



Roll Call Number

23-1438

Agenda Item Number

40

Date October 23, 2023

RESOLUTION APPROVING SECOND AMENDMENT TO GRANT AGREEMENT BETWEEN CITY OF DES MOINES, IOWA, LIFE CARE COMPANIES LLC, AND LCS REAL ESTATE LLC n/k/a LCS LEASING LLC DATED OCTOBER 24, 2014 FOR CONTINUED RETENTION AND EXPANSION OF ITS HOME OFFICE FACILITIES AND OPERATIONS WITHIN THE CITY OF DES MOINES

WHEREAS, on October 24, 2011, the City and LCS entered into an economic development Grant Agreement ("Agreement") in furtherance of the objectives of the Urban Renewal Plan for the Metro Center Area Urban Renewal Project and pursuant to Iowa Code Chapter 15A; and

WHEREAS, under the original Grant Agreement, LCS was to lease 56,757 total square feet of office space at 400 Locust Street for a lease term of at least five (5) years, collectively employ at least 146 full-time equivalent employees, create up to 50 new full-time equivalent employees to work in the leased premises at 400 Locust Street, and purchase a minimum of 122 monthly parking spaces from the City in the City's Fourth and Grand Parking Garage; and

WHEREAS, on or about June 23, 2014, the City and LCS entered into an amendment of the Grant Agreement whereby LCS agreed to extend its lease until June 30, 2024 and to add an additional 14,089 square feet of leased space in exchange for City-provided economic development grant of up to \$146,000; and

WHEREAS, LCS is presently evaluating its future employment and future space needs in downtown Des Moines and has agreed to extend its current lease and remain in downtown Des Moines and extend their lease term to December 31, 2034 in exchange of the City providing additional economic development incentive as set forth herein; and

WHEREAS, on or about February 2, 2018, LCS Real Estate LLC's Certificate of Organization was amended to change its name to LCS Leasing LLC; and

WHEREAS, the City's Office of Economic Development has negotiated a Second Amendment to the Grant Agreement with LCS in form on file in the Office of the City Clerk which sets the rate structure for LCS to purchase a minimum of 267 monthly floater parking passes in the Fourth and Grand Parking Garage in exchange for LCS agreeing to extend its lease through December 31, 2034 with an additional 39,469 square feet of space.

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

1. The Second Amendment to the Grant Agreement with LCS in form on file in the City Clerk's office is hereby approved and the Mayor is directed and authorized to execute the



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amendment and the City Clerk is directed and authorized to attest to the Mayor's signature as necessary; and

2. The Office of Economic Development is authorized to administer the Agreement as amended.

(Council Communication No. 23- 478)

Moved by Gatto to adopt. Second by Voss

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr.
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

MOTION CARRIED

APPROVED

A. M. Franklin Cownie Mayor

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.

Laura Baumgartner City Clerk