

Date January 11, 2021

**RESOLUTION APPROVING CHAPTER 28E AGREEMENT BETWEEN CITY OF DES MOINES AND CITY OF URBANDALE TO ESTABLISH A JOINT BOARD TO SUPPORT THE CREATION OF A REINVESTMENT DISTRICT FOR THE MERLE HAY MALL CAMPUS**

**WHEREAS**, Des Moines and Urbandale desire to establish an Iowa Code Chapter 15J reinvestment district in furtherance of new development in the vicinity of Merle Hay Mall, and recent amendments to Chapter 15J allow for the establishment of a reinvestment district within combined City boundaries by a joint board or other legal entity established by contiguous cities pursuant to an Iowa Code Chapter 28E Agreement (“Joint Board”); and

**WHEREAS**, the creation of the Joint Board will allow for application to the Iowa Economic Development Authority, with submission deadline in February 2021, for reinvestment of certain State hotel and motel and sales and use tax revenues into the Merle Hay Mall campus if designated as a reinvestment district; and

**WHEREAS**, any reinvested State tax revenue funds are proposed to be used within the Merle Hay Mall campus solely for the redevelopment of the previous Younkers store building into a 3,500-seat multi-purpose ice hockey arena for relocation of the Des Moines Buccaneers and redevelopment of the original Kohl’s store and food court into a 70,000-square foot ice facility, which reinvestment and redevelopment is anticipated to encourage other development on the Merle Hay Mall campus and the sustained economic viability of said campus; and

**WHEREAS**, the proposed Joint Board will be comprised of five members, including two from Des Moines, two from Urbandale and one from Polk County, and will be responsible for approving the reinvestment district plan for submission to IEDA, making all submissions required to IEDA of the plan, applications, and elements thereof, receiving and allocating the reinvestment district funds held in a special City of Urbandale account in the name of the Joint Board to support the eligible projects (ice arena and training center), and completing other administrative functions, all as more fully described in the Council Communication filed herewith; and

**WHEREAS**, the creation of the Joint Board, and the Board’s duties and obligations, are set forth in the Chapter 28E Agreement negotiated by staff from the cities of Des Moines and Urbandale and in form on file in the office of the City Clerk.

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

1. The Chapter 28E Agreement by and between the City of Des Moines, Iowa and City of Urbandale to Establish a Joint Board to Support the Creation of a Reinvestment District for the Merle Hay Campus is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and attest said Agreement, respectively.

★ Roll Call Number

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- 2. The City Manager and designee(s) are hereby authorized and directed to administer the terms of said 28E Agreement on behalf of the City.

(Council Communication No. 21-012)

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