



Roll Call Number

23-0488

Agenda Item Number

20

Date April 10, 2023

**RESOLUTION SETTING DATE OF PUBLIC HEARING ON THE PROPOSED
FOURTH AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE
MERLE HAY COMMERCIAL AREA URBAN RENEWAL AREA**

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 Fourth 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.

WHEREAS, the Urban Design Review Board is scheduled to review the proposed Fourth Amendment at its regular meeting on April 18, 2023, and should be prepared to submit its report and recommendation to the City Council before the date proposed for public hearing by the City Council.

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



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1. A public hearing shall be held before the City Council to consider the proposed Fourth Amendment to the Urban Renewal Plan for the Merle Hay Commercial Area Urban Renewal Area at 5:00 p.m. on May 22, 2023, in the City Council Chambers, at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.
2. The City Clerk is authorized and directed to publish notice of said public hearing in the Des Moines Register not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Sections 362.3 and 403.5 of the Iowa Code.
3. The proposed Fourth Amendment is hereby submitted to the Urban Design Review Board for its review and recommendation, with said written recommendation requested to be received by the City Council prior to the date of public hearing.
4. The City Manager or his designee is hereby designated as the City's representative to the consultation proceedings with the Des Moines Independent School District, Polk County, Des Moines Area Community College and Des Moines Area Regional Transit Authority. The consultation meeting shall be held at least 17 days prior to the date of public hearing at a time and location to be determined by the City Manager in accordance with Iowa Code Section 403.5(2). The City Manager shall cause notice of the consultation meeting, a copy of the Notice of Public Hearing, and a copy of the proposed Fourth Amendment to be mailed to each such affected taxing entity.

(Council Communication No. 23-189)

MOVED by Gatto to adopt.

Second by Voss.

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	6			1
MOTION CARRIED	APPROVED			

J. M. Frankhu Cownie Mayor

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.

Laura Baumgartner

City Clerk