



Roll Call Number

18-1103

Agenda Item Number

50A

Date June 25, 2018

RESOLUTION TO TAKE ADDITIONAL ACTION FOR APPROVAL OF DES MOINES TRANSLOADING FACILITY DEVELOPMENT AGREEMENT AND AUTHORIZATION OF THE CONTINGENT ASSIGNMENT OF OBLIGATIONS UNDER THE IDOT RAILROAD REVOLVING LOAN GRANT PROGRAM LOAN AGREEMENT

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to approve the Des Moines Transloading Facility Development Agreement between the City of Des Moines and the Des Moines Area Metropolitan Planning Organization ("MPO"), including the authorization and approval of the contingent assignment to and assumption by the City of the obligations under the Iowa Department of Transportation Railroad Revolving Loan and Grant Program ("RRLGP") Loan Agreement in the amount of \$1,700,000 and the City Council has considered the extent of objections received from residents or property owners of the City as to the proposal; and the following action is now considered to be in the best interests of the City and the residents thereof.

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

1. That the City Council does hereby take additional action and does authorize and approve the Des Moines Transloading Facility Development Agreement between the City and MPO, on file in the Office of the City Clerk, including the authorization and approval of the contingent assignment to and assumption by the City of the obligations under the RRLGP Loan Agreement in the amount of \$1,700,000.

2. The Mayor is hereby authorized and directed to sign the Des Moines Transloading Facility Development Agreement on behalf of the City and the City Clerk is directed to attest to the Mayor's signature.

3. The City Manager or his designee is directed to administer the terms of the Des Moines Transloading Facility Development Agreement and notify the City Council of issuance of a default notice by MPO pursuant to the terms of the Agreement.

APPROVED AS TO FORM:

Moved by Gatto to adopt.

Lawrence R. McDowell Deputy City Attorney

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

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.

Mayor signature: T. M. Franklin

City Clerk signature: Diane Rauh