

★ Roll Call Number

10-1723

Agenda Item Number

15

Date October 25, 2010

APPROVAL FOR CLOSING ON PROPERTIES APPROVED FOR VOLUNTARY ACQUISITION IN THE FOUR MILE FLOOD PLAIN AREA UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FLOOD BUYOUT PROJECT

WHEREAS, on July 13, 2009, under Roll Call No. 09-1281, the City Council approved authorization to submit a Community Development Block Grant (CDBG) Structural Acquisition Grant application to the Iowa Department of Economic Development (IDED) for a voluntary structural acquisition project for purchase of eligible properties in the Four Mile Area; and

WHEREAS, on November 23, 2009, under Roll Call No. 09-2117, the City Council approved and authorized the execution of CDBG Contract Number 08-DRHB-221 in the amount not to exceed \$815,460 for property acquisition and demolition of structures in the Four Mile Flood Plain Area; and

WHEREAS, on September 13, 2010, under Roll Call No. 10-1513, the City Council approved and authorized the execution of a contract amendment to CDBG Contract No. 08-DHRB-221, increasing the award amount to \$7,105,889; and

WHEREAS, per City Council direction, the City's Real Estate Division is undertaking voluntary property acquisition for eligible properties in the Four Mile Flood Plain Area in accordance with Contract No. 08-DHRB-221, and the real estate documents associated with this acquisition must be accepted and approved by the City.

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

1. That the City Manager and his designee(s) be and are hereby authorized to continue to proceed with the necessary activities and negotiations to voluntarily acquire the necessary property interests for the 2008 CDBG Structural Acquisition Project.
2. That the property will be acquired in accordance with the Administrative Plan approved by IDED, and that relocation assistance is hereby authorized.
3. That the Real Estate Division of the Engineering Department is directed to obtain the Legal Department's review and approval of all closing documents prior to closing.
4. That the City Clerk is hereby authorized and directed to endorse upon the real estate documents listed above the approval and acceptance of this Council, the Mayor is authorized and directed to sign all necessary real estate documents, and the City Clerk is further authorized and directed to deliver the aforementioned documents to the Real Estate Division Manager, who shall proceed to closing in accordance with standard real estate practices.

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5. That the Real Estate Division Manager is hereby authorized and directed to execute Maintain Vacancy Agreements and Rental Agreements, if necessary.

(Council Communication No. 10-639)

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED APPROVED
T. M. Franklin Mayor

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.

Diane Rauh City Clerk