

Date June 5, 2006

**RESOLUTION EXTENDING AGREEMENT WITH THE
NATIONAL DEVELOPMENT COUNCIL REGARDING
COMMUNITY AND ECONOMIC DEVELOPMENT ADVISEMENT**

WHEREAS, on November 1, 2005, the City Manager of the City of Des Moines entered into a four-month professional services agreement not to exceed \$24,000 with National Development Council (NDC") a New York non-profit corporation, whereby NDC would: (1) structure the Riverpoint West redevelopment project by assisting the City in identifying and securing financing from local, state and federal sources; (2) assist the City in preparing Section 108 loan and amended Brownfield Economic Development Initiative applications; and (3) assist in structuring economic development projects to leverage additional funds from sources such as New Market Tax Credits, as appropriate; and

WHEREAS, recognizing that: (1) NDC had performed the terms and conditions of the agreement to the City's benefit through February of 2006; (2) that NDC continued to provide professional services to the City as set forth in the agreement from March through May 2006 at a total additional cost of \$18,000, which amount remains unpaid; and (3) that the City wishes to further extend the agreement as needed at a cost not to exceed \$24,000; and

WHEREAS, NDC has agreed to the further four-month extension pursuant to the terms and conditions of the original agreement at a cost not to exceed \$24,000.

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

1. In light of the undertakings described herein by National Development Council, the City of Des Moines, Iowa hereby grants its approval of the extension of the Agreement with the National Development Council and Economic Development Advisement and the payment of \$18,000 for services already provided and not to exceed \$24,000 for services to be provided.

2. The City Manager is authorized to execute the Memorandum Agreement attached hereto as Exhibit A.


(Continued on page 2)

Date June 5, 2006

3. Upon execution of the Memorandum Agreement the City Clerk is authorized and directed to return copies of all documents to the Office of Economic Development, 400 Robert D. Ray Drive, Des Moines, Iowa 50309.

(Council Communication No. 06-331)

APPROVED AS TO FORM:


 Michael F. Kelley
 Assistant City Attorney

G:\USERS\CRNoah\MFK\Resolution extending Agreement (NDC).doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....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.

..... City Clerk

**MEMORANDUM AGREEMENT BETWEEN
CITY OF DES MOINES AND
NATIONAL DEVELOPMENT COUNCIL**

1. This Memorandum Agreement, dated June 10, 2006, by and between the City of Des Moines, Iowa ("City") and National Development Council ("NDC") is intended to extend and incorporate the terms and conditions of the Agreement by and between City of Des Moines, Iowa and National Development Council Regarding Community and Economic Development Advisement dated November 1, 2005 (First Agreement") attached hereto as Exhibit A, as if those terms and conditions were set out in full, except where this Memorandum Agreement provides otherwise.

2. The City and NDC have performed their mutual obligation under the First Agreement, and NDC has provided further services under the First Agreement with the City's knowledge and approval for which the City agrees to pay at the contract rate of \$6,000 per month for the months of March, April and May of 2006.

3. The City and NDC agree to further extend their agreement for professional services pursuant to the terms and conditions of the First Agreement for a period of four additional months from June, 2006 through September, 2006 at a cost not to exceed \$24,000.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the day and year first written above.

CITY OF DES MOINES, IOWA

NATIONAL DEVELOPMENT COUNCIL

Richard A. Clark
City Manager

Robert W. Davenport
President