

Date September 25, 2017

**RESOLUTION FOR APPROVAL OF A CITY LOAN IN THE AMOUNT OF \$100,000
FROM THE DES MOINES ACTION LOAN FUND TO
PORT OF DES MOINES, LLC.**

WHEREAS, Port of Des Moines, LLC., Michael La Valle, President, (hereinafter referred to as "Company") has made application for financial assistance from the City for an economic development project to be located at 320 Martin Luther King, Jr. Parkway, Des Moines, IA; and,

WHEREAS, on August 28, 2017, by Roll Call Number 17-1478, the City Council for the City of Des Moines gave preliminary approval to a Des Moines Action Loan Fund loan in the amount of \$100,000.00 subject to negotiation of acceptable loan documents; and,

WHEREAS, the City has negotiated a Loan Agreement, a Guaranty from the owner and a Security Agreement (collectively, the "Loan"), which have been approved as to form by the City Legal Department; and,

WHEREAS, the City has authority to participate in public and private investment pursuant to Iowa Code Chapter 15A involving the economic stabilization of and redevelopment within the City of Des Moines, which will involve the creation of new jobs and income and expansion of the tax base and pursuant to 24 CFR §570.208 (a), which provides that Community Development Block Grant ("CDBG") funds may be used for the provision of economic development projects that benefit low and moderate income persons and 24 CFR §570.208 (b), which further provides that CDBG funds may be used in economic development projects which assist in the prevention or elimination of slums and blighted conditions; and,

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

1. The Council find that the public gains and benefits generated from the Loan are warranted in comparison to the amount of funds invested and in furtherance of the City's objectives to revitalize neighborhood commercial areas and that the Loan complies with the national objectives for the use of CDBG funds in that it benefits low and moderate income persons or areas and that it aids in the prevention of slum and blight.
2. The Loan is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute the Loan Agreement on behalf of the City of Des Moines.



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3. The City Manager or his designees are hereby authorized and directed to file or record all necessary documents and to monitor compliance with the Loan Agreement and related documents and agreements.

(Council Communication No. 17- 699)

MOVED BY _____ to adopt.

APPROVED AS TO FORM:

Handwritten signature of Thomas G. Fisher, Jr.

Thomas G. Fisher, Jr
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

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