

★ Roll Call Number  
17-1947

Agenda Item Number  
18

Date November 20, 2017

**RESOLUTION TO RELEVY REASSESSMENT FOR COSTS OF  
PUBLIC WORKS EMERGENCY SEWER REPAIR  
CORRECTED SCHEDULE NO. 2017-03, ACTIVITY ID 20-1111-000,  
AND PROVIDING FOR THE PAYMENT THEREOF**

WHEREAS, on August 28, 2017, by Roll Call No. 17-1456, the City Council levied an assessment against 1502 Guthrie Avenue, for the costs of Public Works Emergency Sewer Repair, Schedule No. 2017-03, Activity ID 20-1111-000 in the amount of \$29,515, payable in five equal annual installments and accruing interest at the rate of 4.20% per annum; and

WHEREAS, City staff subsequently confirmed the assessment amount of \$29,515 erroneously included sewer repairs made to the adjoining property, 1500 Guthrie Ave., and water line repairs; and

WHEREAS, to correct this error, in accordance with Iowa Code § 384.74, the property should be reassessed and relevied in the amount of \$12,257.50, which amount represents only the cost of sewer repairs benefitting 1502 Guthrie Ave.

NOW, THEREFORE BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached Public Works Emergency Sewer Repair, Corrected Schedule No. 2017-03, Activity ID 20-1111-000, is hereby approved and adopted with the amounts shown thereon reassessed and relevied against each property for collection in the same manner as a property tax.

BE IT FURTHER RESOLVED: That said reassessment shall be payable in five equal annual installments and shall bear interest at the rate of 4.20% percent per annum, from the date of the acceptance of this reassessment schedule; the one installment of each reassessment with interest on the whole reassessment from date of acceptance of this corrected schedule by the Council, shall become due and payable on July 1, 2018, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said reassessment shall be payable at the office of the County Treasurer of Polk County, Iowa, in full or in part and without interest within thirty days after first date of publication of the Notice to Property Owners of filing of the corrected schedule of reassessments.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said corrected schedule to the County Treasurer of Polk County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Des Moines Register, a newspaper printed wholly in the English language, published in Des Moines, Iowa, and of general circulation in Des Moines, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said corrected schedule with the County Treasurer, the City Engineer shall send by regular mail

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to all property owners whose property is subject to reassessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

Moved by Coleman to adopt.

FORM APPROVED: Lisa A. Wieland  
 Lisa A. Wieland  
 Assistant City Attorney

*AE*

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

MOTION CARRIED 7 APPROVED  
J. M. Franklin Course 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 Fauh  
 City Clerk