

★ Roll Call Number  
20-1087

Agenda Item Number  
6

Date July 13, 2020

**APPROVE AND AUTHORIZE IOWA DEPARTMENT OF TRANSPORTATION AGREEMENT (IDOT) FOR A REVITALIZE IOWA'S SOUND ECONOMY PROGRAM (RISE) PROJECT AND RELATED AGREEMENT BETWEEN THE CITY OF DES MOINES AND DES MOINES AIRPORT AUTHORITY FOR THE COWLES DRIVE RECONSTRUCTION PROGRAM AT THE DES MOINES INTERNATIONAL AIRPORT.**

WHEREAS, on January 27, 2020, under Roll Call No. 20-0131, the City Council authorized submittal of a Revitalizing Iowa's Sound Economy ("RISE") grant application for the Des Moines Airport Authority's Cowles Drive Reconstruction Program within the Des Moines International Airport; and

WHEREAS, the grant application was approved on April 14, 2020 and the IDOT awarded \$1,456,002 to the Des Moines Airport Authority for Phase 1 of the Cowles Drive Reconstruction Program; and

WHEREAS, the Authority, the IDOT and the City of Des Moines negotiated the attached Agreement Regarding Iowa Department of Transportation RISE Grant to the Des Moines Airport Authority ("City-Authority Agreement") for a RISE project that provides that the Authority must perform all obligations for constructing and financing the Project without obligation on part of the City agreement; and

WHEREAS, the City and the Authority negotiated the attached Agreement regarding Iowa Department of Transportation RISE grant between the two parties that requires the Authority to reimburse any costs of the City and to indemnify the City for any liability related to the project.

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

1. The attached Agreement for a Revitalize Iowa's Sound Economy (RISE) Project is hereby approved and the Mayor is authorized and directed to execute the agreement.
2. The attached City-Authority Agreement is hereby approved and the Mayor is authorized and directed to execute the agreement.
3. The City Manager or his designee is authorized to take any action necessary to approve and execute the private construction agreement and bond Attachment 2 to the City-Authority Agreement at the appropriate time in a materially similar form and subject to approval by the City Engineer as to substance and approval of the City Attorney as to form.

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4. The City Manager or his designees are hereby authorized and directed to administer the Agreements on behalf of the City and to monitor compliance with the terms and conditions of the Agreement.

(Council Communication Number 20-313 attached)

Moved by Gatto to adopt.

FORM APPROVED:

Thomas G. Fisher Jr.  
 Thomas G. Fisher Jr.  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN				✓
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	4			1

MOTION CARRIED

APPROVED

J. M. Franklin Cownie  
 Mayor

**CERTIFICATE**

I, P. Kay Cmelik, 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.

P. Kay Cmelik

City Clerk