



Roll Call Number

Agenda Item Number

36

Date June 8, 2015

RESOLUTION TO RECEIVE AND FILE PROPOSAL TO PURCHASE CITY-OWNED PROPERTY FOR REDEVELOPMENT AND DIRECT THE CITY MANAGER TO NEGOTIATE PRELIMINARY TERMS OF AGREEMENT WITH ELECTRICAL POWER PRODUCTS (EP2)

Receive and file communication from Lillis O'Malley Olson Manning Pose Templeman LLP on behalf of Electrical Power Products (EP2) regarding potential purchase of City-owned property in the vicinity of SE 43rd Street and Vandalia Road for relocation and expansion of EP2's industrial facility.

(Council Comm. No. 15-286)

MOVED BY _____ to receive and file the attached communication, and to direct the City Manager to negotiate preliminary terms of a development agreement with EP2.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

Table with 5 columns: Council Action, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL. Includes MOTION CARRIED and APPROVED labels.

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.

Mayor

City Clerk

LILLIS O'MALLEY OLSON MANNING POSE TEMPLEMAN LLP

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(ESTABLISHED 1917)

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JOHN CONNOLLY, JR. (1891-1975)
GEORGE E. O'MALLEY (1905-1982)
JOHN CONNOLLY III (1918-1998)
BERNARD J. CONNOLLY (1920-1970)
C. I. MCNUTT (1901-1958)
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June 3, 2015

Mayor T. M. Franklin Cownie
and Members of the City Council
City of Des Moines
City Hall
400 Robert D. Ray Drive
Des Moines, IA 50319

Subject: Electrical Power Products (EP²) – City of Des Moines – Property in Vicinity
of SE 43rd Street and Vandalia Road

Honorable Mayor and Members of the City Council:

Our law firm represents Electrical Power Products (hereafter "EP²") with regard to a proposed sale/purchase of approximately forty-two (42) acres (owned by the City of Des Moines and Des Moines Water Works) (hereafter "Site") located at SE 43rd Street and Vandalia road in the City of Des Moines.

On your agenda for Monday, June 8, 2015 (Communication No. 15-286 from the City Manager) is the Manager's letter regarding the above project.

EP² provides power management systems for commercial and utility industries for power generation, transmission and distributions.

EP² presently owns and operates a location in the City of Des Moines at 1800 Hull Avenue. EP² is in need of substantial expansion in order to retain the business in the City of Des Moines.

The office of Economic Development and City Manager have been working with EP² and the undersigned for several months to identify a new location for its business.

EP² has been attracted to the Site due to the nature of its business, proximity to Highway 65 and interstate system, availability of public utilities and adequate expansion area for EP²'s relocation and future growth.

LILLIS O'MALLEY OLSON MANNING POSE TEMPLEMAN LLP

June 3, 2015

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The Site will require substantial earth fill to adequately protect the projected building(s) to be constructed on the Site.

We will be present to answer questions, if any, from the Council. Preliminary Terms of Agreement will be negotiated between EP² and City anticipating the Preliminary Terms of Agreement to be on the City Council Agenda for Monday, June 22, 2015.

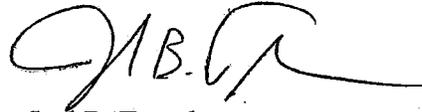
The project requires review of the Urban Design Review Board, Des Moines Water Works Board of Trustees, Des Moines Planning and Zoning Commission, the City of Des Moines Good Neighbor Task Force and the City Council.

Thank you for your consideration

Very truly yours,



William J. Lillis



Joel B. Templeman
For the Firm

WJL/JBT/sam