

Date August 8, 2022

**RESOLUTION APPROVING FIRST AMENDMENT TO MEMORANDUM
OF UNDERSTANDING BETWEEN THE CITY AND INVEST DSM, INC., FOR
SUPPLEMENTAL FUNDING FOR THE CITY'S NEIGHBORHOOD BLOCK
CHALLENGE GRANT (BCG) PROGRAM**

WHEREAS, on June 24, 2019, by Roll Call No. 19-1048, the City Council approved the creation of Invest DSM, Inc., and received the Articles of Incorporation and Bylaws of the corporation, and appointed board members to the corporation, which corporation documents provide for three City representatives to be appointed by the Des Moines City Council on a Board of Directors containing approximately nine members, including Polk County representatives and business/donor citizen representatives, to operate for charitable and educational purposes including those stated above; and

WHEREAS, the Articles of Incorporation and Bylaws of Invest DSM, Inc., were also reviewed and approved by the Polk County Board of Supervisors, and Polk County has appointed its representatives to the Invest DSM, Inc. Board of Directors; and

WHEREAS, on August 19, 2019, by Roll Call No. 19-1346, and on September 9, 2019, by Roll Call No. 19-1436, respectively, the City Council approved a Chapter 28E Agreement by and between the City, Polk County, and Invest DSM, Inc. to facilitate the amount and use of funding to be provided by the City and County to Invest DSM from August 1, 2019 until July 31, 2022, and approved an Initial Operating Contract between the City and Invest DSM for operation and management of Invest DSM, Inc. and provision of City services related thereto, which Operating Contract was thereafter updated and entered into for a subsequent year following approval by City Council; and

WHEREAS, on May 24, 2021, by Roll Call No. 21-0784, the City Council approved a Memorandum of Understanding between the City and Invest DSM, Inc. for administration of the Block Challenge Grant under the City's Neighborhood Matching Grant fund program ("the Program") in calendar year 2021, which funds were to be incorporated into a program substantially similar to the Invest DSM Block Challenge Grant program, and related to training of City staff for future operation of the Program, with terms of said Memorandum including payment by the City to Invest DSM of \$200,000.00 for use by Invest DSM to fund the actual costs of the Program paid to an estimated 100-150 Program participants and 10-30 teams, and payment by the City to Invest DSM of \$29,250.00 for use by Invest DSM for staff compensation and costs and expenses associated with providing administrative services for the Program and City staff training; and

WHEREAS, on April 18, 2022, by Roll Call No. 22-0615, the City Council approved a Memorandum of Understanding related to Invest DSM, Inc. serving as a fiscal agenda for the Program from May 1, 2022 through June 30, 2023, to replace the above-referenced Memorandum which expired on December 31, 2021; and

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WHEREAS, as set forth in the updated Memorandum of Understanding between the City and Invest DSM in form on file in the office of the City Clerk, the negotiated terms of the updated Memorandum removed the obligation of Invest DSM to provide training to City staff for the City's Program; replace the obligation of the City to pay a total administrative fee to Invest DSM with the requirement of the City to pay \$15.00 per check processed by Invest DSM for the Program; and include payment by the City to Invest DSM of \$200,000.00 by May 1, 2022, for use by Invest DSM for the sole purpose of funding the actual costs of the Program paid to Program participants, which amount is anticipated to serve between 100 and 150 Program participants, or about 10 and 30 teams, and;

WHEREAS, the First Amendment to the Memorandum of Understanding authorizes Finance Department and Neighborhood Services Department staff to forward an additional \$250,000 to Invest DSM, Inc. as soon as practical for project costs incurred in the BCG Program in Fiscal Year 2023 and authorizes Finance Department and Neighborhood Services staff to forward \$300,000 to Invest DSM, Inc., on July 1, 2023, for the BCG Program in Fiscal Year 2024, for use by Invest DSM for the sole purpose of funding the actual costs of the Program paid to Program participants, which amount is anticipated to serve more than 200 Program participants; and extends the agreement between the City and Invest DSM, Inc., through May 31, 2024.

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

1. The First Amendment of the Memorandum of Understanding by and between the City of Des Moines, Iowa, and Invest DSM, Inc. whereby Invest DSM, Inc. serves as the fiscal agent for the Program, is hereby approved.
2. The Mayor is authorized to sign and the Neighborhood Services Department Director is directed to administer the First Amendment of the Memorandum of Understanding on behalf of the City, and the Finance Department is authorized and directed to provide payment in accordance therewith when applicable.



Roll Call Number

Agenda Item Number

40

Date August 8, 2022

(Council Communication No. 22-353)

Moved by _____ to adopt,

Second by _____

FORM APPROVED:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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