



Roll Call Number

Agenda Item Number

41

Date June 27, 2016

RESOLUTION RECEIVING AND FILING AMENDMENTS TO THE BYLAWS OF NEIGHBORHOOD DEVELOPMENT CORPORATION

WHEREAS, Neighborhood Development Corporation ("NDC") is an Iowa non-profit corporation that is managed by a Board of Directors that contains some members appointed and subject to removal by the City Council, and that works with the City, Polk County, and other governmental units within Polk County to combat community deterioration through community redevelopment efforts designed to in assist in the creation of housing, small business, and employment opportunities in low- to moderate-income census tracts; and

WHEREAS, the Board of Directors of NDC seeks to amend the corporation Bylaws to allow the Executive Director or Director of Real Estate Development to execute deeds, mortgages, and contracts exceeding \$10,000 with attestation by a corporate officer, as summarized in the attached letter from Glenn Lyons, NDC's Executive Director, and the City Manager and City Community Development Department staff are in support of acceptance of the amendments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached letter from NDC setting forth the proposed amendments to the NDC Bylaws is hereby received and filed, and that the City has no objection to the proposed amendments to the Bylaws of NDC.

(Communication No. 16-338)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank (signature)

Glenna K. Frank, Assistant City Attorney

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



neighborhood
DEVELOPMENT
CORPORATION

May 15, 2015

Honorable Mayor Cownie and Member of Des Moines City Council
400 Robert D Ray Drive
Des Moines, IA 50309

RE: **Neighborhood Development Corporation (NDC)**
Proposed Bylaw Amendments

Mayor Cownie and Members of City Council:

FILED
2016 MAY 18 PM 12:05
CITY CLERK
DES MOINES, IA

Neighborhood Development Corporation respectfully requests approval of its Bylaws. On October 21, 2015, the NDC Board of Directors approved the requested NDC Bylaws change, which involves signing authority as described below.

Note: Proposed Changes shown in yellow shading

In Article IV, Section 1 'Written Instruments'

- *To remove the following:*
'All deeds and mortgages made by the corporation and all other written contracts and agreement involving amounts in excess of Ten Thousand Dollars (\$10,000) to which the corporation is a party shall be executed in its name by the President or Executive Director and attested by the Secretary, Vice President or Treasurer. All other written contracts and agreements, which involved amounts of Ten Thousand Dollars (\$10,000) or less to which the Corporation is a party may be executed in its name by either the president of the Executive Director.'
- *And to replace it with the following*
'All deeds and mortgages made by the corporation and all other written contracts and agreement involving amounts in excess of Ten Thousand Dollars (\$10,000) to which the corporation is a party shall be executed in its name by the Executive Director or Director of Real Estate Development and attested by the President, Vice President, Secretary, or Treasurer. All other written contracts and agreements, which involved amounts of Ten Thousand Dollars (\$10,000) or less to which the Corporation is a party may be executed in its name by either the President of the Executive Director.'

Please contact me with questions you have regarding this request.

Sincerely,

Glenn F. Lyons
Executive Director

cc: Diane Rauh, City of Des Moines

