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**Date** February 24, 2020

**APPROVING CAPITAL CROSSROADS MEMORANDUM OF UNDERSTANDING—  
GREATER DES MOINES FAIR PLAY AGREEMENT**

WHEREAS, on August 7, 2000 in Roll Call number 00-3410, the City of Des Moines adopted an Economic Fair Play Agreement to assist with more effectively utilizing economic development incentives and to minimize the unfair use of economic development incentives by local communities attempting to relocate business already operating within the region; and,

WHEREAS, Capital Crossroads, in cooperation with multiple cities in the central Iowa region have developed an updated Greater Des Moines Fair Play Agreement, “To maintain a vibrant business environment and maximize benefit to residents and taxpayers of the region;” and

WHEREAS, the Greater Des Moines Fair Play Agreement “puts forth ground rules applicable when economic development projects are being negotiated;” and,

WHEREAS, the cities adopting the Greater Des Moines Fair Play Agreement agree not to initiate business relocations from one city signing to the Greater Des Moines Fair Play Agreement to another signatory city and to notify signatory cities if a business seeking economic incentives expresses an intent to relocate from one signatory city to another; and,

WHEREAS, the City of Des Moines supports the goals and procedures contained in the Memorandum of Understanding.

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

1. The City of Des Moines hereby approves the Capital Crossroads Memorandum of Understanding—Greater Des Moines Fair Play Agreement.

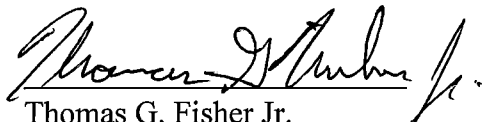
2. The Director of the Office of Economic Development is designated as the contact person in all matters related to the Greater Des Moines Fair Play Agreement.

Date February 24, 2020

3. The City Manager is authorized to sign the Greater Des Moines Fair Play Agreement on behalf of the City.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
 Thomas G. Fisher Jr.  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, P. Kay Cmelik, 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.

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

# **CAPITAL CROSSROADS**

*A VISION FORWARD*



## **Memorandum of Understanding Greater Des Moines Fair Play Agreement**

To maintain a vibrant business environment and maximize benefit to residents and taxpayers of the region, the Greater Des Moines Fair Play Agreement (FPA) puts forth ground rules applicable when economic development projects are being negotiated. The three primary principles are these:

- 1. Elected officials and/or city staff should not initiate business relocations from one Greater Des Moines FPA signatory to another.**
- 2. Communities will communicate throughout the process, with special emphasis at both the onset and toward conclusion of negotiations.**
- 3. Communities should work together to ensure responsible stewardship of taxpayer dollars.**

If a community learns of a business' intention to relocate outside the community in which it is currently located, the prospective city should inform the business that it will not negotiate the terms of an incentive before the current host community has been informed of the business' potential relocation. (Providing information on sites and buildings and providing publicly-available information on incentive programs does not constitute "negotiation.")

After the business provides notice to the host city of its intention to relocate, the new host community may finalize and recommend approval of an incentive package for the business. The incentive package offered to prospective businesses should fall within the bounds of what the community typically offers based on its recent similar development agreements and/or the city's publicly-available established economic development incentive policies. The host community may offer any level of incentive package that it would like to retain the business.

The incentive package may include tax abatement, as defined by state statute, or Tax Increment Financing (TIF) used in a variety of ways, including for infrastructure, or other local assistance.

Local incentive packages are not limited in situations where a community is working to attract a business from outside the region.

Greater Des Moines FPA signatories should make publicly available their City Council-approved economic development incentive policies.

If the prospective community abides by the terms of the fair play agreement on a specific project, the host community will seek City approval for sign-off when required for State incentives.

FPA signatories will work with Greater Des Moines Partnership staff on economic development projects at appropriate times to ensure coordination with State of Iowa economic development programs and to strengthen regional collaboration.

The FPA will be reviewed every ten years. A new community may enter the FPA at any point with the assistance of the Partnership and communication via the current signatories.