CITY OF WEST DES MOINES

CITY COUNCIL MEETING COMMUNICATION

ITEM: Val-Gate Urban Renewal Plan Amendment No. 1 -City Initiated

DATE: August 15, 2022

RESOLUTION: Approval of the Resolution adopting Amendment No. 1 to the Val-Gate Urban Renewal Plan

FINANCIAL IMPACT: The City will be entering into a development agreement to reimburse VAB, LLC in the form of an economic development grant of $1,432,250 for work associated with the renovation of the Val Air Ballroom. In addition, the City will be expending funds for the construction of infrastructure improvements. The entire cost of the infrastructure improvement should not exceed $8,730,000.

BACKGROUND: The City Council approved the original Val-Gate Urban Renewal Plan in September 2014. At the direction of the City Council, staff has begun the process to amend the Val-Gate Urban Renewal Plan to add additional projects as they relate to adding trail projects, Ashworth Road reconstruction, utility improvements, railroad crossing improvements, pedestrian safety improvements, and an Economic Development Grant.

As required by law, the City held a consultation meeting with taxing entities regarding this proposed urban renewal plan on July 28, 2022. No one other than City staff attended the Consultation Meeting, and no additional comments or questions were received during the comment period.

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

RECOMMENDATION: Staff recommends the approval of the Resolution approving the amendment to the urban renewal plan.

Lead Staff Member: Clyde E. Evans, AICP

STAFF REVIEWS

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

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	August 5, 2022

SUBCOMMITTEE REVIEW (if applicable)

Committee	F&A		
Date Reviewed	5/18/2022		
Recommendation	☒ Yes	☐ No	

ATTACHMENTS:

Exhibit I	-	Proposed Val-Gate Urban Renewal Plan Amendment #1
Exhibit II	-	Resolution

AMENDMENT NO. 1

to the

VAL-GATE
URBAN RENEWAL PLAN

for the

VAL-GATE
URBAN RENEWAL AREA

WEST DES MOINES, IOWA

Original Area – 2014
Amendment No. 1 – 2022

Amendment No. 1
to the
Val-Gate Urban Renewal Plan
for the
Val-Gate Urban Renewal Area
City of West Des Moines, Iowa

INTRODUCTION AND HISTORY

The Val-Gate Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Val-Gate Urban Renewal Area ("Area" or "Urban Renewal Area"), adopted in September 2014, is being amended by this Amendment No. 1 ("Amendment" or "Amendment No. 1") to add to and/or update the list of proposed projects to be undertaken within the Urban Renewal Area.

No land is being added to or removed from the Urban Renewal Area by this Amendment. Accordingly, the previously established "base values" or "base valuations" of the Urban Renewal Area (if any) will remain unchanged 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.

DEVELOPMENT PLAN

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

This Amendment 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.

PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS

Numerous urban renewal projects were authorized prior to the date of this Amendment and are continuing. Such projects are not listed in this Amendment but consist of a variety of urban renewal projects.

ELIGIBLE URBAN RENEWAL PROJECTS (Amendment No. 1)

Although certain project activities may occur over a period of years, in addition to projects previously authorized in the Plan the eligible urban renewal projects under this Amendment No. 1 include:

1. **Public Improvements:**

Project Description	Estimated Project Timeframe	Estimated Cost	Rationale for Project
Ashworth Rd Trail - west URA boundary to 1st street along Ashworth Rd corridor. Construction of approximately .20 miles of paved shared-use trail and related activities including utilities, grading, paving, curb ramps, railroad crossing, site restoration and associated trail amenities.	2025-2028	$325,000	Development of trail facilities improve quality of life of the area, enhance property values, and attract and retain a knowledge workforce. Multi-use trails also enhances the multi-modal transportation network and pedestrian connectivity which helps alleviate traffic congestion on street network.
4th St Trail - Ashworth Rd to south URA boundary along 4th Street corridor. Construction of approximately .25 miles of paved shared-use trail and related activities including utilities, grading, paving, curb ramps, site restoration and associated trail amenities.	2025-2028	$280,000	Development of trail facilities improve quality of life of the area, enhance property values, and attract and retain a knowledge workforce. Multi-use trails also enhances the multi-modal transportation network and pedestrian connectivity which helps alleviate traffic congestion on street network.
1st St Trail - Ashworth Rd to Grand Avenue along 1st Street corridor. Construction of approximately 600 LF of paved shared-use trail and related activities including utilities, grading, paving, curb ramps, railroad crossing, site restoration and associated trail amenities.	2025-2028	$225,000	Development of trail facilities improve quality of life of the area, enhance property values, and attract and retain a knowledge workforce. Multi-use trails also enhances the multi-modal transportation network and pedestrian connectivity which helps alleviate traffic congestion on street network.
Ashworth Road reconstruction from 1st to 4th Street- Reconstruction of Ashworth from 4-lane roadway to 3-lane urban roadway from 1st Street to 4th Street.	2025-2027	$7,000,000	Support economic development and provide the necessary infrastructure to accommodate traffic and

Project will also include storm sewer and streetlights. Watermain, fiber conduit and sidewalk.			utility demands
4th and Ashworth Pedestrian Beacon- Construction of a pedestrian hybrid beacon to allow pedestrians to safely cross Ashworth Road at 4th Street.	2025-2027	$150,000	Support economic development and provide the necessary infrastructure to accommodate traffic and utility demands.
Improved Railroad Crossing - Coordinate with the railroad to upgrade the railroad crossing at Ashworth and Iowa Interstate Railroad just west of 1st Street.	2025-2027	$250,000	Support economic development and provide the necessary infrastructure to accommodate traffic and utility demands.
Bury Overhead Electric along Ashworth Road- Place existing overhead electric poles and wires underground to reduce visual clutter.	2025-2027	$500,000	Support economic development and provide the necessary infrastructure to accommodate traffic and utility demands.
	Total:	**$8,730,000**	

2. **Development Agreements:**

A. *VAB, LLC (or a related entity):* The City expects to consider a development agreement with VAB, LLC (or a related or similar entity) (the "developer"), pursuant to which the developer would renovate an historic music entertainment venue, and complete related site improvements on property located within the Urban Renewal Area, and create or retain jobs therein. Construction is anticipated to be completed in 2023 and involve an investment of approximately $10,000,000. The City expects to enter into a related minimum assessment agreement setting a minimum assessed value for the project. In return for the developer's performance under the development agreement, the City would make grant payments to the developer financed through incremental tax revenues created by the project, under the detailed terms of the agreement and following satisfaction of certain conditions in the agreement, not to exceed $1,432,250.

B. *Development Agreements*: The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed $500,000.

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

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to Exceed $20,000

FINANCIAL DATA

1.	July 1, 2021 constitutional debt limit:	$ 506,339,850
2.	Current outstanding general obligation debt:	$ 265,986,340
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:	$10,682,250 This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

URBAN RENEWAL FINANCING

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

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

B. General Obligation Bonds.

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

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

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

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.

The use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the *Code of Iowa*, will be consistent with Chapter 403 of the Iowa Code. Nothing in this Amendment shall alter the duration of the division of revenue as previously explained in the Plan.

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.

RESOLUTION NO. _____

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 1 TO THE VAL-GATE URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 14-09-22-11, adopted September 22, 2014, 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 Val-Gate Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Val-Gate Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Polk County; and

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

AN IRREGULAR SHAPED TRACT OF LAND IN A PORTION OF MURROW HILL, A PORTION OF CLEGG PARK PLAT FOUR, ALL OF ROTHFUS PLACE, A PORTION OF THE OFFICIAL PLAT OF THE WEST ONE-HALF OF SECTION 2 AND ALL OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., A PORTION OF JANET'S WOODS, ALL OF McCURNIN PLACE, A PORTION OF LINNWILL, ALL OF LINNWILL PLAT 2 AND ALL OF ROTO ROOTER PLAT 1, ALL BEING OFFICIAL PLATS NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 73 IN MURROW HILL, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST ALONG THE NORTH LINE OF SAID LOT 73 AND ALONG THE SOUTH RIGHT-OF-WAY LINE OF ASHWORTH ROAD AS IT IS PRESENTLY ESTABLISHED, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID ASHWORTH ROAD, SAID POINT BEING THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 169 IN CLEGG PARK PLAT FOUR, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTH ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 169 AND ALONG THE WEST LINE OF SAID LOT 169 TO THE NORTHEAST CORNER OF LOT 115 IN SAID CLEGG PARK PLAT FOUR;

THENCE WEST ALONG THE NORTH LINE OF SAID LOT 115 TO THE NORTHWEST CORNER OF SAID LOT 115;

THENCE WESTERLY IN A STRAIGHT LINE TO THE SOUTHEAST CORNER OF LOT 24 IN ROTHFUS PLACE, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTHERLY ALONG THE EASTERLY LINE OF LOTS 24 AND 23 IN SAID ROTHFUS PLACE TO THE BEGINNING OF RADIUS FOR LOT 23 IN SAID ROTHFUS PLACE, SAID POINT ALSO BEING THE MOST EASTERLY CORNER OF STREET LOT "A" IN SAID ROTHFUS PLACE;

THENCE NORTHEASTERLY IN A STRAIGHT LINE TO THE MOST SOUTHERLY CORNER OF LOT C IN SAID CLEGG PARK PLAT FOUR;

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT C TO THE MOST EASTERLY CORNER OF SAID LOT C;

THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF LOTS C, 106, 105 AND 104 IN SAID CLEGG PARK PLAT FOUR TO THE MOST NORTHERLY CORNER OF SAID LOT 104;

THENCE EASTERLY IN A STRAIGHT LINE THROUGH A PORTION OF THE NORFOLK AND SOUTHERN RAILROAD RIGHT-OF-WAY AS IT IS PRESENTLY ESTABLISHED, TO THE SOUTHWEST CORNER OF LOT 5 IN COLBY'S FACTORY ADDITION, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA;

THENCE EASTERLY ALONG THE SOUTHERLY LINE OF LOT 5 IN SAID COLBY'S FACTORY ADDITION TO THE SOUTHEAST CORNER OF LOT 20 IN THE OFFICIAL PLAT OF THE WEST ONE-HALF OF SECTION 2 AND ALL OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th PRINCIPAL MERIDIAN, WEST DES MOINES, POLK COUNTY, IOWA;

THENCE NORTHEASTERLY IN A STRAIGHT LINE TO THE NORTHWEST CORNER OF LOT 22 IN JANET'S WOODS, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA;

THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 22 TO THE BEND POINT ON THE WEST LINE OF LOT 17 IN SAID JANET'S WOODS;

THENCE SOUTHERLY ALONG THE WESTERLY LINE OF LOTS 17, 16, 15 AND 14 IN SAID JANET'S WOODS TO THE SOUTHWEST CORNER OF LOT 14 IN SAID JANET'S WOODS;

THENCE EAST ALONG THE SOUTH LINE OF LOTS 14, 13 AND 26 IN SAID JANET'S WOODS TO THE NORTHWEST CORNER OF LOT 25 IN SAID JANET'S WOODS;

THENCE SOUTH ALONG THE WEST LINE OF LOTS 25, 24 AND 23 IN SAID JANET'S WOODS TO THE SOUTHWEST CORNER OF SAID LOT 23;

THENCE EAST ALONG THE SOUTH LINE OF LOT 23 IN SAID JANET'S WOODS TO THE SOUTHEAST CORNER OF SAID LOT 23;

THENCE EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 23 TO THE EAST CORPORATE LIMIT LINE OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA AS IT IS PRESENTLY ESTABLISHED;

THENCE SOUTH ALONG SAID CORPORATE LIMIT LINE TO THE SOUTHEAST CORNER OF LOT 'A' IN LINNWILL PLAT 2, AN AUDITOR'S PLAT, WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST ALONG THE SOUTH LINE OF LOT 'A' AND LOT 1 IN SAID LINNWILL PLAT 2 TO THE INTERSECTION OF THE SOUTH LINE OF LOT 1 IN SAID LINNWILL PLAT 2 AND THE EAST LINE OF LOT 20 IN SAID LINNWILL PLAT 2;

THENCE NORTH ALONG THE EAST LINE OF LOT 20 IN SAID LINNWILL PLAT 2 TO THE NORTHEAST CORNER OF LOT 20 IN SAID LINNWILL PLAT 2;

THENCE WEST ALONG THE NORTH LINE OF LOTS 20 THRU 13 INCLUSIVE, TO THE INTERSECTION OF THE NORTH LINE OF LOT 13 IN SAID LINNWILL PLAT 2 AND THE WEST LINE OF LOT 12 IN SAID LINNWILL PLAT 2;

THENCE SOUTH ALONG THE WESTERLY LINE OF LOT 13 IN SAID LINNWILL PLAT 2 TO THE JOG IN THE WESTERLY LINE OF LOT 13 IN SAID LINNWILL PLAT 2;

THENCE WESTERLY ALONG THE WESTERLY LINE OF LOT 13 IN SAID LINNWILL PLAT 2 TO THE NORTHEAST CORNER OF LOT 83 IN LINNWILL, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA;

THENCE WEST ALONG THE NORTH LINE LOTS 83 THRU 78 INCLUSIVE IN SAID LINNWILL TO THE NORTHWEST CORNER OF SAID LOT 78;

THENCE WEST ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 78 IN SAID LINNWILL TO THE EAST LINE OF LOT 38 IN MURROW HEIGHTS, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA AND TO THE WEST RIGHT-OF-WAY LINE OF 4th STREET AS IT IS PRESENTLY ESTABLISHED;

THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF SAID 4th STREET TO THE SOUTHEAST CORNER OF THE WEST 50.45 FEET OF LOT 1 IN SAID MURROW HEIGHTS;

THENCE NORTH ALONG THE EAST LINE OF THE WEST 50.45 FEET OF LOT 1 IN SAID MURROW HEIGHTS TO THE SOUTHEAST CORNER OF THE WEST 50.45 FEET OF THE NORTH 17.00 FEET OF LOT 1 IN SAID MURROW HEIGHTS AND TO THE SOUTH RIGHT-OF-WAY LINE OF GRAND AVENUE AS IT IS PRESENTLY ESTABLISHED;

THENCE NORTH IN A STRAIGHT LINE THROUGH SAID GRAND AVENUE RIGHT-OF-WAY TO THE NORTHWEST CORNER OF THE SOUTH 10.00 FEET OF THE EAST 5.00 FEET OF THE SOUTH ONE-HALF OF LOT 23 IN SAID MURROW HILL;

THENCE NORTH ALONG THE WEST LINE OF THE EAST 5.00 FEET TO THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID LOT 23;

THENCE EAST ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF LOT 23 IN SAID MURROW HILL TO THE EAST LINE OF LOT 23 IN SAID MURROW HILL AND TO THE WEST RIGHT-OF-WAY LINE OF SAID 4th STREET; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF SAID 4th STREET TO THE POINT OF BEGINNING.

[*the underlined portion of the above legal description was previously omitted in the original Plan and is being added hereto for added clarity]

WHEREAS, a proposed Amendment No. 1 to the Plan ("Amendment No. 1" or "Amendment") for the Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add to and/or update the list of proposed projects to be undertaken within the Urban Renewal Area; and

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

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

WHEREAS, by resolution adopted on July 18, 2022, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss

the proposed Amendment No. 1 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 1 be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Business Development Coordinator, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 1 for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Des Moines Register, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 1, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 1 concerning the area of the City of West Des Moines, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 1 conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 1 to the Val-Gate Urban Renewal Plan of the City of West Des Moines, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 1 to the Val-Gate Urban Renewal Plan for the City of West Des Moines, State of Iowa"; Amendment No. 1, including all of the exhibits attached thereto, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 1 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 1 shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 1 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Polk County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 1, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 15th day of August, 2022.

_____

Russ Trimble, Mayor

ATTEST:

_____

Ryan T. Jacobson, City Clerk

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

ATTACH THE AMENDMENT LABELED AS EXHIBIT 1 HERE

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POLK)

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

WITNESS my hand hereto affixed this _____ day of _____, 2022.

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

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