



Roll Call Number

24-0586

Agenda Item Number

31

Date April 15, 2024

RESOLUTION APPROVING TERMS OF PARKING LICENSE AGREEMENT WITH BUSINESS PUBLICATIONS CORPORATION, INC.

WHEREAS, City has undertaken programs to create new jobs and income and retain existing jobs and income that would otherwise be lost by stimulating economic revitalization of the downtown Des Moines area; making use of under-utilized areas of the City of Des Moines; removing conditions which have prevented normal development of the land by private enterprise; and avoiding stagnant and unproductive conditions of land which is potentially useful and viable for contributing to the public health, safety and welfare of residents within the City of Des Moines; and

WHEREAS, the City is the owner of a downtown block bordered by Court Avenue and Walnut, 2nd and 3rd Streets in the City of Des Moines upon which the City has constructed a structured parking garage (hereinafter referred to as the "Property"); and

WHEREAS, Business Publications Corporation, Inc. ("BPC") has committed to solidifying its presence in Downtown Des Moines by purchasing a business condominium unit located at 300 Walnut Street, Suite 5 and keeping its employees working in Downtown Des Moines; and

WHEREAS, BPC desires to use parking spaces within the City parking garage located in the vicinity of 3rd Street and Court Avenue in conjunction with its corporate headquarters and business operations at 300 Walnut Street, Suite 5 and

WHEREAS, the City desires to provide economic development assistance pursuant to Chapter 15A of the Iowa Code and Des Moines Municipal Code Section 114-666 through the provision of parking spaces at a reduced cost in the Property as set forth in a Parking License Agreement (the "Agreement") in form on file in the office of the City Clerk; and

WHEREAS, the City believes the provision of such parking will ensure job retention within Downtown Des Moines and, as such, desires to grant to BPC a right to license up to thirty (30) parking spaces in the Property pursuant to the terms and conditions of the Agreement

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 Parking License Agreement with Business Publications Corporation, Inc.:
 - a. The fulfillment of BPC's obligations under the Agreement further the goals and



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objectives of the Metro Center Urban Renewal Plan by generating the following public gains and benefits:

- i. it will help maintain and expand taxable values in the downtown area by filling otherwise vacant office space;
 - ii. it will encourage further private investment and will attract and retain businesses in the Project to provide for economic stabilization within the downtown area; and
 - iii. it will further the City's efforts to retain high quality job opportunities within the downtown area which might otherwise be lost; and
- b. The Project and resulting job creation and retention opportunities would not occur without the economic incentives provided by the City and the public gains and benefits for urban renewal and economic development resulting from the Project are warranted in comparison to the amount of such assistance; and
 - c. The Project, and the fulfillment generally of the Agreement, are in the vital and best interests of the 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 has been undertaken and warrant the economic assistance set forth in the Agreement.
2. The Agreement between the City and BPC, in the form on file in the office of the City Clerk, are hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and attest to, respectively, the Agreement on behalf of the City of Des Moines.
 3. The City Manager or his designee are directed to submit a copy of the fully-executed Agreement to the Finance Department for purposes of any required Electronic Municipal Market Access disclosure filings.
 4. The Development Services Director, or designee(s) are hereby authorized and directed to administer the Agreement on behalf of the City, and to monitor compliance by BPC with the terms and conditions of the Agreement. The Development Services Director 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. 24-150)



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MOVED BY Gatto TO ADOPT

SECOND BY Voss

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

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

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.

Connie Boesen Mayor

Laura Baumgartner City Clerk