to the property and to grant the necessary property interests and right of entry for construction of the Project.

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



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That it hereby approves the Agreement by and between the City of Des Moines and the Des Moines Metropolitan Wastewater Reclamation Authority for the Birdland Pump Station Replacement and authorizes and directs the Mayor to sign the agreement and the City Clerk to attest to his signature.

(Council Communication No. 22- 101)

Moved by Westergaard to adopt. Second by Boesen.

FORM APPROVED:

Kathleen Vanderpool
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
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. Franklin Cowie Mayor

City Clerk