

Date February 11, 2013

CLOSING PUBLIC HEARING ON THE PROPOSED TWELFTH 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 eleven 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 January 14, 2013, by Roll Call No. 13-0034, the City Council resolved that a public hearing on the proposed Twelfth Amendment to the Plan be held on February 11, 2013, at 5:00 p.m., in the City Council Chamber; and,

WHEREAS, the purpose of the proposed Twelfth Amendment to the Plan, attached hereto as Exhibit "A", is to: (a) approve the Younkers Department Store Building renovation project on Walnut Street and approve the Cityville on 9th apartment and commercial building project on S.W. 9th Street south of Murphy Street for provision of financial assistance from tax increment revenues in the Metro Center Urban Renewal Area and include these two new proposed projects in the description of approved economic development and redevelopment activities within the Project Area; (b) update the Financial Condition Report to reflect the approved projects; and (c) correct a clerical error with respect to the revised qualifications for construction period tax abatement approved as part of the Eleventh Amendment; and,

WHEREAS, the Urban Design Review Board reviewed the proposed amendment at its regular meeting on February 5, 2013, and has submitted its report and recommendation to the City Council; and,

WHEREAS, notice of this public hearing in the form attached hereto as Exhibit "B" was published in the Des Moines Register on January 28, 2013, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, a copy of the Twelfth Amendment and public notice were sent by ordinary mail to the Des Moines Independent Community 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 January 29, 2013; and,

WHEREAS, the City has received no requests from the Des Moines Independent Community 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,

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Date.....

-2-

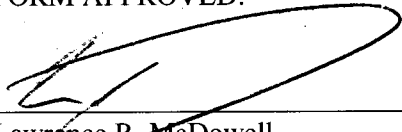
WHEREAS, the public hearing has now been opened and all persons and organizations desiring to be heard regarding the proposed Twelfth Amendment to the Plan have been given the opportunity to be heard; NOW THEREFORE,

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

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

MOVED by _____ to adopt.

FORM APPROVED:



Lawrence R. McDowell
Deputy City Attorney

(Council Communication No. 13-048)

Exhibits:
A - Twelfth Amendment
B - Notice

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

Mayor

City Clerk