

**Date** April 1, 2024

**APPROVAL OF UPDATE TO NEIGHBORHOOD SERVICES DEPARTMENT JUDGMENT LIEN AND SPECIAL ASSESSMENTS RELEASE POLICY AND PROGRAM**

**WHEREAS**, the City of Des Moines (the “City”) inspects and seeks abatement of public nuisance structures under Chapter 60, Article III, of the Des Moines City Code; and

**WHEREAS**, from time to time, the City initiates and prosecutes nuisance abatement actions which result in judgments against persons and property; and

**WHEREAS**, such judgments, by operation of law, result in a statutory lien against property cleaned up or demolished through such abatement action; and

**WHEREAS**, such lien may, from time to time, operate as a financial barrier to redevelopment of the property to return it to economically viable use; and

**WHEREAS**, on August 7, 2023 by roll call 23-1093 the Des Moines City Council approved the Judgement Lien and Special Assesment Release Policy focused on supporting redevelopment and rehabilitation of properties that were previously the subject of a public nuisance action; and

**WHEREAS**, Roll Call 23-1093 directed the Neighborhood Services Director or designee to periodically review the Policy and present substantive changes in Policy content to the City Council for consideration and Approval; and

**WHEREAS**, the Neighborhood Services Director and designees have identified a policy change authorizing administrative approval of releases of judgments against property and persons up to a predetermined limit, all as shown in Exhibit A attached hereto.

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

1. The proposed amendment to the Policy as shown in Exhibit A is approved and adopted.
2. The Neighborhood Services Director or their designee is authorized to implement the Policy and Program as amended by Exhibit A.
3. The Neighborhood Services Director or their designee is directed to continue evaluating the Policy and Program, making minor changes as necessary and bringing substantive amendments to the Council for consideration and approval.



**Roll Call Number**

**Agenda Item Number**

27

**Date** April 1, 2024

Moved by \_\_\_\_\_ to adopt,

Second by \_\_\_\_\_

FORM APPROVED:

/s/ Gary D. Goudelock Jr.

Gary Goudelock, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk