

ORDINANCE NO. 13,502

AN ORDINANCE providing for the abolition of the Office of City Assessor for the City of Des Moines, providing for the abolition of the Conference Board, Examining Board and Board of Review for the Office of City Assessor, terminating the terms of office of the City Assessor and members of the Conference Board, Examining Board and Board of Review, requesting a ten-member County Assessor Board of Review, and authorizing actions for the transfer of operations to the Office of County Assessor for Polk County.

WHEREAS, the City of Des Moines desires to abolish the Office of the City Assessor for the City of Des Moines and the City of Des Moines has notified the Conference Board for the Office of the County Assessor for Polk County and the affected taxing districts of the City's intent to abolish the Office of the City Assessor effective July 1, 1997.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

Section 1. That the Office of the City Assessor for the City of Des Moines is hereby abolished effective July 1, 1997 and any and all prior actions of the City Council with respect to the establishment of the Office of the City Assessor are hereby repealed.

Sec. 2. That the Conference Board for the Office of the City Assessor, the Examining Board for the Office of the City Assessor, and the Board of Review for the Office of the City Assessor are hereby abolished effective July 1, 1997.

Sec. 3. That the terms of office of the City Assessor and the members of the Conference Board, Examining Board and Board of Review for the Office of the City Assessor are hereby terminated effective July 1, 1997.

Sec. 4. All appropriate records and other matters of the Office of the City Assessor shall be transferred to the Office of the County Assessor for Polk County in accordance with the terms of the 28E Agreement between the Conference Boards for the Offices of City and Polk County Assessor dated September 30, 1996.

Sec. 5. Funds in the budget for the Office of the City Assessor shall be utilized to pay all expenses which have been incurred for the maintenance of the Office of the City Assessor, including the estimated expenses for defending assessment appeals, and all excess funds shall be transferred to the Office of the County Assessor for Polk County in accordance with the terms of the 28E Agreement between the Conference Boards for the Offices of City and Polk County Assessor dated September 30, 1996. The City shall not become responsible for payment of any unpaid expenses of the Office of the City Assessor.

Sec. 6. Pursuant to Section 441.31(2) of the Code of Iowa, 1997, as amended, the City requests the Conference Board for the Office of the County Assessor for Polk County to appoint a ten-

member County Assessor Board of Review, which initial Board of Review shall include the members of the Board of Review for the Office of the City Assessor as of June 30, 1997.

Sec. 7. The provisions of this Ordinance are intended and shall be construed as to fully implement the provisions of Chapter 441 of the Code of Iowa, 1997, as amended, with respect to the abolition of the Office of the City Assessor for the City of Des Moines. In the event any provision of this Ordinance shall be determined to be contrary to law it shall not effect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Chapter 441 of the Code of Iowa with reference to the abolition of the Office of the City Assessor.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and publication as provided by law on July 1, 1997.

APPROVED AS TO FORM:

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Lawrence R. McDowell

City Solicitor

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