



Date February 22, 2016

RESOLUTION APPROVING \$3,225,000 COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY LOAN AND CONTRACT DOCUMENTS FOR DEVELOPMENT OF 120 UNITS OF HOUSING AT 712 SE 6TH STREET WITH EAGLE VIEW LOFTS, LLC

WHEREAS, the Iowa Economic Development Authority (IEDA) received Community Development Block Grant Program Disaster Recovery (CDBG-DR) Funds from P.L. 110-329, Second Federal Disaster Appropriation, to administer per a statewide allocation plan after the disasters of 2008; and

WHEREAS, on October 13, 2008, by Roll Call No. 08-1809, the City of Des Moines entered into Contract 08-DRH-009 with IEDA to provide CDBG-DR funding for disaster relief in Des Moines; and

WHEREAS, on July 24, 2014, Eagle View Lofts, LLC applied to the City for the use of \$3,000,000 for housing and an additional \$400,000 for storm water improvements of CDBG-DR funds for a 120-unit multi-family rental housing development known as Eagle View Lofts in the vicinity of SE 6th Street and Shaw Street; and

WHEREAS, on August 25, 2014, by Roll Call No. 14-1327, the City Council approved submission of application to IEDA for \$3,400,000 of CDBG-DR funding on behalf of the above-referenced project, which funding was approved by IEDA; and

WHEREAS, on July 13, 2015, by Roll Call No. 15-1152, the City Council approved an amendment to CDBG-DR Contract (08-DRH-009) between IEDA and the City to accept the \$3,000,000 award for project costs, \$225,000 for stormwater improvements, and \$61,224 for City general administration for the Eagle View Lofts project; and

WHEREAS, on July 28, 2014, by Roll Call No. 14-1162, the City Council approved a proposed sale of City-owned real property in the vicinity of SE 6th Street and Shaw Street for the Eagle View Lofts project, as combined with and contingent upon sale by the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) of its adjoining property; and

WHEREAS, the combined property is legally described as on file in the office of the City Clerk; and

WHEREAS, on September 16, 2015, the City of Des Moines received a notice of Release of Funds from IEDA based on the Environmental Review Record submitted and Official Publication in the Des Moines Register; and

WHEREAS, the IEDA has indicated it may be able to commit some additional funding to the storm water improvements in an amount not to exceed \$100,000; and

WHEREAS, because of the project's late award, IEDA will work with the City and Hansens to extend construction completion on this project until March 31, 2017 and lease of the affordable units until May 27, 2017; and

WHEREAS, the City and Eagle View Lofts, LLC have negotiated the terms of a CDBG-DR Agreement to provide \$3,225,000 in CDBG-DR funding for the above-referenced project with staff being able to



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provide approve up to an additional \$100,000 in storm water funds depending on funds returned from other IEDA projects.

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

- 1. That the City's Community Development Department staff continue to work with IEDA on a 90-day extension of the Eagle View Lofts Project for construction completion and an additional 60-day extension for leasing of the 62 affordable units.
2. That the CDBG-DR Agreement and related documents, all on file in the City Clerk's office, are hereby approved; the Director of the Community Development Department is hereby authorized and directed to execute and record said documents on behalf of the City; and the Director of the Community Development Department and his designee(s) are directed to record, administer and monitor the terms of the Agreements for compliance by Eagle View Lofts, LLC.
3. That the Community Development Department Director is authorized and directed to make unsubstantial amendments to the CDBG-DR Agreement and related documents, including but not limited to funding increases provided by IEDA for the project in amounts up to \$100,000.00, and to return any substantial amendments to the City Council for consideration and approval.

(Council Communication No. 16- 079)

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank (signature)

Glenna K. Frank, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL.

MOTION CARRIED

APPROVED

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