

★ Roll Call Number

20-1117

Agenda Item Number

33 ✓

Date July 13, 2020

RESOLUTION APPROVING FIRST AMENDMENT TO AN URBAN RENEWAL DEVELOPMENT AGREEMENT WITH BH 3750 GRAND, LLC AT 3750 GRAND.

WHEREAS, on February 24, 2020 in Roll Call number 20-0346, the City Council approved a Development Agreement with BH 3750 Grand, LLC, Harry Bookey, Developer, 400 Locust Street, Suite 790, Des Moines, Iowa (the "Developer") for the construction of a project that would include construction of an 8-story building with approximately 42 condominiums on the upper 6 stories and approximately 36 indoor parking stalls located on floors 1 and 2 and that would include a partial preservation of the vacant First Church of Christ Scientist property located at 3750 Grand Avenue (the "Agreement"); and,

WHEREAS, conditions have changed justifying a modification of the terms of the Agreement; and,

WHEREAS, the City Manager has negotiated a proposed First Amendment to the Development Agreement that modifies the terms of the Agreement.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

- 1. The First Amendment to Urban Renewal Development Agreement between the City and the Developer, is hereby approved.
2. The Mayor and City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Des Moines.
3. The Economic Development Director or the Directors designee is directed to submit a copy of the fully executed Development Agreement to the Finance Department to enable the Finance Director to make any appropriate disclosure filings in accordance with the City's adopted revised Disclosure Policy.

MOVED by Gatto to adopt. (Council Communication No. 20- 310 )

FORM APPROVED: /s/ Thomas G. Fisher Jr.
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. Includes 'MOTION CARRIED' and 'APPROVED' labels.

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. Franklin Cownie Mayor

P. Kay Cmelik City Clerk