

Date August 5, 2019

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING  
WITH 6<sup>TH</sup> AVENUE CORRIDOR, INC. FOR THE IMPLEMENTATION OF  
PHASE 2 OF THE 6<sup>TH</sup> AVENUE STREETScape PROJECT**

**WHEREAS**, on August 10, 2009, by Roll Call No. 09-1456, the City Council approved the General Guidelines for City-Assisted Streetscape Projects (“General Guidelines”) to establish a framework for planning and implementing a neighborhood commercial streetscape project when the City of Des Moines has been requested to provide funding for such project; and

**WHEREAS**, Sixth Avenue Corridor, Inc. (6AC) is the organization representing the 6<sup>th</sup> Avenue corridor and represents the common interest of the businesses and property owners along the corridor; and

**WHEREAS**, City staff have been working with the 6<sup>th</sup> Avenue Corridor and 6AC to plan and implement a streetscape project along 6<sup>th</sup> Avenue that will further the revitalization efforts and private investment that has occurred along this culturally vibrant urban corridor; and

**WHEREAS**, on March 9, 2015, by Roll Call No. 15-0403, the City Council approved an Iowa Great Places Program Grant Agreement for Phase 1 of the 6<sup>th</sup> Avenue Corridor Streetscaping Project; and

**WHEREAS**, on November 9, 2015, by Roll Call No. 15-1874, the City Council approved a Memorandum of Understanding with 6AC for the implementation of Phase 1 of the 6<sup>th</sup> Avenue Streetscape Project; and

**WHEREAS**, City staff and 6AC have negotiated a Memorandum of Understanding (MOU) for the implementation of Phase 2 of the 6<sup>th</sup> Avenue Corridor Streetscape Project, as on file in the office of the City Clerk, in order to identify the roles and responsibilities of each entity and to establish expectations for public and private fundraising so that the second phase of the Project may be successfully implemented in accordance with the General Guidelines, which MOU includes, among other terms, the requirement that 6AC led, and transferred funds to the City resulting from, private fundraising efforts in the amount of \$350,000 for construction of the Project, and the acknowledgement that any City funding, design and engineering contracts, construction contracts, and a self-supported municipal improvement district (SSMID) ordinance needed for Phase 2 of the Project will be submitted to City Council for approval separately from the MOU.

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

1. The Memorandum of Understanding between the City of Des Moines and 6<sup>th</sup> Avenue Corridor, Inc. for the Implementation of Phase 2 of the 6<sup>th</sup> Avenue Streetscape Project, as on file in the office of the City Clerk, is hereby approved.



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2. The City Manager is hereby authorized and directed to execute the Agreement on behalf of the City of Des Moines, and the City Manager and his designee(s) are authorized and directed to administer the Agreement.

(Council Communication No. 19-344)

MOVED BY \_\_\_\_\_ TO ADOPT.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
BOESEN				
MANDELBAUM				
WESTERBAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk