



Date November 15, 2021

APPROVAL OF TERMINATION OF CHAPTER 28E AGREEMENT
BETWEEN THE CITY OF DES MOINES AND
THE DES MOINES RIVER FRONT DEVELOPMENT AUTHORITY
FOR PLANNING, CONSTRUCTING AND MAINTAINING RIVERFRONT
IMPROVEMENTS IN THE DOWNTOWN AREA

WHEREAS, on April 25, 2005, by Roll Call No. 05-1062, the City Council, pursuant to the City’s authority under Iowa Code Chapter 28E, entered into an agreement with the Des Moines Riverfront Development Authority for the coordination of planning, construction, land use control, operation and maintenance of certain riverfront facilities an improvements in the downtown area (“28E Agreement”); and

WHEREAS, the 28E Agreement was recorded with the Polk County Recorder at Book 11040, Pages 437-454 and filed with the Secretary of state on April 29, 2005; and

WHEREAS, numerous facilities and improvements have been constructed along the Des Moines River riverfront since 2005 and are owned, operated and maintained by the City; and

WHEREAS, the term of the 28E Agreement is until April 29, 2025; and

WHEREAS, the Des Moines Riverfront Development Authority desires to terminate the 28E Agreement effective on November 15, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Termination of Chapter 28E Agreement Between the City of Des Moines and the Des Moines Riverfront Development Authority For Planning, Constructing And Maintaining Riverfront Improvements In The Downtown Area, a copy of which is on file in the City Clerk’s Office, be and is hereby approved and the Mayor is authorized and directed to sign said Termination Agreement on behalf of the City and the City Clerk is hereby directed to attest to said signature.

BE IT FURTHER RESOLVED that the City Clerk is directed to cause the executed Termination Agreement to be recorded and filed with the Secretary of State and shall send the Des Moines River Front Development Authority a copy with the recording and filing data shown.

 **Roll Call Number**

Agenda Item Number
391C

Date November 15, 2021

Moved by _____ to adopt.

(Council Communication No. 21- 494)

APPROVED AS TO FORM.



Ann DiDonato
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

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.

 Mayor

 City Clerk