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Date April 25, 2011.....

APPROVAL OF URBAN RENEWAL ECONOMIC DEVELOPMENT AGREEMENT  
WITH THE BLANK PARK ZOO FOUNDATION, INC.

WHEREAS, by Roll Call No. 10-2020 of December 6, 2010, the City Council adopted an Urban Renewal Plan for the Southside Economic Development District to stimulate economic revitalization of the southeast area of the City of Des Moines through the provision of infrastructure improvements and economic development financial assistance; and

WHEREAS, the City and the Blank Park Zoo Foundation, Inc. ("Foundation") have entered into a Lease, Operation, Management and Maintenance Agreement on this date ("Lease") for the A.H. Blank Park Zoo Facility ("Zoo"); and

WHEREAS, in accordance with the terms of the Lease, the Foundation is responsible for the funding and construction of additional improvements for an expanded Zoo and is responsible for the enhanced operation, management and maintenance of the Zoo to serve, in part, as a positive asset to business development in the Southeast Economic Development District and the City; and

WHEREAS, an Urban Renewal Economic Development Agreement ("Development Agreement") has been prepared which provides for an \$8,100,000 economic development grant to the Foundation to be paid in installments and to be used exclusively for the costs related to the expansion, improvement and enhanced operation, management and maintenance of the Zoo in accordance with the terms, conditions and covenants of the Lease; and

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

1. The City Council hereby makes the following findings in support of the Development Agreement:

- a. The economic development assistance and the obligations assumed by the Foundation under the Development Agreement will generate the following public gains and benefits: (i) will initiate the expansion and improvement of the Zoo in accordance with the Urban Renewal Plan; (ii) will encourage further private investment and will attract and retain other businesses in the Southside Economic Development District; (iii) will encourage the creation and retention of job opportunities within the Southside Economic Development District which might otherwise be lost; (iv) will help to maintain and expand taxable values in the Southside Economic Development District; and, (v) will have a positive economic impact on the City by enhancing the quality of life within the

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City and by contributing to the City's efforts to retain and attract a skilled workforce and promote economic growth; and,

b. The expansion, improvement, and enhanced operation, management and maintenance of the Zoo will further the purposes and objectives of the Urban Renewal Plan to provide for planned and unified physical and economic enhancement of the Southside Economic Development District, to create a safe and attractive physical environment through actions supportive of the Southside Economic Development District, to encourage and facilitate high quality commercial, office and retail development within the Southside Economic Development District by incorporating the recommendations, objectives and design standards from the Super Block Master Plan, as amended, to coordinate resources to attract new quality economic development investment, and to promote key infrastructure projects including improvements to the Zoo in coordination with the Foundation; and,

c. The provision of economic development assistance is necessary to enable the expansion, improvement and enhanced operation, management and maintenance of the Zoo in accordance with the terms of the Lease and the Development Agreement and such assistance will generate public gains and benefits for urban renewal and economic development which gains and benefits are warranted in comparison with the amount of such assistance; and,

d. The expansion, improvement, and enhanced operation, management and maintenance to the Zoo pursuant to the Lease and the Development Agreement, the intangible interest the City will retain through the actions of the Foundation in furtherance of the Urban Renewal Plan and the fulfillment generally of the Development Agreement, are in the vital and best interests of City and the health, safety, morals, and welfare of its residents, and in accord with the public purposes and provisions of the applicable state and local laws and requirements under which the Southside Economic Development District project has been undertaken, and warrant the provision of the economic assistance set forth in the Development Agreement.

2. The Urban Renewal Economic Development Agreement with the Foundation which is on file in the Office of the City Clerk is hereby approved and the Mayor is hereby authorized and directed to sign the Development Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature and affix the seal of the City.

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3. Upon satisfaction of the conditions for payment of installments of the \$8,100,000 Economic Development Grant pursuant to Article 1 of the Development Agreement and confirmation of same by the City Manager and the Legal Department, the Finance Department is hereby authorized and directed to advance the installments of subject grant to the Foundation in accordance with the terms of the Development Agreement.

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

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:



Lawrence R. McDowell  
Deputy City Attorney

(Council Communication No. **11-254**)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				
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