



Roll Call Number

11-2007

Agenda Item Number

49c

Date November 21, 2011

**Resolution Closing Public Hearing on the Proposed Fourth Amendment
to the SE AgriBusiness Urban Renewal Plan 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 three 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 the eastern City boundary, and between Dean Avenue and the Des Moines River; and,

WHEREAS, on October 10, 2011, by Roll Call No. 10-1708, the City Council resolved that a public hearing on the proposed Fourth Amendment be held on November 21, 2011, at 5:00 p.m., in the City Council Chambers; and,

WHEREAS, on October 24, 2011, by Roll Call No. 11-1797, the City Council approved revisions to the proposed Fourth Amendment as summarized below for submittal to the Urban Design Review Board and the City Plan and Zoning Commission; and,

WHEREAS, the purpose of the proposed revised Fourth Amendment to the Plan, attached hereto as Exhibit "A", is to: (a) expand the Project Area to include approximately 220 acres bounded by S.E. 14th, E. Market, S.E. 18th and Maury Streets; (b) update and restate the Plan language and maps to clarify Plan objectives on the location and construction of public improvements, including the acquisition, construction and equipping of a Municipal Services Center as a specified public improvement Project proposal; (c) provide for additional uses and specified public improvements to be financed with tax increment revenues; (d) update and restate the Plan language on appropriateness of new planned salvage yard operations; (e) designate additional disposition parcels; and (f) update the Financial Condition Report to reflect contemplated expenditures for Project Proposals and economic development financial assistance; and,

WHEREAS, the Urban Design Review Board reviewed the proposed amendment at its regular meeting on November 1, 2011, and has submitted its report and recommendation to the City Council; and,



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WHEREAS, the City Plan and Zoning Commission reviewed the proposed amendment at its regular meeting on November 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 November 7, 2011, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, a copy of the Fourth Amendment and notice was given by ordinary mail to the Des Moines Public School District, Des Moines Area Community College, and Polk County of a consultation meeting in the Kofu Conference Room, at City Hall, at 1:30 p.m. on October 19, 2011; and,

WHEREAS, the City has received no requests from the Des Moines Public 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,

WHEREAS, the public hearing has now been opened and all persons and organizations desiring to be heard regarding the proposed Fourth 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 Fourth Amendment to the Urban Renewal Plan for the SE AgriBusiness Urban Renewal Project is hereby closed.
2. Upon consideration of the recommendations of the City Plan and Zoning Commission and 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 Des Moines 2020 Community Character Land Use 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 Fourth Amendment attached hereto as Exhibit "A". The Urban Renewal Plan for the SE AgriBusiness Urban Renewal Project, as amended by the Fourth Amendment thereto, is hereafter in full force and effect.

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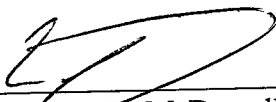
Date November 21, 2011

- 4. The City Clerk is directed to cause the Fourth Amendment including the attached restated Plan and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 11-720)

FORM APPROVED:

Moved by Meyer to adopt.



 Lawrence R. McDowell
 Deputy City Attorney

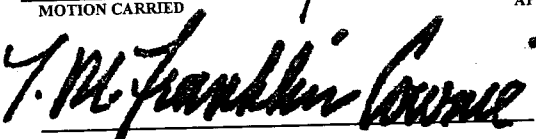
Exhibits:
 A - Fourth Amendment
 B - Notice

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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.



 T. M. Franklin
 Mayor



 Diane Rauh
 City Clerk