

★ Roll Call Number

14-0968

Agenda Item Number

40

Date June 23, 2014

**RESOLUTION APPROVING FIRST AMENDMENT TO GRANT AGREEMENT  
WITH LIFE CARE COMPANIES LLC AND LCS REAL ESTATE, LLC  
FOR CONTINUED RETENTION OF ITS HOME OFFICE FACILITIES  
AND OPERATIONS WITHIN THE CITY OF DES MOINES**

WHEREAS, on October 24, 2011, by Roll Call No. 11-1795, the City Council of the City of Des Moines approved an Economic Development Grant Agreement with Life Care Companies LLC and LCS Real Estate, LLC ("LCS") for the retention and expansion of its home office facilities in the Capital Square Office Building at 400 Locust Street; and

WHEREAS, by proposed Lease Amendment LCS will expand and extend its commitment for its home office facilities in the Capital Square Office Building which will further the objectives of the Metro Center Urban Renewal Plan and ensure job retention and the opportunity for job creation within downtown Des Moines; and

WHEREAS, a First Amendment to the Grant Agreement with LCS has been prepared to revise terms of the economic development grant and provision of parking to accommodate the expansion and extended commitment for the LCS home office facilities.

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

1. The City Council hereby finds that the special provisions and adjusted rates for the use of the Fourth and Grand Parking Garage by LCS as described in the attached Council Communication are in the best interest of the City and the continued viability of its parking facilities system and will not have an adverse impact on actual revenues of the parking facilities system.
2. That subject to passage of the amendment to Section 114-666 of the Municipal Code to be considered by separate Council action of this date, the First Amendment to Grant Agreement between the City and LCS, which is on file in the Office of the City Clerk, is hereby approved and the Mayor is hereby authorized and directed to sign the First Amendment on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.
3. The City Manager or his designees are hereby authorized and directed to continue to administer the Grant Agreement, as amended, on behalf of the City.

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- 4. Upon continued satisfaction of the conditions for advancement of the installments of the economic development grant and confirmation of same by the City Manager, the Finance Department is hereby authorized and directed to advance each installment in accordance with the terms of the Grant Agreement.

(Council Communication No. 14-308 Attached)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Lawrence R. McDowell  
Deputy City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GATTO				✓
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	5			2

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.

T. M. Franklin Cownie Mayor

Diane Rauh City Clerk