

**Date** November 18, 2024

**RESOLUTION APPROVING SECOND AMENDMENT TO AGREEMENT BETWEEN THE CITY OF DES MOINES AND DOWNTOWN SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT FOR PARK, OPEN SPACE, AND STREETSCAPE MAINTENANCE OF PRINCIPAL RIVERWALK, HANSEN TRIANGLE, WESTERN GATEWAY PARK, EAST LOCUST STREETSCAPE, AND MLK JR. PARKWAY**

WHEREAS, on June 24, 2019, by Roll Call #19-1046, the City Council approved Agreement between the City Of Des Moines and Downtown Self-Supported Municipal Improvement District for Park, Open Space, and Streetscape Maintenance of Principal Riverwalk, Hansen Triangle, Western Gateway Park, East Locust Streetscape, and MLK Jr. Parkway (“Agreement”), setting forth maintenance services, obligations, and payments by the City and SSMID related to said downtown improvements; and

WHEREAS, on June 17, 2024, by Roll Call #24-0878, the City Council approved the First Amendment to the Agreement extending the Agreement from June 30, 2024 to September 30, 2024, and added an option of a further three-month extension to December 31, 2024; and

WHEREAS, the City and SSMID desire to amend the Agreement to allow for a further extension thereof to June 30, 2025, under the existing terms of the Agreement.

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

1. The Second Amendment to Agreement between the City of Des Moines and Downtown Des Moines Self-Supported Municipal Improvement District for Park, Open Space, and Streetscape Maintenance of Principal Riverwalk, Hansen Triangle, Western Gateway Park, East Locust Streetscape, and MLK Jr. Parkway, is hereby approved in form on file in the office of the City Clerk.
2. The City Manager is authorized and directed to sign the Second Amendment on behalf of the City, extending the Agreement through June 30, 2025.
3. The Parks and Recreation Department Director is directed to administer and continue negotiations on replacement of said Agreement in accordance with its terms, as amended.

(Council Communication No. 24- **465** ) Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM: Second by \_\_\_\_\_.

/s/ Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

I, Laura Baumgartner, 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