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Date..... May 22, 2006

RESOLUTION APPROVING INTERGOVERNMENTAL 28E AGREEMENT
BETWEEN POLK COUNTY AND THE CITY OF DES MOINES
REGARDING REDEVELOPMENT OF THE SHOPS AT EASTGATE

WHEREAS, Iowa Code Chapter 28E, permits local governments in Iowa to make efficient use of their powers by enabling them to provide joint services and facilities with other agencies and to cooperate in other ways of mutual advantage. Iowa Code Section 28E.4 provides that a public agency may enter into an agreement with another public agency pursuant to Chapter 28E, and that appropriate action by ordinance or resolution of the governing bodies involved and recording as required by Iowa Code Section 28E.8 shall be necessary before any such agreement is effective; and

WHEREAS, on May 8, 2006, by Roll Call No. 06-945, the City Council of the City of Des Moines ("City") approved an economic development loan between the City and Eastgate Plaza, LLC ("Redeveloper") in an amount not to exceed \$350,000 to assist Redeveloper in securing, removing asbestos, disconnecting utilities and demolishing all vacant buildings at the Shops of Eastgate at East 14th Street and Euclid Avenue in the City (the "Project Property"); and

WHEREAS, Polk County wishes to assist the City and Redeveloper with site preparation costs in order to enable revitalization of the Project Property and is willing to provide \$175,000 toward this project pursuant to the terms and conditions of the attached Agreement.

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

1. In light of the mutual undertakings agreed to by the City of Des Moines and Polk County, the City Council of the City of Des Moines, Iowa hereby grants its approval of the 28E Agreement between the City of Des Moines and Polk County as described herein.

2. The Mayor is authorized to execute three counterparts of the Agreement Between Polk County and the City of Des Moines Regarding Redevelopment of the Shops of Eastgate attached hereto as Exhibit A, and the City Clerk is directed to attest to the Mayor's signature.

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3. Upon execution of the Agreement, the City Clerk is authorized and directed to deliver one fully executed counterpart to be recorded in the Official Records of Polk County, and one fully executed counterpart to be filed with the Iowa Secretary of State. Copies of all documents shall be returned to the City of Des Moines Office of Economic Development, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

APPROVED AS TO FORM:

(Council Communication No. 06-283)



Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, 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.

MOTION CARRIED

APPROVED

.....Mayor

..... City Clerk