

★ Roll Call Number
18-2026

Agenda Item Number
3

Date December 10, 2018

**APPROVING AND AUTHORIZING THE EXECUTION OF AGREEMENT
BETWEEN THE CITY OF DES MOINES AND HUBBELL REALTY
COMPANY AND HRC NFS I, LLC FOR CONSTRUCTION AND
FUNDING OF A PEDESTRIAN BRIDGE OVER THE RACCOON RIVER
CONNECTING THE PROPOSED GRAY'S STATION DEVELOPMENT
TO GRAY'S LAKE PARK**

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

1. That the Agreement between Hubbell Realty Company and HRC NFS I, LLC (collectively, "Hubbell") and the City of Des Moines for the construction and funding of a Pedestrian Bridge over the Raccoon River (the "Agreement"), 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 a for and on behalf of the City Des Moines, Iowa.
3. That in connection with the Agreement, Hubbell subcontractor Civil Design Advantage, LLC has provided to the City an "Unlimited, Perpetual Copyright and Intellectual Property License," dated November 27, 2018, a copy of which is now on file in the office of the City Clerk. This License is hereby accepted by the City.
4. That in connecction with the Agreement, Hubbell subcontractor Stantec Consulting Services has provided an "Assignment of Intellectual Property Rights, Including Copyright Rights to Design Document for Pedestrian Bridge Over Raccoon River" dated December 3, 2018, a copy of which is now on file in the office of the City Clerk. This Assignment is hereby accepted by the City.

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5. That the Mayor is hereby authorized and directed to execute the Civil Design Advantage Unlimited, Perpetual Copyright and Intellectual Property License and the Stantec Assignment of Intellectual Property Rights, Including Copyright Rights to Design Document for Pedestrian Bridge Over Raccoon River for and on behalf of the City Des Moines, Iowa.

(Council Letter Number 18-1657 attached)

Activity ID 12-2019-100

Moved by Gatto to adopt.

SLN FORM APPROVED: Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN				✓
GATTO	✓			
GRAY	✓			
MANDELBAUM				✓
WESTERGAARD	✓			
TOTAL	5			2

MOTION CARRIED APPROVED
J. 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 Clerk