



**Roll Call Number**

25-0924

**Agenda Item Number**

42

**Date** June 30, 2025

**APPROVING AGREEMENT UNDER IOWA CODE CHAPTER 28E  
BETWEEN CITY OF DES MOINES AND POLK COUNTY IOWA FOR  
MARKETING AND REDEVELOPMENT OF COUNTY-OWNED LAND  
LOCATED IN THE VICINITY OF 5<sup>TH</sup> AVENUE AND CHERRY STREET**

**WHEREAS**, the County is the owner of certain real property consisting of approximately two (2) acres and is bounded by 6<sup>th</sup> Avenue to the West, Cherry Street to the North, 5<sup>th</sup> Avenue to the East, and a railroad line to the South and locally known as 100 5<sup>th</sup> Avenue in Des Moines (referred to herein as the "Property"); and

**WHEREAS**, the County seeks to convey the Property to a selected Developer for redevelopment that would benefit the City and County by providing new opportunities for commercial and residential uses; and

**WHEREAS**, the County previously attempted to obtain proposals for redevelopment and determined after review that the proposals received did not satisfy the County's goals with respect to the redevelopment of the Property; and

**WHEREAS**, the City and the County collaborated on an additional request for proposals process and obtained additional proposals for the Property's redevelopment; and

**WHEREAS**, the County has begun the administration of a Request for Proposals process for the redevelopment of the Property with the City's technical advisory assistance; and

**WHEREAS**, the Parties have negotiated an Agreement pursuant to Iowa Code Chapter 28E to formalize their individual and joint responsibilities and rights with respect to redevelopment of the Property, a copy of which is 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 Agreement in form on file in the Office of the City Clerk is hereby approved. Subject to review and approval by the Legal Department, the Agreement may later insert or modify a legal description and/or address following receipt thereof from Polk County even if the Mayor has

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already executed the Agreement pursuant to paragraph 2 below.

2. The Mayor is authorized and directed to execute the Agreement on behalf of the City and the City Clerk is hereby directed and authorized to attest to the Mayor's signature thereon.
3. The City Manager and/or his designee is hereby authorized and directed to administer the Agreement and carry out the City's responsibilities thereunder.

(COUNCIL COMMUNICATION NO 25-263)

MOVED BY Gatto TO ADOPT. SECOND BY Voss

Approved as to form:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	<div>CERTIFICATE</div> <div>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.</div> <div>IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.</div> <div><div><div>Laura Baumgartner</div><div>City Clerk</div></div></div>
BOESEN	✓				
SIMONSON	✓				
VOSS	✓				
COLEMAN	✓				
WESTERGAARD	✓				
MANDELBAUM	✓				
GATTO	✓				
TOTAL	7				
MOTION CARRIED					
<div><div>Connie Boesen</div><div>Mayor</div></div>					