

★ Roll Call Number

08-1649

Agenda Item Number

13

Date September 22, 2008

**AUTHORIZATION TO PROCEED WITH ACQUISITION OF PROPERTY LOCATED AT  
2715 DEAN AVENUE FOR THE FIRE DEPARTMENT LOGISTICS AND TRAINING  
FACILITY PROJECT BY GIFT, NEGOTIATION, OR CONDEMNATION**

**WHEREAS**, the Des Moines Fire Department needs to replace its current maintenance shop located to the rear of Fire Station 1 at 900 Mulberry Street, and both the shop and the fire station, which also currently serves as the administration office, were built in 1933 and have outlived their useful life, do not provide a training facility for the Fire Department, and no longer adequately accommodate Fire Department requirements; and

**WHEREAS**, the Fire Department plans to construct a Fire Department Logistics and Training Facility in order to replace the maintenance shop, offer a training facility for the department, and more efficiently perform the functions required of the department by locating these critical functions in one location; and

**WHEREAS**, Andrew J. and Ruth A. Holt are the owners of property located at 2715 Dean Avenue, which property the City is proposing to acquire for construction of the new logistics and training facility for the Des Moines Fire Department; and

**WHEREAS**, the City's Real Estate Division of the Engineering Department has sent due and timely notice of this resolution to said property owners in accordance with the requirements of Iowa Code Section 6B.2D, and will negotiate acquisition of the property located at 2715 Dean Avenue for this Fire Department project; and

**WHEREAS**, after an appraisal has been completed by an independent appraiser, the proposed Fair Market Value of the property interest to be acquired will be submitted to the City Council or the City Manager, as applicable, for approval and authorization to proceed with the acquisition.

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

1. That the City Manager be and is hereby authorized to proceed with the necessary activities and negotiations to acquire by gift, negotiation, or condemnation the property located at 2715 Dean Avenue for construction of the Fire Department Training and Logistics Facility Project, subject to approval by this Council, or approval of the City Manager in accordance with Section 2-201 (c) and (d), of the Municipal Code of the City of Des Moines, Iowa, as appropriate.
2. That the property will be acquired in accordance with the guidelines of 49 CFR Part 24 of the Uniform Relocation and Real Property Acquisition Act, as revised, and that relocation assistance is hereby authorized.

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3. That the Fair Market Value of this parcel will be approved in accordance with established City policy. If the property owners agree to convey the property to the City in an amount based on the established fair market value, including an approved administrative settlement, or if a condemnation award is based on the established fair market value or falls within an approved settlement amount, the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out this transaction and to pay any unforeseen additional costs certified by the Legal Department and the Engineering Department; the Real Estate Division Manager is authorized and directed to complete this transaction in accordance with standard real estate practices and state law requirements.

(Council Communication No. **08-575**)

Moved by Mahaffey to adopt; refer to the City Manager to review collaboration efforts.

APPROVED AS TO FORM:

Glenna K. Frank  
 Glenna K. Frank  
 Assistant City Attorney

*RSN*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

**CERTIFICATE**

I, DIANE RAUH, 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.

MOTION CARRIED 7 APPROVED  
T. M. Franklin Mayor

Diane Rauh City Clerk