CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Setting Dates of Consultation Meeting and Public Hearing Midtown Urban Renewal Plan - City Initiated **DATE:** July 24, 2017

RESOLUTION: Establish Consultation Meeting date and the Public Hearing date for Midtown Urban Renewal Plan

FINANCIAL IMPACT: Not determined at this time.

BACKGROUND: Businessolver, Inc., a company headquartered in West Des Moines, has undertaken an expansion project at their facility at 1025 Ashworth Road. Businessolver has been awarded financial assistance from the IEDA High Quality Jobs Program because of their creation of 40 new qualifying jobs, bringing their employment total to 456 FTEs. As part of the High Quality Jobs award, the City must provide a local match. This will be accomplished through the Urban Renewal Plan, and ultimately through a corresponding Development Agreement with Businessolver. The Area does not have a frozen base value as no debt has been certified for this Urban Renewal Area.

OUTSTANDING ISSUES: There are no outstanding issues regarding this proposed amendment.

RECOMMENDATION: Staff recommends that the City Council approve a resolution setting August 2, 2017, as the date for consultation meeting for the Midtown Urban Renewal Plan; and setting August 21, 2017, as the public hearing date for the Midtown Urban Renewal Plan.

Lead Staff Member: Katie Hernandez, Community and Economic Development

STAFF REVIEWS

Department Director	Clyde E. Evans, Director, Community and Economic Development CEE
Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	F&A	
Date Reviewed	February 17, 2016	
Recommendation	X☐Yes	☐ No

ATTACHMENTS:

Exhibit I	Proposed Midtown Urban Renewal Plan
Exhibit II	Resolution

EXHIBIT I

MIDTOWN
URBAN RENEWAL PLAN

for the

MIDTOWN
URBAN RENEWAL AREA

CITY OF WEST DES MOINES, IOWA

August __, 2017

Draft Version

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Midtown Urban Renewal Plan
City of West Des Moines, Iowa

A. INTRODUCTION

This Midtown Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Midtown Urban Renewal Area ("Area" or "Urban Renewal Area") has been developed to help local officials promote economic development in the City of West Des Moines. The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new commercial and industrial development.

In order to achieve this objective, West Des Moines (the "City") intends to undertake Urban Renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the Code of Iowa, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Midtown Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B.

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City of West Des Moines designates this Urban Renewal Area as an area that is appropriate for the promotion of economic development (commercial and industrial).

D. BASE VALUE

If the Midtown Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted and debt is certified prior to December 1, 2017, the taxable valuation within the area included in the TIF Ordinance as of January 1, 2016 will be considered the frozen "base valuation." If debt is not certified until a later date or if a TIF ordinance is not adopted until later, the "base value" will be the assessed value of the taxable property within the TIF Ordinance area as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

E. DEVELOPMENT PLAN/ZONING

West Des Moines has a general plan for the physical development of the City as a whole outlined in the West Des Moines Comprehensive Plan dated September 20, 2010. The goals and objectives of this Urban Renewal Plan, including the urban renewal projects, are in conformity with the 2010 Comprehensive Plan.

The Urban Renewal Area is zoned: Support Commercial, Professional Commerce Park, Residential High Density (2 PUDs: Southwoods West and Woodland Park), and Office

PUD. This Urban Renewal Plan does not in any way replace or modify the City's current land use planning or zoning regulation process.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new and existing economic development within the Area. More specific objectives for the development, redevelopment and rehabilitation within the Midtown Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.

2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.

3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.

4. To encourage commercial and industrial growth and expansion through governmental policies which make it economically feasible to do business.

5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.

6. To stimulate, through public action and commitment, private investment in new and existing commercial and/or industrial development.

7. To improve the conditions and opportunities for economic development (commercial and industrial).

8. To help develop a sound economic base that will serve as the foundation for future growth and development.

G. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage orderly development of the area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, Code of Iowa. Activities may include:

- New rehabilitated, converted, or expanded industrial uses within the Area.
- New, rehabilitated, converted, or expanded commercial uses within the Area.

General development activities in the Midtown Urban Renewal Area may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.

2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.

3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.

4. To borrow money and to provide security therefor.

5. To acquire or dispose of property.

6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.

7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.

8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.

9. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of West Des Moines.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

H. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. Public Improvements

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Urban Renewal Project Description	Estimated Time Period	Estimated Cost to be reimbursed by tax increment financing	Rationale (why economic development is promoted)
Reconstruction & widening of 8th Street from Center Street to just north of Clegg Road (to include raised median, left turn lanes, and signal improvements at 8th & Center and 8th & Office Park)	2017-2021	$3,500,000 - $4,200,000	Road improvements necessary to assist in the movement of people and goods.
Storm sewer along Office Park Road	2017-2021	$1,400,000 - $1,700,000	The extension of sewer lines would allow for commercial development in the area.
Storm sewer and detention facility along 11th Street	2017-2021	$410,000- $490,000	The extension of sewer lines and expansion of detention capacity would allow for commercial development in the area.
Storm sewer and detention facility near Walnut Creek Campus	2017-2021	$820,000 - $970,000	The extension of sewer lines and expansion of detention capacity would allow for commercial development in the area.
Traffic signalization at 11th and Ashworth	2017-2021	$350,000- $420,000	The construction of this traffic signal will help facilitate the movement of people and goods through the area and help relieve traffic congestion.
Total		**$6,480,000 to $7,780,000**	

Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds.

2. Tax Rebate or other Development Agreements

A. ***Economic development incentive for a business in West Des Moines:*** Businessolver.com, Inc. plans to renovate the interior and exterior of a 94,830 square foot building and employ at least 456 employees therein. The construction of the building is expected to be completed by February 28, 2019, with construction costs anticipated to be no less than approximately $4,000,000. The incentive is expected to be in the form of an incremental property tax rebate in the amount of $149,568 and loans in the amount of $20,000, provided pursuant to a detailed Development Agreement between the City and Businessolver.com, Inc. The costs

of such a Development Agreement to be funded by tax increment will not exceed $170,000. Actual expense could change due to a variety of factors, including but not limited to changes in tax levies or rates, changes in tax laws, changes in assessed values, and other factors.

B. ***Development Agreements***: The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such Development Agreements will not exceed $5,000,000.

3. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	**Not to exceed $200,000**

I. FINANCIAL DATA

1.	July 1, 2017 constitutional debt limit:	$359,449,675
2.	Current outstanding general obligation debt:	$165,359,148
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	$11,850,000-$13,150,000 This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

J. URBAN RENEWAL FINANCING

The City of West Des Moines intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of West Des Moines has the statutory authority to use a variety of tools to finance physical improvements within the Areas. These include:

A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City.

B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of West Des Moines. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects for commercial or industrial development or other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Areas. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

K. PROPERTY ACQUISITION/DISPOSITION

If property acquisition/disposition by the City becomes necessary to accomplish the objectives of the Plan, such acquisition/disposition will be carried out, without limitation, in accordance with the Iowa Code.

L. RELOCATION

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

M. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to state and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

N. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, change in the area, to add or change land use controls and regulations, to modify goals or types of renewal activities, to add or change urban renewal projects, or to amend property acquisition and disposition provisions. The City Council may amend this Plan in accordance with applicable state law.

O. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a Plan until it is repealed by the City Council.

With respect to the property included within the Midtown Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment area, the use of incremental property tax revenues or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, shall continue for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the City for activities carried out under the Midtown Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

P. SEVERABILITY CLAUSE

If any part of the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan not determined to be invalid or unconstitutional.

EXHIBIT A

LEGAL DESCRIPTION OF MIDTOWN URBAN RENEWAL AREA

A TRACT OF LAND IN SECTIONS 2, 3 AND 10, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN THE MIDTOWN URBAN RENEWAL AREA, THIS TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 4, COLBY'S OFFICE PARK PLAT 2, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF SAID LOT 4, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF LOT 3, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 3, TO THE NORTHWEST CORNER OF LOT 1, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE AND THE WEST LINE EXTENDED OF SAID LOT 1, OF SAID COLBY'S OFFICE PARK PLAT 2, TO THE SOUTH RIGHT OF WAY LINE OF ASHWORTH ROAD;

THENCE WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE EXTENDED OF ASHWORTH ROAD, TO THE EAST LINE EXTENDED OF GOLF AND COUNTRY CLUB PLAT 3, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE EXTENDED AND THE EAST LINE OF SAID GOLF AND COUNTRY CLUB PLAT 3, TO THE NORTHEAST CORNER OF SAID GOLF AND COUNTRY CLUB PLAT 3;

THENCE WEST, ALONG THE NORTH LINE OF SAID GOLF AND COUNTRY CLUB PLAT 3, TO THE SOUTHEAST CORNER OF GOLF AND COUNTRY CLUB PLAT 12, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE OF SAID GOLF AND COUNTRY CLUB PLAT 12, TO THE SOUTHEAST CORNER OF GOLF AND COUNTRY CLUB PLAT 13, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE AND EAST LINE EXTENDED OF SAID GOLF AND COUNTRY CLUB PLAT 13, TO THE NORTH RIGHT OF WAY LINE OF WOODLAND AVENUE;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF WOODLAND AVENUE, TO THE WEST LINE EXTENDED OF LOT 4, GOLF AND COUNTRY CLUB PLAT 10, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE SOUTH, ALONG THE WEST LINE EXTENDED AND THE WEST LINE OF SAID LOT 4, OF SAID GOLF AND COUNTRY CLUB PLAT 10, TO THE SOUTHWEST CORNER OF SAID LOT 4, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE EAST, ALONG THE SOUTH LINE OF SAID LOT 4, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE WEST RIGHT OF WAY LINE OF 11TH STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE AND WEST RIGHT OF WAY LINE EXTENDED OF SAID 11TH STREET, TO THE SOUTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE WEST, ALONG THE SOUTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE SOUTHWEST CORNER OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE NORTHWEST CORNER OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTRY CLUB PLAT 10;

THENCE EAST, ALONG THE NORTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE WEST LINE OF LOT 12, OF AUDITORS PLAT COLBY'S OFFICE PARK, AN OFFICIAL PLAT NOW IN AND

FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 12, OF SAID AUDITORS PLAT COLBY'S OFFICE PARK, TO THE SOUTH RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 235;

THENCE SOUTHEASTERLY, ALONG THE SOUTH RIGHT OF WAY LINE AND SOUTH RIGHT OF WAY LINE EXTENDED OF SAID INTERSTATE HIGHWAY 235, TO THE WEST LINE OF COLBY'S FACTORY ADDITION, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID COLBY'S FACTORY ADDITION, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE NORFOLK SOUTHERN CORPORATION RAILROAD;

THENCE SOUTHEASTERLY, ALONG SOUTHWESTERLY RIGHT OF WAY LINE OF SAID NORFOLK SOUTHERN CORPORATION RAILROAD, TO THE SOUTHEASTERLY CORNER OF LOT 7, OF COLBY'S FACTORY ADDITION, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

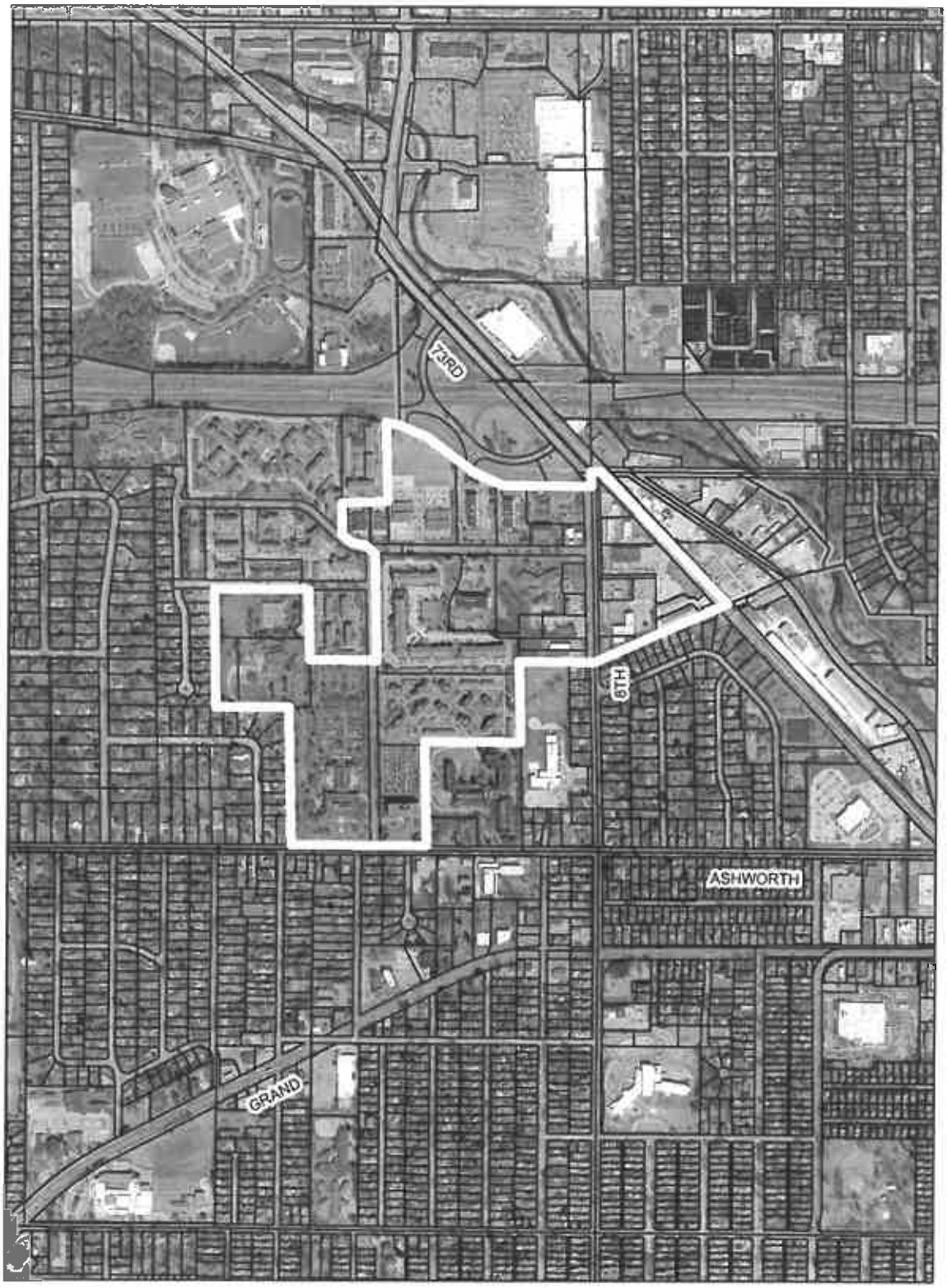
THENCE SOUTHWESTERLY, ALONG THE SOUTHEASTERLY LINE OF SAID COLBY'S FACTORY ADDITION, TO THE NORTHEAST CORNER OF CLEGG PARK PLAT TWO, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID CLEGG PARK PLAT 2, TO THE NORTHWEST CORNER OF SAID CLEGG PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID CLEGG PARK PLAT 2, TO THE POINT OF BEGINNING.

EXHIBIT B

MIDTOWN URBAN RENEWAL AREA MAP



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RESOLUTION NO. _____

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED MIDTOWN URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF WEST DES MOINES, STATE OF IOWA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and has caused there to be prepared a proposed Midtown Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Midtown Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1; and

WHEREAS, this proposed Urban Renewal Area includes and consists of:

A TRACT OF LAND IN SECTIONS 2, 3 AND 10, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN THE MIDTOWN URBAN RENEWAL AREA, THIS TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 4, COLBY'S OFFICE PARK PLAT 2, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF SAID LOT 4, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF LOT 3, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 3, TO THE NORTHWEST CORNER OF LOT 1, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE AND THE WEST LINE EXTENDED OF SAID LOT 1, OF SAID COLBY'S OFFICE PARK PLAT 2, TO THE SOUTH RIGHT OF WAY LINE OF ASHWORTH ROAD;

THENCE WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE EXTENDED OF ASHWORTH ROAD, TO THE EAST LINE EXTENDED OF GOLF AND COUNTRY CLUB PLAT 3, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE EXTENDED AND THE EAST LINE OF SAID GOLF AND COUNTRY CLUB PLAT 3, TO THE NORTHEAST CORNER OF SAID GOLF AND COUNTRY CLUB PLAT 3;

THENCE WEST, ALONG THE NORTH LINE OF SAID GOLF AND COUNTRY CLUB PLAT 3, TO THE SOUTHEAST CORNER OF GOLF AND COUNTRY CLUB PLAT 12, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE OF SAID GOLF AND COUNTRY CLUB PLAT 12, TO THE SOUTHEAST CORNER OF GOLF AND COUNTRY CLUB PLAT 13, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE AND EAST LINE EXTENDED OF SAID GOLF AND COUNTRY CLUB PLAT 13, TO THE NORTH RIGHT OF WAY LINE OF WOODLAND AVENUE;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF WOODLAND AVENUE, TO THE WEST LINE EXTENDED OF LOT 4, GOLF AND COUNTRY CLUB PLAT 10, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE SOUTH, ALONG THE WEST LINE EXTENDED AND THE WEST LINE OF SAID LOT 4, OF SAID GOLF AND COUNTRY CLUB PLAT 10, TO THE SOUTHWEST CORNER OF SAID LOT 4, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE EAST, ALONG THE SOUTH LINE OF SAID LOT 4, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE WEST RIGHT OF WAY LINE OF 11TH STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE AND WEST RIGHT OF WAY LINE EXTENDED OF SAID 11TH STREET, TO THE SOUTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE WEST, ALONG THE SOUTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE SOUTHWEST CORNER OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE NORTHWEST CORNER OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTRY CLUB PLAT 10;

THENCE EAST, ALONG THE NORTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE WEST LINE OF LOT 12, OF AUDITORS PLAT COLBY'S OFFICE PARK, AN OFFICIAL PLAT NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 12, OF SAID AUDITORS PLAT COLBY'S OFFICE PARK, TO THE SOUTH RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 235;

THENCE SOUTHEASTERLY, ALONG THE SOUTH RIGHT OF WAY LINE AND SOUTH RIGHT OF WAY LINE EXTENDED OF SAID INTERSTATE HIGHWAY 235, TO THE WEST LINE OF COLBY'S FACTORY ADDITION, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID COLBY'S FACTORY ADDITION, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE NORFOLK SOUTHERN CORPORATION RAILROAD;

THENCE SOUTHEASTERLY, ALONG SOUTHWESTERLY RIGHT OF WAY LINE OF SAID NORFOLK SOUTHERN CORPORATION RAILROAD, TO THE SOUTHEASTERLY CORNER OF LOT 7, OF COLBY'S FACTORY ADDITION, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE SOUTHWESTERLY, ALONG THE SOUTHEASTERLY LINE OF SAID COLBY'S FACTORY ADDITION, TO THE NORTHEAST CORNER OF CLEGG PARK PLAT TWO, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID CLEGG PARK PLAT 2, TO THE NORTHWEST CORNER OF SAID CLEGG PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID CLEGG PARK PLAT 2, TO THE POINT OF BEGINNING.

WHEREAS, City staff has caused there to be prepared a form of Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to form the Midtown Urban Renewal Area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Midtown Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole prior to Council approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed Midtown Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Midtown Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Midtown Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, STATE OF IOWA:

Section 1. That the consultation on the proposed Midtown Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on August 2, 2017, in the Training Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at 9:00 A.M., and the Director of Community and Economic Development, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Midtown Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF WEST DES MOINES, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED MIDTOWN URBAN RENEWAL PLAN FOR THE CITY OF WEST DES MOINES, STATE OF IOWA

The City of West Des Moines, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 9:00 A.M. on August 2, 2017, in the Training Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa concerning a proposed Midtown Urban Renewal Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Director of Community and Economic Development, or his delegate, as the designated representative of the City of West Des Moines, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Midtown Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of West Des Moines, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this _____ day of _____, 2017.

_____

City Clerk, City of West Des Moines, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Midtown Urban Renewal Plan before the City Council at its meeting which commences at 5:30 P.M. on August 21, 2017, in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Des Moines Register, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED MIDTOWN URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF WEST DES MOINES, STATE OF IOWA

The City Council of the City of West Des Moines, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:30 P.M. on August 21, 2017 in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, to consider adoption of a proposed Midtown Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of West Des Moines, State of Iowa, legally described as follows:

A TRACT OF LAND IN SECTIONS 2, 3 AND 10, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN THE MIDTOWN URBAN RENEWAL AREA, THIS TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 4, COLBY'S OFFICE PARK PLAT 2, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF SAID LOT 4, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF LOT 3, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 3, TO THE NORTHWEST CORNER OF LOT 1, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE AND THE WEST LINE EXTENDED OF SAID LOT 1, OF SAID COLBY'S OFFICE PARK PLAT 2, TO THE SOUTH RIGHT OF WAY LINE OF ASHWORTH ROAD;

THENCE WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE EXTENDED OF ASHWORTH ROAD, TO THE EAST LINE EXTENDED OF GOLF AND COUNTRY CLUB PLAT 3, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE EXTENDED AND THE EAST LINE OF SAID GOLF AND COUNTRY CLUB PLAT 3, TO THE NORTHEAST CORNER OF SAID GOLF AND COUNTRY CLUB PLAT 3;

THENCE WEST, ALONG THE NORTH LINE OF SAID GOLF AND COUNTRY CLUB PLAT 3, TO THE SOUTHEAST CORNER OF GOLF AND COUNTRY CLUB

PLAT 12, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE OF SAID GOLF AND COUNTRY CLUB PLAT 12, TO THE SOUTHEAST CORNER OF GOLF AND COUNTRY CLUB PLAT 13, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE AND EAST LINE EXTENDED OF SAID GOLF AND COUNTRY CLUB PLAT 13, TO THE NORTH RIGHT OF WAY LINE OF WOODLAND AVENUE;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF WOODLAND AVENUE, TO THE WEST LINE EXTENDED OF LOT 4, GOLF AND COUNTRY CLUB PLAT 10, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE SOUTH, ALONG THE WEST LINE EXTENDED AND THE WEST LINE OF SAID LOT 4, OF SAID GOLF AND COUNTRY CLUB PLAT 10, TO THE SOUTHWEST CORNER OF SAID LOT 4, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE EAST, ALONG THE SOUTH LINE OF SAID LOT 4, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE WEST RIGHT OF WAY LINE OF 11TH STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE AND WEST RIGHT OF WAY LINE EXTENDED OF SAID 11TH STREET, TO THE SOUTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE WEST, ALONG THE SOUTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE SOUTHWEST CORNER OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE NORTHWEST CORNER OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTRY CLUB PLAT 10;

THENCE EAST, ALONG THE NORTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE WEST LINE OF LOT 12, OF AUDITORS PLAT COLBY'S OFFICE PARK, AN OFFICIAL PLAT NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 12, OF SAID AUDITORS PLAT COLBY'S OFFICE PARK, TO THE SOUTH RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 235;

THENCE SOUTHEASTERLY, ALONG THE SOUTH RIGHT OF WAY LINE AND SOUTH RIGHT OF WAY LINE EXTENDED OF SAID INTERSTATE HIGHWAY 235, TO THE WEST LINE OF COLBY'S FACTORY ADDITION, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID COLBY'S FACTORY ADDITION, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE NORFOLK SOUTHERN CORPORATION RAILROAD;

THENCE SOUTHEASTERLY, ALONG SOUTHWESTERLY RIGHT OF WAY LINE OF SAID NORFOLK SOUTHERN CORPORATION RAILROAD, TO THE SOUTHEASTERLY CORNER OF LOT 7, OF COLBY'S FACTORY ADDITION, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE SOUTHWESTERLY, ALONG THE SOUTHEASTERLY LINE OF SAID COLBY'S FACTORY ADDITION, TO THE NORTHEAST CORNER OF CLEGG PARK PLAT TWO, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID CLEGG PARK PLAT 2, TO THE NORTHWEST CORNER OF SAID CLEGG PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID CLEGG PARK PLAT 2, TO THE POINT OF BEGINNING.

which land is to be included as part of this proposed Urban Renewal Area.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of West Des Moines, Iowa.

The City of West Des Moines, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Plan provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Plan initially proposes specific public infrastructure or site improvements to be undertaken by the City, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of West Des Moines, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this _____ day of _____, 2017.

_____
City Clerk, City of West Des Moines, State of Iowa

(End of Notice)

Section 5. That the proposed Midtown Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Midtown Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the City Clerk.

Section 6. That the proposed Midtown Urban Renewal Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

PASSED AND APPROVED this 24th day of July, 2017.

_____
Mayor

ATTEST:

_____
City Clerk

Label the Plan as Exhibit 1 (with all exhibits) and attach it to this Resolution.

EXHIBIT I

MIDTOWN
URBAN RENEWAL PLAN

for the

MIDTOWN
URBAN RENEWAL AREA

CITY OF WEST DES MOINES, IOWA

August __, 2017

Draft Version

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Midtown Urban Renewal Plan
City of West Des Moines, Iowa

A. INTRODUCTION

This Midtown Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Midtown Urban Renewal Area ("Area" or "Urban Renewal Area") has been developed to help local officials promote economic development in the City of West Des Moines. The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new commercial and industrial development.

In order to achieve this objective, West Des Moines (the "City") intends to undertake Urban Renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the Code of Iowa, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Midtown Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B.

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City of West Des Moines designates this Urban Renewal Area as an area that is appropriate for the promotion of economic development (commercial and industrial).

D. BASE VALUE

If the Midtown Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted and debt is certified prior to December 1, 2017, the taxable valuation within the area included in the TIF Ordinance as of January 1, 2016 will be considered the frozen "base valuation." If debt is not certified until a later date or if a TIF ordinance is not adopted until later, the "base value" will be the assessed value of the taxable property within the TIF Ordinance area as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

E. DEVELOPMENT PLAN/ZONING

West Des Moines has a general plan for the physical development of the City as a whole outlined in the West Des Moines Comprehensive Plan dated September 20, 2010. The goals and objectives of this Urban Renewal Plan, including the urban renewal projects, are in conformity with the 2010 Comprehensive Plan.

The Urban Renewal Area is zoned: Support Commercial, Professional Commerce Park, Residential High Density (2 PUDs: Southwoods West and Woodland Park), and Office

PUD. This Urban Renewal Plan does not in any way replace or modify the City's current land use planning or zoning regulation process.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new and existing economic development within the Area. More specific objectives for the development, redevelopment and rehabilitation within the Midtown Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.

2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.

3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.

4. To encourage commercial and industrial growth and expansion through governmental policies which make it economically feasible to do business.

5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.

6. To stimulate, through public action and commitment, private investment in new and existing commercial and/or industrial development.

7. To improve the conditions and opportunities for economic development (commercial and industrial).

8. To help develop a sound economic base that will serve as the foundation for future growth and development.

G. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage orderly development of the area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, Code of Iowa. Activities may include:

- New rehabilitated, converted, or expanded industrial uses within the Area.
- New, rehabilitated, converted, or expanded commercial uses within the Area.

General development activities in the Midtown Urban Renewal Area may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.

2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.

3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.

4. To borrow money and to provide security therefor.

5. To acquire or dispose of property.

6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.

7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.

8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.

9. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of West Des Moines.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

H. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. Public Improvements

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Urban Renewal Project Description	Estimated Time Period	Estimated Cost to be reimbursed by tax increment financing	Rationale (why economic development is promoted)
Reconstruction & widening of 8th Street from Center Street to just north of Clegg Road (to include raised median, left turn lanes, and signal improvements at 8th & Center and 8th & Office Park)	2017-2021	$3,500,000 - $4,200,000	Road improvements necessary to assist in the movement of people and goods.
Storm sewer along Office Park Road	2017-2021	$1,400,000 - $1,700,000	The extension of sewer lines would allow for commercial development in the area.
Storm sewer and detention facility along 11th Street	2017-2021	$410,000- $490,000	The extension of sewer lines and expansion of detention capacity would allow for commercial development in the area.
Storm sewer and detention facility near Walnut Creek Campus	2017-2021	$820,000 - $970,000	The extension of sewer lines and expansion of detention capacity would allow for commercial development in the area.
Traffic signalization at 11th and Ashworth	2017-2021	$350,000- $420,000	The construction of this traffic signal will help facilitate the movement of people and goods through the area and help relieve traffic congestion.
Total		**$6,480,000 to $7,780,000**	

Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds.

2. Tax Rebate or other Development Agreements

A. ***Economic development incentive for a business in West Des Moines:*** Businessolver.com, Inc. plans to renovate the interior and exterior of a 94,830 square foot building and employ at least 456 employees therein. The construction of the building is expected to be completed by February 28, 2019, with construction costs anticipated to be no less than approximately $4,000,000. The incentive is expected to be in the form of an incremental property tax rebate in the amount of $149,568 and loans in the amount of $20,000, provided pursuant to a detailed Development Agreement between the City and Businessolver.com, Inc. The costs

of such a Development Agreement to be funded by tax increment will not exceed $170,000. Actual expense could change due to a variety of factors, including but not limited to changes in tax levies or rates, changes in tax laws, changes in assessed values, and other factors.

B. ***Development Agreements***: The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such Development Agreements will not exceed $5,000,000.

3. **Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning**

Project	Date	Estimated cost
Fees and costs	Undetermined	**Not to exceed $200,000**

I. FINANCIAL DATA

1.	July 1, 2017 constitutional debt limit:	$359,449,675
2.	Current outstanding general obligation debt:	$165,359,148
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	$11,850,000-$13,150,000 This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

J. URBAN RENEWAL FINANCING

The City of West Des Moines intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of West Des Moines has the statutory authority to use a variety of tools to finance physical improvements within the Areas. These include:

A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City.

B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of West Des Moines. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects for commercial or industrial development or other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Areas. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

K. PROPERTY ACQUISITION/DISPOSITION

If property acquisition/disposition by the City becomes necessary to accomplish the objectives of the Plan, such acquisition/disposition will be carried out, without limitation, in accordance with the Iowa Code.

L. RELOCATION

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

M. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to state and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

N. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, change in the area, to add or change land use controls and regulations, to modify goals or types of renewal activities, to add or change urban renewal projects, or to amend property acquisition and disposition provisions. The City Council may amend this Plan in accordance with applicable state law.

O. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a Plan until it is repealed by the City Council.

With respect to the property included within the Midtown Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment area, the use of incremental property tax revenues or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, shall continue for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the City for activities carried out under the Midtown Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

P. SEVERABILITY CLAUSE

If any part of the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan not determined to be invalid or unconstitutional.

EXHIBIT A

LEGAL DESCRIPTION OF MIDTOWN URBAN RENEWAL AREA

A TRACT OF LAND IN SECTIONS 2, 3 AND 10, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN THE MIDTOWN URBAN RENEWAL AREA, THIS TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 4, COLBY'S OFFICE PARK PLAT 2, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF SAID LOT 4, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF LOT 3, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 3, TO THE NORTHWEST CORNER OF LOT 1, OF SAID COLBY'S OFFICE PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE AND THE WEST LINE EXTENDED OF SAID LOT 1, OF SAID COLBY'S OFFICE PARK PLAT 2, TO THE SOUTH RIGHT OF WAY LINE OF ASHWORTH ROAD;

THENCE WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE EXTENDED OF ASHWORTH ROAD, TO THE EAST LINE EXTENDED OF GOLF AND COUNTRY CLUB PLAT 3, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE EXTENDED AND THE EAST LINE OF SAID GOLF AND COUNTRY CLUB PLAT 3, TO THE NORTHEAST CORNER OF SAID GOLF AND COUNTRY CLUB PLAT 3;

THENCE WEST, ALONG THE NORTH LINE OF SAID GOLF AND COUNTRY CLUB PLAT 3, TO THE SOUTHEAST CORNER OF GOLF AND COUNTRY CLUB PLAT 12, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE OF SAID GOLF AND COUNTRY CLUB PLAT 12, TO THE SOUTHEAST CORNER OF GOLF AND COUNTRY CLUB PLAT 13, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE AND EAST LINE EXTENDED OF SAID GOLF AND COUNTRY CLUB PLAT 13, TO THE NORTH RIGHT OF WAY LINE OF WOODLAND AVENUE;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF WOODLAND AVENUE, TO THE WEST LINE EXTENDED OF LOT 4, GOLF AND COUNTRY CLUB PLAT 10, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE SOUTH, ALONG THE WEST LINE EXTENDED AND THE WEST LINE OF SAID LOT 4, OF SAID GOLF AND COUNTRY CLUB PLAT 10, TO THE SOUTHWEST CORNER OF SAID LOT 4, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE EAST, ALONG THE SOUTH LINE OF SAID LOT 4, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE WEST RIGHT OF WAY LINE OF 11TH STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE AND WEST RIGHT OF WAY LINE EXTENDED OF SAID 11TH STREET, TO THE SOUTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE WEST, ALONG THE SOUTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE SOUTHWEST CORNER OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE NORTHWEST CORNER OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTRY CLUB PLAT 10;

THENCE EAST, ALONG THE NORTH LINE OF THE EAST 282.71 FEET OF THE SOUTH 295.8 FEET OF SAID LOT 8, OF SAID GOLF AND COUNTY CLUB PLAT 10, TO THE WEST LINE OF LOT 12, OF AUDITORS PLAT COLBY'S OFFICE PARK, AN OFFICIAL PLAT NOW IN AND

FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 12, OF SAID AUDITORS PLAT COLBY'S OFFICE PARK, TO THE SOUTH RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 235;

THENCE SOUTHEASTERLY, ALONG THE SOUTH RIGHT OF WAY LINE AND SOUTH RIGHT OF WAY LINE EXTENDED OF SAID INTERSTATE HIGHWAY 235, TO THE WEST LINE OF COLBY'S FACTORY ADDITION, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID COLBY'S FACTORY ADDITION, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE NORFOLK SOUTHERN CORPORATION RAILROAD;

THENCE SOUTHEASTERLY, ALONG SOUTHWESTERLY RIGHT OF WAY LINE OF SAID NORFOLK SOUTHERN CORPORATION RAILROAD, TO THE SOUTHEASTERLY CORNER OF LOT 7, OF COLBY'S FACTORY ADDITION, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

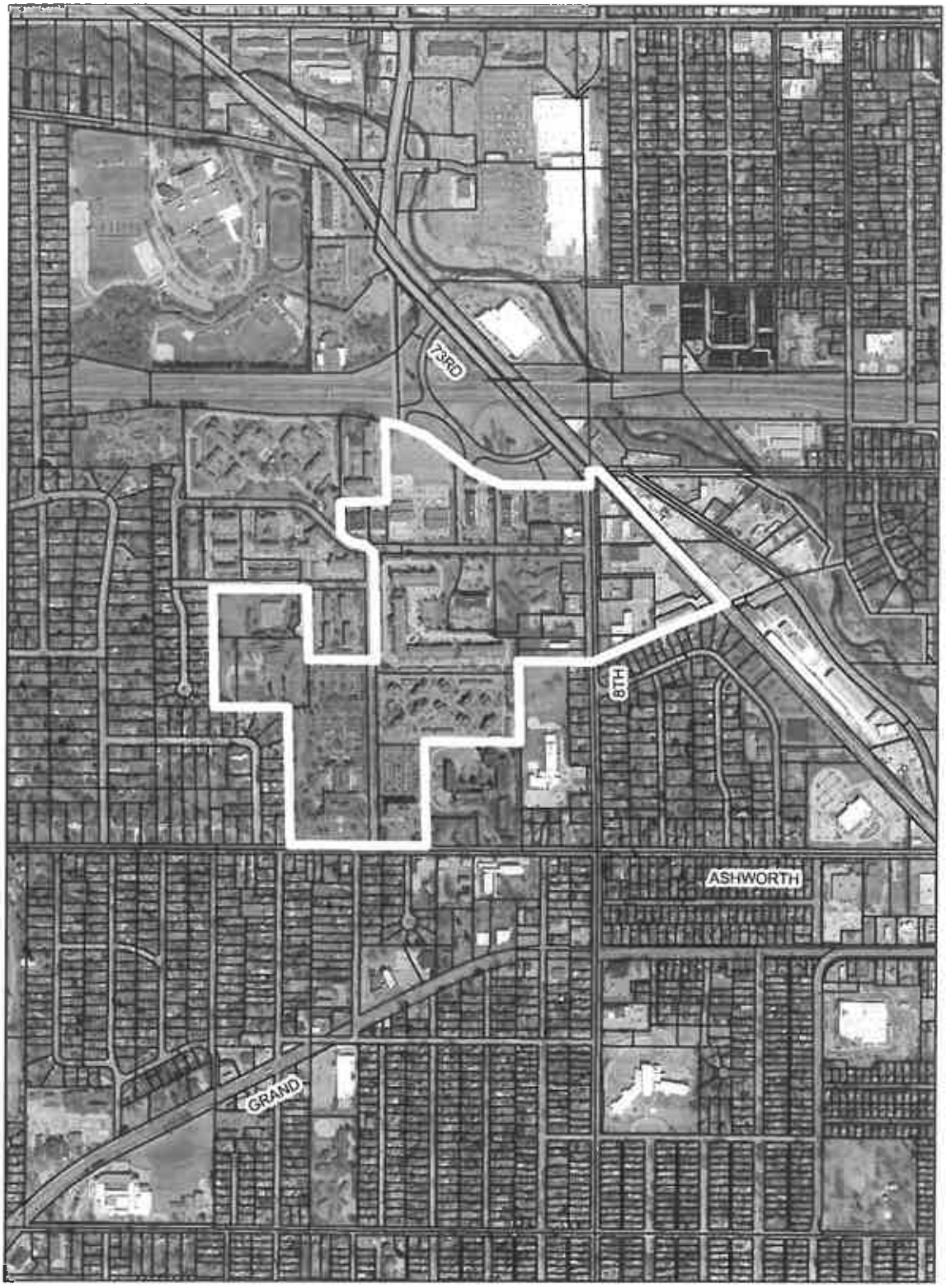
THENCE SOUTHWESTERLY, ALONG THE SOUTHEASTERLY LINE OF SAID COLBY'S FACTORY ADDITION, TO THE NORTHEAST CORNER OF CLEGG PARK PLAT TWO, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID CLEGG PARK PLAT 2, TO THE NORTHWEST CORNER OF SAID CLEGG PARK PLAT 2;

THENCE SOUTH, ALONG THE WEST LINE OF SAID CLEGG PARK PLAT 2, TO THE POINT OF BEGINNING.

EXHIBIT B

MIDTOWN URBAN RENEWAL AREA MAP



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Draft Version

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POLK)

I, the undersigned City Clerk of the City of West Des Moines, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2017.

_____
City Clerk, City of West Des Moines, State of Iowa

(SEAL)

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