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Date May 23, 2023.....

**RESOLUTION HOLDING PUBLIC HEARING ON THE PROPOSED
FOURTH AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE
MERLE HAY COMMERCIAL AREA URBAN RENEWAL AREA
AND ADOPTING SAME**

WHEREAS, the Merle Hay Commercial Area Urban Renewal Area encompasses the commercial area located along Merle Hay Road from Aurora Avenue south to a line north of Ovid Avenue, and along Douglas Avenue from 54th Street west to a line midblock between 62nd and 63rd Streets; and

WHEREAS, on July 14, 2008, by Roll Call No. 08-1240, the City Council approved the Merle Hay Commercial Area Urban Renewal Plan (the "Plan"), as thereafter amended by Council resolution, which seeks to enhance private development within the Merle Hay Commercial Area Urban Renewal Area through provision of infrastructure improvements and economic development assistance that is provided, in part, with tax increment revenues generated in the urban renewal area; and

WHEREAS, the City's Office of Economic Development has prepared a proposed Fourth Amendment to the Urban Renewal Plan for the Merle Hay Commercial Area Urban Renewal Area (the "Fourth Amendment"), and the purpose of the proposed Fourth Amendment to the Plan, which is on file and available for inspection in the office of the City Clerk, is to:

- ❑ Update *Appendix C- Financial Condition Report* to reflect the financial impact of the tax increment assisted projects which are detailed in *Appendix D - Approved Economic Development and Redevelopment Activities*.
- ❑ Amend *Appendix D - Approved Economic Development and Redevelopment Activities* which provides a summary of projects receiving or proposed to receive economic development assistance from the tax increment revenues from the Merle Hay Commercial Urban Renewal Area by updating the description of the Merle Hay Mall Phase III to include approval details for the Third Amendment to the Urban Renewal Development Agreement.
- ❑ Amend *Appendix E – Approved Public Improvement Projects* to describe updates to the Capital Improvement Plan funded with tax increment revenues from the Merle Hay Commercial Urban Renewal Area; and

WHEREAS, on April 10, 2023, by Roll Call No. 23-0488, the City Council resolved that a public hearing on the proposed Fourth Amendment be held at 5:00 p.m., on May 22, 2023, in the City Council Chambers; and



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WHEREAS, the Urban Design Renewal Board reviewed the proposed Fourth Amendment at its meeting on April 18, 2023, and the members present voted 8-0 in support of a motion to recommend that the proposed Fourth Amendment be approved; and

WHEREAS, notice of this public hearing was published in the Des Moines Register on May 10, 2021, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and

WHEREAS, notice was given by ordinary mail to the Des Moines Independent School District, Polk County, Des Moines Area Community College, and Des Moines Area Regional Transit Authority of a consultation meeting in the OED Conference Room 151, at the Armory, at 11:00 a.m. on April 25, 2023; and

WHEREAS, the City has received no requests from the Des Moines Independent School District, Polk County, Des Moines Area Community College, or Des Moines Area Regional Transit Authority for any modification of the proposed division of revenue from the tax increment from the Merle Hay Commercial Area Urban Renewal Area; and

WHEREAS, the public hearing on the Fourth Amendment has now been opened and all persons or organizations desiring to be heard regarding the proposed Fourth Amendment have been given the opportunity to be heard.

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

1. The public hearing on the proposed Fourth Amendment is hereby closed, and any and all comments and objections to said Amendment, if any, are hereby received and filed.
2. The Fourth Amendment to the Urban Renewal Plan for the Merle Hay Commercial Area Urban Renewal Area is hereby approved and adopted, and shall hereafter be in full force and effect.
3. The City Clerk is hereby authorized and directed to file a certified copy of the Fourth Amendment and of this Resolution in the office of the Polk County Recorder.



Roll Call Number

Agenda Item Number

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Date May 22, 2023.....

(Council Communication No. 23-241)

MOVED by _____ to adopt. SECOND by _____.

FORM APPROVED:

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

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

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.

Mayor

City Clerk