

★ Roll Call Number

14-1665

Agenda Item Number

SOC

Date October 20, 2014

**RESOLUTION APPROVING ECONOMIC DEVELOPMENT AGREEMENT WITH  
DES MOINES BICYCLE COLLECTIVE RELATED TO  
EXPANSION OF THE B-CYCLE PROGRAM**

**WHEREAS**, the Des Moines Bicycle Collective (“Bicycle Collective” or “Collective”) is a non-profit organization that promotes bicycling as a means of active transportation, wellness, and recreation in Central Iowa; and

**WHEREAS**, the Bicycle Collective has established a bicycle-sharing system in downtown Des Moines known as the B-Cycle Program, that works through a network of self-service wireless stations that allow checking out and return of bicycles throughout a public sharing system, and the Collective desires to expand the existing Des Moines B-Cycle Program in Des Moines to offer viable transportation links, as alternatives to existing public and private transportation options, between crucial destinations for residents, workers and tourists; and

**WHEREAS**, the Bicycle Collective has proposed a joint publicly- and privately-funded expansion project (“B-Cycle Program Expansion Project”) wherein the Collective agrees to undertake installation, operation and maintenance of the additional bicycle sharing stations, and, as part of its home office facilities and operations, the Collective shall employ and retain at least one additional employee to work for the Collective; and

**WHEREAS**, the City Manager has negotiated an Economic Development Grant Agreement (the “Agreement”) with the Bicycle Collective, whereby the Collective agrees to occupy and locate its base employment of at least one full-time equivalent employee serving as a Programs Coordinator in relation to the retention and expansion of the B-Cycle Program; and

**WHEREAS**, the proposed Agreement further provides that in consideration of the undertakings by the Bicycle Collective, and following the City’s determination that the Collective is in compliance with the conditions set forth above and in the Agreement, the City shall provide an economic development grant in the amount of up to \$15,000.00, payable in two annual installments of \$7,500.00 per installment; and

**WHEREAS**, economic development assistance for the B-Cycle Program Expansion Project in the form of the grant as set forth herein shall be provided by the City to Collective pursuant to Chapter 15A of the Code of Iowa, and the B-Cycle Program Expansion Project will ensure job retention and create an opportunity for job creation by assisting Collective in expanding and retaining its existing operations within the City of Des Moines; and

**WHEREAS**, the proposed Agreement is on file and available for inspection in the office of the City Clerk.

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



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1. The City Council hereby makes the following findings in support of the proposed Agreement with the Des Moines Bicycle Collective (“Bicycle Collective” or “Collective”):

- a. The Bicycle Collective’s obligations under the Agreement to undertake the above-stated economic development actions in relation to the retention and expansion of the B-Cycle Program and employment base related thereto further the objectives of economic development to preserve and create new jobs and income, and specifically development which should generate tourism-related activities and public gains and benefits in providing alternative transportation options, and to support an environment which will protect the health, safety and general welfare of City residents and maintain taxable values and employment opportunities within the downtown Des Moines area, and to strengthen central Des Moines as a tourist center of the metropolitan area.
- b. The economic development incentives for the Bicycle Collective’s project are provided by the City pursuant to Chapter 15A of the Code of Iowa, and the Collective’s obligations under the Agreement to undertake the above-stated economic development actions in relation to the B-Cycle Program Expansion Project will generate the following public gains and benefits: (i) it will expand the B-Cycle Program providing alternative transportation options to the public; (ii) it will encourage further private investment and will attract and retain other businesses and tourism in the Project Area; (iii) it will further the City’s efforts to retain and create job and tourism opportunities in the Project Area which might otherwise be lost; (iv) it will help to maintain and expand taxable values in the Project Area; and, (v) it will have a positive economic impact on the City by enhancing the quality of life within the City and by contributing to the City’s efforts to retain and attract a skilled workforce and tourist base and promote economic growth.
- c. The provision of economic development assistance from the City is necessary to enable the above-stated economic development actions in relation to the B-Cycle Program Expansion Project in accordance with the terms of the Agreement, and such assistance will generate public gains and benefits for economic development which gains and benefits are warranted in comparison with the amount of such assistance.
- d. The Bicycle Collective’s undertakings of the above-stated economic development actions in relation to the retention and expansion of B-Cycle Program, pursuant to the Agreement, and the fulfillment generally of the Agreement, are in the vital and best interests of City and the health, safety, morals, and welfare of its residents, and in accord with the public purposes and provisions of the applicable state and local laws and requirements under which the project will be undertaken, and warrant the provision of the economic assistance set forth in the Agreement.

2. The Development Agreement between the City and Des Moines Bicycle Collective is hereby approved.



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- 3. The Mayor and City Clerk and hereby authorized and directed to execute the Agreement on behalf of the City of Des Moines.
- 4. Upon requisition by the City Manager or the City Manager's designee, the Finance Department shall advance the payment(s) on the Economic Development Grant pursuant to Article 2 of the Agreement.
- 5. The City Manager or his designees are hereby authorized and directed to administer the Development Agreement on behalf of the City and to monitor compliance by the Company with the terms and conditions of the Agreement. The City Manager is further directed to forward to City Council all matters and documents that require City Council review and approval in accordance with the Agreement.

(Council Communication No. 14-503)

Moved by Coleman to adopt.

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

T. M. Franklin, Mayor

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.

Diane Rauh, City Clerk