



Roll Call Number

17-1551

Agenda Item Number

17-I

Date September 11, 2017

REQUEST BY CHRIST THE KING HOUSING SERVICES FOR CITY SUPPORT
FOR ITS APPLICATION TO POLK COUNTY TO RETROACTIVELY APPLY ITS
APPLICATION FOR TAX ABATEMENT FOR CONSTRUCTION OF THE CHRIST
THE KING SENIOR HOUSING PROJECT AT 5602 SW 9th STREET

WHEREAS, the Iowa Urban Revitalization Act, Chapter 404, Code of Iowa (the "Act"), provides for partial exemption from property tax for the actual value added by improvements to property located in a designated Urban Revitalization Area which are consistent with the Urban Revitalization Plan for such Area; and

WHEREAS, the Act provides that persons making improvements may apply to the City Council for tax abatement, and the City Council shall approve the application by resolution, subject to review by the County Assessor, if it finds: (a) the project is located in a designated Urban Revitalization Area; (b) the project is in conformance with the Urban Revitalization Plan for such area; and (c) the improvements were made during the time the area was so designated; and,

WHEREAS, Christ the King Housing Services, represented by Chris Aldinger, Business Manager/Sr. Housing, commenced construction of the Christ The King phase 2 senior housing apartment building (the "Building") at 5602 SW 9th Street in 2015, and the partially completed Building existing on January 1, 2016, was assessed for taxation at \$1.2 million; and,

WHEREAS, the Building was completed in 2016, and the completed building existing on January 1, 2016, was assessed for taxation at \$3.25 million, an increase of \$2.05 million over the prior assessment; and,

WHEREAS, Christ the King Housing Services submitted an application for tax abatement (the "First Application") in January of 2017, for the completed value of the Building and the Application was approved by the City Council on February 6, 2017, by Roll Call No. 17-0177, for a temporary exemption from taxation commencing with the taxes payable in FY2018/19; and,

WHEREAS, since Christ the King Housing Services did not file a separate application before February 1, 2016, seeking tax abatement on the portion of the Building completed in 2015, the value of the partially completed Building existing on January 1, 2016, was subject to taxation and has resulted in the levy of approximately \$47,025 in property taxes due in the current fiscal year; and,

WHEREAS, no funds are budgeted or available to Christ the King Housing Services for the payment of the property taxes now due and payable in the current fiscal year; and,

WHEREAS, Christ the King Housing Services has filed a new application for tax abatement (the "Second Application") seeking tax abatement on the \$1.2 million value of the partially completed Building existing on January 1, 2016, and has requested that the Second Application be retroactively applied as if it had been timely filed before February 1, 2016, and that the First Application be limited to the \$2.05 million of additional assessed value existing on January 1, 2017.

(continued)

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

- 1) The attached application for tax abatement (the "Second Application") is hereby received.
- 2) The following findings are hereby adopted:
 - a) The Second Application was not timely filed prior to February 1st of 2016 for improvements completed in calendar year 2015, but was filed within the two-year grace period allowed by Section 404.4 of the Act.
 - b) The attached application is for a project located in a designated urban revitalization area; the project is in conformance with the urban revitalization plan for the urban revitalization area in which the project is located; and the improvements described in the application was made during the time the applicable area was so designated.
- 3) The attached application is approved subject to review by the County Assessor, under Section 404.5 of the Act, for exemption according to the schedule noted on the application.
- 4) The City Council hereby declare its support for the request by Christ the King Housing Services to the Polk County Board of Supervisors to:
 - i) Apply the Second Application retroactively to abate the property taxes levied on the assessed value added in 2015 and first payable in FY 2017/18, as if the Second Application had been timely filed; and,
 - ii) Apply the First Application only to the property taxes levied on the additional assessed value added in 2016 and first payable in 2018/19.
- 5) The City Clerk shall forward a certified copy of this resolution and the attached application to the County Assessor.

MOVED by Coleman to adopt.

FORM APPROVED: Roger K Brown
Roger K. Brown, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED 7 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