



Roll Call Number

22-1890

Agenda Item Number

31

Date December 12, 2022

**RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION
FOR 3750 GRAND LLC
38TH AND GRAND URBAN RENEWAL PROJECT**

WHEREAS, on February 24, 2020, by Roll Call No. 20-0346, the City Council approved an Urban Renewal Development Agreement ("Agreement") with 3750 Grand LLC ("Developer") for an economic development project located at 3750 Grand Avenue ("Property"), for the 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 would include a partial preservation of the vacant First Church of Christ Scientist property ("Improvements"); and

WHEREAS, on July 13, 2020, by Roll Call No. 20-1117, the City Council approved a First Amendment to the Agreement to modify certain obligations of the City and Developer; and

WHEREAS, on May 23, 2022, by Roll Call No. 22-0786, the City Council approved a Second Amendment to the Agreement to add a minimum assessment agreement; and

WHEREAS, the terms of the Development Agreement provide that the City shall issue the Certificate of Completion upon the City's determination of satisfactory completion of the development Improvements and the Developer has requested that the Certificate of Completion for the project be issued, which would allow the minimum assessments to begin on January 1, 2023; and

WHEREAS, City staff has inspected the development improvements and found the Improvements have been completed in substantial compliance with the terms of the Development Agreement; and

WHEREAS, City staff does not intend to issue economic incentives set forth in the Agreement until all site plan requirements are completed.

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

1. The City Council hereby finds and acknowledges that Developer has satisfied its obligation to construct the Improvements on the Property in substantial compliance with the provisions of the Development Agreement and the approved Construction Plans.

2. This Resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.4 of the Development Agreement.



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3. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be delivered to the City's Office of Economic Development, and the Office of Economic Development is directed to cause the certified copy to be delivered to the Developer for recording.

Moved by Gatto to adopt. Second by Voss

APPROVED AS TO FORM:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL. Includes MOTION CARRIED and APPROVED labels.

CERTIFICATE

I, LAURA BAUMGARTNER, 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

Laura Baumgartner City Clerk