

★ Roll Call Number  
17-0047

Agenda Item Number  
39

Date January 9, 2017

**APPROVING AND AUTHORIZING THE EXECUTION OF AGREEMENT FOR COOPERATIVE PUBLIC SERVICE BETWEEN POLK COUNTY, IOWA AND THE CITY OF DES MOINES, IOWA FOR THE PARK STREET SKYWALK BRIDGE PROJECT.**

WHEREAS, on March 21, 2016, by Roll Call No. 16-0517, City Council approved the First Amended and Restated Development Agreement between Polk County, Iowa, City of Des Moines, Iowa, and IEC Hotel Corporation and related documents and at that time, the City was planning to construct the replacement Skywalk Bridge 4J-4K over Park Street connecting to the new Iowa Events Center Hotel at 435 Park Street (hereafter Park Street Skywalk Bridge Project); and

WHEREAS, in fall 2016, Polk County requested to be the lead agency for the Park Street Skywalk Bridge Project; and

WHEREAS, the Agreement for Cooperative Public Service between Polk County and the City of Des Moines for the Park Street Skywalk Bridge Project provides the terms for the Park Street Skywalk Bridge Project; and

WHEREAS, the Agreement provides that Polk County is the lead agency for this Park Street Skywalk Bridge Project and shall provide all planning, concept development, architectural and engineering design services, survey, bidding and contract administration in compliance with Chapter 26 of the Iowa Code, construction, and construction administration/inspection for the construction of the Park Street Skywalk Bridge Project; and

WHEREAS, the Agreement provides that in no event shall the City's share of the Park Street Skywalk Bridge Project Cost exceed the City's Maximum Cost Responsibility of \$731,258.

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NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the Agreement for Cooperative Public Service between Polk County and the City of Des Moines for the Park Street Skywalk Bridge Project, a copy of which is now on file in the office of the City clerk, is hereby approved as to form and content.
2. That the Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, said Agreement for and on behalf of the City of Des Moines, Iowa.

(Council Letter Number 17-018 attached)  
Activity ID 14-2017-002

Moved by Moore to adopt.

FORM APPROVED: Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

Funding Source: 2016-2017 CIP Page Street Improvements – 34, Skywalk System, Tax Increment Bonds to be Issued

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin 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