

Date November 9, 2015

AGREEMENT WITH DSM CONVENTION HOTEL, LLC, AND POLK COUNTY
FOR THE DEMOLITION OF SKYWALK BRIDGE 4J-4K IN PREPARATION FOR
THE CONSTRUCTION OF THE IOWA EVENTS CENTER HOTEL

WHEREAS, DSM Convention Hotel, LLC, will be demolishing the former Allied Building at 435 Park Street for redevelopment of the site with the new Iowa Events Center Hotel (the "IEC Hotel"); and,

WHEREAS, the existing Skywalk Bridge 4J-4K over Park Street needs to be removed and replaced with a new Skywalk Bridge at a higher elevation to accommodate the IEC Hotel; and

WHEREAS, DSM Convention Hotel, LLC, is prepared to demolish and remove Skywalk Bridge 4J-4K at no cost to the City, beginning December 1, 2015, in conjunction with its demolition of the former Allied Building; and,

WHEREAS, the Office of Economic Development and Legal Department have prepared a proposed *Agreement for Demolition of Skywalk Bridge 4J-4K over Park Street* with DSM Convention Hotel, LLC, and Polk County, Iowa, setting for appropriate terms and conditions for removal of Skywalk Bridge 4J-4K.

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

1. The proposed *Agreement for Demolition of Skywalk Bridge 4J-4K over Park Street* is hereby approved subject to such amendments as may be required by the other parties and approved by the City Manager and Legal Department as having no material detrimental impact upon the City's interests.
2. Upon execution of the Agreement by DSM Convention Hotel, LLC, and Polk County, Iowa, and approval of any amendments thereto by the City Manager and Legal Department as provided above, the City Manager is hereby further authorized and directed to sign the agreement on behalf of the City, and the City Clerk is hereby authorized and directed to attest the City Manager's signature on such agreement.
3. The City Manager is hereby further authorized and directed to proceed with recommending appropriate additions to the Capital Improvement Program to include

★ Roll Call Number

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54F

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construction of a new skywalk bridge over Park Street in coordination with the schedule for the IEC Hotel construction.

(Communication No. 15- 602)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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