CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Setting Date of Consultation and Public Hearing for creation of the Ruthenium Urban Renewal Plan – City Initiated **Date:** March 18, 2024

RESOLUTION: Establish Consultation Meeting date and set the date of Public Hearing for the adoption of the Ruthenium Urban Renewal Plan.

FINANCIAL IMPACT: The City will be expending funds for the construction of infrastructure to support the data center project. The entire cost of those infrastructure improvements should not exceed $15,930,000.

BACKGROUND: The Microsoft Corporation (Microsoft) has reached out to the City regarding the potential construction of their 6th data center campus project within the city. Microsoft has purchased 132 acres of property at the southeast corner of Veterans Parkway and Woodland Avenue in Madison County. Given the infrastructure requirements for the data center, it was determined that a new urban renewal area, named Ruthenium, would need to be established.

A development agreement with Microsoft is currently being negotiated and will be brought back before the City Council for approval at a later date, however, an Urban Renewal Plan authorizing the creation of a new Tax Increment Financing (TIF) district will need to be established first. The agreement is anticipated to be similar to the structure of previous development agreements that the City has entered into with Microsoft for other data center campus projects.

Less city-owned property and rights-of-way, a total of four (4) parcels exist within the boundaries of the proposed Urban Renewal Area, all commonly owned by Microsoft. Because the parcels are over 10 acres in size and currently designated for agricultural use and/or assessment, state law will require the City to obtain a signed "agricultural consent" agreement from the property owner, granting permission for the inclusion of the property within the proposed URA boundaries. The City has obtained the necessary consent from the property owner in February 2024.

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

OUTSTANDING ISSUES: There are no outstanding issues regarding the proposed creation of the Ruthenium Urban Renewal Plan.

RECOMMENDATION: Staff recommends that the City Council approve a resolution setting March 27, 2024 as the Consultation Meeting date and April 15, 2024 as the Public Hearing date for creation of the Ruthenium Urban Renewal Plan.

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

STAFF REVIEWS

Department Director	Ryan L Moffatt, Director, Community and Economic Development
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

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

SUBCOMMITTEE REVIEW (if applicable)

Committee	F&A		
Date Reviewed	March 6, 2024		
Recommendation	X Yes	☐ No	

EXHIBIT I

RUTHENIUM
URBAN RENEWAL PLAN

FOR THE

RUTHENIUM
URBAN RENEWAL AREA

APRIL 2024

Final

TABLE OF CONTENTS

I.	Introduction	1
II.	Authority to Adopt and Implement Plan – Area Designation	1
III.	Area Description	1
IV.	Plan Objectives	2
V.	Description of Types of Urban Renewal Activities	2
VI.	Land Use Plan and Consistency of Comprehensive Plan	3
VII.	Urban Renewal Financing	3
VIII.	Implementation	4
IX.	Property Acquisition/Disposition/Relocation	4
X.	Proposed Urban Renewal Projects	5
XI.	City Indebtedness and Financial Data	6
XII.	Agreements to Include Agricultural Land	6
XIII.	State and Local Requirements	7
XIV.	Amendments	7
XV.	Applicability and Effective Period	7
XVI.	Severability	7

Exhibits

A.	Legal Description – Ruthenium Urban Renewal Area	A-1
B.	Boundary Map	B-1
C.	Agreement to Include Ag Land in the Ruthenium Urban Renewal Area	C-1

I. INTRODUCTION

This Ruthenium Urban Renewal Plan (the "Plan") has been prepared to provide for the development of the Ruthenium Urban Renewal Area (the "Urban Renewal Area" or "Area" or "Plan Area"). The City is using its power and authority under the Plan to stimulate economic development. It is anticipated and intended that the public investment made as a result of this Plan will not only result in development of the Area, but also that such development and investment will serve as a catalyst for additional development in the surrounding area. Investment by the private sector as a result of this public action will expand the City's tax base, increase job opportunities, improve and maintain the quality of life in the community, and thereby achieve these public purposes and goals.

The proposed Urban Renewal Plan activities will serve as an economic catalyst for development within the Plan Area. The additional commercial and industrial development will provide local employment opportunities. The projects listed in the Plan provide for economic use of land, resulting in private investment that may not otherwise occur and thereby significantly increasing the taxable value of the property. It will also create a higher level of investment in the surrounding commercial and industrial properties both in the total amount of development and in the value of existing or future individual commercial and industrial structures, thus substantially increasing the tax base beyond that which would otherwise be probable for the Area.

The main impetus for the Plan is the pending decision of Microsoft Corporation ("Microsoft") to expand its presence in West Des Moines with another data center site ("Microsoft Project"), which would be located within this Area. The Microsoft Project is expected to generate increased taxable value and jobs within the City. The Microsoft Project is anticipated to include at least a $62.5 million minimum assessment agreement for the facilities constructed as part of the Microsoft Project, meaning that the minimum valuation for property tax purposes shall be at least $62.5 million when the Microsoft Project is completed, which will have a significant impact on the tax base. In addition, the infrastructure required for the Microsoft Project will open up surrounding property for future commercial and industrial development because the Microsoft Project is in an undeveloped part of the City.

II. AUTHORITY TO ADOPT AND IMPLEMENT PLAN-AREA DESIGNATION

Authority and powers to undertake this Plan are granted to the City of West Des Moines by Chapters 15, 15A and 403 of the 2021 Code of Iowa.

The City Council finds the Area to be suitable for designation as an economic development area, including but not limited to the following: to encourage the location and expansion of certain commercial and industrial enterprises to more conveniently provide needed employment services and facilities to the residents of the City, to alleviate and prevent conditions of unemployment by assisting and retaining local industries and commercial and industrial enterprises and to strengthen and revitalize the economy of the State and the City.

III. AREA DESCRIPTION

The property or Area included in this Plan is legally described in Exhibit "A" and depicted

on the Urban Renewal Area map in Exhibit "B". Exhibits "A" and "B" are incorporated into and made a part of this Plan.

IV. PLAN OBJECTIVES

The objectives of the Plan are to rectify the inadequacies in the infrastructure system as identified elsewhere in the Plan and promote commercial and industrial economic development and optimal growth of the tax base.

It is contemplated that urban renewal activities will include construction of new public and private infrastructure and reconstruction and improvement of existing infrastructure. In addition, economic development grants may also be used to promote commercial and industrial economic development and optimal growth of the tax base.

Generally, renewal activities are designed to provide opportunities, incentives, and sites for new and expanded commercial and industrial development. More specific objectives for development within the Urban Renewal Area are as follows:

1. To stimulate through public action and commitment, private investment in new development.

2. To provide a more marketable and attractive investment climate.

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

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

5. To support and provide for currently planned and potential future commercial and industrial development in an undeveloped area of City.

The City does not currently contemplate acquisition of any land to be developed for residential use or economic development (except for the installation of public improvements), but rather anticipates that such development will be an undertaking of the private sector.

V. DESCRIPTION OF TYPES OF URBAN RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapters 403, 15 and 15A, Code of Iowa including, but not limited to, tax increment financing. Some of the renewal activities anticipated include the following:

1. Improvement, installation, construction, relocation, and reconstruction of public infrastructure, including but not limited to roads and streets, utilities (water storage, wells, distribution lines); sanitary sewer; storm sewer; electric (installation, distribution, relocation); fiber optics, public facilities, bike/pedestrian trails, traffic signals and signage, turn lanes and activities related or associated with the foregoing.

2. To provide for the construction of site improvements including, but not limited to grading and site preparation activities, access roads, fencing, utility connections, and related activities.

3. To provide for relocation benefits as required by law.

4. To make loans, grants, rebates, or other incentives to private persons or businesses for economic development purposes on such terms as may be determined by the City Council.

5. To borrow money and to provide security, therefore.

6. To make or have made surveys and plans necessary for the implementation of the urban renewal program or specific urban renewal projects.

7. To use tax increment financing for a variety of purposes.

8. Insure or provide for the insurance of any real or personal property or operations of the City against any risks or hazards, including payment of premiums on any such insurance.

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

10. Enter into any contracts necessary to effectuate the purposes of this Plan.

11. The use of any or all other powers granted by Chapters 15, 15A or 403, Code of Iowa to develop and provide for improved economic conditions for the City of West Des Moines and State of Iowa.

VI. LAND USE PLAN AND CONSISTENCY WITH COMPREHENSIVE PLAN

The Area is currently zoned for the following land uses: Light Industrial.

The City Council finds that the Plan is in conformity with the existing Connect 2 Create WDM adopted on October 17, 2022. The Connect 2 Create WDM is the City's general plan for the development of the City as a whole. In addition, the proposed urban renewal projects as described in this Plan conform with the Connect 2 Create WDM. This Urban Renewal Plan does not change or in any way replace the City's current land use planning or zoning regulation process.

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

VII. URBAN RENEWAL FINANCING

The City of West Des Moines intends to utilize various financing tools such as those

described below to successfully undertake the proposed urban renewal actions. The City of West Des Moines has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing (T.I.F.) mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects, etc. The 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 T.I.F. district.

B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell General Obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incenting commercial and industrial development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of West Des Moines. It is the City's intent to abate the debt service on these bonds with incremental taxes from this Area.

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

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

VIII. IMPLEMENTATION

Implementation of the activities in this Plan is at the City Council's discretion.

IX. PROPERTY ACQUISITION/DISPOSITION/RELOCATION

Any property acquisition/disposition necessary to accomplish the objectives of this Plan will

be carried out, without limitation, in accordance with any required statutory procedures.

The City will comply with any required applicable State or Federal laws governing the relocation of persons displaced from the Area as a result of urban renewal projects undertaken pursuant to this Plan, although no such relocation is expected to be required at this time.

X. PROPOSED URBAN RENEWAL PROJECTS

The Microsoft Project is estimated to generate approximately $210,000,00 of investment, 25 Full Time Equivalent Jobs, and support infrastructure to house servers and computer equipment to operate large-scale web portal services.

At this time, the urban renewal projects ("Proposed Projects" or "Proposed Urban Renewal Projects") to be undertaken within the Area are generally shown in the following section and may include other such improvements deemed appropriate and necessary by the City for furtherance of the urban renewal project.

A. Public Improvements

Description of Urban Renewal Project	**Est. Time Period**	**Estimated cost to be reimbursed by tax increment financing**	**Rationale (why economic development is promoted)**
Woodland Avenue – Veterans Parkway to SW 110th Street – roadway and associated infrastructure in the right of way, including but not limited to fiber conduit and water main/appurtenances	2025-2029	$5,400,000	Provide for the safe and orderly movement of vehicles and pedestrians and prepare Area for development.
SW 100th Street – Woodland Avenue to SW 60th Street - roadway and associated infrastructure in the right of way, including but not limited to fiber conduit and water main/appurtenances	2025-2029	$8,640,000	Provide for the safe and orderly movement of vehicles and pedestrians and prepare Area for development.
Temporary Lift Station & Force Main	2025-2029	$1,620,000	Provide the extension of sewer service to accommodate development while protecting water quality within the region.
SW 60th St side path trail - Veterans Pkwy to SW 110th St	2025-2029	$270,000	Development of trail facilities enhances the multi-modal transportation network and improves quality of life of the area.
		$15,930,000	

*Note: The Plan reflects anticipated street names for proposed streets to be located in the Area as depicted in Exhibit B.

**Note: It may be that the above costs will be reduced by the application of state

and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds.

B. Development Agreement

The City plans to enter into a development agreement with Microsoft whereby Microsoft would agree to a minimum assessment agreement setting a minimum assessed value of the Microsoft Project of at least $62,500,000 and the creation of at least 25 Full Time Equivalent Jobs. Subject to the terms and conditions of the future development agreement, the City expects to construct the public improvements described above under "Public Improvements". The Microsoft Project, Public Improvements, and related terms and conditions may vary upon completion of a development agreement.

C. 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

XI. CITY INDEBTEDNESS AND FINANCIAL DATA

1.	July 1, 2023 constitutional debt limit:	$506,339,850
2.	Outstanding general obligation debt:	$362,298,046
3.	A specific amount of debt to be incurred for the Proposed Urban Renewal Projects has not yet been determined. At no time will the City exceed its constitutional debt limit. The Projects authorized in this Plan are only proposed projects at this time. The City Council will consider each Project proposal on a case-by-case basis to determine if it is consistent with the Plan and in the public's best interest to participate in the Project. These Projects will commence and be concluded over a number of years. The City expects to issue bond indebtedness for the engineering and administration, construction of the Proposed Urban Renewal Projects, economic development grants, and possible land acquisitions related to the Proposed Projects. It is further expected that such indebtedness, including interest and costs on the same, will be financed in whole or in part with tax increment revenues from the Urban Renewal Area over the statutorily available period. Subject to the foregoing, it is estimated that the cost of the Proposed Urban Renewal Projects as described above could be up to this amount:	$15,950,000 This amount does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

XII. AGREEMENTS TO INCLUDE AGRICULTURAL LAND

Because some of the property being included in the Ruthenium Urban Renewal Area may be defined as "agricultural land" under Iowa Code Section 403.17(3), the owner of property that may qualify as agricultural land has entered into an agreement in which the property owner agrees to allow the City to include real property defined as "Agricultural Land" in the Urban Renewal Area. A copy of the agreement executed by the property owner is attached as

Exhibit C. The original agreement executed by the property owner (with any exhibits) will be retained on file at the West Des Moines City Clerk's office.

XIII. STATE AND LOCAL REQUIREMENTS

The City will comply with all provisions necessary to conform with State and local laws in implementing this Plan and its supporting documents.

XIV. AMENDMENTS

This Plan may be amended or revoked at any time by resolution of the West Des Moines City Council in accordance with the provisions of Chapter 403, Code of Iowa, 2023, and in any manner deemed appropriate to accomplish the objectives of the Plan.

XV. APPLICABILITY AND EFFECTIVE PERIOD

This Plan will become effective upon its adoption by the City Council and will remain in effect until terminated by the City Council.

With respect to any property covered by this Plan which is included in an ordinance which designates that property as a tax increment area, the use of incremental property tax revenues, or the "division of revenue" as those words are used in Chapter 403 of the Code of Iowa, currently is limited to twenty (20) years from the calendar year following the calendar year in which the City (following adoption of a TIF ordinance) first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property. The division of revenues shall continue pursuant to the terms of each TIF ordinance for the maximum period allowed by law. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Iowa Code) by the City for activities carried out under this Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

XVI. SEVERABILITY

If any section, provision, or part of this Plan is adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Plan as a whole or any action, provision, or part hereof not adjudged to be invalid or unconstitutional.

EXHIBIT A

LEGAL DESCRIPTION
RUTHENIUM URBAN RENEWAL AREA
WEST DES MOINES, IOWA

BEGINNING AT A POINT 33.00 FEET EAST AND 33.00 FEET SOUTH OF THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA;
THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF WOODLAND AVENUE TO THE CENTERLINE OF VETERANS PARKWAY;
THENCE EAST ALONG SAID CENTERLINE OF VETERANS PARKWAY TO THE EAST LINE OF STREET LOT 'A', OSMIUM WEST PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, MADISON COUNTY, IOWA AND ALSO BEING THE EAST LINE OF MAIDSON COUNTY AND WEST LINE OF WARREN COUNTY;
THENCE EAST CONTINUING ALONG SAID CENTERLINE OF VETERANS PARKWAY TO THE EAST LINE OF STREET LOT 'A', OSMIUM EAST PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, WARREN COUNTY, IOWA AND ALSO BEING THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 35;
THENCE SOUTH CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE OF INTERSTATE 35 AND ALONG SAID EAST LINE OF STREET LOT 'A' AND ALONG THE EAST LINE OF OUTLOT 'Z' OF SAID OSMIUM EAST PLAT 1, TO THE SOUTHEAST CORNER OF SAID OUTLOT 'Z';
THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF SAID OUTLOT 'Z' TO THE NORTHWEST CORNER OF SAID OUTLOT 'Z', ALSO BEING THE SOUTH LINE OF SAID VETERANS PARKWAY RIGHT-OFWAY;
THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF VETERANS PARKWAY TO THE WEST COUNTY LINE OF WARREN COUNTY AND THE EAST COUNTY LINE OF MADISON COUNTY;
THENCE CONTINUING WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF VETERANS PARKWAY TO THE NORTHWEST CORNER OF LOT 1 OF SAID OSMIUM WEST PLAT 1 AND ALSO THE EAST RIGHT-OF-WAY LINE OF SW 60TH STREET;
THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE OF SW 60TH STREET AND THE SOUTHERLY EXTENSION THEREOF TO THE SOUTH RIGHT-OF-WAY LINE OF 110TH STREET;
THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 110TH STREET TO A POINT OF BEGINNING.

EXHIBIT B
BOUNDARY MAP
RUTHENIUM URBAN RENEWAL AREA

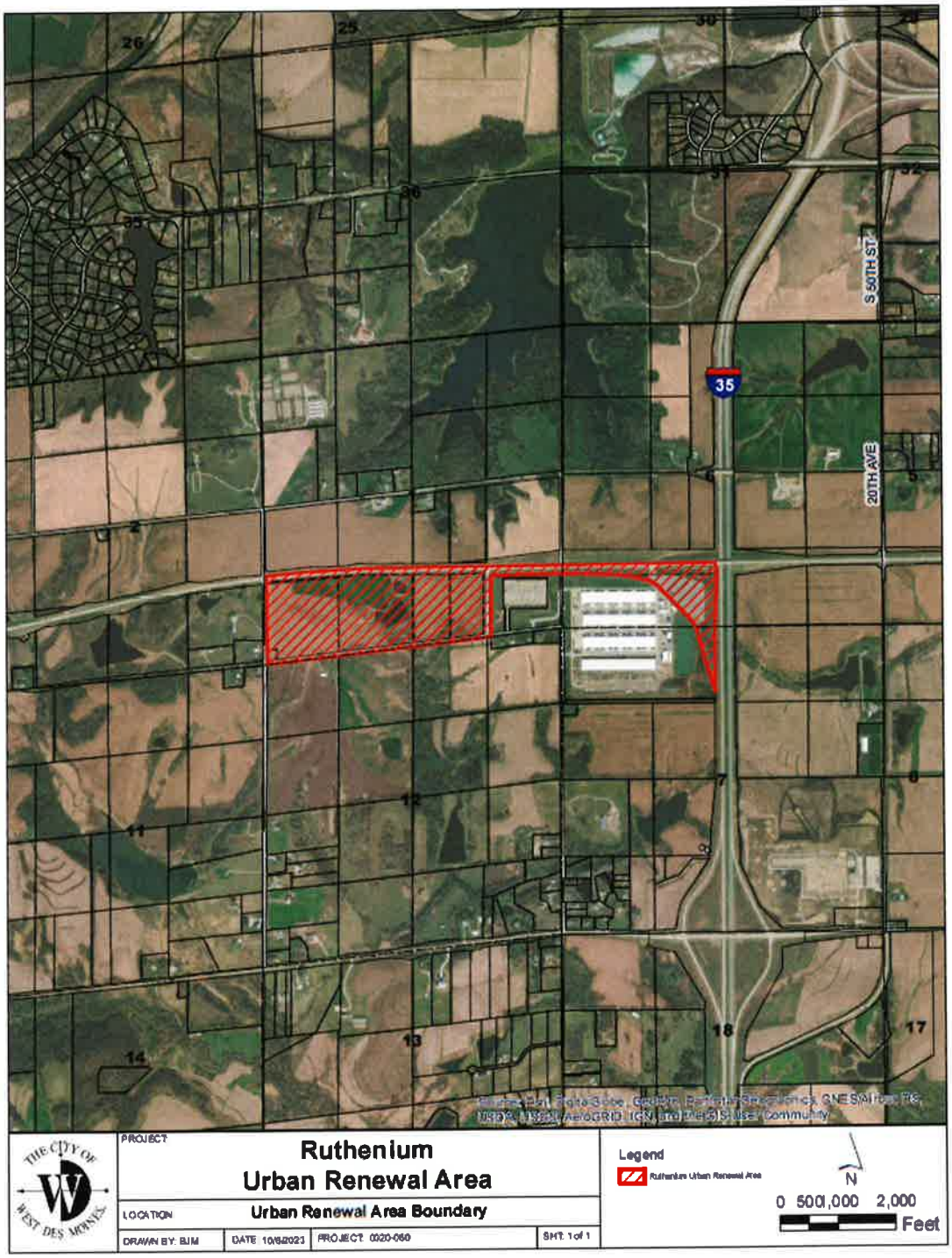

EXHIBIT C
AGRICULTURAL LAND CONSENT

AGREEMENT TO INCLUDE AGRICULTURAL LAND IN THE RUTHENIUM URBAN RENEWAL AREA

WHEREAS, the City Council of the City of West Des Moines, Iowa (the "City") has proposed to create an Urban Renewal Plan for the proposed Ruthenium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include the following parcels:

011010168010000
011010166010000
010010180040000
010010180030000
; and

WHEREAS, the Parcels are owned by MICROSOFT CORPORATION (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

1. The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.

2. The Undersigned hereby agrees that the City may include all of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 13 day of February, 2024.

MICROSOFT CORPORATION

By: Chris Sander (Feb 13, 2024 21:54 PST)

Title: General Manager

02267847-1\11333-458

RESOLUTION NO. _____

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

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

WHEREAS, this Council has caused there to be prepared a proposed Ruthenium Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Ruthenium Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Ruthenium Urban Renewal Area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the City Clerk; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Council has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

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

WHEREAS, the proposed Urban Renewal Area includes land classified as agricultural land and written permission of the current owners has been obtained; and

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

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

to which the City shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

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

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

Section 1. That the consultation on the proposed Urban Renewal Plan required by Section 403.5(2), Code of Iowa, as amended, shall be held on March 27, 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.

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 Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF WEST DES MOINES, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED RUTHENIUM 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 March 27, 2024, in the Board Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa concerning a proposed Ruthenium Urban Renewal Plan for a proposed Ruthenium Urban Renewal Area, a copy of which is attached hereto. The consultation meeting will also be accessible virtually, at https://tinyurl.com/yju2t975.

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

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The 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 Ruthenium 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)

Section 3. That a public hearing shall be held on the proposed Urban Renewal Plan before the City Council at its meeting which commences at 5:30 P.M. on April 15, 2024, 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 RUTHENIUM URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF WEST DES MOINES, STATE OF IOWA

The City Council of the City of West Des Moines, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:30 P.M. on April 15, 2024 in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, to consider adoption of a proposed Ruthenium Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of West Des Moines, State of Iowa.

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

BEGINNING AT A POINT 33.00 FEET EAST AND 33.00 FEET SOUTH OF THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA;
THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF WOODLAND AVENUE TO THE CENTERLINE OF VETERANS PARKWAY;
THENCE EAST ALONG SAID CENTERLINE OF VETERANS PARKWAY TO THE EAST LINE OF STREET LOT 'A', OSMIUM WEST PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, MADISON COUNTY, IOWA AND ALSO BEING THE EAST LINE OF MAIDSON COUNTY AND WEST LINE OF WARREN COUNTY;
THENCE EAST CONTINUING ALONG SAID CENTERLINE OF VETERANS PARKWAY TO THE EAST LINE OF STREET LOT 'A', OSMIUM EAST PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, WARREN COUNTY, IOWA AND ALSO BEING THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 35;
THENCE SOUTH CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE OF INTERSTATE 35 AND ALONG SAID EAST LINE OF STREET LOT 'A' AND ALONG THE EAST LINE OF OUTLOT 'Z' OF SAID OSMIUM EAST PLAT 1, TO THE SOUTHEAST CORNER OF SAID OUTLOT 'Z';
THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF SAID OUTLOT 'Z' TO THE NORTHWEST CORNER OF SAID OUTLOT 'Z', ALSO BEING THE SOUTH LINE OF SAID VETERANS PARKWAY RIGHT-OFWAY;
THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF VETERANS PARKWAY TO THE WEST COUNTY LINE OF WARREN COUNTY AND THE EAST COUNTY LINE OF MADISON COUNTY;
THENCE CONTINUING WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF VETERANS PARKWAY TO THE NORTHWEST CORNER OF LOT 1 OF SAID OSMIUM WEST PLAT 1 AND ALSO THE EAST RIGHT-OF-WAY LINE OF SW 60TH STREET;

THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE OF SW 60TH STREET AND THE SOUTHERLY EXTENSION THEREOF TO THE SOUTH RIGHT-OF-WAY LINE OF 110TH STREET;
THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 110TH STREET TO A POINT OF BEGINNING.

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

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

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

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

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

Dated this _____ day of _____, 2024.

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

(End of Notice)

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

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

PASSED AND APPROVED this 18th day of March, 2024.

_____

Russ Trimble, Mayor

ATTEST:

_____

Ryan T. Jacobson, City Clerk

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