

Date March 21, 2016

RESOLUTION CLOSING HEARING ON THE PROPOSED FIRST AMENDMENT  
TO THE ECHO VALLEY URBAN RENEWAL PLAN, AND ADOPTING SAME

WHEREAS, on September 14, 2015, by Roll Call No. 15-1564, the City Council approved an Urban Renewal Plan (the "Plan") for the Echo Valley Urban Renewal Area (the "Area") which seeks to encourage private development of the Area for high quality commercial and residential use through provision of additional public infrastructure and economic development financial assistance that will be funded in part with tax increment financing revenues generated by the proposed urban renewal area; and,

WHEREAS, the Echo Valley Urban Renewal Area encompasses an irregularly shaped area extending west from Fleur Drive and south from the line between Warren and Polk Counties and contains approximately 230 acres; and,

WHEREAS, on November 23, 2015, by Roll Call No. 15-1977, the City Council approved an Urban Renewal Development Agreement (the "Agreement") with United Properties Investment Company, L.C., and Echo Valley Investment Company, L.C. (collectively the "Developers"), both represented by Mike Coppola, Manager, whereby the Developers have undertaken to develop the Echo Valley Urban Renewal Area with a mix of high quality commercial and housing development in conformance with the approved Preliminary Plan, and in consideration of the Developers' undertaking to construct the planned commercial development, the City has undertaken to provide an economic development grant payable in 40 semi-annual installments from a portion of the project generated tax increment revenues; and,

WHEREAS, the Agreement is contingent upon, and of no force or effect, until the City has amended the Plan to incorporate the Agreement as an urban renewal undertaking under authority of that Plan; and,

WHEREAS, the purpose of the proposed First Amendment to the Plan, which is on file and available for public inspection in the office of the City Clerk, is to incorporate the Agreement as an urban renewal undertaking under authority of the Plan; and,

WHEREAS, on February 22, 2016, by Roll Call No. 16-0280, the City Council resolved that a public hearing on the proposed First Amendment to the Plan be held on March 21, 2016, in the City Council Chambers; and,

WHEREAS, notice of this public hearing in the form attached hereto as Exhibit "B" was published in the Des Moines Register on March 3, 2016, 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 Norwalk Community School District, Des Moines Area Community College, and Warren County of a consultation meeting in the Kofu Conference Room, at City Hall, at 3:00 p.m., on March 3, 2016; and,

WHEREAS, the City has received no requests from the Norwalk Community School District, Des Moines Area Community College, or Warren County for any modification of the

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proposed division of revenue from the tax increment of the Echo Valley Urban Renewal Project Area; and,

WHEREAS, the Urban Design Renewal Board reviewed the proposed First Amendment to the Plan at its meeting on March 15, 2016, and recommended approval of the First Amendment; and,

WHEREAS, the public hearing has now been opened and all persons and organizations desiring to be heard regarding the proposed First 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 *First Amendment to the Echo Valley Urban Renewal Plan* 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 First 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 proposed *First Amendment to the Urban Renewal Plan for the Echo Valley Urban Renewal Area* is hereby approved and adopted, and shall hereafter be in full force and effect.
4. The City Clerk is hereby authorized and directed to file a certified copy of the First Amendment and of this Resolution in the office of the Warren County Recorder.

MOVED by Hensley to adopt.

( Council Communication No. 16- 149 )

FORM APPROVED:

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

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Exhibits:

- A – Map of Echo Valley Urban Renewal Area
- B – Notice of Hearing
- C – First Amendment

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         | ✓    |      |      |        |
| COLEMAN        | ✓    |      |      |        |
| GATTO          | ✓    |      |      |        |
| GRAY           | ✓    |      |      |        |
| HENSLEY        | ✓    |      |      |        |
| MOORE          | ✓    |      |      |        |
| WESTERGAARD    | ✓    |      |      |        |
| 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