



Roll Call Number

20-1767

Agenda Item Number

24

Date November 09, 2020

SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 919 E 9th STREET TO HOME OPPORTUNITIES MADE EASY, INC.

WHEREAS, Iowa Code Section 446.19A permits cities to acquire tax sale certificates for abandoned property assessed as residential property or as commercial multifamily property or vacant residential lots at a tax sale without paying the taxes then due, to obtain the assignment of outstanding tax sale certificates by payment to the certificate holder the amount then due to redeem the certificate, and to further assign said certificates, all for the purpose of encouraging the acquisition and rehabilitation of abandoned dwellings and lots; and

WHEREAS, in accordance with Iowa Code Section 446.18, cities may also bid on tax sales certificates as public bidders in the annual Polk County Tax Sale Auction; and

WHEREAS, on June 12, 2017, by Roll Call No. 17-0988, the City Council approved request to Polk County Board of Supervisors to assign Tax Sale Certificate of the vacant property locally known as 919 E 9th Street ("Property") to the City, authorization for execution of Polk County Agreement, approval of City acquisition of properties through tax deed, authorization to request release of property taxes and special assessments, and release of all City liens and special assessments in order to encourage housing redevelopment; and

WHEREAS, the City intends to accept title to the Property by tax sale deed on or before January 13, 2021, in order to comply with the statutory tax sale process; and

WHEREAS, the City staff has worked with Home Opportunities Made Easy, Inc. (HOME, Inc.) to build single-family affordable housing that is compatible with the neighborhood on the site; and

WHEREAS, HOME, Inc. wishes to develop the Property in accordance with City of Des Moines' requirements, and has offered to the City of Des Moines the purchase price of \$10,500 for the purchase of such Property, more specifically described below, which conveyance will be subject to restrictive covenants setting forth the City's development requirements, and which price reflects both the fair market value of the Property as currently estimated by the City's Real Estate Division; and

WHEREAS, HOME, Inc. will also be required to obtain an approved site plan by the City for redevelopment of the Property, and required to enter into a development agreement with the City should the City's Community Development Department provide funds for said future redevelopment project, which requirements will be included in the deed conveying the Property to HOME Inc.; and

WHEREAS, there is no known current or future public need for the Property proposed to be sold and the City will not be inconvenienced by the sale of said Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:



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1. Following and subject to completion of the tax sale process and issuance of the tax sale deed, the City of Des Moines, Iowa proposes to convey real property locally known as 919 E 9th Street, legally described below, to Home Opportunities Made Easy, Inc. in exchange for \$10,500.00 and in-kind consideration in the form of development of the property by rehabilitation and/or redevelopment for housing purposes:

LOT 3 OF B.S. WALKER’S SUBDIVISION OF LOT 3 OF THE OFFICIAL PLAT OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. That the meeting of the City Council at which the conveyance of the Property is to be considered shall be on November 23, 2020, said meeting to be held at 5:00 p.m., in the City Council Chamber, Richard A. Clark Municipal Service Center (MSC), 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa. Given Mayor Cownie’s March 17, 2020 Proclamation, as amended prohibiting indoor gatherings of ten or more persons on public property, Section One of the Governor’s June 25, 2020 Proclamation strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID 19 outbreak and the City Manager’s decision to delay the opening of City buildings to the public due to the recent upwards spikes of positive COVID-19 cases and hospitalizations in Polk County and the need to maintain safety,; it is impossible and impractical to have physical public access to the meeting location and the meeting will be conducted electronically with electronic public access to the meeting locations as set forth below. To participate in the electronic meeting, access is available telephonically (details below):

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://dmgov-org.zoom.us/j/94455567318?Dwd=eS9USi-iErWTFpZkFLVERaRmlBYXB4Zz09>

Passcode: 277478

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 720 928 9299 or 833 548 0276 (Toll Free) or 877 853 5257 (Toll

Free)

WebinarID:94455567318

International numbers available: <https://dmgov-orr.zoom.us/j/kzfspbRwY>

Persons interested in the proposal will be given the opportunity to express their views at that hearing. In addition, the City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. November 5, 2020 (City Clerk’s Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

At that time the City Council will consider the above described proposal and any other(s) submitted prior to or during the public hearing.



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3. The City Clerk is authorized and directed to publish notice of the proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

(Council Communication No. 20-474)

MOVED BY Boesen TO ADOPT.

APPROVED AS TO FORM:

Judy K Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (7 yeas).

MOTION CARRIED APPROVED
J. M. Franklin Cownie Mayor

CERTIFICATE

I, P. KAY CMELIK, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

P. Kay Cmelik City Clerk