

★ Roll Call Number

17-1773

Agenda Item Number

50A

Date October 9, 2017

**APPROVING ACCEPTANCE OF PUBLIC SANITARY AND STORM SEWER
IMPROVEMENTS RELATED TO THE CITY HALL PARKING GARAGE**

WHEREAS, by Roll Call No. 16-0636 of April 11, 2016, the City Council of the City of Des Moines, Iowa, approved the Lease Purchase Agreement between the City of Des Moines and 101 East Grand Parking, LLC (the "Lessor") and West Bank relating to the construction and acquisition of a multi-story public parking garage located in the vicinity of East Second Street; and

WHEREAS, in accordance with Article III Section 3.1(a)(ii) of said Lease Purchase Agreement, requires construction of Sewer Improvements, of which the public portion of the sanitary and storm sewers are to become public sewers when accepted by the City of Des Moines; and

WHEREAS, the City Engineer recommends the acceptance of the public portions of said Sewer Improvements constructed in accordance with Plan File Nos. 563-108/110 and that the Maintenance Bond amount for said public portions of the Sewer Improvements should be in the amount of \$225,000.00.

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

1. That that the attached report of the Des Moines City Engineer acknowledging the completion of the construction of said public storm and sanitary sewers, included in the Sewer Improvements related to the City Hall Parking Garage located at 402 E. 2nd Street, in substantial compliance with Plan File Nos. 563-108/110 is hereby received and filed.

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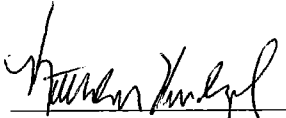
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2. That the completion of said public portions of the Sewer Improvements described as public sanitary and storm sewer improvements in Plan File Nos. 563-108/110 related to the City Hall Parking Garage located at 402 E. 2nd Street is hereby acknowledged.
3. That said public portions of the Sewer Improvements described and identified in the Plan File Nos. 563-108/110 related to the City Hall Parking Garage located at 402 E. 2nd Street are hereby accepted as public sewers on the Commencement Date, as set forth in the LPA, which is anticipated to be October 10, 2017.

Moved by Gatto to adopt.

FORM APPROVED:


 Kathleen Vanderpool
 Deputy City Attorney

Activity ID 07-2016-105, 08-2016-112 and 14-2016-015

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

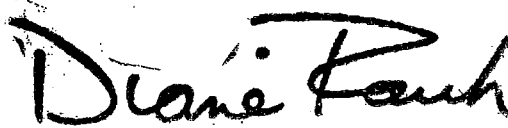
CERTIFICATE

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.

MOTION CARRIED APPROVED

 T. M. Franklin Mayor


 Diane Rauh City Clerk