



**Roll Call Number**

25-0922

**Agenda Item Number**

40

**Date** June 30, 2025

**APPROVING 1ST AMENDMENT TO GRANT AGREEMENT BETWEEN THE CITY OF DES MOINES, 13<sup>TH</sup> & MULBERRY, LLC, AND 13<sup>TH</sup> & MULBERRY MULTIFAMILY, LLC**

**WHEREAS**, on or about August 7, 2023, by Roll Call No. 23-1089, the City entered into a Grant Agreement (the “Agreement”) pursuant to the American Rescue Plan Act of 2021 (“ARPA”) with 13<sup>th</sup> & Mulberry, LLC (“Commercial”) and 13<sup>th</sup> and Mulberry Multifamily, LLC (“Multifamily”) to provide \$300,000 in grant funding in support of a new mixed-use building;

**WHEREAS**, it has been determined that Commercial was erroneously included as a party to the Agreement, and that Multifamily is and should be the sole Grantee, as the entity undertaking the Project described in the Agreement; and

**WHEREAS**, the parties desire to amend the Agreement as more particularly described in this Amendment in order to properly identify the Grantee; and

**WHEREAS**, the parties have negotiated an amendment to the Agreement reflecting this change attached hereto and in form on file in the office of the City Clerk.

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

1. The Amendment in form on file in the Office of the City Clerk is hereby approved;
2. The Mayor is authorized and directed to execute the Amendment on behalf of the City and the City Clerk is authorized and directed to attest to the Mayor’s signature on said Agreement; and
3. The City Manager or his designee is hereby authorized to administer the Agreement as amended.

(COUNCIL COMMUNICATION NO. 25-261)

MOVED BY Gatto TO ADOPT.

SECOND BY Voss

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Approved as to form:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr.  
Assistant City Attorney

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

MOTION CARRIED

APPROVED

*Connie Boesen*

Mayor

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.

*Laura Baumgartner*

City Clerk