



Roll Call Number

17-1575

Agenda Item Number

37

Date September 11, 2017

RESOLUTION APPROVING ECONOMIC DEVELOPMENT AGREEMENT WITH FRIENDS OF SW 9TH RELATED TO SW 9TH STREET REVITALIZATION PROJECTS

WHEREAS, the Friends of SW 9th ("Friends") is a non-profit organization that promotes business revitalization; businesses that add diversity to or generate new opportunities for Iowa's economy; the attraction, retention and expansion of businesses that produce exports or import substitutes and that generate tourism-related activities; and improvement of brownfield and/or blighted areas, all within the south side of the City and specifically within the SW 9th Street Corridor ("Project Area"); and

WHEREAS, Friends has established a Façade and Revitalization Grant program and a New Businesses Grant program and has undertaken design work for node development within the Project Area (collectively "Project") to meet the above-stated goals; and

WHEREAS, on April 11, 2016, by Roll Call No. 16-0583, the City approved a budget for the Friends and advancement of funds in the total amount of \$220,000 for revitalization projects in the Project Area to be undertaken by Friends, subject to the condition that reporting requirements for use of funds by Friends be established; and

WHEREAS, economic development assistance for Friends in the form of said funds shall be provided by the City to Company pursuant to Chapter 15A of the Code of Iowa, and the assistance will ensure job retention and create an opportunity for job creation by assisting Company in expanding and retaining its existing operations within the Project Area; and

WHEREAS, the City Manager has negotiated an Economic Development Grant Agreement (the "Agreement") with Friends, whereby Friends will use the funds for expenses associated with its Façade and Revitalization Grant program, its New Businesses Grant program, and its node development research, retroactive to April 11, 2016.

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:

- 1. The City Council hereby makes the following findings in support of the proposed Agreement with the Friends of SW 9th ("Friends"):
a. The Friends' obligations under the Agreement to undertake the above-stated economic development actions in relation to the retention and expansion of Friends' Project 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 diversity and new opportunities for Iowa's economy and tourism-related activities; redevelopment of brownfield and/or blighted sites within the Project Area; and support of an environment which will protect the health, safety and general welfare of City residents and maintain taxable values of properties.
b. The economic development incentives for the Friends' Project are provided by the City pursuant to Chapter 15A of the Code of Iowa, and the Friends' obligations under the Agreement to undertake the above-stated economic development actions in relation to the Project will generate the following public gains and benefits: attracting, retaining and expanding businesses that add diversity to or generate new opportunities for the Iowa economy; that produce exports or import substitutes; that generate tourism-related activities; and/or that are in a brownfield or blighted area and achieves one of the preceding purposes.



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- c. The provision of economic development assistance from the City is necessary to enable the above-stated economic development actions in relation to the Friends' 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 Friends' undertakings of the above-stated economic development actions in relation to the retention and expansion of Friends' Programs, 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 Friends of SW 9th is hereby approved.
  3. The Mayor and City Clerk are 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. 17-046)

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	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

T. M. Franklin Council 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