



Date November 9, 2020

**RESOLUTION HOLDING PUBLIC HEARING ON THE PROPOSED  
FIFTH AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE  
SOUTHSIDE ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL AREA  
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 four times; and

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

- Update the Financial Condition Report to reflect the approved projects and anticipated use of tax increment funds as set forth in Attachment B - *Financial Condition Report – Southside Economic Development District Urban Renewal Plan (5th Amendment)*
- Update Southridge Redevelopment Project details as set forth in Appendix A, to update and include project information for the second through fifth phases of the improvements and for the Sears Redevelopment phase of improvements, including but not limited to the proposed Johnson Healthcare Real Estate project and Genesis Health Clubs Sports Complex S.E., LLC project - *Approved Economic and Redevelopment Activities (5th Amendment)*; and

WHEREAS, on October 5, 2020, by Roll Call No. 20-1566, the City Council resolved that a public hearing be held on November 9, 2020, at 5:00 p.m., by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location; and

WHEREAS, the Urban Design Review Board reviewed the proposed Fifth Amendment at its regular meeting on October 6, 2020, and voted 8-0 in support of recommending approval of the Fifth Amendment; and

WHEREAS, notice of this public hearing was published in the Des Moines Register on October 23, 2020, 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 Fifth Amendment held by electronic means on October 20, 2020 at 10:00 a.m.; 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 Transit Authority for any modification to the division of tax increment revenues proposed by the Fifth Amendment; and

WHEREAS, the public hearing has now been opened and all persons and organizations desiring to be heard regarding the proposed Fifth Amendment have been given the opportunity to be heard.



**Roll Call Number**

**Agenda Item Number**

63

**Date** November 9, 2020

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 Fifth 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 Fifth 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 Fifth Amendment, on file in the office of the City Clerk. The Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area, as amended by the Fifth Amendment, is hereafter in full force and effect.
4. The City Clerk is directed to cause the Fifth Amendment and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 20- 496 )

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

FORM APPROVED:

/s/ Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS     | PASS | ABSENT |
|----------------|------|----------|------|--------|
| COWNIE         |      |          |      |        |
| BOESEN         |      |          |      |        |
| GATTO          |      |          |      |        |
| GRAY           |      |          |      |        |
| MANDELBAUM     |      |          |      |        |
| VOSS           |      |          |      |        |
| WESTERGAARD    |      |          |      |        |
| TOTAL          |      |          |      |        |
| MOTION CARRIED |      | APPROVED |      |        |
| _____ Mayor    |      |          |      |        |

**CERTIFICATE**

I, P. KAY CMELIK, 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