

Date..... May 18, 2009

RESOLUTION CLOSING HEARING ON THE TWENTY-SECOND AMENDMENT TO THE RESTATED URBAN REVITALIZATION PLAN FOR THE CITY-WIDE URBAN REVITALIZATION AREA AND APPROVING SAME

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 City-wide 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 City-wide Plan, which adopted a restated plan (the "Restated City-wide Plan") which incorporated all prior amendments to the original City-wide Plan; and,

WHEREAS, the Restated City-wide Plan has been amended twenty-one times; and,

WHEREAS, the Downtown East New Office Construction tax abatement area is a sub-area within the City-wide Urban Revitalization Area wherein the taxable value added by the construction of office buildings may currently qualify for tax abatement; and,

WHEREAS, the purpose of the Twenty-Second Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to amend the qualifying criteria for the Downtown East New Office Construction tax abatement area to encourage new construction of additions to office buildings by allowing the value added by an addition of at least 15,000 gross square feet in a single structure to be eligible for tax abatement; and,

WHEREAS, on April 20, 2009, by Roll Call No. 09-637, the City Council scheduled a public hearing on the proposed Twenty-Second Amendment to be held on May 18, 2009, in the City Council Chambers; and,

(continued)

Date..... May 18, 2009

WHEREAS, public notice of the hearing was published in the Des Moines Register on May 5, 2009, and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said Twenty-Second 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, that:

1. The public hearing on the proposed Twenty-Second Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is hereby closed, and after due consideration, all objections to the proposed Twenty-Second Amendment are hereby overruled.
2. The City Council hereby finds the proposed Twenty-Second Amendment to be in conformance with the Des Moines 2020 Community Character Plan.
3. The Twenty-Second Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, attached hereto as Exhibit A, is hereby approved and adopted.

(Council Communication No. 09- **298**)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown
Assistant City Attorney

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Exhibits:

"A" – Twenty-Second Amendment

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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

**TWENTY-SECOND AMENDMENT
TO THE
RESTATED URBAN REVITALIZATION PLAN
FOR THE CITY-WIDE URBAN REVITALIZATION AREA
OF THE CITY OF DES MOINES, IOWA**

The purpose of the Twenty-Second Amendment to the Restated Urban Revitalization Plan for the City-Wide Urban Revitalization Area is to amend the qualifying criteria for improvements to commercially assessed property in the Downtown East New Office Construction tax abatement area to encourage the construction of new office buildings within the area.

Approved:

Date: May 18, 2009

Roll Call No. 09-_____

HISTORY

The City Council approved the original Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "Original Plan") by Roll Call No. 87-4009 on September 28, 1987. The original City-wide urban revitalization area was comprised of the entire area within the boundaries of the City of Des Moines on July 7, 1987. The Original Plan was amended twenty-one times as identified below. The following recital shows the date and roll call number of adoption of the Original Plan and all amendments thereto.

Adoption and Amendment of the original Citywide Urban Revitalization Plan

<i>Action</i>	<i>Date</i>	<i>Roll Call/Ordinance Number</i>
Designation of Area	07/06/87	Ordinance No. 11,026
Amendment of Area	09/21/87	Ordinance No. 11,065
"Original" Plan Adopted	09/28/87	87-4009
First Amendment	06/05/89	89-2438
Second Amendment	07/24/89	89-3209 (expanded area)
Third Amendment	01/15/90	90-191
Fourth Amendment	06/25/90	90-2793
Fifth Amendment	08/26/91	91-3664
Sixth Amendment	09/08/92	92-3497
Seventh Amendment	03/15/93	93-973
Eighth Amendment	03/15/93	93-971
Ninth Amendment	05/17/93	93-1868
Tenth Amendment	01/03/94	94-114
Eleventh Amendment	08/01/94	94-3024
Twelfth Amendment	11/07/94	94-4273
Thirteenth Amendment	12/19/94	94-4781
Fourteenth Amendment	02/20/95	95-644/ Ord. No. 13,149
Fifteenth Amendment	03/06/95	95-869
Sixteenth Amendment	05/22/95	95-2087
Seventeenth Amendment	07/10/95	95-2659
Nineteenth Amendment	10/16/95	95-3949
Nineteenth Amendment	12-02-96	96-4031
Twentieth Amendment	06/02/97	97-1975 (expanded area)
Twenty-First Amendment	06-16-97	97-2126 (expanded area & adopted Restated Plan)

The Twenty First Amendment to the Original Plan adopted the Restated Urban Revitalization Plan (the "Restated Plan") which has since been amended as shown below. This amendment is the Twenty-Second Amendment to the Restated Plan.

Amendments to the Restated Urban Revitalization Plan adopted by Roll Call No. 97-2126

<i>Action</i>	<i>Date</i>	<i>Roll Call Number</i>
First Amendment	02-23-98	98-549 (expanded area)
Second Amendment	05-18-98	98-1628
Third Amendment	10-19-98	98-3272
Fourth Amendment	03-15-99	99-747
Fifth Amendment	07-12-99	99-2221
Sixth Amendment	10-18-99	99-3258
Seventh Amendment	02-07-00	00-361
Eighth Amendment	02-07-00	00-364
Ninth Amendment	12-18-00	00-4680
Tenth Amendment	07-23-01	01-2329
Eleventh Amendment	09-24-01	01-2932
Twelfth Amendment	06-03-02	02-1447
Thirteenth Amendment	10-21-02	02-2546
Fourteenth Amendment	02-09-04	04-315
Fifteenth Amendment	02-28-05	05-476
Sixteenth Amendment	02-28-05	05-478
Seventeenth Amendment	04-24-06	06-847
Nineteenth Amendment	08-07-06	06-1599
Nineteenth Amendment	09-10-07	07-1762
Twentieth Amendment	02-11-08	08-250
Twenty-First Amendment	08-21-08	08-1451

Purpose of the Twenty-Second Amendment

The purpose of the Twenty-Second Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to amend the qualifying criteria for the Downtown East New Office Construction tax abatement area to permit buildings of at least 15,000 square feet to qualify for tax abatement. The intent of this amendment is to encourage the construction of new office buildings that can add to the employment base in this near-downtown area. Prior to this amendment, only the value added by the construction of a new building that is at least 25,000 square feet was eligible for abatement.

The boundaries of the Downtown East New Office Construction area are shown by the map attached hereto as Exhibit "1".

TWENTY-SECOND AMENDMENT

1. Amend subsection H.1.iv of the Restated Urban Revitalization Plan for the City-Wide Urban Revitalization Area to read as follows:

(Existing Language for reference purposes only)

H. APPLICABILITY OF PLAN

1. ELIGIBLE IMPROVEMENTS. The following improvements are eligible for tax abatement, provided said improvements satisfy the qualification requirements of Section I of the Plan:

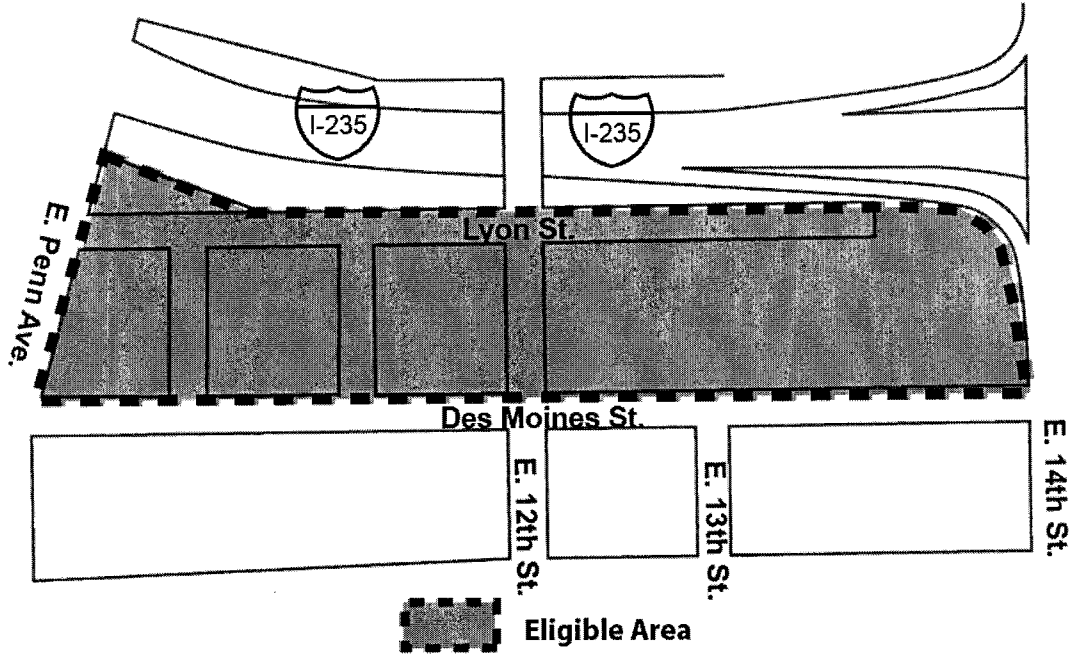
(Language to be amended)

- iv. Downtown East New Office Construction - New construction of buildings which meets the following criteria:
 - a. is located within the following area bounded by Interstate 235, East 14th Street, Des Moines Street and Pennsylvania Avenue; and,
 - b. contains a minimum of 15,000 gross square feet in a single structure.

2. Amend Appendix A1 by adding thereto the map attached hereto as Exhibit "1" and titled Downtown East New Office Construction Tax Abatement Area Map/Revision #1.

Exhibit "1"

Downtown East New Office Construction Tax Abatement Area Map/ Revision #1



- New construction must be 15,000 sq. ft. or greater

Area requirements adopted by the Des Moines City Council by		
8th Amendment to the Original City-Wide Urban Revitalization Plan	March 15, 1993	Roll Call 93-971
22nd Amendment to the Restated Urban Revitalization Plan	,2009	Roll Call No.09-