

★ Roll Call Number

11-0628

Agenda Item Number

45C

Date

April 11, 2011

RESOLUTION CLOSING PUBLIC HEARING ON THE PROPOSED TENTH 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 nine 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 February 28, 2011, by Roll Call No. 11-0309, the City Council resolved that a public hearing on the proposed Tenth Amendment to the Plan be held on April 11, 2011, at 5:00 p.m., in the City Council Chamber; and,

WHEREAS, the purpose of the proposed Tenth Amendment to the Plan, attached hereto as Exhibit "A", is to: (a) expand the Project Area to include the River Hills 2011 Subarea that generally includes the Des Moines River west bank and property east of the Des Moines River south of University Avenue; (b) add and expand Project Proposals eligible for funding with tax increment revenue including: economic development financial assistance for property owners to enable the lease of office space to business tenants; evaluation, engineering maintenance and improvement of the Raccoon and Des Moines River levees and related river flood prevention and reduction projects; new central fire station improvements; and public recreation area improvements; (c) update the Financial Condition Report to reflect contemplated expenditures for Project Proposals and economic development financial assistance for the operation, maintenance, renovation and enhancement of the Des Moines Botanical Center; and,

WHEREAS, the Urban Design Review Board reviewed the proposed amendment at its regular meeting on March 15, 2011, and has submitted its report and recommendation to the City Council; and,

WHEREAS, the City Plan and Zoning Commission reviewed the proposed amendment at its regular meeting on March 3, 2011 and has submitted its report and recommendation under separate resolution and roll call; and,

WHEREAS, notice of this public hearing in the form attached hereto as Exhibit "B" was published in the Des Moines Register on March 29, 2011, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, a copy of the Tenth 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 March 16, 2011; 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,

(continued)

11-0628

45C

Date April 11, 2011

-2-

WHEREAS, the public hearing has now been opened and all persons and organizations desiring to be heard regarding the proposed Tenth 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 Tenth Amendment to the Urban Renewal Plan for the Metro Center Urban Renewal Project is hereby closed.
2. The report prepared by Office of Economic Development staff titled "Re-Tenancing Downtown Des Moines Office Space" attached hereto as Exhibit "C" is hereby received for filing with the Office of the City Clerk and the findings and conclusions set forth in such report are hereby adopted.
3. Upon consideration of the recommendations of the City Plan and Zoning Commission, the Urban Design Review Board, the attached report prepared by the Office of Economic Development, and all other recommendations and statements from all other interested parties and organizations, the City Council finds that the Tenth Amendment is in the best interests of the City and its residents, will not result in the displacement of families, and conforms to the Des Moines 2020 Community Character Land Use Plan, as amended, for the development of the City as a whole.
4. The Urban Renewal Plan for the Metro Center Urban Renewal Project is hereby amended as set forth in the Tenth Amendment attached hereto as Exhibit "A". The Urban Renewal Plan for the Metro Center Urban Renewal Project, as amended by the Tenth Amendment thereto, is hereafter in full force and effect.
5. The City Clerk is directed to cause the Tenth Amendment and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 11-205)

FORM APPROVED:

MOVED by Hensley to adopt.

Lawrence R. McDowell
Deputy City Attorney

- Exhibits:
A - Tenth Amendment
B - Notice
C - Office of Economic Development Report

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL. Includes MOTION CARRIED and APPROVED checkboxes.

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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk