



Roll Call Number

13-1206

Agenda Item Number

27

Date July 29, 2013

APPROVAL OF FIRST AMENDMENT TO URBAN RENEWAL DEVELOPMENT AGREEMENT WITH THE GREATER DES MOINES BOTANICAL CENTER

WHEREAS, by Roll Call No. 11-0825 of May 9, 2011, the City Council approved an Urban Renewal Development Agreement between the City and The Greater Des Moines Botanical Garden which Agreement provides for the construction of additional improvements and expanded gardens for the Botanical Center and provision of a \$2,000,000 economic development grant to be paid in installments; and

WHEREAS, the City and the Greater Des Moines Botanical Garden desire to amend the Agreement with respect to the scheduled payments of the economic development grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the First Amendment to the Urban Renewal Development Agreement between the City and The Greater Des Moines Botanical Center Garden, on file in the Office of the City Clerk, is hereby approved and the Mayor is authorized and directed to sign the First Amendment on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature and affix the seal of the City.

BE IT FURTHER RESOLVED upon satisfaction of the conditions for payment of installments of the \$2,000,000 economic development grant pursuant to Article I of the Development Agreement, as amended, and confirmation of the same by the City Manager and the Legal Department, the Finance Department is hereby authorized and directed to advance the installments of such grant to The Greater Des Moines Botanical Garden in accordance with the terms of the Development Agreement, as amended.

BE IT FURTHER RESOLVED that the City Manager or his designees are hereby authorized and directed to continue to administer the Development Agreement, as amended, on behalf of the City, and to monitor compliance by The Greater Des Moines Botanical Garden with the terms and conditions of the Development Agreement, as amended.

APPROVED AS TO FORM:

Lawrence R. McDowell  
Deputy City Attorney

Moved by Hensley to adopt.

(Council Communication No. 13-383)

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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.

MOTION CARRIED APPROVED  
  
T. M. Franklin  
Mayor

Diane Rauh  
City Clerk