CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Setting Dates of Consultation Meeting and the Public Hearing for Amendment No. 2 to the 8300 Mills Civic Parkway Renewal Plan - City Initiated **DATE:** January 2, 2024

RESOLUTION: Establish Taxing Entities Consultation Meeting date and Public Hearing date for Amendment No. 2 to the 8300 Mills Civic Parkway Renewal Plan - City Initiated

FINANCIAL IMPACT: The City of West Des Moines is considering expanding the 8300 Mills Civic Parkway Urban Renewal Area to add the widening of Mills Civic Parkway from S. 81st Street to S. 88th Street as a public improvement project. The City Engineer's estimate for the cost of the widening project is approximately $3,500,000.

BACKGROUND: The original 8300 Mills Civic Parkway Urban Renewal Area was adopted on March 18, 2019, to facilitate the Development Agreement for the Sammons Financial Group office project and surrounding public infrastructure projects to support the development. The first amendment to the plan was approved on June 17, 2019, to correct the amount of Grant and Connection Fees within the original Plan.

Amendment No. 2 to the plan is necessary to include the widening of the Mills Civic Parkway roadway from S. 81st Street to S. 88th Street as an eligible public improvement project funded through Tax Increment Financing (TIF). The project aims to enhance the safety and organization of vehicular and pedestrian traffic in the area.

The Finance and Administration Subcommittee discussed this matter on November 8, 2023, and provided their support of the Urban Renewal Area (URA) expansion and the inclusion of the Mills Civic Parkway widening as an eligible project.

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

RECOMMENDATION: Staff recommends that the City Council approve a resolution setting January 10, 2024, as the consultation meeting date and February 5, 2024, as the public hearing date for Amendment No. 2 to the 8300 Mills Civic Parkway Urban Renewal Plan.

Lead Staff Member: J. Bradley Munford, Business Development Coordinator

STAFF REVIEWS

Department Director	Ryan Moffatt, Community and Economic Development Director
Appropriations/Finance	Tim Stiles, Finance Director JL for TS
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	1/19/2023

SUBCOMMITTEE REVIEW (if applicable)

Committee	Finance and Administration		
Date Reviewed	November 8, 2023		
Recommendation	☒ Yes	☐ No	

ATTACHMENTS:

Exhibit I	Proposed 8300 Mills Civic Parkway Urban Renewal Plan Amendment No. 2
Exhibit II	Resolution
Exhibit III	Map of Expansion Area

EXHIBIT I

AMENDMENT NO. 2

to the

8300 MILLS CIVIC PARKWAY URBAN RENEWAL PLAN

for the

8300 MILLS CIVIC PARKWAY URBAN RENEWAL AREA

WEST DES MOINES, IOWA

Original Area – 2019
Amendment No. 1 – 2019
Amendment No. 2 – 2024

Amendment No. 2
to the
8300 Mills Civic Parkway Urban Renewal Plan
for the
8300 Mills Civic Parkway Urban Renewal Area
City of West Des Moines, Iowa

INTRODUCTION AND HISTORY

The 8300 Mills Civic Parkway Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the 8300 Mills Civic Parkway Urban Renewal Area ("Area" or "Urban Renewal Area") adopted in March 2019 and subsequently amended once, is being further amended by this Amendment No. 2 to the Plan ("Amendment No. 2" or "Amendment") to add to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area and to add land to the Urban Renewal Area.

Except as modified by this Amendment No. 2, the provisions of the Plan, as previously amended, 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 No. 2 shall control. Any subsections not mentioned in this Amendment No. 2 shall continue to apply to the Plan, as previously amended.

DESCRIPTION OF AREA

The land included in the Urban Renewal Area by the original Plan is referred to as Original Subarea of the Urban Renewal Area. The land being added to the Urban Renewal Area by this Amendment may be referred to as the "Amendment No. 2 Subarea." The legal description of the entire Area, as amended by this Amendment, is attached hereto as Exhibit A. A map of the entire Area, as amended, and identifying the Amendment No. 2 Subarea, is attached as Exhibit B.

BASE VALUE

The base value for the purposes of Tax Increment Financing ("TIF") of the property in the Amendment No. 2 Subarea shall be the assessed value as of January 1 of the calendar year preceding the year in which the property is added to the applicable TIF ordinance, if the Amendment No. 2 Subarea is added to the TIF ordinance. Nothing in this Amendment otherwise affects the already established frozen base value for the Original Subarea.

AREA DESIGNATION

The Urban Renewal Area, as amended by this Amendment, continues to be an economic development area that is appropriate for the promotion of commercial and industrial development.

DEVELOPMENT PLAN

The Urban Renewal Plan, as amended, and this Amendment, are in conformity with the Connect 2 Create WDM, adopted October 17, 2022, which is the City of West Des Moines' ("City") 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. The property being added to the Area is currently zoned PUD- Office and Street ROW. 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.

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. 2)

Although certain project activities may occur over a period of years, in addition to projects previously authorized in the Plan, as previously amended, the eligible urban renewal projects under this Amendment No. 2 include:

1. **Public Improvements:**

Urban Renewal Project Description	Estimated Date	Estimated Cost	Rationale
Mills Civic Parkway Widening – South 81st Street to South 88th Street including all related infrastructure in the applicable right of way	2024	$3,500,000	Provide for safe and orderly movement of vehicles and pedestrians and provision of other services in support of commercial development and job creation and retention
Total		**$3,500,000**	

2. **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**	**$20,000**

FINANCIAL DATA

1.	Current constitutional debt limit:	$506,339,850
2.	Current outstanding general obligation debt:	$362,298,046
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 2) 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. 2) as described above will be approximately as stated in the next column:	$3,520,000 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. 2 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, as previously amended.

REPEALER AND SEVERABILITY CLAUSE

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

If any part of this Amendment or the Plan, as previously amended, 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.

EXHIBIT A

LEGAL DESCRIPTION OF
THE URBAN RENEWAL AREA, AS AMENDED BY AMENDMENT NO. 2

BEGINNING AT THE NORTHWEST CORNER OF PARCEL "AA" AS FILED IN BOOK 2014 PAGE 4167 OF THE DALLAS COUNTY RECORDER'S OFFICE, BEING A POINT ON THE EAST LINE OF LOT 5 SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE NORTH ALONG THE EAST LINE OF LOTS 5, 4, 3, 2, 1 OF SAID SUNSET RIDGE, TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE WEST ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ALONG THE SOUTH LINE OF STREET LOT 'E', SILVERWOOD PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA TO THE SOUTHEAST CORNER OF OUTLOT 'T' OF SAID SILVERWOOD PLAT 1;

THENCE WEST ALONG THE NORTH LINE OF SAID OUTLOT 'T' TO THE SOUTHWEST CORNER OF SAID OUTLOT 'T' AND A SOUTHERLY CORNER OF STREET LOT 'E' OF SAID SILVERWOOD PLAT 1;

THENCE WEST ALONG THE SOUTH LINE OF SAID STREET LOT 'E' TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH ALONG THE WESTERLY LINE OF SAID STREET LOT 'E' TO THE NORTHWEST CORNER OF SAID STREET LOT 'E';

THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID STREET LOT 'E' AND THE EASTERLY EXTENSION THEREOF TO THE WEST LINE OF LOT 1, EILERS SUBDIVISION, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE SOUTH ALONG SAIDWEST LINE OF SAID LOT 1 TO THE CURRENT NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, AS SHOWN ON SAID EILER'S SUBDIVISON;

THENCE EAST, ALONG SAID NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE EAST LINE OF LOT 3 OF SAID EILER'S SUBDIVISION;

THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 3, EILER'S SUBDIVISION, TO THE NORTH LINE OF STREET LOT P, IN HERITAGE BEND PLAT 1, AS FILED IN BOOK 2006 PAGE 19236 OF THE DALLAS CONTY RECORDER'S OFFICE;

THENCE EAST, ALONG THE NORTH LINE OF SAID STREET LOT P, IN HERITAGE BEND PLAT 1, AND PROJECTION THEREOF, TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 28 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, BEING THE NORTHEAST CORNER OF STREET LOT P;

THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 14 AND STREET LOT P, TO THE CENTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS

COUNTY, IOWA, BEING ALSO THE SOUTHEAST CORNER OF STREET LOT P OF HERITAGE BEND PLAT 1;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, TO THE SOUTHERLY POINT OF THE NORTH LINE OF STREET LOT 'B', THE CASCADES AT JORDAN CREEK PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE WEST, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, SAID POINT BEING THE NORTHWEST CORNER OF SAID STREET LOT 'B';

THENCE WEST AND THENCE NORTHWEST ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SOUTH 81ST STREET, TO THE SOUTHEAST CORNER OF STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, AS FILED IN BOOK 2015 PAGE 13814 OF THE DALLAS COUNTY RECORDER'S OFFICE;

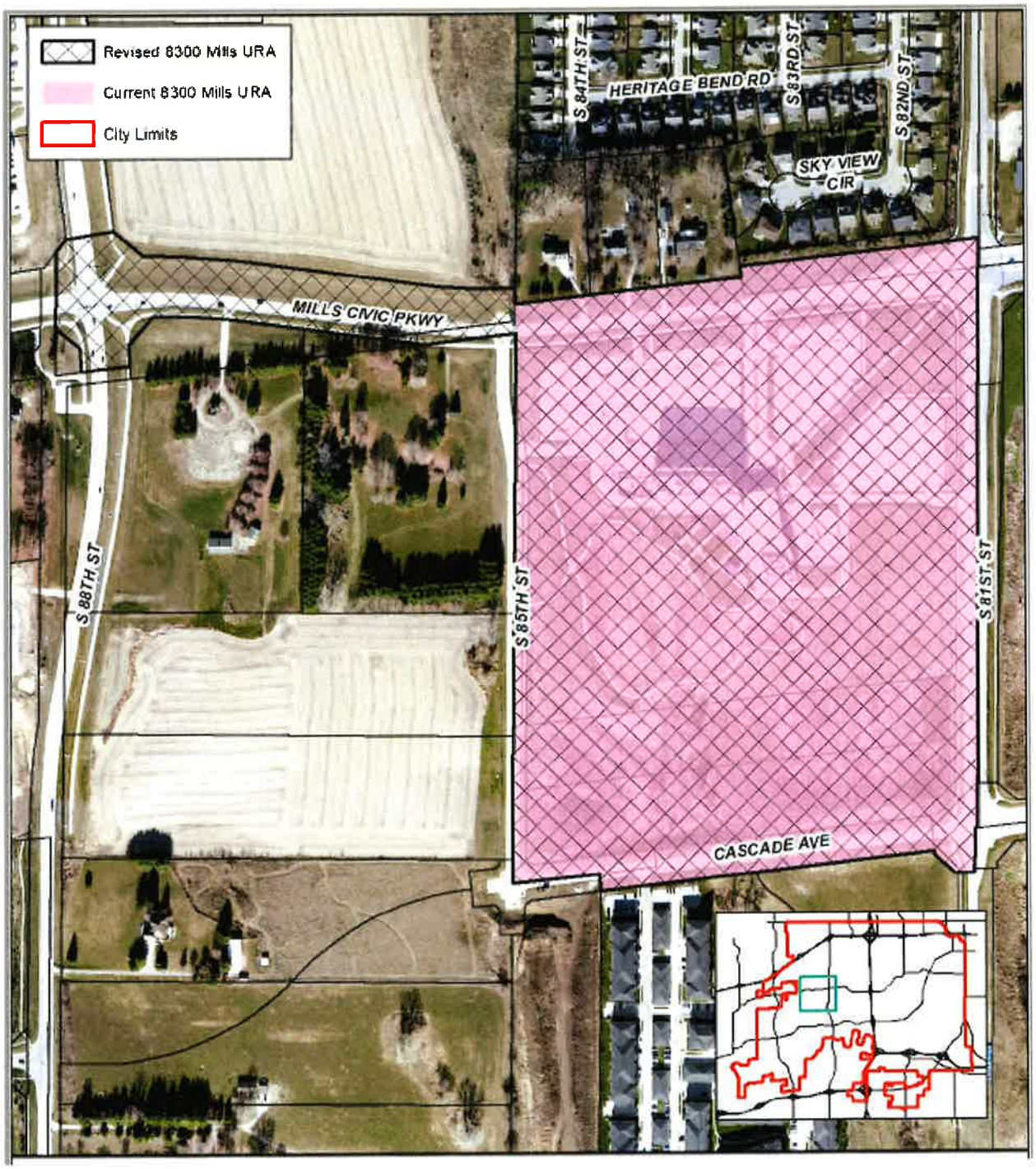
THENCE SOUTHWESTERLY, ALONG THE SOUTH LINE OF SAID STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT 'A';

THENCE NORTHWESTERLY, ALONG THE WEST LINE OF STREET LOT 'A', TO A POINT ON THE NORTH LINE OF PARCEL "AA" IN BOOK 2014 PAGE 4167;

THENCE SOUTHWESTERLY, ALONG THE NORTH LINE OF SAID PARCEL "AA", TO THE POINT OF BEGINNING.

EXHIBIT B

MAP OF 8300 MILLS CIVIC PARKWAY URBAN RENEWAL AREA, AS AMENDED, AND IDENTIFYING THE AMENDMENT NO. 2 SUBAREA



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RESOLUTION NO. _____

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 2 TO THE 8300 MILLS CIVIC PARKWAY URBAN RENEWAL PLAN IN THE CITY OF WEST DES MOINES, STATE OF IOWA

WHEREAS, by Resolution No. 19-03-18-19, adopted March 18, 2019, 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 8300 Mills Civic Parkway Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the 8300 Mills Civic Parkway Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Dallas County; and

WHEREAS, the Plan has subsequently been amended by an Amendment No. 1, adopted by Resolution No. 19-06-17-13, on June 17, 2019; and

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

ORIGINAL AREA

BEGINNING AT THE NORTHWEST CORNER OF PARCEL "AA" AS FILED IN BOOK 2014 PAGE 4167 OF THE DALLAS COUNTY RECORDER'S OFFICE, BEING A POINT ON THE EAST LINE OF LOT 5 SUNSET RIDGE AS FILED IN BOOK 6 PAGE 244 OF THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE NORTH ALONG THE EAST LINE OF LOTS 5, 4, 3, 2, 1 AND LOT C (STREET) OF SAID SUNSET RIDGE, TO THE NORTHEAST CORNER OF SAID LOT C (STREET);

THENCE NORTH ON THE WEST LINE OF LOT 1, OF EILER'S SUBDIVISION, AS FILED IN BOOK 769 PAGE 98 OF THE DALLAS COUNTY RECORDER'S OFFICE, TO THE CURRENT NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, AS SHOWN ON SAID EILER'S SUBDIVISON;

THENCE EAST, ALONG SAID NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE EAST LINE OF LOT 3 OF SAID EILER'S SUBDIVISION;

THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 3, EILER'S SUBDIVISION, TO THE NORTH LINE OF STREET LOT P, IN HERITAGE BEND PLAT 1, AS FILED IN BOOK 2006 PAGE 19236 OF THE DALLAS CONTY RECORDER'S OFFICE;

THENCE EAST, ALONG THE NORTH LINE OF SAID STREET LOT P, IN HERITAGE BEND PLAT 1, AND PROJECTION THEREOF, TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 28 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, BEING THE NORTHEAST CORNER OF STREET LOT P;

THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 14 AND STREET LOT P, TO THE CENTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, BEING ALSO THE SOUTHEAST CORNER OF STREET LOT P OF HERITAGE BEND PLAT 1;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, TO THE SOUTHERLY POINT OF THE NORTH LINE OF STREET LOT 'B', THE CASCADES AT JORDAN CREEK PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING APART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE WEST, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, SAID POINT BEING THE NORTHWEST CORNER OF SAID STREET LOT 'B';

THENCE WEST AND THENCE NORTHWEST ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SOUTH 81ST STREET, TO THE SOUTHEAST CORNER OF STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, AS FILED IN BOOK 2015 PAGE 13814 OF THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE SOUTHWESTERLY, ALONG THE SOUTH LINE OF SAID STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT `A';

THENCE NORTHWESTERLY, ALONG THE WEST LINE OF STREET LOT 'A', TO A POINT ON THE NORTH LINE OF PARCEL "AA" IN BOOK 2014 PAGE 4167;

THENCE SOUTHWESTERLY, ALONG THE NORTH LINE OF SAID PARCEL "AA", TO THE POINT OF BEGINNING.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 2 to the Plan ("Amendment No. 2" 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 add to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area and to add land to 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, after adoption of this proposed Amendment No. 2, the Urban Renewal Area would contain the following property:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL "AA" AS FILED IN BOOK 2014 PAGE 4167 OF THE DALLAS COUNTY RECORDER'S OFFICE, BEING A POINT ON THE EAST LINE OF LOT 5 SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE NORTH ALONG THE EAST LINE OF LOTS 5, 4, 3, 2, 1 OF SAID SUNSET RIDGE, TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE WEST ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ALONG THE SOUTH LINE OF STREET LOT 'E', SILVERWOOD PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA TO THE SOUTHEAST CORNER OF OUTLOT 'T' OF SAID SILVERWOOD PLAT 1;

THENCE WEST ALONG THE NORTH LINE OF SAID OUTLOT 'T' TO THE SOUTHWEST CORNER OF SAID OUTLOT 'T' AND A SOUTHERLY CORNER OF STREET LOT 'E' OF SAID SILVERWOOD PLAT 1;

THENCE WEST ALONG THE SOUTH LINE OF SAID STREET LOT 'E' TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH ALONG THE WESTERLY LINE OF SAID STREET LOT 'E' TO THE NORTHWEST CORNER OF SAID STREET LOT 'E';

THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID STREET LOT 'E' AND THE EASTERLY EXTENSION THEREOF TO THE WEST LINE OF LOT 1, EILERS SUBDIVISION, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE SOUTH ALONG SAIDWEST LINE OF SAID LOT 1 TO THE CURRENT NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, AS SHOWN ON SAID EILER'S SUBDIVISON;

THENCE EAST, ALONG SAID NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE EAST LINE OF LOT 3 OF SAID EILER'S SUBDIVISION;

THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 3, EILER'S SUBDIVISION, TO THE NORTH LINE OF STREET LOT P, IN HERITAGE BEND PLAT 1, AS FILED IN BOOK 2006 PAGE 19236 OF THE DALLAS CONTY RECORDER'S OFFICE;

THENCE EAST, ALONG THE NORTH LINE OF SAID STREET LOT P, IN HERITAGE BEND PLAT 1, AND PROJECTION THEREOF, TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 28 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, BEING THE NORTHEAST CORNER OF STREET LOT P;

THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 14 AND STREET LOT P, TO THE CENTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, BEING ALSO THE SOUTHEAST CORNER OF STREET LOT P OF HERITAGE BEND PLAT 1;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, TO THE SOUTHERLY POINT OF THE NORTH LINE OF STREET LOT 'B', THE CASCADES AT JORDAN CREEK PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE WEST, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, SAID POINT BEING THE NORTHWEST CORNER OF SAID STREET LOT 'B';

THENCE WEST AND THENCE NORTHWEST ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SOUTH 81ST STREET, TO THE SOUTHEAST CORNER OF STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, AS FILED IN BOOK 2015 PAGE 13814 OF THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE SOUTHWESTERLY, ALONG THE SOUTH LINE OF SAID STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT 'A';

THENCE NORTHWESTERLY, ALONG THE WEST LINE OF STREET LOT 'A', TO A POINT ON THE NORTH LINE OF PARCEL "AA" IN BOOK 2014 PAGE 4167;

THENCE SOUTHWESTERLY, ALONG THE NORTH LINE OF SAID PARCEL "AA", TO THE POINT OF BEGINNING.

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 2 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. 2 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:

That the consultation on the proposed Amendment No. 2 required by Section 403.5(2), Code of Iowa, as amended, shall be held on January 10, 2024, in the Board Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at 11:00 A.M., and the Business Development Coordinator, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

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. 2, 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. 2 TO THE 8300 MILLS CIVIC PARKWAY 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 11:00 A.M. on January 10, 2024, in the Board Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa concerning a proposed Amendment No. 2 to the 8300 Mills Civic Parkway Urban Renewal Plan for the 8300 Mills Civic Parkway Urban Renewal Area, a copy of which is attached hereto. The consultation meeting will also be accessible virtually, at https://tinyurl.com/447w746f.

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 his delegate, as the designated representative of the City of West Des Moines, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 2 to the 8300 Mills Civic Parkway 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 _____, 2024.

_____

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

(End of Notice)

That a public hearing shall be held on the proposed Amendment No. 2 before the City Council at its meeting which commences at 5:30 P.M. on February 5, 2024, in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa.

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. 2 TO THE 8300 MILLS CIVIC PARKWAY 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 5, 2024 in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, to consider adoption of a proposed Amendment No. 2 to the 8300 Mills Civic Parkway Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of West Des Moines, State of Iowa.

Amendment No. 2 is proposed to add land to the Urban Renewal Area such that after adoption of the Amendment the Urban Renewal Area would include all of the following property:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL "AA" AS FILED IN BOOK 2014 PAGE 4167 OF THE DALLAS COUNTY RECORDER'S OFFICE, BEING A POINT ON THE EAST LINE OF LOT 5 SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE NORTH ALONG THE EAST LINE OF LOTS 5, 4, 3, 2, 1 OF SAID SUNSET RIDGE, TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE WEST ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ALONG THE SOUTH LINE OF STREET LOT 'E', SILVERWOOD PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA TO THE SOUTHEAST CORNER OF OUTLOT 'T' OF SAID SILVERWOOD PLAT 1;

THENCE WEST ALONG THE NORTH LINE OF SAID OUTLOT 'T' TO THE SOUTHWEST CORNER OF SAID OUTLOT 'T' AND A SOUTHERLY CORNER OF STREET LOT 'E' OF SAID SILVERWOOD PLAT 1;

THENCE WEST ALONG THE SOUTH LINE OF SAID STREET LOT 'E' TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH ALONG THE WESTERLY LINE OF SAID STREET LOT 'E' TO THE NORTHWEST CORNER OF SAID STREET LOT 'E';

THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID STREET LOT 'E' AND THE EASTERLY EXTENSION THEREOF TO THE WEST LINE OF LOT 1, EILERS SUBDIVISION, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE SOUTH ALONG SAIDWEST LINE OF SAID LOT 1 TO THE CURRENT NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, AS SHOWN ON SAID EILER'S SUBDIVISON;

THENCE EAST, ALONG SAID NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE EAST LINE OF LOT 3 OF SAID EILER'S SUBDIVISION;

THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 3, EILER'S SUBDIVISION, TO THE NORTH LINE OF STREET LOT P, IN HERITAGE BEND PLAT 1, AS FILED IN BOOK 2006 PAGE 19236 OF THE DALLAS CONTY RECORDER'S OFFICE;

THENCE EAST, ALONG THE NORTH LINE OF SAID STREET LOT P, IN HERITAGE BEND PLAT 1, AND PROJECTION THEREOF, TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 28 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, BEING THE NORTHEAST CORNER OF STREET LOT P;

THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 14 AND STREET LOT P, TO THE CENTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, BEING ALSO THE SOUTHEAST CORNER OF STREET LOT P OF HERITAGE BEND PLAT 1;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, TO THE SOUTHERLY POINT OF THE NORTH LINE OF STREET LOT 'B', THE CASCADES AT JORDAN CREEK PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE WEST, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, SAID POINT BEING THE NORTHWEST CORNER OF SAID STREET LOT 'B';

THENCE WEST AND THENCE NORTHWEST ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SOUTH 81ST STREET, TO THE SOUTHEAST CORNER OF STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, AS FILED IN BOOK 2015 PAGE 13814 OF THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE SOUTHWESTERLY, ALONG THE SOUTH LINE OF SAID STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT 'A';

THENCE NORTHWESTERLY, ALONG THE WEST LINE OF STREET LOT 'A', TO A POINT ON THE NORTH LINE OF PARCEL "AA" IN BOOK 2014 PAGE 4167;

THENCE SOUTHWESTERLY, ALONG THE NORTH LINE OF SAID PARCEL "AA", TO THE POINT OF BEGINNING.

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 the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the 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 initially proposes specific public infrastructure or site improvements to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 2 would add to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area and add 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 _____, 2024.

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

(End of Notice)

That the proposed Amendment No. 2, attached hereto as Exhibit 1, for the Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 2 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 2nd day of January, 2024.

_____

Greg Hudson, Presiding Officer

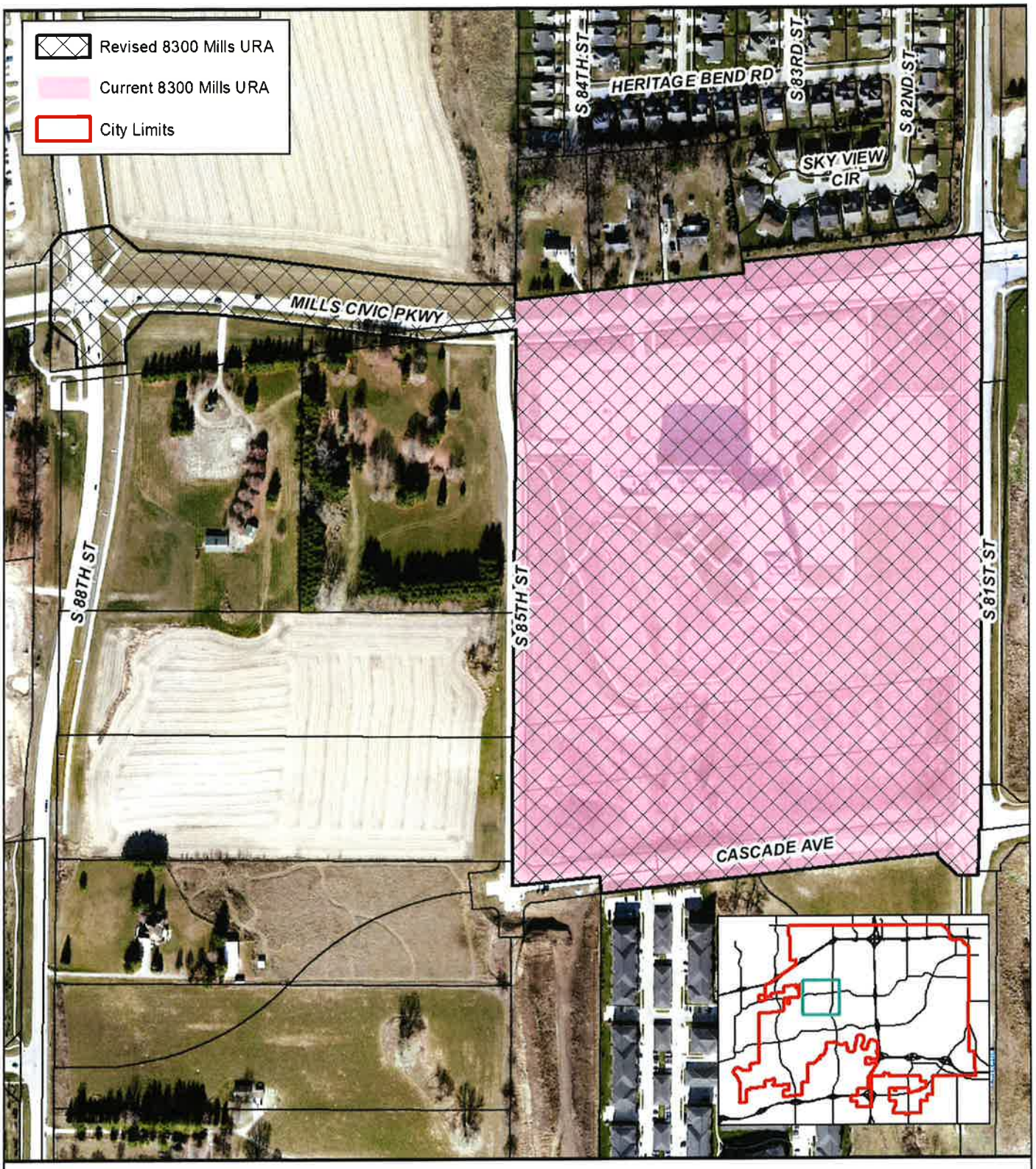
ATTEST:

_____

Ryan T. Jacobson, City Clerk

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

EXHIBIT III



West Des Moines

8300 Mills Civic Parkway Urban Renewal Area Proposed Revision - Add ROW

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** For illustrative purposes only. The City of West Des Moines claims no responsibility for map's correctness or content accuracy.*

~~Parkway/Amendment No. 2/8300 Mills URP Amendment No 2 Setting Public Hearing_SR_CC_1-2-2024.docxhttps://wdmiowa.sharepoint.com/sites/CEDCommEcDev/CED Library/^Urban Renewal Plans/Alluvion/Alluvion/Amendment #5/Alluvion URP Amedment No 5 Setting Public Hearing_SR_CC_07-07-2021_.docx~~