# CITY OF WEST DES MOINES
# CITY COUNCIL MEETING COMMUNICATION

**ITEM:** Authorization to file a RISE application for S. 85th Street Construction

**DATE:** May 6, 2019

Resolution - Approving the filing of an IDOT application, and authorizing the Mayor to sign the IDOT application and minority impact statement

**FINANCIAL IMPACT:** The City anticipates using TIF revenues to finance the infrastructure improvements for the Sammons Financial Group, Inc. project at S. 81st Street and Mills Civic Parkway. Staff is seeking assistance from the Iowa Department of Transportation through the Revitalize Iowa's Sound Economy (RISE) for up to $278,848 to offset some of the City's cost. The program is a reimbursement program.

**BACKGROUND:** Sammons Financial Group, Inc. intends to undertake the construction of its new 200,000-square-foot corporate office building located at S. 81st St. and Mills Civic Parkway. This project will cost approximately $55 million. In order to support this project, the City will need to construct certain infrastructure improvements. Staff is proposing that the City file an application with the Iowa Department of Transportation for RISE program assistance to help the City offset some of our costs. The project cost for this segment is $348,560. RISE will grant a maximum of 80% of the project cost, which is $278,848.

**OUTSTANDING ISSUES** (if any): There are no outstanding issues.

**RECOMMENDATION:** That the City Council pass a resolution, authorizing the Mayor to sign the application and directing the City Manager or his designee to act as the City's authorized representative in the filing of the application.

**Lead Staff Member:** Katie Hernandez, Business Development Coordinator, Community and Economic Development KH

**STAFF REVIEWS**

| | |
|---|---|
| Department Director | Clyde E. Evans, Director, Community and Economic Development |
| Appropriations/Finance | Ch for TS |
| Legal | |
| Agenda Acceptance | |

**PUBLICATION(S)** (if applicable)

| | |
|---|---|
| Published In | N/A |
| Dates(s) Published | N/A |

**SUBCOMMITTEE REVIEW** (if applicable)

| | | | |
|---|---|---|---|
| Committee | Finance & Administration | | |
| Date Reviewed | N/A | | |
| Recommendation | ☑Yes | ☐ No | |

Attachments: Exhibit I – RISE Application – Signature Page
Attachment A – Resolution
Attachment M – Minority Impact Statement

## DOCUMENT INFORMATION

The following documents and narratives must be submitted with this application. In the upper right corner of each document or narrative write the corresponding letter shown below. *(Please refer to the general instructions for an explanation of each item.)*

- ☒ A. A **resolution** or resolutions approved by the participating local governments.
- ☒ B. A **narrative** describing the potential economic development.
- ☒ C. A **transportation narrative** assessing existing conditions, outlining the proposed concept of the roadway project, and the location of associated economic development.
- ☒ D. A reproducible **map** identifying the general area, the location of the roadway project, and the location of associated economic development.
- ☒ E. A **plan** and typical cross section of the roadway project.
- ☒ F. A **time schedule** for the total development, including the roadway project.
- ☒ G. **Assurance** of at least 20 percent non-RISE financial participation in the project.
- ☒ H. **Documentation** that arrangements have been made for nonroadway factors intrinsic to the success of the development.
- ☒ I. An **itemized breakdown** of total capital investment (*nonroadway*).
- ☒ J. An **itemized breakdown** of total roadway project costs. The attached form must be used.
- ☒ K. A **narrative** describing the associated economic development and jobs. The attached form must be used.
- ☒ L. **Documentation** that the proposed roadway project and economic development are consistent with any regional or metropolitan area long-range transportation plans in effect for the RISE project.
- ☒ M. Completed **Minority Impact Statement** attached to application.

To the best of my knowledge and belief, all information included in this application is true and accurate, including the commitment of all physical and financial resources. This application has been duly authorized by the participating local government(s). I understand the attached **resolution(s)** binds the participating local governments to assume responsibility for adequate maintenance of any new or improved city streets or secondary roads.

I hereby certify, under penalty of perjury, that any award of RISE funds; any subsequent letting of contracts for design, construction, reconstruction, improvement, or maintenance; or the furnishing of materials therefore; shall not involve direct or indirect interest, prohibited by Iowa Code 15A.2, 314.2, 362.5, or 331.342, of any state, county, or city official, elective or appointive. Any award of RISE funding or any letting of a contract in violation of the foregoing provisions shall invalidate the award of RISE funding and authorize a complete recovery of any funds previously disbursed.

I understand that, although this information is sufficient to secure a commitment of funds, a firm contract between the applicant and the department is required prior to the authorization of funds.

**Representing the** City of West Des Moines, Iowa

Name of Applicant's Governing Authority

**Signed**

| | |
|---|---|
| Signature in ink | Date |
| Mayor Steven K. Gaer | May 6, 2019 |
| Typed Name and Title | Date |

**Attested**

| | |
|---|---|
| Signature in ink | Date |
| | May 6, 2019 |
| Typed Name and Title | Date |

# RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA AUTHORIZING THE MAYOR AND/OR CITY MANAGER TO SIGN THE APPLICATION AND THE CITY OF WEST DES MOINES TO ACT ON THE CITY'S/DALLAS COUNTY'S BEHALF IN THE FILING OF AN APPLICATION TO THE IOWA DEPARTMENT OF TRANSPORTATION FOR ASSISTANCE UNDER THE REVITALIZE IOWA'S SOUND ECONOMY PROGRAM**

**WHEREAS**, the City Council of West Des Moines on May 6, 2019 directed staff to file a formal application for Revitalize Iowa's Sound Economy ("RISE") Program funds in support of an economic development prospect that is considering a potential location in West Des Moines;

**WHEREAS**, under the terms of the Iowa Code Section 327H and 315.11, and administrative rules of the Iowa Department of Transportation, the State of Iowa has authorized the making of grants and loans to cities to aid in financing the construction of specific economic development projects:

**NOW, THEREFORE, THE CITY COUNCIL OF WEST DES MOINES DOES AS FOLLOWS:**

**SECTION 1.** The City of West Des Moines endorses the location of Sammons Financial Group ("Company") in the City of West Des Moines.

**SECTION 2.** The City of West Des Moines endorses and supports the RISE roadway project for this Company.

**SECTION 3.** An immediate, non-speculative opportunity exists for permanent job creation.

**SECTION 4.** The proposed road construction projects are necessary for the development of the site that the Company has under option.

**SECTION 5.** An immediate commitment is necessary because the project is dependent upon access for movement of employees to and from the proposed site. If an immediate commitment of RISE funding is not available, the Company could make the decision not to locate at this site.

**SECTION 6.** The City Council of West Des Moines authorizes the Mayor and/or City Manager to sign the formal application for RISE Program funds.

**SECTION 7.** The City Council of West Des Moines authorizes the City of West Des Moines to file the formal application with DOT and sign all pertinent papers on behalf of itself as it relates to this application.

**SECTION 8.** The City of West Des Moines will be requesting $278,848 from the RISE Program, as a reimbursement, and will assume the balance of the project funding.

**SECTION 9.** The roadways involved in this project will be dedicated to public use in West Des Moines, Iowa.

**SECTION 10.** The City of West Des Moines assumes jurisdictional responsibility for the new or improved roadway.

**SECTION 11.** The City of West Des Moines will adequately maintain the road.

**PASSED AND APPROVED** on the 6th day of May, 2019.

_____
Steven K. Gaer, Mayor

**ATTEST:**

_____
Ryan T. Jacobson
City Clerk

IOWADOT
Form 105101 (3-18)

# Minority Impact Statement

Pursuant to 2008 Iowa Acts, HF 2393, Iowa Code 8.11, all grant applications submitted to the State of Iowa that are due beginning Jan. 1, 2009, shall include a Minority Impact Statement. This is the state's mechanism for requiring grant applications to consider the potential impact of the grant project's proposed programs or policies on minority groups.

**Please choose the statement(s) that pertains to this grant application. Complete all the information requested for the chosen statement(s). Submit additional pages as necessary.**

☒ The proposed grant project programs or policies could have a disproportionate or unique **positive** impact on minority persons.

Describe the positive impact expected from this project.

The project will not discriminate on their hiring process based on gender, ethnic origin, religious beliefs or any other discriminatory reasons. This reasoning is based on their current workforce makeup of: women and ethnic diversity within the company.

Indicate which groups are impacted.

☒ Women ☒ Persons with a disability ☒ Blacks ☒ Latinos ☒ Asians

☒ Pacific Islanders ☒ American Indians ☒ Alaskan Native Americans ☐ Other_____

☐ The proposed grant project programs or policies could have a disproportionate or unique **negative** impact on minority persons.

Describe the negative impact expected from this project.

N/A

Present the rationale for the existence of the proposed program or policy.

N/A

Provide evidence of consultation with representatives of the minority groups impacted.

N/A

Indicate which groups are impacted.

☐ Women ☐ Persons with a disability ☐ Blacks ☐ Latinos ☐ Asians

☐ Pacific Islanders ☐ American Indians ☐ Alaskan Native Americans ☐ Other _____

☐ The proposed grant project programs or policies are **not expected to have** a disproportionate or unique impact on minority persons.

Present the rationale for determining no impact.

N/A

I hereby certify that the information on this form is complete and accurate, to the best of my knowledge.

Name Steven K. Gaer

Title Mayor Of The City Of West Des Moines

**Definitions**

"Minority Persons," as defined in Iowa Code 8.11, means individuals who are women, persons with a disability, Blacks, Latinos, Asians or Pacific Islanders, American Indians, and Alaskan Native Americans.

"Disability," as defined in Iowa Code 15.102, subsection 7, paragraph "b," subparagraph (1):

*b.* As used in this subsection:

(1) *"Disability"* means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

*"Disability"* does not include any of the following:

(a) Homosexuality or bisexuality.
(b) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments or other sexual behavior disorders.
(c) Compulsive gambling, kleptomania, or pyromania.
(d) Psychoactive substance abuse disorders resulting from current illegal use of drugs.

"State Agency," as defined in Iowa Code 8.11, means a department, board, bureau, commission, or other agency or authority of the State of Iowa.