★ **Roll Call Number**
15-1816

Agenda Item Number
52

Date October 26, 2015

RESOLUTION CLOSING HEARING ON THE ADOPTION OF THE THIRD RESTATED URBAN REVITALIZATION PLAN FOR THE CITY-WIDE URBAN REVITALIZATION AREA AND ADOPTING SAME SUBJECT TO FURTHER AMENDMENTS THERETO

WHEREAS, on June 15, 1987, by Roll Call No. 87-2630, the Des Moines City Council adopted a resolution, in accordance with the provisions of Section 404.2(1) of the Urban Revitalization Act, finding that the rehabilitation, conservation, redevelopment, or a combination thereof of the entire area then within the corporation boundaries of the City of Des Moines is necessary in the interest of the public health, safety, or welfare of the residents of the City and the area meets the criteria of Section 404.1 of the Code of Iowa; and,

WHEREAS, by Ordinance No. 11,026 passed July 6, 1987, as amended by Ordinance No. 11,065 passed September 21, 1987, the City Council designated the entire area within the corporate boundaries of the City of Des Moines as established on July 7, 1987, as the City-wide Urban Revitalization Area; and,

WHEREAS, on September 28, 1987, by Roll Call No. 87-4009, the Des Moines City Council adopted a resolution in accordance with the provisions of Section 404.2(6) of the Act, approving the Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "Original Plan"); and,

WHEREAS, on June 16, 1997, by Roll Call No. 97-2126, the City Council approved and adopted the Twenty-first Amendment to the Original Plan, which adopted the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "First Restated Plan"); and,

WHEREAS, on December 5, 2011, by Roll Call No. 11-2085, the City Council adopted the 2011 Omnibus Amendment to amend the First Restated Plan and the eight other urban revitalization plans then existing in the City of Des Moines, to:

- Merge the other eight urban revitalization areas into City-wide Urban Revitalization Area;
- Expand the City-wide Urban Revitalization Area to include the entire City of Des Moines as it then existed and as thereafter expanded by later annexations;
- Extend the duration of the City-wide Urban Revitalization Area for an additional four years until December 31, 2015, with an additional year for the completion of improvements commenced by December 31, 2015; and,
- Adopt the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "Second Restated Plan"); and,

WHEREAS, the City Manager recommends that the City Council extend the duration of the City-wide Urban Revitalization Area; amend the tax exemption schedules for various classes of improvements; and, make other and further changes to the Second Restated Plan as summarized in the accompanying Council Communication and set forth in the proposed Third

(continued)

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Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "Third Restated Plan") which is on file and available for inspection by the public in the office of the City Clerk; and,

WHEREAS, on October 12, 2015, by Roll Call No. 15-1698, the City Council scheduled a public hearing on the proposed Third Restated Plan to be held on October 26, 2015, at 5:00 p.m., in the Council Chambers at City Hall; and,

WHEREAS, due notice of the public hearing was published in the Des Moines Register on October 15, 2015, as provided by law; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the Third Restated Plan have been given the opportunity to be heard;

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

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed Third Restated Plan are hereby overruled, and the hearing is closed.

2. The proposed Third Restated Urban Revitalization Plan for the City-wide Urban Revitalization is hereby approved and adopted, **subject to such amendments thereto as may be approved on this date by separate resolution.**

(Council Communication No. 15-579)

MOVED by Coleman to adopt

FORM APPROVED:
Roger K. Brown

Roger K. Brown, Assistant City Attorney

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

MOTION CARRIED APPROVED

T. M. Franklin Cownie
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