



Date June 30, 2025

**APPROVAL OF SECOND AMENDMENT TO AN URBAN RENEWAL AGREEMENT
FOR SALE OF LAND FOR PRIVATE REDEVELOPMENT BY AND BETWEEN THE
CITY OF DES MOINES, IOWA AND DES MOINES INDUSTRIAL, LLC**

WHEREAS, the City of Des Moines, Iowa (“City”) and Des Moines Industrial, LLC (“Developer”) entered into an Urban Renewal Agreement for Sale of Land for Private Redevelopment (“Agreement”), as authorized by the Des Moines City Council on December 16, 2019, by Roll Call No. 19-2067; and

WHEREAS, Des Moines Industrial, LLC transferred the Property (as described in the Agreement) and other land related to or integral to the construction and operation of the Improvements and facility contemplated in the Agreement, to Des Moines Industrial Land, LLC (“DSMI Land”), which transfer City consented to pursuant to a Consent to Transfer, recorded with the Office of the Polk County Recorder in Book 18340 at Page 254; and

WHEREAS, on December 23, 2024, by Roll Call No. 24-1731, the City Council approved the First Amendment to the Agreement to clarify the Developer’s obligations thereunder, including (1) conveyance of stormwater detention basins, (2) removal of requirement to construct a bulk mineral storage building, (3) updating construction deadlines, (4) extending the deadline to qualify for the Economic Development Grant, (5) updating the TIF schedule, (6) modifying the legal description for purposes of calculating TIF, and (7) updating the Declaration of Covenants; and,

WHEREAS, the parties wish to amend the Agreement to update the completion timeline to reflect a completion date of September 1, 2025, and to update the expiration of the supplemental economic development grant to reflect September 1, 2025.

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

1. The Second Amendment to the Agreement is hereby approved.
2. The Mayor is authorized and directed to sign the Second Amendment as identified above, and the City Clerk is authorized and directed to attest to the Mayor’s signature.
3. The City Manager or his designee is hereby authorized to administer the Agreement as amended.

(Council Communication No. 25-262)



Roll Call Number

Agenda Item Number

39

Date June 30, 2025

Moved by _____ to adopt. Second by _____

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr.

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED		APPROVED		

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.

Mayor

City Clerk