



Roll Call Number

23-1091

Agenda Item Number

34

Date August 7, 2023

**RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION
FOR BRIDGE DISTRICT LEVEL PHASE 1
METRO CENTER URBAN RENEWAL PROJECT**

WHEREAS, on March 23, 2020, by Roll Call No. 20-0533, the City Council approved an Urban Renewal Development Agreement for the construction of a new approximately 114-unit multi-family residential project to be known as "Level", including a mix of 1-unit to 4-unit bedroom apartments within a 5-story building and indoor climate controlled parking and surface parking development ("Development Agreement") between the City and BRIDGE DISTRICT LEVEL, LLC ("Phase 1 Developer"), BRIDGE DISTRICT II TOWNHOMES, LLC ("Phase 2 Developer"), AND BRIDGE DISTRICT II, LLC ("Owner") (collectively "Developer") for the Property legally described as follows:

"Phase 1 Improvement Property" Description:

Outlot C, Bridge District Plat 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; 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 Phase 1 Improvements, and the Developer has requested that the Certificate of Completion for Phase 1 of the project be issued; and

WHEREAS, City staff has inspected the Phase 1 Improvements and found the Phase 1 Improvements have been completed in substantial compliance with the terms of the Development Agreement; and

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 Phase 1 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 for Phase 1 to be issued by the City pursuant to Section 2.4 of the Development Agreement.
3. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be recorded with the Polk County Recorder and then delivered to the City's Office of Economic Development.



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Moved by Gatto to adopt. Second by Boesen

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.

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