

Date..... October 27, 2008

RESOLUTION AUTHORIZING APPLICATION FOR  
ENTERPRISE ZONE CERTIFICATION FOR THE PROPOSED  
MCKINLEY AVENUE / SW 9<sup>TH</sup>/ ARMY POST ROAD ENTERPRISE ZONE

WHEREAS, *Iowa Code* 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 in order 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 McKinley Avenue / SW 9<sup>th</sup>/ Army Post Road Enterprise Zone contains approximately 477.71 acres, is located generally between McKinley Avenue and Army Post Road, between SW 9<sup>th</sup> and SE 5<sup>th</sup> Streets, 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 McKinley Avenue / SW 9<sup>th</sup>/ Army Post Road 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 McKinley Avenue / SW 9<sup>th</sup> / Army Post Road 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 McKinley Avenue / SW 9<sup>th</sup>/ Army Post Road Enterprise Zone is hereby designated as an Enterprise Zone pursuant to *Iowa Code* Section 15E.192 (2), subject to certification by IDED.

( continued )

★ **Roll Call Number**

Agenda Item Number

*608*

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2. 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 McKinley Avenue / SW 9<sup>th</sup> / Army Post Road 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 McKinley Avenue / SW 9<sup>th</sup> / Army Post Road Enterprise Zone.
  
3. The Mayor and City Clerk are authorized to take all such actions necessary in order to carry out the provisions of this Roll Call.
  
4. Subject to certification of the McKinley Avenue / SW 9<sup>th</sup> / Army Post Road Enterprise Zone by IDED,
  - a. The City Clerk shall file this Roll Call and notice of the certification of the McKinley Avenue / SW 9<sup>th</sup> / Army Post Road Enterprise Zone with the Polk County Assessor and the Polk County Auditor.
  - b. Eligible businesses locating or expanding in the McKinley Avenue / SW 9<sup>th</sup> / Army Post Enterprise Zone shall be eligible for the benefits allowed within designated enterprise zones.

(Council Communication No. 08- )

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Roger K. Brown*  
 Roger K. Brown  
 Assistant City Attorney

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

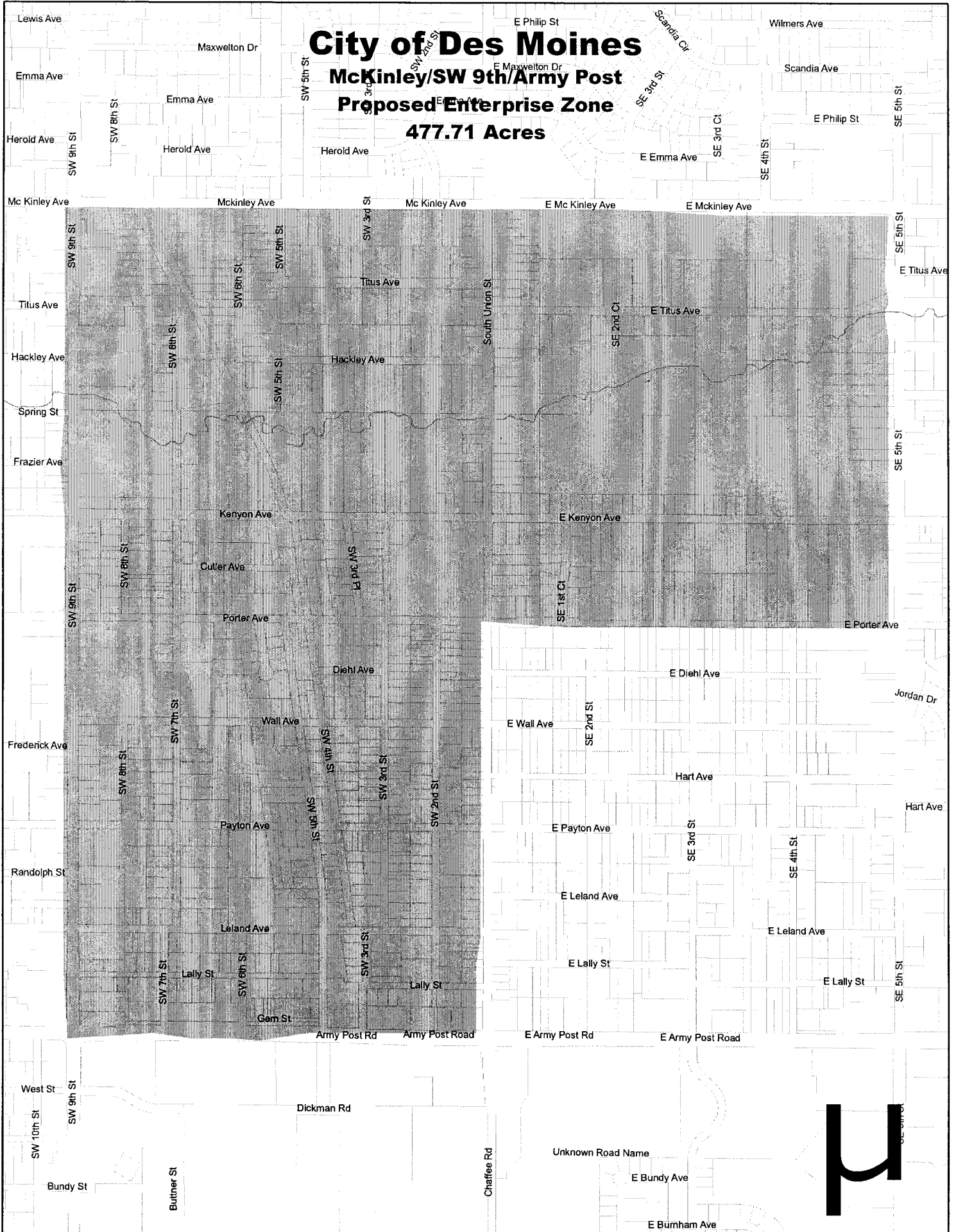
60B

# City of Des Moines

## McKinley/SW 9th/Army Post

### Proposed Enterprise Zone

477.71 Acres



60B

PROPOSED ENTERPRISE ZONE

MC KINLEY AVENUE / SW 9<sup>TH</sup> / ARMY POST ROAD

By James D. Wittkop, October 20, 2008

BEGINNING AT THE NORTHWEST CORNER OF SOUTHWEST 9<sup>TH</sup> STREET AND ARMY POST ROAD; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 9<sup>TH</sup> STREET AND ITS NORTHERLY EXTENSION TO THE SOUTH RIGHT-OF-WAY LINE OF Mc KINLEY AVENUE, BEING THE SOUTHWEST CORNER OF MC KINLEY AVENUE AND SOUTHWEST 9<sup>TH</sup> STREET; THENCE EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF AND THE SOUTH RIGHT-OF-WAY LINE OF MC KINLEY AVENUE AND EAST MC KINLEY AVENUE TO THE WEST RIGHT-OF-WAY LINE OF SOUTHEAST 5<sup>TH</sup> STREET; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTHEAST 5<sup>TH</sup> STREET AND ITS SOUTHERLY EXTENSION TO THE NORTH RIGHT-OF-WAY LINE OF EAST PORTER AVENUE AND SOUTHEAST 5<sup>TH</sup> STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF EAST PORTER AVENUE AND ITS WESTERLY EXTENSION TO THE WEST RIGHT-OF-WAY LINE OF SOUTH UNION STREET; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH UNION STREET AND ITS SOUTHERLY EXTENSION TO THE NORTH RIGHT-OF-WAY LINE OF ARMY POST ROAD AND SOUTH UNION STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF ARMY POST ROAD AND ITS WESTERLY EXTENSIONS TO THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 9<sup>TH</sup> STREET, AND THE POINT OF BEGINNING. CONTAINING APPROXIMATELY 477.71 ACRES.