


COUNCIL COMMUNICATION

	Number:	19-532	Meeting:	December 16, 2019
	Agenda Item:	40	Roll Call:	19-2027
	Submitted by:	Chris Johansen, Community Development Director		

AGENDA HEADING:

Approve amendment of the Agreement between the City of Des Moines and Indigo Dawn, LLC for acquisition and rehabilitation of property located at 1124 13th Street and 1311 Laurel Street to extend contract until December 30, 2020.

SYNOPSIS:

- On January 14, 2019, by Roll Call No 19-0076, the City Council approved the sale and conveyance of property located at 1124 13th Street and 1311 Laurel Street to Indigo Dawn, LLC subject to terms and conditions included in the acquisition agreement and Offer to Purchase between the City and Indigo Dawn, LLC.
- On March 20, 2019, the property was transferred from Indigo Dawn, LLC to Astilbe Morning, LLC, to establish joint ownership with Dean Anderson.
- On December 5, 2019, an Amendment and Assignment of Development Agreement was administratively completed to transfer and assign unto Astilbe Morning, LLC all rights, title and interest in and to the development agreement with the City of Des Moines.
- Astilbe Morning, LLC has requested an amendment of the Development Agreement extending the agreement to December 30, 2020

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- On December 19, 2011, by Roll Call No. 11-2158, the City Council determined that the real property at 1124 13th Street was a public nuisance and authorized the City Legal Department to proceed with court action seeking authority to abate the public nuisance.
- The property at 1311 Laurel Street has been vacant and in violation of the City's housing code for several months.
- A strategy for neighborhood revitalization is to pursue a tax sale certificate for public nuisance properties, having the City take title, and convey the property to a developer for rehabilitation/redevelopment.

- On February 5, 2018, by Roll Call No. 18-0204, the City Council approved several actions to direct staff to acquire the tax sale deed to the said two (2) properties and find a single-family developer to rehabilitate the structures.
- On May 16, 2018, the City Community Development staff distributed a RFP to select a developer and identified Indigo Dawn, LLC for the purpose of said redevelopment.
- On March 20, 2019, the property was transferred from Indigo Dawn, LLC to Astilbe Morning, LLC, of 610 Forest Avenue, Des Moines, Iowa. This was done to establish joint ownership with Dean Anderson. Chaden Halfhill is the Managing Member of both Indigo Dawn, LLC and Astilbe Morning, LLC.
- There is no change in the design proposal for the rehabilitation of the two (2) properties.
- On December 5, 2019, the City of Des Moines accepted Astilbe Morning, LLC as Assignee of the Development Agreement that transfers and assigns unto Astilbe Morning, LLC all rights, title and interest in and to the development agreement with the City of Des Moines.
- Astilbe Morning, LLC has requested an amendment of the Development Agreement extending the Agreement to December 30, 2020 to allow completion of the project. Astilbe Morning, LLC, has cited wet weather and lack of skilled construction labor in 2019 as reasons for the request.

PREVIOUS COUNCIL ACTION(S):

Date: January 14, 2019

Roll Call Number: [19-0076](#)

Action: [Approve](#) the sale and conveyance of property located at 1124 13th Street and 1311 Laurel Street to Indigo Dawn, LLC subject to terms and conditions included in the acquisition agreement and Offer to Purchase between the City and Indigo Dawn, LLC. ([Council Communication No. 19-003](#)) Moved by Mandelbaum to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Board of Health

Date: December 19, 2011

Resolution Number: [11-2158](#)

Action: Approving the Legal Department to proceed with court action seeking authority to abate the public nuisance at the property located at 1124 13th Street, Des Moines, Iowa. Main structure, Titleholder Samuel Tiger (deceased). Moved by Mahaffey to adopt. Motion Carried 7-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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