

Date September 10, 2018

RESOLUTION CLOSING PUBLIC HEARING ON THE PROPOSED
ELEVENTH AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE
SE AGRIBUSINESS URBAN RENEWAL AREA AND APPROVING SAME

WHEREAS, on January 26, 1998, by Roll Call No. 98-275, the City Council adopted the Urban Renewal Plan for the SE AgriBusiness Urban Renewal Project, and such Plan has been amended ten times (the urban renewal plan as amended is hereinafter referred to as the "Plan"); and,

WHEREAS, the SE AgriBusiness Urban Renewal Project Area encompasses an irregularly shaped area generally located between S.E. 14th Street and SE 43rd Street, and between Dean Avenue and the Des Moines River; and,

WHEREAS, the purpose of the proposed Eleventh Amendment to the Plan, which is on file and available for inspection in the office of the City Clerk, is to:

- Amend Appendix A – Approved Economic and Redevelopment Activities to add the Des Moines Transloading Facility in the vicinity of 200 Southeast 15th Street to be designed, constructed and operated by Des Moines Transload Services LLC;
- Amend Appendix B - Approved Public Improvements, Public Buildings and Street Projects to add the design and construction of an approximate 17,000 sf Animal Control Facility at SE 14th Street and Harriet to replace the current building at SE 14th Street and Granger Avenue.
- Update *Exhibit A - Financial Condition Report* to update anticipated use of tax increment funds in the future to include funding for the projects identified above.

WHEREAS, on July 23, 2018, by Roll Call No. 18-1243, the City Council resolved that a public hearing on the proposed Eleventh Amendment be held on September 10, 2018, at 5:00 p.m., in the Council Chambers; and,

WHEREAS, the Urban Design Review Board reviewed the proposed amendment at its regular meeting on August 14, 2018, and although there was not a quorum, the consensus of five members presented was to support approval of the Eleventh Amendment; and,

WHEREAS, notice of this public hearing was published in the Des Moines Register on August 29, 2018, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, a copy of the Eleventh Amendment and notice of this hearing was given by ordinary mail to the Des Moines Public School District, Polk County, Des Moines Area Community College, and Des Moines Area Regional Transit Authority, together with notice of a consultation meeting on the Eleventh Amendment held on August 9, 2018, at 1:00 p.m., in the OED Conference Room at City Hall; and,

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

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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 Eleventh 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 Eleventh Amendment to the Urban Renewal Plan for the SE AgriBusiness 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 Eleventh 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 SE AgriBusiness Urban Renewal Project is hereby amended as set forth in the Eleventh Amendment. The Urban Renewal Plan for the SE AgriBusiness Urban Renewal Project, as amended by the Eleventh Amendment thereto, is hereafter in full force and effect.
4. The City Clerk is directed to cause the Eleventh Amendment and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 18- 448)

MOVED by _____ to adopt.

FORM APPROVED:

By: Roger K. Brown
 Roger K. Brown, Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

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.

MOTION CARRIED APPROVED

 Mayor

 City Clerk