

# CITY OF WEST DES MOINES

## COUNCIL AGENDA

**date:** Monday, January 24, 2022

**time:** 5:30 p.m.

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MAYOR ..... RUSS TRIMBLE  
COUNCILMEMBER AT LARGE ..... RENEE HARDMAN  
COUNCILMEMBER AT LARGE ..... MATTHEW MCKINNEY  
COUNCILMEMBER 1<sup>ST</sup> WARD ..... KEVIN L. TREVILLYAN  
COUNCILMEMBER 2<sup>ND</sup> WARD ..... GREG HUDSON  
COUNCILMEMBER 3<sup>RD</sup> WARD ..... DOUG LOOTS

CITY MANAGER.....TOM HADDEN  
CITY ATTORNEY.....RICHARD SCIESZINSKI  
CITY CLERK.....RYAN JACOBSON

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### West Des Moines City Hall - Training Room 4200 Mills Civic Parkway

*Members of the public wishing to participate telephonically, may do so by calling:  
515-207-8241, Enter Conference ID: 489 837 395#*

**1. Call Meeting to Order**

**2. Approval of Agenda**

- a. Motion - Approval of Agenda

**3. New Business**

- a. Amendment #1 to the Economic Development Digital Enterprise Urban Renewal Area - City Initiated
1. Resolution - Establish Consultation Meeting and Public Hearing
- b. Issuance of Not to Exceed \$17,200,000 General Obligation Urban Renewal Bonds - City Initiated
1. Resolution - Establish Public Hearing
- c. Investment in Conduit Network Infrastructure - City Initiated
1. Motion - Approval of the Use of American Rescue Plan Act (ARPA) Funds and Coronavirus State and Local Fiscal Recovery Funds Towards the Digital Enterprise Conduit Network Project
- d. Digital Enterprise Last Mile Conduit Deployment Segment 1, Phase 2 - City Initiated
1. Resolution - Order Construction

- e. Digital Enterprise Interstate 35 Crossings - City Initiated
  - 1. Resolution - Order Construction

**4. Receive and File**

- a. Special Meeting Notice

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Setting Dates of Consultation and Public Hearing -  
Amendment No. 1 to the Economic Development  
Digital Enterprise Urban Renewal Plan- City Initiated

**DATE:** January 24, 2022

**RESOLUTION:** Set Dates of a Consultation and Public Hearing on a Proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan

**FINANCIAL IMPACT:** The cost of the project identified within this urban renewal area was originally estimated not to exceed \$50,000,000. Staff has identified increases in construction costs due to supply chain demands. With the amendment to the Plan, the not to exceed amount would be increased to a not to exceed amount of \$60,000,000. It is still expected that partnering arrangements and lease agreements with private broadband carriers will finance approximately half of the project and that number could increase as additional providers utilize the network. The balance to be paid by the City using General Obligation Urban Renewal Bonds along with federal grant funding. The bonds will likely be issued in multiple series as phases of the project are constructed and the resulting debt will be repaid from the Debt Service Fund within the constraints of the City's current \$1.91/\$1,000 levy rate. The City **does not** expect to capture additional revenue through Tax Increment Financing nor does it anticipate a need to increase the current debt service levy rate. Additional opportunities for utilizing federal and state grant dollars exists, as well as lease opportunity from other carriers.

**BACKGROUND:** On July 6, 2020, City Council passed a resolution adopting the urban renewal area. The area was established to facilitate the anticipation of a city-wide project to expand infrastructure, specifically fiber connectivity. The City intends to continue to construct a city-wide conduit network in City-owned public right-of-way containing multiple fiber chambers to be leased or licensed by third-party providers with the goal of facilitating enhanced fiber connectivity which will in turn attract additional commercial, industrial, and residential development in the City.

The City **does not** intend to use Tax Increment Financing as a tool to finance this project. Therefore, there was no TIF ordinance established within this urban renewal area.

Land area within the proposed Economic Development Digital Enterprise Urban Renewal Area overlaps with existing urban renewal areas throughout the City, which is allowable by Iowa State Code 403.

As required by law, the City will facilitate a consultation meeting with taxing entities regarding this proposed amendment to the urban renewal plan.

**OUTSTANDING ISSUES:** There are no outstanding issues regarding this proposed amendment to the urban renewal plan.

**RECOMMENDATION:** Staff recommends the City Council approve a resolution setting February 2, 2022, as the date for the consultation meeting for Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan, and setting February 21, 2022, as the public hearing date for Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan.

**Lead Staff Member:** Rachel Wacker, Community and Economic Development

**STAFF REVIEWS**

Department Director	Clyde Evans, Community & Economic Development Director
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTG</i>

**PUBLICATION(S)** (if applicable)

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

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Finance And Administration		
Date Reviewed	January 19, 2022		
Recommendation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Split

**ATTACHMENTS:** Exhibit A

## Resolution

-Includes copy of Proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan as Exhibit I

RESOLUTION NO. \_\_\_\_\_

RESOLUTION SETTING DATES OF A CONSULTATION AND  
A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 1  
TO THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE  
URBAN RENEWAL PLAN IN THE CITY OF WEST DES  
MOINES, STATE OF IOWA

WHEREAS, by Resolution No. 20-07-06-20, adopted July 6, 2020, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Economic Development Digital Enterprise Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Economic Development Digital Enterprise Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the offices of the Recorders of Dallas, Madison, Polk, and Warren Counties; and

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

The City of West Des Moines corporate limits, situated in portions of Polk County, Dallas County, Warren County, and Madison County, all in the State of Iowa, more specifically described as follows:

Beginning at the Northwest corner of Section 6, Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., in said Polk County; thence East along the North lines of said Section 6, Section 5, Section 4, and a portion of Section 3, all in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the East right-of-way line of the Norfolk and Southern Railroad; thence Southeast along said East right-of-way line projected to the South right-of-way line of Buffalo Road to the Northeast corner of Parcel "A" as recorded in a Plat of Survey in book 11728 on page 658 in the Polk County Recorder's Office; thence Southeast along the East line of said Parcel "A" to the West line of 73<sup>rd</sup> Street; thence Southerly along said West line to the Northeast corner of Lot 3 of Executive Plaza Plat 1, an official plat in and forming a part of the City of West Des Moines; thence South along the East line of said Lot 3 to the Southeast corner thereof, said point also being on the West line of Rancho Grande, an official plat in and forming a part of the City of Windsor Heights; thence continuing South along said West line of Rancho Grande to the North line of Colby's Office Park, an official plat in and forming a part of the City of West Des Moines; thence Easterly along said North line to the Northeast corner of Lot 13 in said Colby's Office Park; thence East to the West right-of-way line of 73<sup>rd</sup> Street; thence Northerly along said West right-of-way line to the North line of the Southeast 1/4 of Section 3, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M.; thence East along said North line to the East 1/4 Corner of said Section 3; thence East along the North line of the Southwest 1/4 of Section 2, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the extended Eastern line of Lot 44 of Janet's Woods, an official plat in and forming a part of the City of West Des Moines; thence Southeasterly along said Eastern line to the North line of Lot 22 of said Janet's Woods; thence East along said North line to the Northwest corner

thereof; thence Southeasterly along the East line of said Lot 22, to the Southwest corner of Lot 14 of said Janet's Woods; thence East along the North line of said Lot 22 to the Northwest corner of Lot 25 of said Janet's Woods; thence South along the East line of said Lot 22 to the Southeast corner thereof; thence East along the South line of Lot 23 of said Janet's Woods extended to the North and South Center Section line of said Section 2; thence South along the North and South Center of section lines running through the remaining portion of said Section 2 and Sections 11, 14, 23, and 26, all in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the North 1/4 corner of Section 35, Township 78 North, Range 25 West of the 5<sup>th</sup> P.M.; thence East along the North line of said Section 35 to the Northeast corner of the West 1/2 of the Northeast 1/4 thereof; thence South along the East line of the West 1/2 of the Northeast 1/4 to the Southeast corner thereof; thence East along the North line of the East 1/2 of the Southeast 1/4 of said Section 35 to the extended SE Double Eagle Drive East right-of-way line; thence South along said East right-of-way line to the Southeast corner thereof; thence West to the East line of the West 1/2 of the Southeast 1/4 of said Section 35; thence South along said East line to the South line of Polk County; thence West along said South line to the Northeast corner of Section 4, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence South along the East line of said Section 4 to the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 4; thence West along the North line of said Southeast 1/4 of the Southeast 1/4 to the Northwest corner thereof; thence South along the West line of said Southeast 1/4 of the Southeast 1/4 to the South line of said Section 4; thence West along said South line to the North 1/4 corner of Section 9, of said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along the East line of the Northwest 1/4 of said Section 9 to the Center of said Section 9; thence West along the South line of said Northwest 1/4 to the East 1/4 corner of said Section 8, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along the East line of said Section 8 to the Southeast corner of Parcel "R" as recorded in a Plat of Survey in Instrument Number 2018-09452 in the Warren County Recorder's Office; thence West along the South line of said Parcel "R" to the Southwest corner thereof and the East line of Parcel "P" as recorded in a Plat of Survey in Fee Book 2016-9567 in the Warren County Recorder's Office; thence North along said East line to the North line of the Southeast 1/4 of said Section 8; thence West along said North line to the Center of said Section 8; thence West along the South line of the Northwest 1/4 of said Section 8 to the Western right-of-way line of the former Chicago and North Western Transportation Company; thence Northeasterly along said Western right-of-way line to the East line of the Northwest 1/4 of said Section 8; thence North along said East line to the South 1/4 corner of Section 5, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence West along the South line of said Section 5 to the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 5; thence North along the West lines of the Southeast 1/4 of the Southwest 1/4 and the Northeast 1/4 of the Southwest 1/4 of said Section 5 to the Northwest corner of said Northeast 1/4 of the Southwest 1/4; thence East along the North line of said Northeast 1/4 of the Southwest 1/4 to the Northwest corner of the North 500 feet of the East 290.4 feet of said Northeast 1/4 of the Southwest 1/4; thence South along

the West line of said North 500 feet of the East 290.4 feet to the Southwest corner thereof; thence East along the South line of said North 500 feet of the East 290.4 feet to the East line of said Northeast 1/4 of the Southwest 1/4; thence North along said East line to the Center of said Section 5; thence East along the North line of the Southeast 1/4 of said Section 5 to the East 1/4 corner of said Section 5; thence South along the East line of the Southeast 1/4 of said Section 5 to the North right-of-way line of the former Chicago and North Western Transportation Company; thence Northeasterly along said North right-of-way line to the East line of the Southwest 1/4 of Section 4, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence North along said East line to the Center of said Section 4; thence East along the North line of the Southeast 1/4 of said Section 4 to the Southwest corner of Parcel "B" as recorded in a Plat of Survey recorded in Irregular Plat Book 12 on page 77-25 in the Warren County Recorder's Office; thence along the Southeastern line of said parcel and the North right-of-way line of the former Chicago and North Western Transportation Company to the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 4; thence North along said West line to the Northwest corner of said Southeast 1/4 of the Northeast 1/4; thence West along the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 4 to the Southwest corner thereof; thence North along the West line of said Northwest 1/4 of the Northeast 1/4 to the South line of Polk County; thence West along said South line to the Southeast corner of Parcel "B" of Lot 1 of Big Valley, an official plat in Polk County, Iowa, as recorded in a Plat of Survey in book 9074 on page 51 in the Polk County Recorder's Office; thence North along the East line of said Parcel "B" to the Northeast corner thereof; thence Westerly along the North line of said Parcel "B" extended to the West line of the Southwest 1/4 of Section 32, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along said West line to the South line of Polk County; thence West along said South line to the East right-of-way line of Interstate Highway 35; thence South along said East right-of-way line to a point 50 feet North of the South line of the Northwest 1/4 of the Northeast 1/4 of Section 7, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence West along a line 50 feet North of and parallel to the South line of said Northwest 1/4 of the Northeast 1/4 and the South line of the North 1/2 of the Northwest 1/4 of said Section 7 to the West line of said Section 7; thence North along said West line to the Southeast corner of Section 1, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., in Madison County; thence West along the South line of said Section 1 to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 1; thence North along the West line of said Southeast 1/4 of the Southeast 1/4 to the Northwest corner thereof; thence East along the North line of said Southeast 1/4 of the Southeast 1/4 to the West line of Section 6, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence North along the West line of said Section 6 to the North right-of-way line of Adams Street (Warren County); thence East along said North right-of-way line to the West line of Parcel "A" as recorded in a Plat of Survey in book 2002 on page 6843 in the Warren County Recorder's Office; thence North along said West line to the North line of said Section 6; thence East along said North line to the Western right-of-way line of Interstate Highway 35; thence Northeasterly along said Western right-of-way

line to the centerline of Maffitt Lake Road; thence West along said centerline to the extended West line of Maffitt Ridge, an official plat in and forming a part of the City of West Des Moines; thence North along said extended West line and the West line of said Maffitt Ridge to the Northwest corner thereof; thence East along the North line of said Maffitt Ridge to the Northeast corner thereof and the West line of Parcel "C" as recorded in a Plat of Survey in book 9108 on page 894 in the Polk County Recorder's Office; thence South along said West line to the Southwest corner of said Parcel "C"; thence East along the South line of said Parcel "C" to the Western right-of-way line of Interstate Highway 35; thence Northerly along said Western right-of-way line to the thread of the Raccoon River; thence Westerly along said thread to the East line of Section 25, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County; thence South along said East line to the East 1/4 corner of said Section 25; thence West along the South line of the Northeast 1/4 of said Section 25 to the center of the Raccoon River; thence Westerly along said river center to the South line of the Northwest 1/4 of said Section 25; thence West along said South line to the East 1/4 corner of Section 26, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the South line of the Northeast 1/4 of said Section 26 to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said section 26; thence South along the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 26, to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 26; thence West along the North line of Southwest 1/4 of the Southeast 1/4 of said Section 26 to the thread of the Raccoon River; thence Southwesterly along the said thread to the North line of the Northeast 1/4 of Section 35, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the North line of the Northeast 1/4 of said Section 35 to the North 1/4 corner of said Section 35; thence South along the East line of the Northwest 1/4 of said Section 35 to the North line of River Oaks, an official plat now in a forming a part of Dallas County; thence Westerly along the Northern line of said River Oaks to the Northeast corner of River Oaks Plat 2, an official plat in and forming a part of Dallas County; thence Westerly along the North line of said River Oaks Plat 2 and the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 35 to the East line of Section 34, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence South along the East line of said Section 34 to the Southeast corner thereof; thence West along the South line of said Section 34 to the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 3, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., in Madison County; thence South along the East line of the West 1/2 of the Northeast 1/4 of said Section 3 to the Southeast corner thereof; thence West along the South lines of the Northeast 1/4 and the Northwest 1/4 of said Section 3 to the West 1/4 corner of said Section 3; thence North along the West line of said Section 3 to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 3; thence East along the North line of said Southwest 1/4 of the Northwest 1/4 to the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 3; thence North along the West line of said Northeast 1/4 of the Northwest 1/4 to the South line of Section 34, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County; thence West along said South line to the Southwest corner of said Section 34; thence West along the South line of Section



33, in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the Southeast corner of Lot 44, Deer Hunter's Run, an official plat in and forming a part of Dallas County; thence North along the East line of said Lot 44 to the Southeast corner of Lot "B" of said Deer Hunter's Run; thence North along the East line of said Lot "B" to the South line of Lot 3 of Deer Hunter's Run Plat 2, an official plat in and forming a part of Dallas County; thence East along the South line of said Lot 3 to the Southeast corner of said Lot 3 and the Southwest corner of Outlot "Y" of said Deer Hunter's Run Plat 2; thence Easterly, Northerly, and Westerly along the Eastern line of said Outlot "Y" to the East line of the Northeast 1/4 of the Southwest 1/4 of said Section 33; thence South along said East line to the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 33; thence West along the South line of said Northeast 1/4 of the Southwest 1/4 to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 33; thence South along the East line of said Southwest 1/4 of the Southwest 1/4 to the South line of said Section 33; thence West along the South lines of said Section 33 and Section 32, in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M. to the Northwest corner of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 5, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M. in Madison County; thence South along the West line of said East 1/2 of the Northwest 1/4 of the Northeast 1/4 to the Northeast corner of Parcel "A" as recorded in a Plat of Survey in Book 3 on Page 165 in the Madison County Recorder's Office; thence West along the North line of said Parcel "A" to the East line of the Northwest 1/4 of said Section 5; thence South along said East line and the and the East line of the Southwest 1/4 of said Section 5 to the centerline of 105<sup>th</sup> Street (Madison County); thence West along the centerline of said 105<sup>th</sup> Street to the centerline of Timberbrook Avenue (Utica Trail in Dallas County); thence North along the centerline of said Timberbrook Avenue (Utica Trail in Dallas County) to the South line of Section 32 in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence continuing Northerly along the centerline of Utica Trail (Timberbrook Avenue in Madison County) to the West line of said Section 32; thence North along said West line to the West line of Parcel "B" as recorded in a Plat of Survey in Book 834 on page 13 in the Dallas County Recorder's Office; thence Northwesterly, Northerly, and Easterly along the Western and Northern lines of said Parcel "B" to the West line of the East 1/2 of the Northwest 1/4 of said Section 32; thence South along said West line to the Northwest corner of Parcel "A" as recorded in a Plat of Survey in book 787 on page 118 in the Dallas County Recorder's Office; thence Easterly along the Northern line of Said Parcel "A" to the Northeast corner of said Parcel "A", said corner also being the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 32; thence East along the North line of said Southwest 1/4 of the Northeast 1/4 to the Western High Water Mark of the Raccoon River; thence Northerly along said Western High Water Mark to the North line of said Section 32; thence East along said North line to the Southwest corner of Section 28, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence North along the West lines of said Section 28 and Section 21, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the Northwest corner of said Section 21; thence East along the North line of said Section 21 to the Southwest corner of Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.;

thence North to the West 1/4 corner of said Section 15; thence East along the North line of the Southwest 1/4 of said Section 15 to the Northeast corner of Tiburon, an official plat in and forming a part of the City of West Des Moines; thence South along the East line of said Tiburon to the North line of Majestic Oaks Plat 1, an official plat in and forming a part of the City of West Des Moines; thence East along said North line to the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 15; thence North along said West line to the Northwest corner of said Northeast 1/4 of the Southwest 1/4; thence East along the North line of the South 1/2 of said Section 15 to the extended West line of Lot 3 of Cedar Ridge, an official plat in and forming a part of the City of West Des Moines; thence North along said West line extended to the Northwest corner of said Lot 3; thence East along the North line of said Lot 3 to the Southwest corner of Lot 26 of said Cedar Ridge; thence Northerly along the Western lines of Lots 26, 27, and 28 of said Cedar Ridge to the Northwest corner of said Lot 28; thence West along the South line of Lot 29 of said Cedar Ridge to the Southwest corner thereof; thence North along the West line of said Lot 29 to the Northwest corner thereof; thence East along the North line of said Cedar Ridge to the Southeast corner of Lot 1 of Hickory Knolls Place Replat, an official plat in and forming a part of Dallas County; thence North along the East line of said Lot 1 to the Northeast corner thereof; thence West along the North lines of Lot 1 and Lot 2 of said Hickory Knolls Place Replat to the Northwest corner of said Lot 2; thence Southwesterly along the Western line of said Lot 2 to the Southwest corner thereof; thence West along the South line of Lot 3 of said Hickory Knolls Place Replat to the Northeast corner of Tract A of Lot 4 as shown in a Plat of Survey in book 2013 on page 14666 in the Dallas County Recorder's Office; thence South along the East line of said Tract A; thence West along the South line of said Tract A to the West line of Lot 4 of said Hickory Knolls Place Replat; thence North along the west lines of said Lot 4 and said Lot 3 to the Northwest corner of said Lot 3, said point also being the North 1/4 corner of Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the North line of the Northwest 1/4 of said Section 15 to the Northwest corner thereof; thence South along the West line of the Northwest 1/4 of said Section 15 and the East line of Rebel Ridge Estates, an official plat in and forming a part of the City of West Des Moines, to the Southeast corner of said Rebel Ridge Estates; thence West along the South line of said Rebel Ridge Estates to the Southwest corner of said Rebel Ridge Estates and the Southeast corner of the Northeast 1/4 of the Northwest 1/4 of Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence South along the East line of the Northwest 1/4 of said Section 16 to the Southeast corner of Westport Plat 1, an official plat in and forming a part of the City of West Des Moines; thence West along the South line of said Westport Plat 1 to a point on the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 16; thence South along said West line to the Southwest corner of said Southeast 1/4 of the Northwest 1/4; thence West along the South line of the Southwest 1/4 of the Northwest 1/4 of said Section 16 to the West 1/4 corner of said Section 16; thence North along the West line of said Southwest 1/4 of the Northwest 1/4 to the Northwest corner of said Southwest 1/4 of the Northwest 1/4; thence East along the North line of said Southwest 1/4 of the Northwest 1/4 to the Northeast Corner of said Southwest 1/4

of the Northwest 1/4; thence North along the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 16 to the Northwest corner of said Northeast 1/4 of the Northwest 1/4; thence North along the West line of the Southeast 1/4 of the Southwest 1/4 of Section 9, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M. to the centerline of Interstate Highway 80; thence Northeasterly along said centerline to the West line of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence North along said West line to the North 1/4 corner of said Section 10; thence West along the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 10 to the Northwest corner of said Northeast 1/4 of the Northwest 1/4 and the centerline of 98<sup>th</sup> Street; thence North along said centerline to the North line of Section 3, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence East along the North lines of Sections 3, 2, and 1, all in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the point of beginning,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded in book 2018 on page 2117, book 2018 on page 2119, book 2018 on page 4057, book 2019 on page 744, book 2019 on page 4020, book 2019 on page 4021, book 2020 on page 124, Exhibits 011-01-F and 2-F in book 2020 on page 126, and that portion of the Southwest 60<sup>th</sup> Street right-of-way described in a Warranty Deed in book 2019 on page 833, all in Madison County, Iowa,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded as Instrument Number 2018-00780, Instrument Number 2018-01820, Instrument Number 2018-01629, and Exhibits 008-06-F and 008-07-F in Instrument Number 2018-03537, all in Warren County, Iowa,

And;

A parcel of land conveyed to the City of West Des Moines in a Warranty Deed recorded as Instrument Number 2018-00073 in the Warren County Recorder's office,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded as Instrument Number 2017-11016, Instrument Number 2017-11042 (except Parcel AD as recorded in a Plat of Survey as Instrument Number 2018-09117 in the Warren County Recorder's Office), Instrument Number 2018-00730, Instrument Number 2018-02701, all in the City of Norwalk, Warren County, Iowa,

And;

All that portion of the South Grand Prairie Parkway right-of-way and the Stagecoach Drive right-of-way in Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., all in Dallas County, Iowa, as recorded in a Condemnation document recorded in book 2019 on page 12816 in the Dallas County Recorder's Office,

And;

All that portion of the South Grand Prairie Parkway right-of-way and Mills Civic Parkway right-of-way as described in acquisition documents recorded in book 2015 on page 5361, book 2015 page 5363, book 2015 on page 6390, and book 2015 on page 15922, all in Dallas County, Iowa.

And;

All that portion of the Mills Civic Parkway / 335<sup>th</sup> Street right-of-way from the Center of Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County, Iowa, to the East 1/4 of said Section 16, and all that portion of the Wendover Road right-of-way in said Section 16 from the Center of said Section 16, running North to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 16.

And;

All that portion of the Mills Civic Parkway / 335<sup>th</sup> Street right-of-way in Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup>, P.M., in Dallas County, Iowa, not previously described herein.

And;

**Excepting therefrom** those parcels designated as agricultural parcels by the Dallas, Madison, Polk, and Warren County Assessors Offices as shown on each respective County's Geographic Information System maps as of April 28, 2020, and as depicted in Exhibit B to the Plan. In the event of any conflict, Exhibit B shall be controlling as to the agricultural parcels excepted from the Urban Renewal Area.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 1 to the Plan ("Amendment No. 1" or "Amendment"), 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 update the description of a previously approved urban renewal project 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, as amended; and

WHEREAS, this proposed Amendment No. 1 adds no new land to the Urban Renewal Area; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 1 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, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 1 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 Amendment 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 Amendment No. 1 required by Section 403.5(2), Code of Iowa, as amended, shall be held on February 2, 2022, in the Board Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at 10:30 A.M., and the Business Development Coordinator, or her 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), Code of Iowa.

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), Code of Iowa, along with a copy of this Resolution and the proposed Amendment No. 1, 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 AMENDMENT NO. 1 TO THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE 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), Code of Iowa, as amended, commencing at 10:30 A.M. on February 2, 2022, in the Board Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa concerning a proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan for the Economic Development Digital Enterprise Urban Renewal Area, a copy of which is attached hereto. The consultation meeting will also be accessible virtually, at <https://tinyurl.com/4r436c3t>.

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 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 Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

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 Business Development Coordinator, or her 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 Amendment No. 1 to the Economic Development Digital Enterprise 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, Code of Iowa, as amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
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 Amendment No. 1 before the City Council at its meeting which commences at 5:30 P.M. on February 21, 2022, 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 AMENDMENT NO. 1 TO THE ECONOMIC  
DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL PLAN  
FOR AN 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 February 21, 2022 in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, to consider adoption of a proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of West Des Moines, State of Iowa.

The Urban Renewal Area contains the land legally described as follows:

The City of West Des Moines corporate limits, situated in portions of Polk County, Dallas County, Warren County, and Madison County, all in the State of Iowa, more specifically described as follows:

Beginning at the Northwest corner of Section 6, Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., in said Polk County; thence East along the North lines of said Section 6, Section 5, Section 4, and a portion of Section 3, all in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the East right-of-way line of the Norfolk and Southern Railroad; thence Southeast along said East right-of-way line projected to the South right-of-way line of Buffalo Road to the Northeast corner of Parcel "A" as recorded in a Plat of Survey in book 11728 on page 658 in the Polk County Recorder's Office; thence Southeast along the East line of said Parcel "A" to the West line of 73<sup>rd</sup> Street; thence Southerly along said West line to the Northeast corner of Lot 3 of Executive Plaza Plat 1, an official plat in and forming a part of the City of West Des Moines; thence South along the East line of said Lot 3 to the Southeast corner thereof, said point also being on the West line of Rancho Grande, an official plat in and forming a part of the City of Windsor Heights; thence continuing South along said West line of Rancho Grande to the North line of Colby's Office Park, an official plat in and forming a part of the City of West Des Moines; thence Easterly along said North line to the Northeast corner of Lot 13 in said Colby's Office Park; thence East to the West right-of-way line of 73<sup>rd</sup> Street; thence Northerly along said West right-of-way line to the North line of the Southeast 1/4 of Section 3, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M.; thence East along said North line to the East 1/4 Corner of said Section 3; thence East along the North line of the Southwest 1/4 of Section 2, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the extended Eastern line of Lot 44 of Janet's Woods, an official plat in and forming a part of the City of West Des Moines; thence Southeasterly along said Eastern line to the North line of Lot 22 of said Janet's Woods; thence East along said North line to the Northwest corner thereof; thence Southeasterly along the East line of said Lot 22, to the Southwest corner of Lot 14 of said Janet's Woods; thence East along the North line of said Lot 22 to the Northwest corner of Lot 25 of said Janet's Woods; thence South along the East line of said Lot 22 to the Southeast corner thereof; thence East along the South line of Lot 23 of said Janet's Woods extended to the North and South Center Section line of said Section 2; thence South along the North and South Center of section lines running through the remaining portion of said Section 2 and Sections 11, 14, 23, and 26, all in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the North 1/4 corner of Section 35, Township 78 North, Range 25 West



of the 5<sup>th</sup> P.M.; thence East along the North line of said Section 35 to the Northeast corner of the West 1/2 of the Northeast 1/4 thereof; thence South along the East line of the West 1/2 of the Northeast 1/4 to the Southeast corner thereof; thence East along the North line of the East 1/2 of the Southeast 1/4 of said Section 35 to the extended SE Double Eagle Drive East right-of-way line; thence South along said East right-of-way line to the Southeast corner thereof; thence West to the East line of the West 1/2 of the Southeast 1/4 of said Section 35; thence South along said East line to the South line of Polk County; thence West along said South line to the Northeast corner of Section 4, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence South along the East line of said Section 4 to the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 4; thence West along the North line of said Southeast 1/4 of the Southeast 1/4 to the Northwest corner thereof; thence South along the West line of said Southeast 1/4 of the Southeast 1/4 to the South line of said Section 4; thence West along said South line to the North 1/4 corner of Section 9, of said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along the East line of the Northwest 1/4 of said Section 9 to the Center of said Section 9; thence West along the South line of said Northwest 1/4 to the East 1/4 corner of said Section 8, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along the East line of said Section 8 to the Southeast corner of Parcel "R" as recorded in a Plat of Survey in Instrument Number 2018-09452 in the Warren County Recorder's Office; thence West along the South line of said Parcel "R" to the Southwest corner thereof and the East line of Parcel "P" as recorded in a Plat of Survey in Fee Book 2016-9567 in the Warren County Recorder's Office; thence North along said East line to the North line of the Southeast 1/4 of said Section 8; thence West along said North line to the Center of said Section 8; thence West along the South line of the Northwest 1/4 of said Section 8 to the Western right-of-way line of the former Chicago and North Western Transportation Company; thence Northeasterly along said Western right-of-way line to the East line of the Northwest 1/4 of said Section 8; thence North along said East line to the South 1/4 corner of Section 5, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence West along the South line of said Section 5 to the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 5; thence North along the West lines of the Southeast 1/4 of the Southwest 1/4 and the Northeast 1/4 of the Southwest 1/4 of said Section 5 to the Northwest corner of said Northeast 1/4 of the Southwest 1/4; thence East along the North line of said Northeast 1/4 of the Southwest 1/4 to the Northwest corner of the North 500 feet of the East 290.4 feet of said Northeast 1/4 of the Southwest 1/4; thence South along the West line of said North 500 feet of the East 290.4 feet to the Southwest corner thereof; thence East along the South line of said North 500 feet of the East 290.4 feet to the East line of said Northeast 1/4 of the Southwest 1/4; thence North along said East line to the Center of said Section 5; thence East along the North line of the Southeast 1/4 of said Section 5 to the East 1/4 corner of said Section 5; thence South along the East line of the Southeast 1/4 of said Section 5 to the North right-of-way line of the former Chicago and North Western Transportation Company; thence Northeasterly along said North right-of-way line to the East line of the Southwest 1/4 of Section 4, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence North along said East line to the Center of said Section 4; thence East along the North line of the Southeast 1/4 of said Section 4 to the Southwest corner of Parcel "B" as recorded in a Plat of Survey recorded in Irregular Plat Book 12 on page 77-25 in the Warren County Recorder's Office; thence along the Southeastern line of said parcel and the North right-of-way line of the former Chicago and North Western Transportation Company to the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 4; thence North along said West line to the Northwest corner of said Southeast 1/4 of the Northeast 1/4; thence West along the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 4 to the Southwest corner thereof; thence

North along the West line of said Northwest 1/4 of the Northeast 1/4 to the South line of Polk County; thence West along said South line to the Southeast corner of Parcel "B" of Lot 1 of Big Valley, an official plat in Polk County, Iowa, as recorded in a Plat of Survey in book 9074 on page 51 in the Polk County Recorder's Office; thence North along the East line of said Parcel "B" to the Northeast corner thereof; thence Westerly along the North line of said Parcel "B" extended to the West line of the Southwest 1/4 of Section 32, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along said West line to the South line of Polk County; thence West along said South line to the East right-of-way line of Interstate Highway 35; thence South along said East right-of-way line to a point 50 feet North of the South line of the Northwest 1/4 of the Northeast 1/4 of Section 7, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence West along a line 50 feet North of and parallel to the South line of said Northwest 1/4 of the Northeast 1/4 and the South line of the North 1/2 of the Northwest 1/4 of said Section 7 to the West line of said Section 7; thence North along said West line to the Southeast corner of Section 1, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., in Madison County; thence West along the South line of said Section 1 to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 1; thence North along the West line of said Southeast 1/4 of the Southeast 1/4 to the Northwest corner thereof; thence East along the North line of said Southeast 1/4 of the Southeast 1/4 to the West line of Section 6, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence North along the West line of said Section 6 to the North right-of-way line of Adams Street (Warren County); thence East along said North right-of-way line to the West line of Parcel "A" as recorded in a Plat of Survey in book 2002 on page 6843 in the Warren County Recorder's Office; thence North along said West line to the North line of said Section 6; thence East along said North line to the Western right-of-way line of Interstate Highway 35; thence Northeasterly along said Western right-of-way line to the centerline of Maffitt Lake Road; thence West along said centerline to the extended West line of Maffitt Ridge, an official plat in and forming a part of the City of West Des Moines; thence North along said extended West line and the West line of said Maffitt Ridge to the Northwest corner thereof; thence East along the North line of said Maffitt Ridge to the Northeast corner thereof and the West line of Parcel "C" as recorded in a Plat of Survey in book 9108 on page 894 in the Polk County Recorder's Office; thence South along said West line to the Southwest corner of said Parcel "C"; thence East along the South line of said Parcel "C" to the Western right-of-way line of Interstate Highway 35; thence Northerly along said Western right-of-way line to the thread of the Raccoon River; thence Westerly along said thread to the East line of Section 25, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County; thence South along said East line to the East 1/4 corner of said Section 25; thence West along the South line of the Northeast 1/4 of said Section 25 to the center of the Raccoon River; thence Westerly along said river center to the South line of the Northwest 1/4 of said Section 25; thence West along said South line to the East 1/4 corner of Section 26, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the South line of the Northeast 1/4 of said Section 26 to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said section 26; thence South along the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 26, to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 26; thence West along the North line of Southwest 1/4 of the Southeast 1/4 of said Section 26 to the thread of the Raccoon River; thence Southwesterly along the said thread to the North line of the Northeast 1/4 of Section 35, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the North line of the Northeast 1/4 of said Section 35 to the North 1/4 corner of said Section 35; thence South along the East line of the Northwest 1/4 of said Section 35 to the North line of River Oaks, an official plat now in a forming a part of Dallas County; thence Westerly along the Northern line of

said River Oaks to the Northeast corner of River Oaks Plat 2, an official plat in and forming a part of Dallas County; thence Westerly along the North line of said River Oaks Plat 2 and the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 35 to the East line of Section 34, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence South along the East line of said Section 34 to the Southeast corner thereof; thence West along the South line of said Section 34 to the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 3, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., in Madison County; thence South along the East line of the West 1/2 of the Northeast 1/4 of said Section 3 to the Southeast corner thereof; thence West along the South lines of the Northeast 1/4 and the Northwest 1/4 of said Section 3 to the West 1/4 corner of said Section 3; thence North along the West line of said Section 3 to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 3; thence East along the North line of said Southwest 1/4 of the Northwest 1/4 to the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 3; thence North along the West line of said Northeast 1/4 of the Northwest 1/4 to the South line of Section 34, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County; thence West along said South line to the Southwest corner of said Section 34; thence West along the South line of Section 33, in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the Southeast corner of Lot 44, Deer Hunter's Run, an official plat in and forming a part of Dallas County; thence North along the East line of said Lot 44 to the Southeast corner of Lot "B" of said Deer Hunter's Run; thence North along the East line of said Lot "B" to the South line of Lot 3 of Deer Hunter's Run Plat 2, an official plat in and forming a part of Dallas County; thence East along the South line of said Lot 3 to the Southeast corner of said Lot 3 and the Southwest corner of Outlot "Y" of said Deer Hunter's Run Plat 2; thence Easterly, Northerly, and Westerly along the Eastern line of said Outlot "Y" to the East line of the Northeast 1/4 of the Southwest 1/4 of said Section 33; thence South along said East line to the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 33; thence West along the South line of said Northeast 1/4 of the Southwest 1/4 to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 33; thence South along the East line of said Southwest 1/4 of the Southwest 1/4 to the South line of said Section 33; thence West along the South lines of said Section 33 and Section 32, in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M. to the Northwest corner of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 5, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M. in Madison County; thence South along the West line of said East 1/2 of the Northwest 1/4 of the Northeast 1/4 to the Northeast corner of Parcel "A" as recorded in a Plat of Survey in Book 3 on Page 165 in the Madison County Recorder's Office; thence West along the North line of said Parcel "A" to the East line of the Northwest 1/4 of said Section 5; thence South along said East line and the and the East line of the Southwest 1/4 of said Section 5 to the centerline of 105<sup>th</sup> Street (Madison County); thence West along the centerline of said 105<sup>th</sup> Street to the centerline of Timberbrook Avenue (Utica Trail in Dallas County); thence North along the centerline of said Timberbrook Avenue (Utica Trail in Dallas County) to the South line of Section 32 in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M; thence continuing Northerly along the centerline of Utica Trail (Timberbrook Avenue in Madison County) to the West line of said Section 32; thence North along said West line to the West line of Parcel "B" as recorded in a Plat of Survey in Book 834 on page 13 in the Dallas County Recorder's Office; thence Northwesterly, Northerly, and Easterly along the Western and Northern lines of said Parcel "B" to the West line of the East 1/2 of the Northwest 1/4 of said Section 32; thence South along said West line to the Northwest corner of Parcel "A" as recorded in a Plat of Survey in book 787 on page 118 in the Dallas County Recorder's Office; thence Easterly along the Northern line of Said Parcel "A" to the Northeast corner of said Parcel "A", said corner also being the Northwest corner of the Southwest 1/4 of the Northeast 1/4

of said Section 32; thence East along the North line of said Southwest 1/4 of the Northeast 1/4 to the Western High Water Mark of the Raccoon River; thence Northerly along said Western High Water Mark to the North line of said Section 32; thence East along said North line to the Southwest corner of Section 28, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence North along the West lines of said Section 28 and Section 21, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the Northwest corner of said Section 21; thence East along the North line of said Section 21 to the Southwest corner of Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence North to the West 1/4 corner of said Section 15; thence East along the North line of the Southwest 1/4 of said Section 15 to the Northeast corner of Tiburon, an official plat in and forming a part of the City of West Des Moines; thence South along the East line of said Tiburon to the North line of Majestic Oaks Plat 1, an official plat in and forming a part of the City of West Des Moines; thence East along said North line to the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 15; thence North along said West line to the Northwest corner of said Northeast 1/4 of the Southwest 1/4; thence East along the North line of the South 1/2 of said Section 15 to the extended West line of Lot 3 of Cedar Ridge, an official plat in and forming a part of the City of West Des Moines; thence North along said West line extended to the Northwest corner of said Lot 3; thence East along the North line of said Lot 3 to the Southwest corner of Lot 26 of said Cedar Ridge; thence Northerly along the Western lines of Lots 26, 27, and 28 of said Cedar Ridge to the Northwest corner of said Lot 28; thence West along the South line of Lot 29 of said Cedar Ridge to the Southwest corner thereof; thence North along the West line of said Lot 29 to the Northwest corner thereof; thence East along the North line of said Cedar Ridge to the Southeast corner of Lot 1 of Hickory Knolls Place Replat, an official plat in and forming a part of Dallas County; thence North along the East line of said Lot 1 to the Northeast corner thereof; thence West along the North lines of Lot 1 and Lot 2 of said Hickory Knolls Place Replat to the Northwest corner of said Lot 2; thence Southwesterly along the Western line of said Lot 2 to the Southwest corner thereof; thence West along the South line of Lot 3 of said Hickory Knolls Place Replat to the Northeast corner of Tract A of Lot 4 as shown in a Plat of Survey in book 2013 on page 14666 in the Dallas County Recorder's Office; thence South along the East line of said Tract A; thence West along the South line of said Tract A to the West line of Lot 4 of said Hickory Knolls Place Replat; thence North along the west lines of said Lot 4 and said Lot 3 to the Northwest corner of said Lot 3, said point also being the North 1/4 corner of Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the North line of the Northwest 1/4 of said Section 15 to the Northwest corner thereof; thence South along the West line of the Northwest 1/4 of said Section 15 and the East line of Rebel Ridge Estates, an official plat in and forming a part of the City of West Des Moines, to the Southeast corner of said Rebel Ridge Estates; thence West along the South line of said Rebel Ridge Estates to the Southwest corner of said Rebel Ridge Estates and the Southeast corner of the Northeast 1/4 of the Northwest 1/4 of Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence South along the East line of the Northwest 1/4 of said Section 16 to the Southeast corner of Westport Plat 1, an official plat in and forming a part of the City of West Des Moines; thence West along the South line of said Westport Plat 1 to a point on the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 16; thence South along said West line to the Southwest corner of said Southeast 1/4 of the Northwest 1/4; thence West along the South line of the Southwest 1/4 of the Northwest 1/4 of said Section 16 to the West 1/4 corner of said Section 16; thence North along the West line of said Southwest 1/4 of the Northwest 1/4 to the Northwest corner of said Southwest 1/4 of the Northwest 1/4; thence East along the North line of said Southwest 1/4 of the Northwest 1/4 to the Northeast Corner of said Southwest 1/4 of the Northwest 1/4; thence North along the West line of the Northeast 1/4 of the Northwest 1/4

of said Section 16 to the Northwest corner of said Northeast 1/4 of the Northwest 1/4; thence North along the West line of the Southeast 1/4 of the Southwest 1/4 of Section 9, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M. to the centerline of Interstate Highway 80; thence Northeasterly along said centerline to the West line of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence North along said West line to the North 1/4 corner of said Section 10; thence West along the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 10 to the Northwest corner of said Northeast 1/4 of the Northwest 1/4 and the centerline of 98<sup>th</sup> Street; thence North along said centerline to the North line of Section 3, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence East along the North lines of Sections 3, 2, and 1, all in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the point of beginning,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded in book 2018 on page 2117, book 2018 on page 2119, book 2018 on page 4057, book 2019 on page 744, book 2019 on page 4020, book 2019 on page 4021, book 2020 on page 124, Exhibits 011-01-F and 2-F in book 2020 on page 126, and that portion of the Southwest 60<sup>th</sup> Street right-of-way described in a Warranty Deed in book 2019 on page 833, all in Madison County, Iowa,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded as Instrument Number 2018-00780, Instrument Number 2018-01820, Instrument Number 2018-01629, and Exhibits 008-06-F and 008-07-F in Instrument Number 2018-03537, all in Warren County, Iowa,

And;

A parcel of land conveyed to the City of West Des Moines in a Warranty Deed recorded as Instrument Number 2018-00073 in the Warren County Recorder's office,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded as Instrument Number 2017-11016, Instrument Number 2017-11042 (except Parcel AD as recorded in a Plat of Survey as Instrument Number 2018-09117 in the Warren County Recorder's Office), Instrument Number 2018-00730, Instrument Number 2018-02701, all in the City of Norwalk, Warren County, Iowa,

And;

All that portion of the South Grand Prairie Parkway right-of-way and the Stagecoach Drive right-of-way in Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., all in Dallas County, Iowa, as recorded in a Condemnation document recorded in book 2019 on page 12816 in the Dallas County Recorder's Office,

And;

All that portion of the South Grand Prairie Parkway right-of-way and Mills Civic Parkway right-of-way as described in acquisition documents recorded in book 2015 on page 5361, book 2015 page 5363, book 2015 on page 6390, and book 2015 on page 15922, all in Dallas County, Iowa.

And;

All that portion of the Mills Civic Parkway / 335<sup>th</sup> Street right-of-way from the Center of Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County, Iowa, to the East 1/4 of said Section 16, and all that portion of the Wendover Road right-of-way in said Section 16 from the Center of said Section 16, running North to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 16.

And;

All that portion of the Mills Civic Parkway / 335<sup>th</sup> Street right-of-way in Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup>, P.M., in Dallas County, Iowa, not previously described herein.

And;

**Excepting therefrom** those parcels designated as agricultural parcels by the Dallas, Madison, Polk, and Warren County Assessors Offices as shown on each respective County's Geographic Information System maps as of April 28, 2020, and as depicted in Exhibit B to the Plan. In the event of any conflict, Exhibit B shall be controlling as to the agricultural parcels excepted from the Urban Renewal Area.

A copy of the Amendment 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 Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to promote economic development in the Urban Renewal Area, including commercial, industrial, public improvements related to market-rate residential, and low or moderate income (LMI) residential development through various public purpose and special financing activities outlined in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment 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, 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 City also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Amendment 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 Amendment amends the description of public infrastructure to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 1 would update the description of a previously approved urban renewal project to be undertaken within the Urban Renewal Area. The proposed Amendment adds no new land to the Urban Renewal Area.

Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

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, Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

(End of Notice)

Section 5. That the proposed Amendment No. 1, attached hereto as Exhibit 1, for the Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED this 24<sup>th</sup> day of January, 2022.

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Russ Trimble, Mayor

ATTEST:

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Ryan T. Jacobson, City Clerk

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



**AMENDMENT NO. 1**

**to the**

**ECONOMIC DEVELOPMENT DIGITAL  
ENTERPRISE URBAN RENEWAL PLAN**

**for the**

**ECONOMIC DEVELOPMENT DIGITAL  
ENTERPRISE URBAN RENEWAL AREA**

**WEST DES MOINES, IOWA**

**Original Area - 2020  
Amendment No. 1 - 2022**

**Amendment No. 1  
to the  
Economic Development Digital Enterprise Urban Renewal Plan  
for the  
Economic Development Digital Enterprise Urban Renewal Area  
City of West Des Moines, Iowa**

**INTRODUCTION AND HISTORY**

The Economic Development Digital Enterprise Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Economic Development Digital Enterprise Urban Renewal Area (“Area” or “Urban Renewal Area”), adopted in July 2020, is being amended by this Amendment No. 1 (“Amendment” or “Amendment No. 1”) to update the description of a previously approved urban renewal project to be undertaken within the Urban Renewal Area.

No land is being added to or removed from the Urban Renewal Area by this Amendment.

Except as modified by this Amendment, the provisions of the original Urban Renewal Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsection of the Plan not mentioned in this Amendment shall continue to apply to the Plan. The Amendment makes no changes to the description of the Area or its designation.

**DEVELOPMENT PLAN**

The Urban Renewal Plan and this Amendment are in conformity with the West Des Moines Comprehensive Plan, adopted September 20, 2010, which is the City of West Des Moines’ (“City’s”) general plan for the development of the City as a whole.

This Plan does not in any way replace or modify the City’s current land use planning or zoning regulation process. Any 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 the Plan, as amended.

**UPDATE TO PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS**

With the adoption of this Amendment No. 1, the City is updating the description of the following urban renewal project which was originally approved in the Urban Renewal Plan.

- A. The City intends to continue to construct a city-wide conduit network in right-of-way containing multiple conduit chambers or ducts to be licensed by third-party providers with the goal of facilitating enhanced internet connectivity which will in turn attract additional commercial, industrial, and residential development in the City. Although the City may use authority under Iowa Code chapter 403 to finance the urban renewal project, the City will not use tax-increment financing under this Plan. The cost of the project is estimated at not to exceed \$60,000,000. The City may seek other sources

of funding for the conduit network project, including entering into license agreement(s) with one or more private parties who will contribute to the construction costs in exchange for a license for a portion of the conduit chambers or ducts for a specified period of time.

**FINANCIAL DATA**

1.	July 1, 2021 constitutional debt limit:	\$468,115,757
2.	Current outstanding general obligation debt:	\$255,871,703
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 1) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment 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. Subject to the foregoing, it is estimated that the City's costs for the Eligible Urban Renewal Projects (Amendment No. 1) as described above will be approximately as stated in the next column:	\$60,000,000  This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

**EFFECTIVE PERIOD**

This Amendment No. 1 will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council. Notwithstanding anything to the contrary in the Plan, any prior amendment, resolution, or document, the Plan, as amended, shall remain in effect until terminated by the City Council.

**REPEALER AND SEVERABILITY CLAUSE**

Any parts of the previous Plan in conflict with this Amendment are hereby repealed.

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

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**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Establish Date of Public Hearing to Authorize the Issuance of Not to Exceed \$17,200,000 General Obligation Urban Renewal Bonds or Capital Loan Notes      **DATE:** January 24, 2022

**FINANCIAL IMPACT:** Any and all underlying future debt will be backed by city’s existing \$1.91 per thousand debt service levy rate; there will be no change to the city’s current property tax rate. The proposed bonds or notes will be sold at the appropriate time(s) – to coincide with such time(s) that construction obligations become due.

Also, because private entities will be leasing sections of the constructed improvements, and those entities will most likely be generating revenue, the future notes will be classified as taxable.

**BACKGROUND:** The public hearing will consider the future sale of not to exceed \$17.2 million of General Obligation Urban Renewal Bonds or Capital Loan Notes to partially defray the costs of planning, undertaking and carrying out urban renewal projects under the authority of Iowa Code chapter 403 and the Urban Renewal Plan for the Economic Development Digital Enterprise Urban Renewal Area, as amended, primarily construction of a city-wide fiber conduit network. Per the Code of Iowa, the first step in the bonding process is to set a public hearing date. Staff is proposing the public hearing be held on February 21, 2022.

Following the public hearing, the Council will be asked to adopt a resolution directing that the City’s current and future budgets include the proper amount of revenue needed to meet the debt service requirements of these issuances. This approval will allow the City to institute proceedings needed to issue the bonds and, although currently not necessary, possibly collect revenue through Urban Renewal Area tax revenues in amounts needed to repay the notes.

**OUTSTANDING ISSUES** (if any): None.

**RECOMMENDATION:** Adoption of Resolution instituting proceedings to hold a public hearing on February 21, 2022, to consider the issuance of \$17.2 million General Obligation Urban Renewal Bonds or Capital Loan Notes.

**Lead Staff Member:**                     Tim Stiles, Finance Director                    

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Finance & Administration		
Date Reviewed	January 19, 2022		
Recommendation	Yes	No	Split

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF THE ISSUANCE OF NOT TO EXCEED \$17,200,000 GENERAL OBLIGATION URBAN RENEWAL BONDS OR CAPITAL LOAN NOTES OF THE CITY OF WEST DES MOINES, STATE OF IOWA (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF THE ISSUANCE OF NOT TO EXCEED \$17,200,000 GENERAL OBLIGATION URBAN RENEWAL BONDS OR CAPITAL LOAN NOTES OF THE CITY OF WEST DES MOINES, STATE OF IOWA (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, this Council has found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and is in the process to approve and adopt the Economic Development Digital Enterprise Urban Renewal Plan (the "Plan") for the Economic Development Digital Enterprise Urban Renewal Area (the "Area" or "Urban Renewal Area"); and

WHEREAS, an Amendment No. 1 to the Plan has been prepared, and is slated for consideration on February 21, 2022; and

WHEREAS, it is deemed necessary and advisable that the City of West Des Moines, State of Iowa, should provide for the issuance of General Obligation Urban Renewal Bonds or Capital Loan Notes, to the amount of not to exceed \$17,200,000, as authorized by Sections 384.24A and/or 384.25 and 403.12, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential corporate urban renewal purpose project(s) as hereinafter described; and

WHEREAS, the Bonds or Capital Loan Notes shall be payable from the Debt Service Fund; and

WHEREAS, before issuing General Obligation Urban Renewal Bonds or Capital Loan Notes, to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the issuance of said Bonds or Capital Loan Notes and to receive oral and/or written objections from any resident or property owner of the City to such action; and

WHEREAS, before the Bonds or Capital Loan Notes may be issued, it is necessary to comply with the procedural requirements of Chapters 384 and 403 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds or Capital Loan Notes and the right to petition for an election.

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

Section 1. That this Council meet in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at \_\_\_\_\_ .M., on the 21<sup>st</sup> day of February, 2022, for the purpose of taking action on the matter of the authorization of the issuance of not to exceed \$17,200,000 General Obligation Urban Renewal Bonds or Capital Loan Notes, for essential corporate urban renewal purposes, the proceeds of which will be used to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Urban Renewal Plan for the Economic Development Digital Enterprise Urban Renewal Area, as amended, including construction of a city-wide conduit network.

Section 2. To the extent any of the projects or activities described in this resolution may be reasonably construed to be included in more than one classification under Subchapter III of Chapter 384 of the Code of Iowa, the Council hereby elects the "essential corporate purpose" classification and procedure with respect to each such project or activity, pursuant to Section 384.28 of the Code of Iowa.

Section 3. The Clerk is authorized and directed to proceed on behalf of the City in preparing such sale information as may appear appropriate, to distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of an issuance on a basis favorable to the City and acceptable to the Council.

Section 4. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the proposed issuance.

Section 5. The notice of the proposed action to issue shall be in substantially the following form:

(To be published between February 1 and February 8, 2022 (dates inclusive))

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF THE ISSUANCE OF NOT TO EXCEED \$17,200,000 GENERAL OBLIGATION URBAN RENEWAL BONDS OR CAPITAL LOAN NOTES OF THE CITY (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of West Des Moines, State of Iowa, will hold a public hearing on the 21<sup>st</sup> day of February, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at which meeting the Council proposes to take additional action for the authorization of the issuance of not to exceed \$17,200,000 General Obligation Urban Renewal Bonds or Capital Loan Notes, for essential corporate urban renewal purposes, to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Urban Renewal Plan for the Economic Development Digital Enterprise Urban Renewal Area, as amended, including construction of a city-wide conduit network. Principal and interest shall be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds or Capital Loan Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City, including the drop box at City Hall during non-business hours, in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24(3)(q), 384.24A, 384.25 and 403.12 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or Capital Loan Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Bonds or Notes.

This notice is given by order of the City Council of the City of West Des Moines, State of Iowa, as provided by Chapters 384 and 403 of the Code of Iowa.

Dated this 24<sup>th</sup> day of January, 2022.

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

(End of Notice)

PASSED AND APPROVED this 24<sup>th</sup> day of January, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



## CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

**ITEM:****DATE:** January 24, 2022

Declaring an Investment in Conduit Network Infrastructure  
as the Preferred Expenditure Category for  
Federal American Rescue Plan Act (ARPA) Funds

**FINANCIAL IMPACT:** Declaring intended use of the \$7,670,870 of American Rescue Plan –  
Coronavirus State and Local Fiscal Recovery Funds to the Digital Enterprise Urban Renewal Area project.

**BACKGROUND:**

In March of 2021, President Biden signed into law the American Rescue Plan Act (ARPA) which guaranteed direct relief to cities, towns, and villages across the United States. (Sec. 9901: Coronavirus State and Local Fiscal Recovery Funds). The Treasury Department is responsible for all matters related to the execution of these dollars and until recently, was operating under an interim rule related to the allowable uses of these funds and the deadline by which to expense these dollars.

On January 6<sup>th</sup>, a final rule was made available which more clearly defined the use of these funds and expanded the deadline to December 31, 2024 for allocation of the funds and December 31, 2026 for actual expense of dollars.

West Des Moines received the first tranche, \$3,835,436 on May 21, 2021. Its anticipated that we will receive an identical amount in May of 2022, for a total of \$7,670,872. So far use of the funds have been discussed internally and at a Finance & Administration subcommittee meeting on April 7<sup>th</sup> and April 21<sup>st</sup>, 2021. While no funds have been expensed thus far, it was discussed that utilizing the City's Coronavirus SLFRF for assisting in the Digital Enterprise conduit network construction project would be consistent with allowable use and in the best interest of the City at this time.

The U.S. Department of the Treasury specified the use of broadband dollars within its Final Rule documentation; "The Coronavirus State and Local Fiscal Recovery Funds may be used to make necessary investments in broadband infrastructure, which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The final rule broadens the set of eligible broadband infrastructure investments that recipients may undertake. Recipients should adhere to the following requirements when designing a broadband infrastructure project:

- (1) Identify an eligible area for investment. Recipients are encouraged to prioritize projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service but are broadly able to invest in projects designed to provide service to locations with an identified need for additional broadband investment. Recipients have broad flexibility to define need in their community. Examples of need could include (a) lack of access to a reliable high-speed broadband connection, (b) lack of reliable service, (c) lack of affordable broadband,
- (2) Design projects to meet high-speed technical standards. Recipients are required to design projects to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds. Treasury encourages recipients to prioritize investments in fiber-optic infrastructure wherever feasible and to focus on projects that will achieve last-mile connections. Further, Treasury encourages recipients to prioritize support for broadband networks owned,

operated by, or affiliated with local governments, nonprofits, and co-operatives.

(3) Require enrollment in a low-income subsidy program. Recipients must require the service provider for a broadband project that provides service to households to either: (a) participate in the FCC's Affordable Connectivity Program (ACP), (b) provide access to a broad-based affordability program to low-income consumers that provides benefits commensurate to ACP.

The City of West Des Moines' use of ARPA funds for the Digital Enterprise would meet these necessary guidelines and criteria.

It is very important that the Digital Enterprise project get back on schedule and stay on schedule. Bid lettings and order construction paused while we worked on our design and added additional users to the conduit network. Now is the time to purchase materials and get ahead of similar projects, not just in Iowa but across the nation. Below is a brief explanation of the timeline issues which Staff are hoping to avoid, by ordering conduit materials now, with our ARPA funds.

- Supply chain issues have caused a delay in getting materials delivered in a timely fashion, we believe this problem will only get worse as we look at the high-volume of stimulus dollars dedicated to rural broadband use in the months to come.
- The City has agreements with our conduit network tenants which contain deadlines that if not met, mean the City will incur delay penalties for each day the project is delayed.
- Currently the lead time on materials is several weeks. Suffering a material delivery delay could push these lead times into an overlap with active construction activities. Staff believes it is more efficient to use the current winter months to cover material delays rather than months which would otherwise be used for active construction activity. Additionally, if contractors do not have materials available and on-site at the time of conduit installation, they will likely increase bid costs to account for a necessary return trip, just for vault installation. We are hoping to avoid this potential Change Order by utilizing ARPA funds, ordering our materials now, and having them on-site and available for install.
- As always, Staff's goal is to put the City in the best position possible to receive the most affordable bids. In the case of this project, that means we should not bid more than one segment of the project at the same time or on the same agenda. Doing so leads to "bidding against ourselves". As such, we have scheduled the bidding activity so that only one segment or portion of the project is bid at a time. Because these Order Constructions are carefully staggered and scheduled on separate dates, pushing one Order Construction to a later date means pushing them all back, and then risking missed deadlines and late penalties. Staying on schedule is very important to this project, so the schedule is carefully organized to meet our obligations. Bidding on time and as early as possible also puts the City in a position to hopefully receive multiple bidders per segment before contractor's line up other projects and become unavailable.

**OUTSTANDING ISSUES** (if any): In addition to utilizing ARPA Corona virus State & Local Fiscal Recovery Funds, the City will also set a public hearing date to complete the borrowing which was intended for this project and began on July 3, 2020. This public hearing date will be set at the next regularly scheduled council meeting.

**RECOMMENDATION:** Approval of the use of American Rescue Plan Act and the Coronavirus State and Local fiscal Recovery Funds to purchase supplies and equipment necessary for construction of the Digital Enterprise conduit network project.

**Lead Staff Member:** Jamie Letzring, Brian Hemesath

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Finance & Admin		
Date Reviewed	1/19/2022		
Recommendation	Yes	No	

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**3(d)**

**DATE: January 24, 2022**

**ITEM:**

Resolution - Ordering Construction  
Digital Enterprise Last Mile Conduit Deployment Segment 1 Phase 2

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost for the Digital Enterprise Last Mile Conduit Deployment Segment 1 Phase 2 is \$3,523,109.66. Payments will be made from account no. 670.000.000.5250.490 with the ultimate funding intended to come from American Rescue Plan Act Grant Funds or General Obligation Bonds.

**BACKGROUND:**

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, February 16, 2022, and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, February 21, 2022. The contract would be awarded on Monday, February 21, 2022, and work will begin shortly thereafter.

The West Des Moines Digital Enterprise Last Mile Conduit Deployment Segment 1 Phase 2 project includes the installation of a multi-user fiber conduit network within public right-of-way to support the connection of every residence and business wishing to connect from I-80 to University Avenue and 98<sup>th</sup> St to I-35/I-80 in West Des Moines. The project is anticipated to be completed by November 1, 2022.

**OUTSTANDING ISSUES:**

None.


**RECOMMENDATION:**

City Council Adopt:

- Resolution Ordering Construction of the Digital Enterprise Last Mile Conduit Deployment Segment 1 Phase 2.
- Fixing 2:00 p.m. on Wednesday, February 16, 2022, as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

**Lead Staff Member: Brian J. Hemesath, P.E., City Engineer**

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Services		
Date Reviewed	January 24, 2022		
Recommendation	Yes	No	Split

**RESOLUTION ORDERING CONSTRUCTION AND NOTICE OF PUBLIC HEARING ON  
PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COST, AND  
DIRECTING ADVERTISEMENT FOR BIDS**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that the following described public improvement:

**Digital Enterprise Last Mile Conduit Deployment Segment 1 Phase 2  
Project No. 0510-021-2021**

is hereby ordered to be constructed according to the Plans and Specifications prepared by HDR, Inc. of Des Moines, Iowa and now on file in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the detailed Plans and Specifications, Form of Contract, Bid Security, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of the City Clerk for public inspection.

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on Monday, February 21, 2022, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than thirteen (13) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 p.m. on Wednesday, February 16, 2022.

**BE IT FURTHER RESOLVED**, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, February 16, 2022, and the results of said bids shall be considered at a meeting of this Council on Monday, February 21, 2022, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

**PASSED AND APPROVED** on this **24th** day of January **2022**.

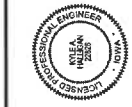
\_\_\_\_\_  
Russ Trimble, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

0510-021-2021  
WDM Digital Enterprise Segment 1-2 Conduit Engineer's Estimate

Item No.	Item	Unit	Quantity	Engineer's Estimate		Bid Price		Comparison
				Unit Price	Total Extended	Unit Price	Total Extended	
1	TRAFFIC CONTROL	LS	1	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	-100%
2	CONSTRUCTION SURVEY	LS	1	\$ 25,000.00	\$ 25,000.00	\$ -	\$ -	-100%
3	AS-BUILDING	LS	1	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	-100%
4	EROSION CONTROL	LS	1	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -	-100%
5	CONDUIT, FURNISH & INSTALL, 7-WAY MICRODUCT	LF	60,500	\$ 10.10	\$ 611,050.00	\$ -	\$ -	-100%
6	CONDUIT, FURNISH & INSTALL, 1.5" ORANGE	LF	59,494	\$ 7.60	\$ 452,154.40	\$ -	\$ -	-100%
7	CONDUIT, FURNISH & INSTALL, 1.5" GREEN	LF	26,308	\$ 12.00	\$ 315,696.00	\$ -	\$ -	-100%
8	CONDUIT, FURNISH & INSTALL, 1.5" BLUE	LF	66,889	\$ 7.60	\$ 508,356.40	\$ -	\$ -	-100%
9	CONDUIT, FURNISH & INSTALL, 1" BLUE STRIPE	LF	117,468	\$ 5.10	\$ 599,066.80	\$ -	\$ -	-100%
10	CONDUIT, FURNISH & INSTALL, 1.25" ORANGE	LF	20,391	\$ 6.10	\$ 124,385.10	\$ -	\$ -	-100%
11	VAULT, INSTALL ONLY, SMALL ROUND VAULT	EACH	294	\$ 450.00	\$ 132,300.00	\$ -	\$ -	-100%
12	VAULT, FURNISH & INSTALL, LARGE RECTANGULAR VAULT	EACH	98	\$ 1,400.00	\$ 137,200.00	\$ -	\$ -	-100%
13	VAULT, FURNISH & INSTALL, LARGE VAULT	EACH	89	\$ 1,310.00	\$ 116,590.00	\$ -	\$ -	-100%
14	VAULT, FURNISH & INSTALL, MEDIUM VAULT	EACH	184	\$ 850.00	\$ 156,400.00	\$ -	\$ -	-100%
15	VAULT, INSTALL ONLY, SMALL ROUND VAULT (EXISTING CONDUIT)	EACH	9	\$ 650.00	\$ 5,850.00	\$ -	\$ -	-100%
16	EQUIPMENT, FURNISH & INSTALL, TEST STATION	EACH	282	\$ 180.00	\$ 50,760.00	\$ -	\$ -	-100%
17	CABLE, FURNISH & INSTALL, TRACER WIRE	LF	145,232	\$ 0.78	\$ 113,280.96	\$ -	\$ -	-100%
18	CONDUIT INSTALL AT RAILROAD CROSSING	LS	1	\$ 25,000.00	\$ 25,000.00	\$ -	\$ -	-100%
19	RESTORATION	LS	1	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	-100%
					\$ 3,523,109.66			

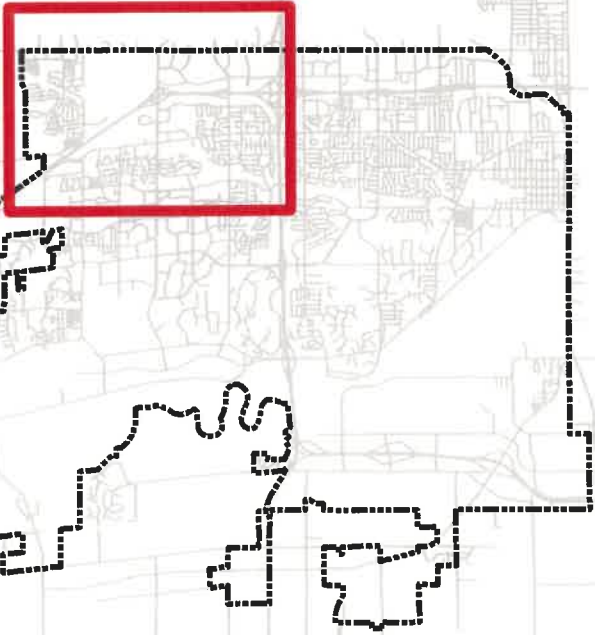
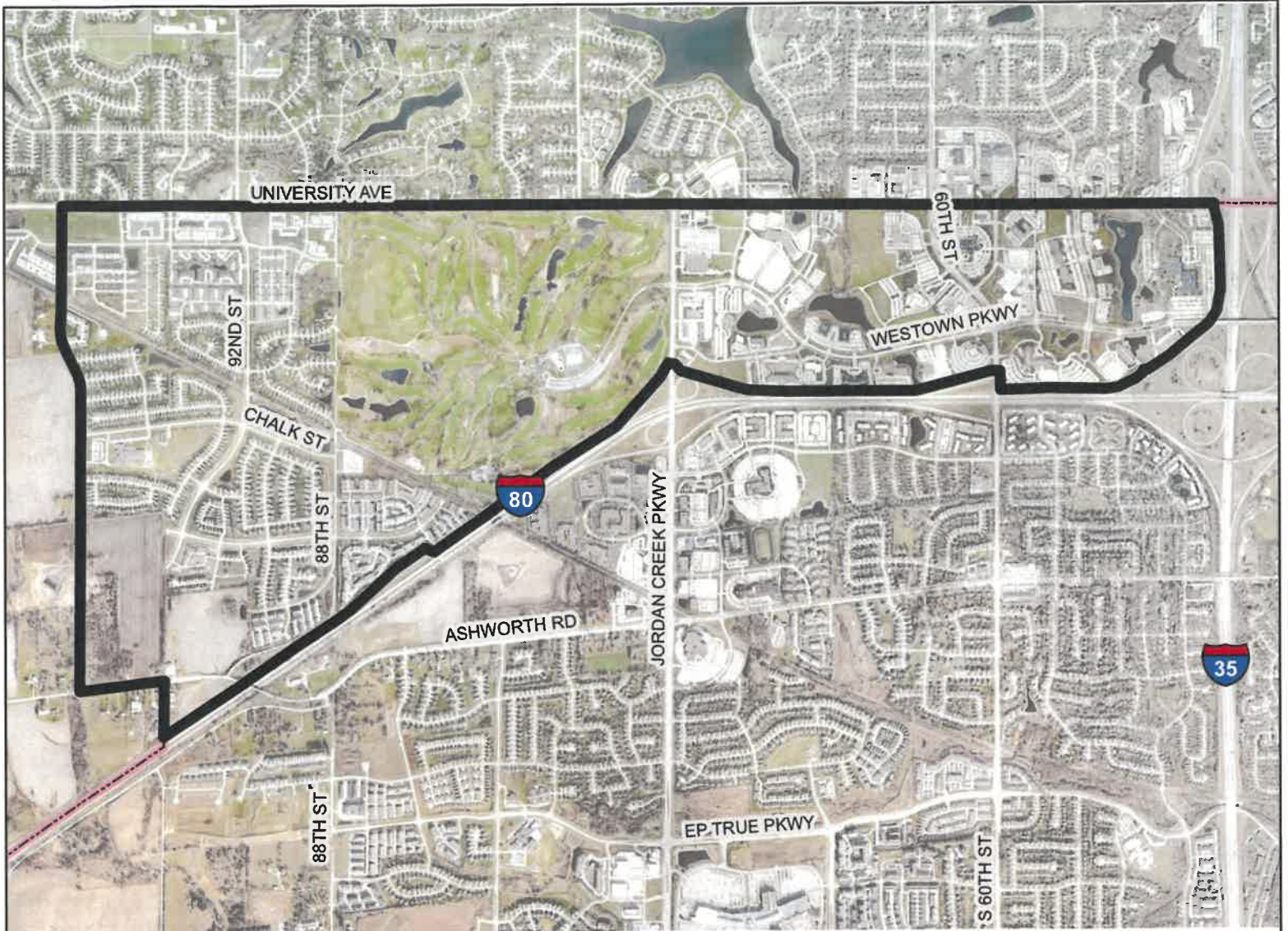


I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Signature: *Kyle A. Hall* Date: 1/11/2022  
 Printed or typed name: Kyle A Hall I sign  
 My license renewal date is December 31, 20 22.

Pages or sheets covered by this seal: Engineer's Estimate





VICINITY MAP

**LEGEND**

PROJECT LOCATION



PROJECT: **West Des Moines Digital Enterprise Conduit Deployment Segment 1 Phase 2**

LOCATION: **Exhibit "A"**

DRAWN BY: BJM

DATE: 12/27/2021

PROJECT NUMBER/NAME: 0510-021-2021

SHT. 1 of 1

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**3(e)**

**DATE: January 24, 2022**

**ITEM:**

Resolution - Ordering Construction  
Digital Enterprise Interstate 35 Crossings

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost for the Digital Enterprise Interstate 35 Crossings is \$486,784.38. Payments will be made from account no. 670.000.000.5250.490 with the ultimate funding intended to come from American Rescue Plan Act Grant Funds or General Obligation Bonds.

**BACKGROUND:**

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, February 16, 2022, and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, February 21, 2022. The contract would be awarded on Monday, February 21, 2022, and work will begin shortly thereafter.

The West Des Moines Digital Enterprise Interstate 35 Crossings project includes the installation of a multi-user fiber conduit network within public right-of-way to support the connection of every residence and business wishing to connect at Westtown Pkwy and Mills Civic Pkwy across Interstate 35 in West Des Moines. The project is anticipated to be completed by September 30, 2022.

**OUTSTANDING ISSUES:**

None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Ordering Construction of the Digital Enterprise Interstate 35 Crossings.
- Fixing 2:00 p.m. on Wednesday, February 16, 2022, as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

**Lead Staff Member: Brian J. Hemesath, P.E., City Engineer**

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTG</i>

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Services		
Date Reviewed	January 24, 2022		
Recommendation	Yes	No	Split



**RESOLUTION ORDERING CONSTRUCTION AND NOTICE OF PUBLIC HEARING ON  
PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COST, AND  
DIRECTING ADVERTISEMENT FOR BIDS**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
IOWA**, that the following described public improvement:

**Digital Enterprise Interstate 35 Crossings  
Project No. 0510-076-2021**

is hereby ordered to be constructed according to the Plans and Specifications prepared by HDR, Inc. of Des Moines, Iowa and now on file in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the detailed Plans and Specifications, Form of Contract, Bid Security, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of the City Clerk for public inspection.

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on Monday, February 21, 2022, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than thirteen (13) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 p.m. on Wednesday, February 16, 2022.

**BE IT FURTHER RESOLVED**, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, February 16, 2022, and the results of said bids shall be considered at a meeting of this Council on Monday, February 21, 2022, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

**PASSED AND APPROVED** on this **24th** day of **January, 2022**.


\_\_\_\_\_  
Russ Trimble, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

0510-076-2021  
WDM Digital Enterprise Interstate Crossing Engineer's Estimate

Item No.	Item	Unit	Quantity	Engineer's Estimate		Bid Price		Comparison
				Unit Price	Total Extended	Unit Price	Total Extended	
1	TRAFFIC CONTROL	LS	1	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	-100%
2	CONSTRUCTION SURVEY	LS	1	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	-100%
3	AS-BUILDING	LS	1	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	-100%
4	EROSION CONTROL	LS	1	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -	-100%
5	CONDUIT, FURNISH & INSTALL, 7-WAY MICRODUCT	LF	2,346	\$ 12.25	\$ 28,738.50	\$ -	\$ -	-100%
6	CONDUIT, FURNISH & INSTALL, 1" BLUE STRIPE	LF	4,692	\$ 2.50	\$ 11,730.00	\$ -	\$ -	-100%
7	CONDUIT, FURNISH & INSTALL, 1.5" BLUE	LF	2,346	\$ 4.25	\$ 9,970.50	\$ -	\$ -	-100%
8	CONDUIT, FURNISH & INSTALL, 1.5" ORANGE	LF	2,346	\$ 4.25	\$ 9,970.50	\$ -	\$ -	-100%
9	CONDUIT, FURNISH & INSTALL, 1.25" ORANGE	LF	2,596	\$ 3.75	\$ 9,735.00	\$ -	\$ -	-100%
10	VAULT, FURNISH & INSTALL, LARGE RECTANGULAR VAULT	EACH	4	\$ 1,400.00	\$ 5,600.00	\$ -	\$ -	-100%
11	VAULT, FURNISH & INSTALL, EXTRA LARGE VAULT	EACH	3	\$ 2,500.00	\$ 7,500.00	\$ -	\$ -	-100%
12	CABLE, FURNISH & INSTALL, TRACER WIRE	LF	2,346	\$ 0.78	\$ 1,829.88	\$ -	\$ -	-100%
13	10" CASING BORE	LF	2,346	\$ 135.00	\$ 316,710.00	\$ -	\$ -	-100%
14	RESTORATION	LS	1	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	-100%
					\$ 486,784.38	\$ -	\$ -	

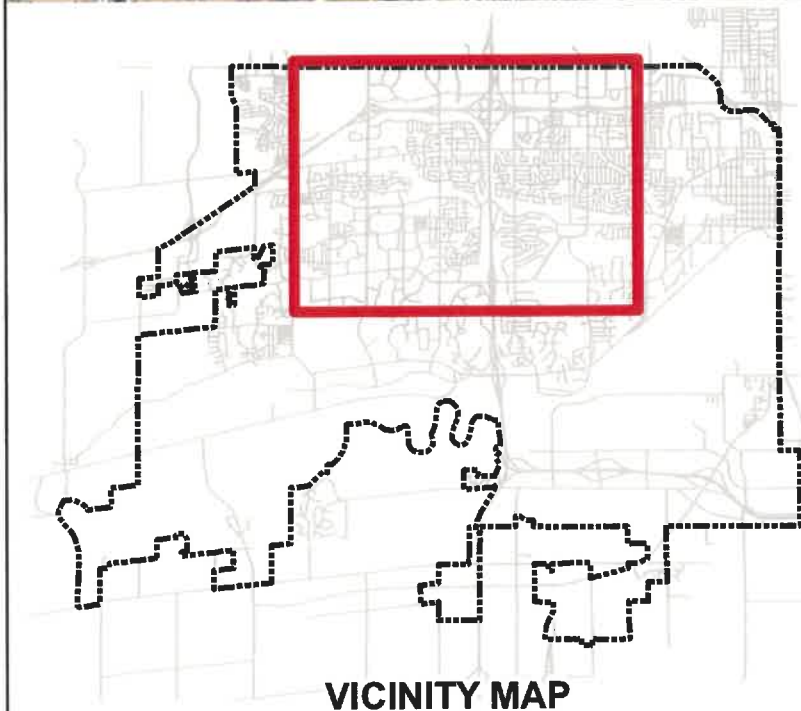
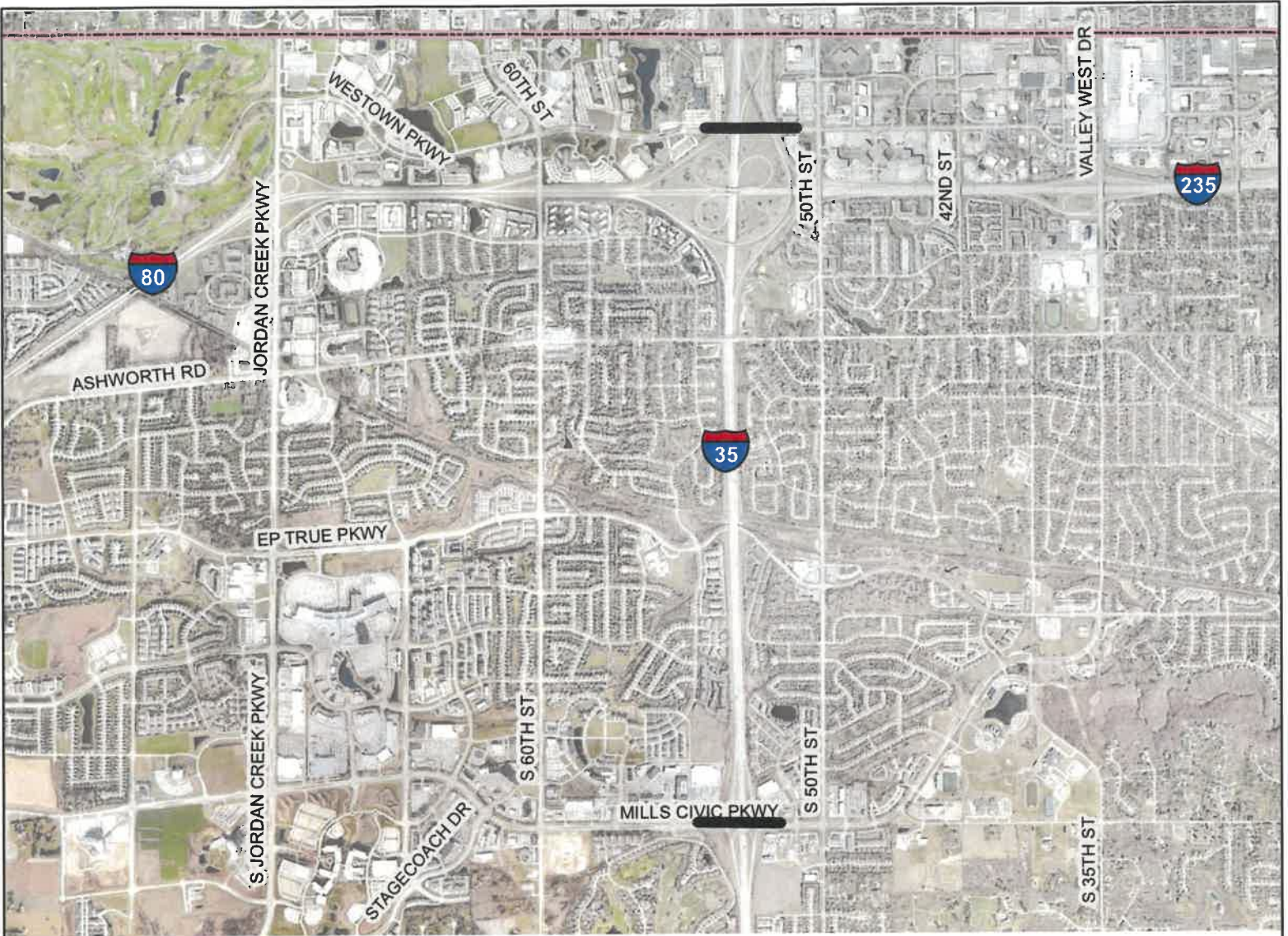


I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Signature: Kyle A. Halligan  
Printed or Typed Name: Kyle A. Halligan  
Date: 12/27/2021

My license renewal date is December 31, 20 22.

Pages or sheets covered by this seal: Engineer's Estimate



**VICINITY MAP**

**LEGEND**

PROJECT LOCATION



PROJECT:

**West Des Moines Digital Enterprise  
Interstate 35 Crossings**

LOCATION:

**Exhibit "A"**

DRAWN BY: BJM

DATE: 12/27/2021

PROJECT NUMBER/NAME: 0510-076-2021

SHT. 1 of 1