★ **Roll Call Number**
_11-1414_

Date..........August 24, 2011..................

AUTHORIZING SWIMMING IN DES MOINES RIVER FOR 2011 HY-VEE TRIATHLON ELITE CUP SWIM EVENT

WHEREAS, Hy-Vee is hosting the 5150 Triathlon Series in the Greater Des Moines area on September 2-4, 2011 ("the 2011 Hy-Vee Triathlon"); and

WHEREAS, Hy-Vee desires to stage the Elite Cup swim event portion in the Simon Estes Amphitheater and the Des Moines River between the Amphitheater and the Red Pedestrian Bridge on the Principal Riverwalk; and

WHEREAS, the proposed Facility Use Agreement with Hy-Vee provides that the applicable permits and safety tests shall be performed prior to the use of the Des Moines river for the Elite Cup swim event; and

WHEREAS, section 70-74 of the Des Moines Municipal Code provides that no person shall swim in the Des Moines River except as authorized by the City Council by resolution; and

WHEREAS, it is in the best interests of the City and the Greater Des Moines metropolitan area to authorize use of the Des Moines River for the Elite Cup swim event on September 3 and 4, 201, from the Simon Estes Amphitheater to the Red Pedestrian Bridge on the Principal Riverwalk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, hereby authorizes the use of the Des Moines River for the Elite Cup swim event on September 3 and 4, 2011, from the Simon Estes Amphitheater to the Red Pedestrian Bridge on the Principal Riverwalk.

(Council Communication No. 11-**579**)   Moved by ___Coleman___ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED   APPROVED

T. M. Franklin Cownie 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.

Diane Rauh City Clerk