

Date January 25, 2010

**RESOLUTION AUTHORIZING APPLICATION FOR
ENTERPRISE ZONE CERTIFICATION FOR THE
PROPOSED RIVER SOUTH ENTERPRISE ZONE**

WHEREAS, the Code of Iowa, Sections 15E.191 thru 15E.197 provides that certain eligible cities and counties may designate areas as enterprise zones and apply to the State of Iowa for enterprise zone certification to facilitate economic reinvestment in economically distressed areas; and,

WHEREAS, businesses, excluding retail or those whose entrance is limited by a cover charge or membership requirement, that invest in housing or create employment opportunities within a certified enterprise zone may be eligible to receive certain State tax incentives, which include corporate income tax credits, job training, investment, and research and development tax credits and a refund of sales, service and use taxes paid on materials used in construction contracts; and,

WHEREAS, the proposed River South Enterprise Zone contains approximately 399.95 acres, is located south of the Des Moines and Raccoon Rivers, west of SE 14th Street, east of SW 9th Street and north of Hartford Avenue, Hillside Avenue and Fulton Drive and will contain the area included in two existing Enterprise Zones, River South 1 and River South 2 and is proposed to be created for the purpose of encouraging reinvestment and redevelopment of such land; and,

WHEREAS, the City has determined that the proposed River South Enterprise Zone meets the eligibility criteria for certification under *Iowa Code* Section 15E.194(2)(b) because the area has a family poverty rate of more than 12% and under *Iowa Code* Section 15E.194(2)(e) because the area is a blighted area as defined in Iowa Code Section 403.19; and,

WHEREAS, it is in the best interests of the citizens of the City of Des Moines to pursue enterprise zone certification of the proposed River South Enterprise Zone by the Iowa Department of Economic Development ("IDED").

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

1. The proposed River South Enterprise Zone is hereby designated as an Enterprise Zone pursuant to the Code of Iowa, Section 15E.192 (2), subject to certification by IDED.
2. The existing River South 1 and River South 2 Enterprise Zones are hereby designated as being included in the new River South Enterprise Zone, subject to decertification of the existing zones by IDED.
3. The Mayor is hereby authorized to execute, where necessary, the accompanying application and any additional documents that may be required in the future to certify the River South Enterprise Zone and the City Manager or his designee is hereby authorized to submit the application and to provide the necessary follow-up assistance to pursue certification of the River South Enterprise Zone.



Roll Call Number

Agenda Item Number

5013

Date January 25, 2010

- 4. The Mayor and City Clerk are authorized to take all such actions necessary in order to carry out the provisions of this Roll Call.
- 5. Subject to certification of the River South Enterprise Zone by IDED,
 - a. The City Clerk shall file this Roll Call and notice of the certification of the River South Enterprise Zone with the Polk County Assessor and the Polk County Auditor.
 - b. Eligible businesses locating or expanding in the River South Enterprise Zone shall be eligible for the benefits allowed within designated enterprise zones.

(Council Communication No. 10- **038** Attached)

Moved by _____ to adopt.

APPROVED AS TO FORM:



 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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

IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT

Date _____

Agenda Item 50B

Roll Call # _____

**APPLICATION for
ENTERPRISE ZONE CERTIFICATION**

City Enterprise Zone

Iowa Department of Economic Development
Division of Business Development
200 East Grand Avenue
Des Moines, Iowa 50309

JULY 2007

INTENT: The Enterprise Zone Program was established by the Iowa Legislature with the intent of promoting new economic development in economically distressed areas of Iowa by encouraging communities to target resources in ways that attract productive private investment.

GENERAL INSTRUCTIONS

1. If more than 12 months has elapsed since the date on the front of this application, please contact IDED to see if this version of the application is still current.
2. Before filling out this application form, please read Iowa Code Sections 15E.191 through 15E.196, as amended by 2002 Iowa Acts, H.F. 2378 and the Enterprise Zone administrative rules.
3. Only typed or computer-generated applications will be accepted and reviewed. *(Contact the IDED to have an electronic copy of this application e-mailed to you.)* Any material change to the format, questions or wording of questions presented in this application, will render the application invalid and will not be accepted.
4. Complete the application fully; if any questions are left unanswered or required attachments are not submitted, an explanation must be included.
5. Use clear and concise language. Attachments should only be used when requested or as supporting documentation.
6. Any inaccurate information of a significant nature may disqualify the application from consideration.
7. Send the original copy of the completed application and all required attachments to:

Jeremy Babcock
Project Manager
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, Iowa 50309
Phone: (515) 242-4940
Fax: (515) 242-4776
E-mail: jeremy.babcock@iowalifechanging.com

Completed applications will be reviewed and acted upon by the Iowa Department of Economic Development's Board of Directors during their monthly board meetings. The IDED Board meets on the 3rd Wednesday and the subsequent Thursday of every month. Applications received by IDED on or before the 1st of the month will be included on the agenda for that month's board meeting.

PUBLIC RECORDS POLICIES

The Iowa Department of Economic Development (IDED) is subject to the Open Records law (2001 Iowa Code, Chapter 22). Treatment of information submitted to IDED in an application is governed by the provisions of the Open Records law. All public records are available for public inspection. Copies of Iowa's Open Records law and IDED's administrative rules relating to public records are available from the Department upon request.

APPLICANT INFORMATION

City: Des Moines, Iowa

Official Representative (Name & Title): T.M. Franklin Cownie, Mayor

Address: 400 Robert D. Ray Drive

City, State & Zip Code: Des Moines, Iowa 50309

Telephone: 515-283-4944

Fax: 515-237-1645

E-mail Address: fcownie@dmgov.org

This application was prepared by:

Name & Title: Rita Conner, Economic Development Coordinator

Organization: City of Des Moines

Address: 400 Robert D. Ray Drive

City, State & Zip Code: Des Moines, Iowa 50309

Telephone: 515-283-4019

Fax: 515-237-1667

E-mail Address: raconner@dmgov.org

CERTIFICATIONS

I, the undersigned, on behalf of the City identified herein, hereby submit the following application under Iowa Code Sections 15E.191 through 15E.196, as amended by 2002 Iowa Acts, H.F. 2378. I certify that the City has complied with all applicable laws of the State of Iowa with respect to Enterprise Zone certification. Furthermore, all action on the City's part, such as a resolution from the City Council authorizing the execution and delivery of this *Application for Enterprise Zone Certification* and naming the undersigned officer of this City authorized to execute this application, has effectively been taken. I certify that all information, representations, or statements provided to the Iowa Department of Economic Development (IDED) in connection with this application are true and correct in all material aspects. I understand that by submitting and signing this application, I am certifying on behalf of the City that the designated area is under the jurisdiction of my City.

Signature

Print name and title

Date

APPLICATION INFORMATION

If more than one Enterprise Zone is being designated, please prepare a separate application for each proposed Enterprise Zone.

1. Please indicate which two eligibility criteria the **designated area*** has met in order to be eligible to apply for Enterprise Zone Certification.
 - A) The area has a per capita income of \$12,648 or less based on the 2000 Census.
 - B) The area has a family poverty rate of 12% or higher based on the 2000 Census.
 - C) Ten percent or more of the housing units are vacant in the area.
 - D) The valuations of each class of property in the designated area is 75% or less of the citywide average for that classification based upon the most recent valuations for property tax purposes.
 - E) The area is a blighted area, as defined in Iowa Code section 403.17.

** Within a city which includes at least three census tracts with at least 50 percent of the population in each tract located in the city, as shown by the 2000 certified federal census.*

The application is presented citing criteria b and e.

Please attach supporting documentation that shows how the designated area meets these eligibility criteria.

Eligibility Criterion "B"

The proposed area meets this criterion due to a family poverty rate of 12% or higher based on the 2000 Census.

Eligibility Criterion "E"

The area is a blighted area, as defined in Iowa Code section 403.17.

2. What is the total area (in acres) of the County in which the City is located?
378,566.4 acres (591.51 square miles).
3. How many acres within the County have previously been certified as Enterprise Zones?
7500.5
4. Please indicate the size (in acres) of the Enterprise Zone for which you are requesting certification.
399.95
5. Does the proposed Enterprise Zone include any area that qualifies as an Empowerment Zone or Enterprise Community, pursuant to Title XIII of the federal Omnibus Budget Reconciliation Act of 1993? If so, please indicate the size (in acres) of the area that qualifies as an Empowerment Zone or Enterprise Community. N/A

6. Attach a legal description for the proposed Enterprise Zone.

Attached.

7. Attach a detailed map (no larger than 8" x 14") which shows the boundaries of the proposed Enterprise Zone.

Attached.

8. Please describe the current land use of the proposed Enterprise Zone and include the names of any existing businesses currently located in the proposed Enterprise Zone.

The proposed River South Enterprise Zone consists primarily of residential properties, with local commercial and light industrial warehouse uses. Businesses include Iron Works, Inc and Graziano's Market.

9. Please describe how the proposed Enterprise Zone will be used.

The proposed use of the zone will involve the new development and redevelopment of commercial and residential space.

10. If applicable, please describe the local property tax exemption authorized by the City Council for the proposed Enterprise Zone. **(Please note that a local property tax exemption is not required.)** If other property tax exemptions or incentives will be used in lieu of an Enterprise Zone property tax exemption, such as Urban Revitalization Areas, Tax Increment Financing (TIF) districts, or Industrial Property Exemption authorized under Iowa Code Section 427B, please indicate this.

The City Council previously authorized commercial and residential tax abatement, which the proposed River South Enterprise Zone would be eligible for.

11. Attach the original copy of the City Council resolution requesting Enterprise Zone certification and designating, if applicable, the property tax exemption for the zone.

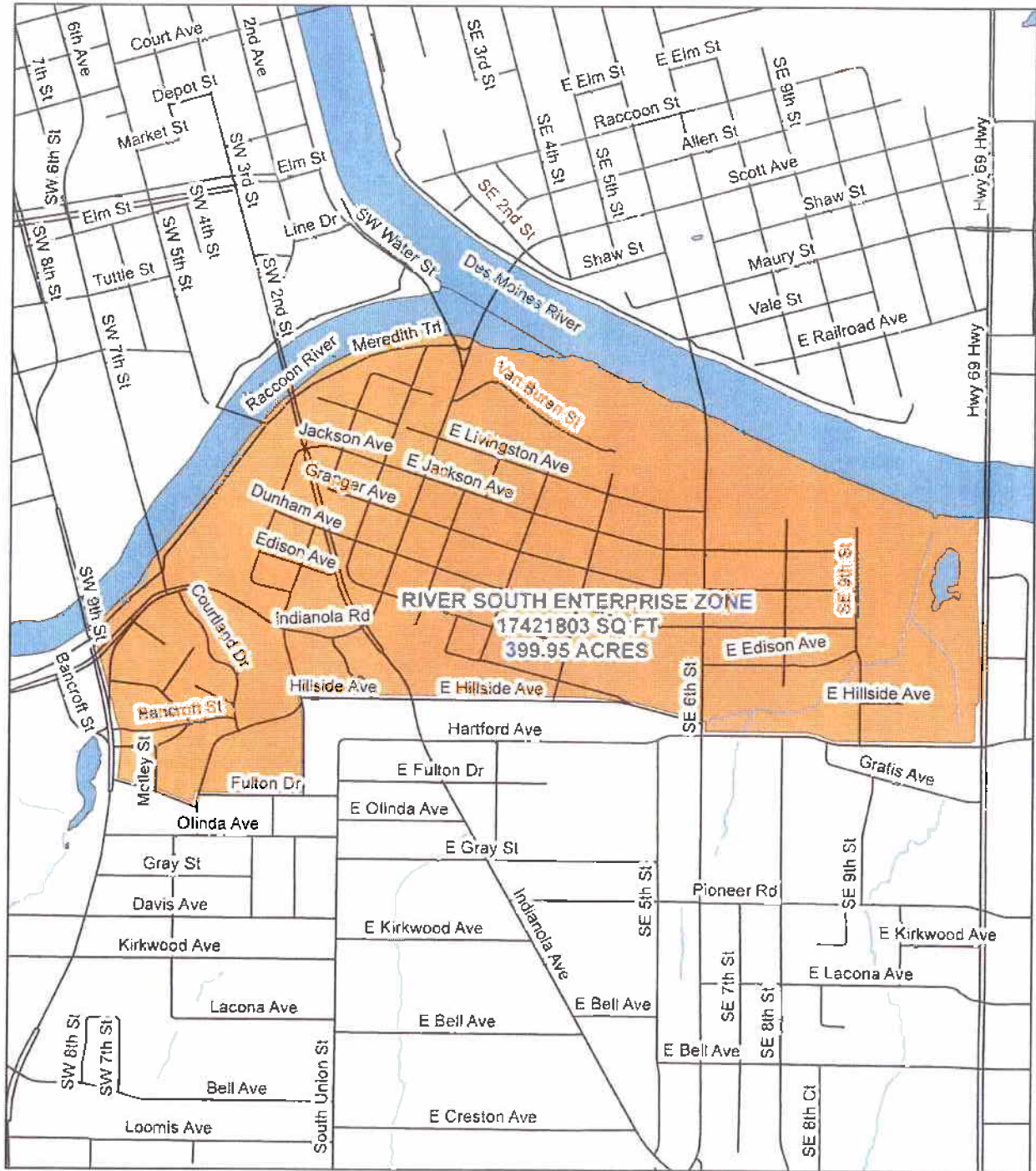
An original copy of the City Council Resolution is attached. Otherwise, N/A.

ATTACHMENTS

Please make sure the following items are included with this application:

- Supporting documentation that shows how the designated area meets the eligibility criteria.
- Legal description for the proposed Enterprise Zone.
- Detailed map (no larger than 8" x 14") which shows the boundaries of the proposed Enterprise Zone.
- Original copy of the City Council resolution requesting Enterprise Zone certification and designating, if applicable, the property tax exemption for the zone.

RIVER SOUTH ENTERPRISE ZONE CITY OF DES MOINES



Legend

 RIVER SOUTH ENTERPRISE ZONE

