



Roll Call Number

20-0198

Agenda Item Number

44D

Date January 27, 2020

RESOLUTION APPROVING THE SECOND AMENDMENT TO THE URBAN RENEWAL DEVELOPMENT AGREEMENT WITH HRC NFS I, LLC AND HUBBELL REALTY COMPANY FOR CONSTRUCTION OF A MULTI-FAMILY HOUSING PROJECT AT GRAY'S STATION

WHEREAS, on August 14, 2017, the City Council approved an Urban Renewal Development Agreement between HRC NFS I, LLC and Hubbell Realty Company (the "Developer") and the City by Roll Call Number 17-1408 in an area now known as Gray's Station (the "Agreement"); and,

WHEREAS, on December 10, 2018, the City Council by Roll Call No. 18-2028, the City Council approved the First Amendment the Agreement; and,

WHEREAS, in connection with the acceptance of the bridge and trail anticipated by the Agreement, the parties need to clarify issues related to access to a pump station located in the area and the use of a temporary trail pending completion of a portion of the project and have negotiated a "Second Amendment to Urban Renewal Development Agreement Between City Of Des Moines, Iowa, and HRC NFS I, LLC and Hubbell Realty Company" (the "Proposed Second 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 Between City Of Des Moines, Iowa, and HRC NFS I, LLC and Hubbell Realty Company, is hereby approved. The Mayor and City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Des Moines.

2. The City Manager or his designees are hereby authorized and directed to administer the Agreement as amended on behalf of the City, including the filing of the Amendment, and to monitor compliance by the Developer with the terms and conditions of the Agreement as amended. 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.

MOVED by Mandelbaum to adopt. FORM APPROVED:

Thomas G. Fisher Jr., Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (7).

CERTIFICATE

I, P. Kay Cmelik, 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.

J. M. Frankie Cowie Mayor

P. Kay Cmelik City Clerk