

December 22, 2008

Date.....

RESOLUTION CLOSING PUBLIC HEARING ON THE PROPOSED NINTH AMENDMENT TO THE METRO CENTER URBAN RENEWAL PLAN AND APPROVING SAME

WHEREAS, on March 20, 2000, by Roll Call Nos. 00-788 and 00-789, the City Council adopted the Urban Renewal Plan for the Metro Center Urban Renewal Project, and such Plan has been amended eight times (the urban renewal plan as so amended is herein referred to as the "Plan"); and,

WHEREAS, the Metro Center Urban Renewal Project Area encompasses an irregularly shaped area that includes the downtown core and the areas surrounding the downtown core; and,

WHEREAS, on November 10, 2008, by Roll Call No. 08-1962, the City Council resolved that a public hearing on the proposed Ninth Amendment to the Plan be held on December 22, 2008, at 5:00 p.m., in the City Council Chamber; and,

WHEREAS, the purpose of the proposed Ninth Amendment to the Plan, attached hereto as Exhibit "A", is to identify improvements to the Civic Center of Greater Des Moines as eligible for economic development grant assistance and designate property in the block bounded by East Second, East Locust, East Third and East Walnut Streets for potential urban renewal acquisition and disposition funded with tax increment revenues; and,

WHEREAS, to be consistent with the stated underlying purposes of the Ninth Amendment including the updated financial condition report, the Ninth Amendment includes a correction to the public facilities and improvements map to show the block bounded by East Second, East Locust, East Third and East Walnut Streets as a potential alternative site for a mixed use development that had been identified for funding in the Eighth Amendment and which may include municipal space and public parking; and,

WHEREAS, the Urban Development Board reviewed the proposed amendment at its regular meeting on December 2, 2008, and has submitted its report and recommendation to the City Council; and,

WHEREAS, the City Plan and Zoning Commission reviewed the proposed amendment at its regular meeting on December 4, 2008 and has submitted its report and recommendation under separate resolution and roll call; and,

WHEREAS, notice of this public hearing in the form attached hereto as Exhibit "B" was published in the Des Moines Register on December 8, 2008, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, a copy of the Ninth Amendment and public notice were sent by ordinary mail to the Des Moines Public School District, Des Moines Area Community College, and Polk County, and representatives of such taxing entities were also invited to a consultation meeting held in City Hall on December 3, 2008; and,

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WHEREAS, the City has received no requests from the Des Moines Public School District, Des Moines Area Community College, or Polk County for any modification of the proposed division of revenue from the tax increment of the Urban Renewal Project Area; and,

WHEREAS, the public hearing has now been opened and all persons and organizations desiring to be heard regarding the proposed Ninth Amendment to the 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, as follows:

1. The public hearing on the proposed Ninth Amendment to the Urban Renewal Plan for the Metro Center Urban Renewal Project is hereby closed.
2. Upon consideration of the recommendations of the City Plan and Zoning Commission, the Urban Design Review Board, and all other recommendations and statements from all other interested parties and organizations, the City Council finds that the Ninth Amendment conforms to the Des Moines 2020 Community Character Land Use Plan, as amended, for the development of the City as a whole.
3. The Urban Renewal Plan for the Metro Center Urban Renewal Project is hereby amended as set forth in the Ninth Amendment attached hereto as Exhibit "A". The Urban Renewal Plan for the Metro Center Urban Renewal Project, as amended by the Ninth Amendment thereto, is hereafter in full force and effect.
4. The City Clerk is directed to cause the Ninth Amendment and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 08- 754)

FORM APPROVED:

MOVED by _____ to adopt.



Lawrence R. McDowell
Deputy City Attorney

Exhibits:

- A - Ninth Amendment
- B - Notice

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

MOTION CARRIED

APPROVED

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

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Mayor