



**Roll Call Number**

14-0435

**Agenda Item Number**

38

**Date** March 10, 2014

RESOLUTION CLOSING PUBLIC HEARING ON THE THIRD AMENDMENT  
TO THE SOUTHSIDE ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL  
PLAN AND ADOPTING SAME

WHEREAS, on December 6, 2010, by Roll Call No. 10-2020, the City Council approved the Southside Economic Development District Urban Renewal Plan (the "Plan") for the area (the "Urban Renewal Area") bounded on the north by Army Post Road and E. Army Post Road, on the east by SE 14th Street, on the south by the Polk County line, and on the west by SW 9th Street, and such Plan seeks to enhance private development of the Urban Renewal Area through provision of economic development financial assistance that will be provided in part with tax increment financing revenues to be generated in the Urban Renewal Area; and,

WHEREAS, the purpose of the proposed Third Amendment to the Plan, which is on file and available for inspection in the office of the City Clerk, is to: (a) approve the Fort Des Moines Restoration Project at SW 9th Street and Chaffee Road for provision of financial assistance from tax increment revenues; (b) update the description of approved economic development and redevelopment activities within Urban Renewal Area; and, (c) to update the Financial Condition Report; and,

WHEREAS, on January 27, 2014, by Roll Call No.14-0142, the City Council resolved that a public hearing be held on March 10, 2014, at 5:00 p.m., in the City Council Chambers to consider the proposed Third Amendment to the Plan; and,

WHEREAS, the Urban Design Review Board reviewed the proposed Third Amendment at its regular meeting on February 18, 2014, and although a quorum was not present, all members present at such meeting expressed their support for approval of the amendment; and,

WHEREAS, notice of this public hearing in the form attached hereto as Exhibit "B" was published in the Des Moines Register on February 20, 2014, 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 Public School District, Des Moines Area Community College, and Polk County of a consultation meeting on the proposed Third Amendment to the Plan held in the Kofu Conference Room, at City Hall, at 1:30 p.m. on February 12, 2014; and,

WHEREAS, the City has received no requests from the Des Moines Public School District, Des Moines Area Community College, or Polk County for any modification to the division of tax increment revenues proposed by the Third Amendment; and,

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

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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 Third Amendment to the Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area is hereby closed.
2. The Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area is hereby amended as set forth in the Third Amendment attached hereto as Exhibit "C". The Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area, as amended by the Third Amendment, is hereafter in full force and effect.
4. The City Clerk is directed to cause the Third Amendment and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

( Council Communication No. 14- 088 )

MOVED by Gatto to adopt.

FORM APPROVED:

Roger K. Brown  
Roger K. Brown, Assistant City Attorney

Exhibits:

- "A" - Map
- "B" - Notice of Hearing
- "C" - Third Amendment

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
T. M. Franklin Council 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.

Diane Rauh City Clerk