

★ **Roll Call Number**

Agenda Item Number

41

Date December 5, 2016

AN ORDINANCE repealing Ordinance No. 13,399, as amended by Ordinance No. 13,976, which provide for the division of revenue from taxation in the Airport Commerce Park South Urban Renewal Project Area in accordance with the provisions of Iowa Code Section 403.19, with such repeal to be effective June 30, 2017",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Roger K. Brown
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

 Mayor

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.

 City Clerk

ORDINANCE NO. _____

AN ORDINANCE repealing Ordinance No. 13,399, as amended by Ordinance No. 13,976, which provide for the division of revenue from taxation in the Airport Commerce Park South Urban Renewal Project Area in accordance with the provisions of Iowa Code Section 403.19, with such repeal to be effective June 30, 2017.

WHEREAS, by Ordinance No. 13,399 passed on December 2, 1996, as amended by Ordinance No. 13,976, passed July 23, 2001, the City Council provided for the division of revenue from taxation in the Airport Commerce Park South Urban Renewal Project Area in accordance with the provisions of Iowa Code Section 403.19; and,

WHEREAS, the adopted urban renewal plan for the Airport Commerce Park South Urban Renewal Project Area expires on June 30, 2017; and,

WHEREAS, the purpose of this ordinance is to memorialize the termination of the Airport Commerce Park South Urban Renewal Project by repealing Ordinance No. 13,399 and Ordinance No. 13,976 effective June 30, 2017.

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

Section 1. That Ordinance No. 13,399 passed on December 2, 1996, and Ordinance No. 13,976 passed July 23, 2001, which provide for the division of revenue from taxation in accordance with the provisions of Iowa Code Section 403.19 within the Airport Commerce Park South Urban Renewal Project Area more specifically described as follows:

Airport Commerce Park Plat 1, an Official Plat, excluding Lots 4, 5, and Outlot X, all now included in and forming a part of the City of Des Moines, Polk County, Iowa;

AND, Airport Commerce Park South, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa;

AND, the entire Fleur Drive Right-of-way from the North right-of-way line of Army Post Road extended South to a line 3,400 feet South of the South right-of-way line of Army Post Road, all now included in and forming a part of the City of Des Moines, Polk County, Iowa,

are hereby repealed effective June 30, 2017.

Sec. 2. The certification of loans, advances, indebtedness and bonds for payment from the special fund for the Airport Commerce Park South Urban Renewal Project Area pursuant to Iowa Code §403.19 shall cease with the certification that was due on December 1, 2015, making the taxes collectable in the fiscal year beginning July 1, 2016, the last tax year subject to the division of revenue. Any funds held in the special fund for the Airport Commerce Park South Urban Renewal Project Area on July 1, 2017, and not obligated for the payment of loans,

advances, indebtedness and bonds eligible for payment from the special fund, shall be promptly refunded by the City Finance Director to the Polk County Auditor for allocation and payment into the funds of the respective taxing jurisdictions as taxes by or for the taxing districts in the same manner as taxes on all other property within the Airport Commerce Park South Urban Renewal Project Area.

Sec. 3. This Ordinance shall be effective upon final passage, approval and publication as provided by law.

FORM APPROVED:

Roger K. Brown
Assistant City Attorney
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