



Roll Call Number

Agenda Item Number

III A

Date January 11, 2010

**APPROVING AMENDMENT TO CHAPTER 28E
INTERGOVERNMENTAL AGREEMENT FOR THE PROMOTION OF TOURISM
AND CONVENTION ACTIVITIES IN THE GREATER DES MOINES AREA**

WHEREAS, by Roll Call No. 1594 of April 1, 1985, the City Council of the City of Des Moines approved an Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines Area with Polk County and several other cities in the metropolitan area ("Agreement"); and

WHEREAS, the City of Des Moines and the other parties to the Agreement desire to amend the provisions of the Agreement regarding the appointment of representatives to the Joint Board for Promotion and to the Board of the Greater Des Moines Convention and Visitors Bureau, Inc. ("CVB") to reflect the current status and operation of such boards.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Amendment to the Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines Area on file in the Office of the City Clerk is hereby approved and the Mayor is hereby authorized and directed to sign such document on behalf of the City and the City Clerk is directed to attest to the Mayor's signature.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to coordinate with the other parties to the Agreement and with the CVB for the full execution and filing of the Amendment with the Secretary of State in accordance with Iowa Code Chapter 28E.

APPROVED AS TO FORM:

Moved by _____ to adopt.

Lawrence R. McDowell
Deputy City Attorney

LARRYRC\Tourism - 28E Agreement Amendment 1-11-10.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

_____ City Clerk

Return to and Prepared by: James C. Wine, 700 Walnut Street, Suite 1600, Des Moines, Iowa
50309, (515) 283-3188

AMENDMENT TO INTERGOVERNMENTAL
AGREEMENT FOR THE PROMOTION OF TOURISM
AND CONVENTION ACTIVITIES IN THE
GREATER DES MOINES AREA

Date JAN 11 2010
Agenda Item III-A
Roll Call # _____

This AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR THE PROMOTION OF TOURISM AND CONVENTION ACTIVITIES IN THE GREATER DES MOINES AREA (this "Amendment") is made and entered into this ____ day of _____, 2009 by and among the CITY OF ALTOONA, IOWA, the CITY OF ANKENY, IOWA, the CITY OF CLIVE, IOWA, the CITY OF DES MOINES, IOWA, the CITY OF GRIMES, IOWA, the CITY OF JOHNSTON, IOWA, the CITY OF PERRY, IOWA, the CITY OF PLEASANT HILL, IOWA, the CITY OF URBANDALE, IOWA, the CITY OF WEST DES MOINES, IOWA, the CITY OF WINDSOR HEIGHTS, IOWA (collectively, the "Municipalities") and the COUNTY OF POLK, IOWA (the "County").

WHEREAS, each of the Municipalities and the County is a party to that certain Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines, Iowa Area entered into pursuant to the provisions of Chapter 28E of the Code of Iowa, and filed for record in Polk County, Iowa on May 13, 1985, at Book 5452, Page 479, as subsequently amended from time to time (the "Agreement"); and

WHEREAS, each of the Municipalities and the County desire to amend the provisions of the Agreement regarding the appointment of representatives to the Joint Board of Promotions and to the CVB Board.

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements contained herein, the parties to this Amendment agree as follows:

1. Section V.A of the Agreement is hereby revised to read, in its entirety, as follows:

- A. The area-wide effort for the increased promotion of tourism and convention activities in the Greater Des Moines, Iowa metropolitan area pursuant to this Agreement shall be administered by the Joint Board for the Promotion of the Greater Des Moines, Iowa Area (hereinafter the "Board"), whose membership shall consist of (A) the Mayor or a member of the City Council from each of the Municipalities, as designated by each of such Municipalities by City Council resolution, and (B) the Chairperson of the Board of Supervisors of the County or another member of the Board of Supervisors, as designated by the County by Board of Supervisors resolution.
2. Section VII (D) of the Agreement is hereby amended to read in its entirety as follows:
- D. The Board of Supervisors of the County shall have the right to appoint one (1) member of the Board of Supervisors to the Board of Directors of the CVB by Board of Supervisors resolution. Each of the Municipalities shall have the right to appoint one (1) member to the Board of Directors of the CVB by City Council resolution, who shall be the Mayor or a member of the City Council from such Municipality. Through such membership on the Board of Directors of the CVB, the Governments will have the opportunity to participate in the preparation and adoption of the budget of the CVB for the expenditure of the Hotel-Motel Tax Revenues paid to the CVB pursuant to this Agreement
3. This Amendment is entered into pursuant to the provisions of Chapter 28E of the Code of Iowa. The parties hereto shall cause this Agreement to be filed with the Secretary of State of Iowa in an electronic format in accordance with the provisions of Iowa Code Section 28E.8.

IN WITNESS WHEREOF, the undersigned Municipalities and County have executed this Amendment.

CITY OF ALTOONA, IOWA

Timothy Burget, Mayor

Randy Pierce, City Clerk

CITY OF ANKENY, IOWA

Steven D. Van Oort, Mayor

Pam DeMouth, City Clerk

CITY OF CLIVE, IOWA

Les Aasheim, Mayor

Pamela L. Blessman, City Clerk

CITY OF DES MOINES, IOWA

Frank Cownie, Mayor

Diane Rauh, City Clerk

CITY OF GRIMES, IOWA

Tom Armstrong, Mayor

Rochelle Williams, City Clerk

CITY OF JOHNSTON, IOWA

Paula Dierenfeld, Mayor

Cyndee Rhames, City Clerk

CITY OF PERRY, IOWA

Viivi Shirley, Mayor

Jeanette Peddicord, City Clerk

CITY OF PLEASANT HILL, IOWA

Phil Hildebrand, Mayor

Joni Haag, City Clerk

CITY OF URBANDALE, IOWA

Bob Andeweg, Mayor

Deb Mains, City Clerk

CITY OF WEST DES MOINES, IOWA

Steven K. Gaer, Mayor

Fern Stewart, Deputy City Clerk

CITY OF WINDSOR HEIGHTS, IOWA

Jerry Sullivan, Mayor

, City Clerk

COUNTY OF POLK, IOWA

Angela Connolly, Chairperson
Board of Supervisors

Jamie Fitzgerald, County Auditor