



**Date** January 23, 2023

**RESOLUTION APPROVING THE FIRST AMENDMENT TO AMENDED AND RESTATED URBAN RENEWAL DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DES MOINES AND THE GREATER DES MOINES BOTANICAL GARDEN**

**WHEREAS**, the parties hereto entered into an Urban Renewal Development Agreement – Metro Center Urban Renewal Project (Botanical Center) dated May 9, 2011 (the “Agreement”) which Agreement provides for the construction of additional improvements and expanded gardens for the Botanical Center and enhanced operation, management and maintenance of the Botanical Center and the parties entered into a First Amendment thereto on July 29, 2013, a Second Amendment thereto on December 22, 2014; and,

**WHEREAS**, a Third Amendment and Restated Urban Renewal Development Agreement was entered into by the parties on or about December 6<sup>th</sup>, 2021; and,

**WHEREAS**, in conjunction with the Second Amendment to A.H. Blank Park Zoo Lease and Operation, Management and Maintenance Agreement approved today, the City of Des Moines is amending the Agreement;

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

The First Amendment to Amended and Restated Urban Renewal Development Agreement, is hereby approved. The Mayor and City Clerk are hereby authorized and directed to execute the Amendment on behalf of the City of Des Moines; the City Clerk is hereby directed to have this Amendment recorded by the office of the Recorder of Polk County, Iowa.

(Council Communication No. 23-039)



**Roll Call Number**

**Agenda Item Number**

**Date** January 23, 2023

MOVED by \_\_\_\_\_ to adopt. Second by \_\_\_\_\_.

FORM APPROVED:

Thomas G. Fisher Jr.  
Deputy City Attorney

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

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, LAURA BAUMGARTNER, Acting 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.

\_\_\_\_\_  
Acting City Clerk