

★ Roll Call Number  
24-1574

Agenda Item Number  
26

Date November 18, 2024

**RESOLUTION APPROVING PRELIMINARY TERMS OF AN URBAN RENEWAL DEVELOPMENT AGREEMENT WITH DES MOINES INDUSTRIAL LLC AND DES MOINES INDUSTRIAL LAND LLC FOR THE CONSTRUCTION OF A RAIL-CONNECTED SILO INFRASTRUCTURE SYSTEM ADJACENT TO 357 SE 15<sup>TH</sup> STREET**

**WHEREAS**, Des Moines Industrial LLC and Des Moines Industrial Land LLC (collectively “Developer”), represented by Paul Cownie and Gabe Claypool, propose to undertake construction of to construct Phase 2 of an industrial facility for the purpose of transloading and storing product in rail-connected silo system with associated infrastructure, including a minimum of two (2) silo systems, and 2,640 feet of new rail spur track, in the Southeast Agribusiness Urban Renewal Area (“Project”); and

**WHEREAS**, construction of the Project is anticipated to commence in the summer of 2025, and be completed by December 2026 at an estimated total project cost of \$16,000,000.00, subject to receipt of the financial assistance identified below; and

**WHEREAS**, the Developer seeks the following in order to complete the Project: \$1,000,000, structured as a secured forgivable loan, with disbursement and forgiveness subject to satisfaction of all of the following:

- 1) Obtaining the Final Certificate of Completion for the Phase 1 improvements and associated development agreement, per Roll Call No. 19-2068,
- 2) Completing construction of the stormwater basin reconstruction to the south of East Martin Luther King Jr. Parkway and acceptance thereof by the City,
- 3) Filling and grading the subject site for the Phase 2 improvements,
- 4) Obtaining the Final Certificate of Completion for completing construction of Phase 2 improvements within three (3) years of City’s disbursement of the forgivable loan, and
- 5) Urban Design Review Board design review and approval; and

**WHEREAS**, the Developer has provided the Office of Economic Development with a financial analysis of the project, indicating a gap between actual project costs and the project appraisal and seeks this financial assistance package to be provided from non-project generated tax increment as more specifically described in the accompanying Council Communication.

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

1. The City Council hereby approves the preliminary terms of agreement as set forth in the accompanying Council Communication; and,

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2. Directs the City Manager or his designee to negotiate final terms of agreement for future consideration by the City Council.

(Council Comm. No. 24-469)

MOVED BY Gatto TO ADOPT.

SECOND BY Voss.

APPROVED AS TO FORM:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

### 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