

★ **Roll Call Number**
17-0044

Agenda Item Number
36

Date January 9, 2017

**RESOLUTION APPROVING AMENDMENT TO 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 (“Project Area”) 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 further 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, on October 20, 2014, by Roll Call No. 14-1665, the City Council approved an Economic Development Grant Agreement between the City and the Bicycle Collective to provide an economic development grant of \$15,000 over two (2) years to assist with leveraging private funding and an ICAAP grant for an initial expansion of the B-Cycle Program in the Project Area; and

WHEREAS, the Bicycle Collective has now proposed to enlarge its joint publicly- and privately-funded expansion project and undertake installation, operation and maintenance of additional bicycle sharing stations in the Project Area, with a proposed grant from the City of \$36,000 over three (3) years, in equal payments of \$12,000 per year, to leverage matching funds needed to secure a Wellmark Foundation grant; and

WHEREAS, the City Manager has negotiated an Amendment to the Economic Development Grant Agreement (the “Amendment”) with the Bicycle Collective, to provide the above-stated economic development assistance for the B-Cycle Program expansion pursuant to Chapter 15A of the Code of Iowa, which proposed Amendment 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:

1. The City Council hereby makes the following findings in support of the proposed Amendment to the Agreement with the Des Moines Bicycle Collective (“Bicycle Collective” or “Collective”):
 - a. The Bicycle Collective’s obligations under the Amendment to the Agreement to undertake the above-stated economic development actions in relation to the retention and further expansion of the B-Cycle Program 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 will generate the following public gains and benefits: (i) it will further expand the B-Cycle Program providing alternative transportation options to the public; (ii) it will encourage further private investment

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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 in accordance with the terms of the Agreement as amended, 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 as amended, and the fulfillment generally of the Agreement as amended, 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 and Amendment thereto.

2. The Amendment to the Development Agreement between the City and Des Moines Bicycle Collective is hereby approved.
3. The Mayor and City Clerk and hereby authorized and directed to execute the Amendment 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 the Amendment.
5. The City Manager or his designees are hereby authorized and directed to administer the Development Agreement, as amended, on behalf of the City and to monitor compliance by the Bicycle Collective with the terms and conditions of the Agreement and Amendment thereto. 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. 17-022)

APPROVED AS TO FORM:
Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

Moved by Gatto to adopt.

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

MOTION CARRIED 7 APPROVED
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