

Date November 7, 2011

APPROVAL OF ECONOMIC DEVELOPMENT FINANCIAL ASSISTANCE
CONTRACT WITH STARTUPCITY DES MOINES LLC FOR THE CREATION OF A
TECHNOLOGY BUSINESS INCUBATOR AT 317 6TH AVENUE

WHEREAS, on June 27, 2011, by Roll Call No. 11-1161, the City Council approved preliminary terms of agreement for City economic development assistance to StartupCity Des Moines LLC for the creation of a technology business incubator in downtown Des Moines, and directed the City Manger to negotiate with StartupCity on a final agreement upon terms consistent with preliminary terms set forth in Council Communication No. 11-433; and,

WHEREAS, the City Manager has negotiated an *Economic Development Financial Assistance Contract* (the "Contract") with StartupCity Des Moines LLC which is consistent with the approved preliminary terms and provides for the City to advance \$25,000 per year for three years to StartupCity, with the 2nd and 3rd installment contingent upon StartupCity meeting the success metrics contained in Exhibit E to the Contract; and,

WHEREAS, the economic development assistance to be provided by the City pursuant to the Contract is undertaken by the City pursuant to Chapter 15A of the Code of Iowa and will result in the creation of new jobs and income and the retention of existing jobs and income that would otherwise be lost; and,

WHEREAS, the economic development assistance from the City is necessary to retain the business incubator facility and services to be provided by StartupCity within the City of Des Moines, and will generate public gains and benefits for economic development which gains and benefits are warranted in comparison to the amount of such assistance; and,

WHEREAS, the City believes that the undertakings by the City pursuant to this Agreement are in the vital and best interests of the City and in accord with the public purposes and provisions of the applicable State and local laws and requirements; NOW THEREFORE,

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

1. The *Economic Development Financial Assistance Contract* with StartupCity Des Moines LLC, which is on file and available for inspection by the public in the office of the City Clerk, is hereby approved.
2. The Mayor is hereby authorized and directed to execute the Contract on behalf of the City of Des Moines, and the City Clerk is authorized and directed to attest to the Mayor's signature on such document.

★ **Roll Call Number**

Agenda Item Number

27

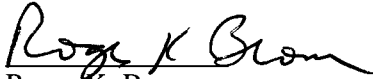
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3. The City Manager is hereby authorized and directed to administer the Contract in accordance with its terms.
4. Upon requisition by the City Manager's Office, the Finance Department is hereby authorized and directed to advance the installments on the Award as provided in the Contract.

(Council Communication No. 11- **692**)

MOVED by _____ to adopt.

FORM APPROVED:



Roger K. Brown
Assistant City Attorney

C:\Rog\Eco Dev\StartupCity\RC 11-11-07 Approve.dOC

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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.

MOTION CARRIED

APPROVED

Mayor

City Clerk