



Date May 18, 2026

APPROVING SECOND AMENDMENT TO URBAN RENEWAL DEVELOPMENT AGREEMENT WITH 420 COURT AVENUE, LLC

WHEREAS, on April 6, 2015, by Roll Call No. 15-0629, the City Council of the City of Des Moines, Iowa (“City”) approved a Development Agreement with 420 Court, LLC (the “Developer”) to develop property located at 4th Street and Court Avenue; and

WHEREAS, on May 6, 2024, by Roll Call No. 24-0666 the City and Developer entered into an amendment (“First Amendment”) modifying the hours of operation and reducing the store’s operating footprint; and

WHEREAS, the parties now wish to amend the Agreement again (“Second Amendment”) to modify the hours of operation; and

WHEREAS, the parties have negotiated a written amendment providing that the store shall remain open and operational daily from at least 6:00 a.m. to 11:00 p.m., except on state and national holidays, or unless alternative hours are otherwise approved by the City; and

WHEREAS, the amended hours of operation shall remain in effect for a period of two (2) years commencing on the effective date of the amendment.

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

1. The Second Amendment to Urban Renewal Development Agreement by and between the City and 420 Court Avenue, LLC in the form on file in the office of the City Clerk is hereby approved;
2. The Mayor is authorized to execute the Amendment on behalf of the City and the City Clerk is authorized to attest to the Mayor’s signature on said document;
3. The City Manager and/or his designee(s) are hereby authorized and directed to administer the Agreement as amended on behalf of the City.
4. As soon as reasonably possible following execution by the Mayor and attestation by the City Clerk, the City Clerk is directed to submit a copy of the fully executed document Second Amendment to the Finance Department to determine whether disclosure or filing is required for Electronic Municipal Market Access.



Roll Call Number

Agenda Item Number

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Date May 18, 2026

(COUNCIL COMMUNICATION NO. 26- 185)

MOVED BY _____ TO APPROVE SECOND BY _____

APPROVED AS TO FORM:

/s/ Emily A. Duffy

Emily A. Duffy

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
BARRON				
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