

Date December 23, 2024

APPROVAL OF FIRST AMENDED AND RESTATED SKYWALK CORRIDOR SURFACE LEASE AGREEMENT WITH DOWNTOWN DSM, INC.

Whereas the City of Des Moines has constructed skywalk corridors within the 9th and Locust Parking Garage, the 5th and Keo Parking Garage, the 4th and Grand Parking Garage, 3rd and Court Parking Garage, and the 4th and Grand Parking Garage, and has incorporated into the surfaces of the parking garage adjacent to the Skywalk Corridor, including display cases; and

Whereas the City of Des Moines has constructed elevators (doors) in skywalk corridors within the 9th and Locust Street Parking Garage and 4th and Grand Parking Garages and desires to lease said door space for vinyl coverings shown on the plans on file in the City Clerk’s Office; and

Whereas in 1991, the City of Des Moines entered into a lease agreement with Downtown DSM, Inc. for use of the above referenced display cases and graphics to promote activities and business within the downtown area; and

Whereas on December 18, 2023, the parties entered a new lease for a term extending to November 5, 2028, subject to certain terms and conditions; and

Whereas the parties wish to amend and restate said new lease to allow Downtown DSM, Inc. to install the Joywalk Project (“Art”) within certain skywalk corridors located within the 4th and Grand Parking Garage and the 5th and Keo Parking Garage, in accordance with the design and renderings depicted on plans on file in the City Clerk’s Office, which Art shall serve the public purpose of enhancing the pedestrian experience within the skywalk system by providing color, interest, interaction and culture therein.

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

1. The First Amended and Restated Skywalk Corridor Surface Lease Agreement is hereby approved.
2. The Mayor is authorized and directed to sign said agreement as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.

 **Roll Call Number**

Agenda Item Number

36

Date December 23, 2024

Moved by _____ to adopt.

Second by _____.

APPROVED AS TO FORM:

/s/ Lisa A. Wieland
Lisa A. Wieland, Assistant City Attorney

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

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.

Mayor

City Clerk