



Roll Call Number

23-1767

Agenda Item Number

35

Date December 18, 2023

AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE AN ESTOPPEL AGREEMENT AND GRANT AGREEMENT WITH AHEPA 192-IV, INC., AHEPA 192-IV APARTMENTS GP, LLC, AND AHEPA 192-IV APARTMENTS, LP FOR AN AFFORDABLE SENIOR HOUSING FACILITY

WHEREAS, AHEPA 192-IV APARTMENTS, INC., AHEPA 192-IV APARTMENTS GP, LLC, AND AHEPA 192-IV APARTMENTS, LP (collectively "AHEPA") is proposing the construction of a new 3-floor affordable senior housing facility at the property locally known as 1111 East Army Post Road, Des Moines, Iowa (the "Project"), which will consist of 90 dwelling units; and

WHEREAS, on May 8, 2023, the Des Moines City Council approved authorizing the City Manager to negotiate and execute a grant agreement with AHEPA192-IV, LP; and

WHEREAS, since such approval, AHEPA has requested a different AHEPA entity be used and has requested an estoppel agreement be provided by the City; and

WHEREAS, the City is supportive of this request, subject to approval of both documents by the City's Legal Department.

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

1. The Grant Agreement between the City and AHEPA 192-IV APARTMENTS, INC., AHEPA 192-IV APARTMENTS GP, LLC, AND AHEPA 192-IV APARTMENTS, LP, for the grant of an amount not to exceed \$400,000 and the City Estoppel Agreement, both subject to the Legal Department's approval of the Agreement as to form, are hereby approved and the Mayor is hereby authorized and directed to sign both documents.

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MOVED by Gatto to adopt.

Second by Boesen.

FORM APPROVED:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
COLEMAN	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

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.

J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk