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Date October 9, 2017

RESOLUTION CLOSING PUBLIC HEARING ON THE FOURTH AMENDMENT
TO THE SOUTHSIDE ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL
PLAN AND ADOPTING SAME

WHEREAS, on December 6, 2010, by Roll Call No. 10-2020, the City Council approved the Southside Economic Development District Urban Renewal Plan (the "Plan") for the area (the "Urban Renewal Area") bounded on the north by Army Post Road and E. Army Post Road, on the east by SE 14th Street, on the south by the Polk County line, and on the west by SW 9th Street, which plan has previously been amended three times; and,

WHEREAS, the purpose of the proposed Fourth Amendment to the Southside Economic Development District Urban Renewal Plan (the "Fourth Amendment"), which is on file and available for inspection in the office of the City Clerk, is to:

- Update the description of the approved economic development and redevelopment activities within the Urban Renewal Area to include:
 - The Southridge Redevelopment Project as amended by the Amended and Restated Urban Renewal Development Agreement with Macerich Southridge Mall LLC and Southridge Adjacent LLC, approved by the City Council on June 22, 2015, by Roll Call No. 15-1035; and,
 - The Fort Des Moines Restoration Project as amended by the First Amendment to the Amended and Restated Development Agreement with FDM Development Partnership, LLLP, as designee of Fort Des Moines Restoration, LLC, approved by the City Council on May 8, 2017, by Roll Call No. 17-0775; and,
- to update the Financial Condition Report to include the amended projects identified above; and,

WHEREAS, on September 11, 2017, by Roll Call No. 17-1559, the City Council resolved that a public hearing be held on October 9, 2017, at 5:00 p.m., in the City Council Chambers to consider the proposed Fourth Amendment; and,

WHEREAS, the Urban Design Review Board reviewed the proposed Fourth Amendment at its regular meeting on September 26, 2017, and the members voted 7-0 in support of a motion to recommend approval of the Fourth Amendment; and,

WHEREAS, notice of this public hearing was published in the Des Moines Register on September 21, 2017, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, notice was given by ordinary mail to the Des Moines Independent School District, Polk County, Des Moines Area Community College, and Des Moines Area Regional Transit Authority of a consultation meeting on the proposed Fourth Amendment held in the City Administration Building on September 22, 2017; and,

WHEREAS, the City has received no requests from the Des Moines Independent School District, Polk County, Des Moines Area Community College, or Des Moines Area Regional

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Transit Authority for any modification to the division of tax increment revenues proposed by the Fourth Amendment; and,

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

1. The public hearing on the proposed Fourth Amendment to the Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area 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 Fourth Amendment conforms to the PlanDSM: Creating Our Tomorrow plan, as amended, for the development of the City as a whole.
3. The Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area is hereby amended as set forth in the Fourth Amendment. The Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area, as amended by the Fourth Amendment, is hereafter in full force and effect.
4. The City Clerk is directed to cause the Fourth 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:

(Council Communication No. 17- 71a)

Roger K Brown

Roger K. Brown, Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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