



Roll Call Number

23-0737

Agenda Item Number

314

Date May 22, 2023

RESOLUTION OF SUPPORT FOR A WORKFORCE HOUSING TAX CREDIT BENEFIT APPLICATION TO BE SUBMITTED TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY BY EV GREEN ACRE COMPANIES FOR THE PROJECT AT 1301 MULBERRY

WHEREAS, Green Acre Companies (the "Developer"), represented by Dan Garrett (consultant), has requested City support for its application to the Iowa Economic Development Authority ("IEDA") for State tax incentives under the Workforce Housing Tax Credit Program for the Falcon Drive - 13th and Mulberry Project (the "Project"); and

WHEREAS, successful completion of the Project requires funding from a number of sources, including an award of Iowa Workforce Housing Tax Credits in the amount of \$1,000,000; and

WHEREAS, the application requirements for the Workforce Housing Tax Credit program include a requirement for the submission of a resolution in support of the Project by the community where the Project will be located, which requirement is intended to be satisfied by this roll call and resolution; and

WHEREAS, a further application requirement for the Workforce Housing Tax Credit program is documentation of local matching funds pledged for the project in an amount not less than \$2,041,945; and

WHEREAS, on October 24, 2022, by Roll Call No. 22-1646, the City Council approved amended terms of an Urban Renewal Development Agreement (the "Agreement") with the Developer whereby the Developer agreed to undertake the Improvements specifically stated in the Agreement for an estimated cost of \$22,700,000; and

WHEREAS, the Agreement requires improvements that include, but may not be limited to: construction of multi-residential apartment building located at the intersection of 13th and Mulberry, within the Metro Center Urban Renewal Area, which is expected to contain a mix of approximately 78 efficiency, one-bedroom, and two-bedroom apartment units; and,

WHEREAS, the Agreement requires compliance by the Developer of all of its terms in exchange for which the City will provide \$3,600,000 in incentives; and

WHEREAS, the City finds that the subject property is zoned appropriately for construction of the proposed improvements and use and a re-zoning effort will not be required for such proposal; and

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WHEREAS, the City finds that the subject property, as a vacant parking lot, meets the definition of a Grayfield site, as defined in Iowa Code Section 15.352 and Iowa Administrative Code 261.48.3(15), as the site has been developed and has infrastructure in place but the property's current use is outdated or prevents a better or more efficient use of the property, including vacant, blighted, obsolete, or otherwise underutilized property; the property's improvements and infrastructure are at least twenty-five years old; and one or more of the following conditions exists: (1) Thirty percent or more of a building located on the property that is available for occupancy has been vacant or unoccupied for a period of twelve months or more, (2) The assessed value of the improvements on the property has decreased by twenty-five percent or more, (3) The property is currently being used as a parking lot, or (4) The improvements on the property no longer exist.

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

1. The City Council of the City of Des Moines does hereby express its strong support for the application by Developer, to the IEDA in June 2023, seeking an award of Workforce Housing Tax Credit benefits in the amount of \$1,000,000.
2. The Mayor and the City Manager are hereby authorized and directed to sign any forms required by the Administrative Rules of the IEDA to evidence the City's support for the application by Developer, as described above, upon approval of the same by the City Legal Department.
3. The Office of Economic Development is directed to transmit a copy of this resolution and roll call to the Developer for submittal to the IEDA, and to conduct project compliance monitoring.
4. In the event that any of the project characteristics mentioned above should change prior to final award of tax credit benefits to Developer, then:
 - a) The City Manager or the City Manager's designee is authorized and directed to execute the applicable consent to any unsubstantial change upon receipt of a recommendation in support of such consent from the Development Services Director.
 - b) Any substantial change shall be subject to approval by the City Council after report and recommendation by the City Manager.

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(Council Communication No. 23- 267)

MOVED by Gatto to adopt. SECOND by Boesen

FORM APPROVED:

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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED
[Signature] Mayor

[Signature] City Clerk