

★ Roll Call Number

20-1888

Agenda Item Number

33

Date November 23, 2020

**RESOLUTION APPROVING REQUEST BY DES MOINES GRIFFIN BUILDING, LLC (TIM RYPMA ET AL) FOR CITY SUPPORT FOR ITS APPLICATION TO POLK COUNTY TO RETROACTIVELY APPLY ITS APPLICATION FOR TAX ABATEMENT FOR CONSTRUCTION OF THE RESIDENTIAL PORTION OF THE MIXED-USE PROJECT IN THE GRIFFIN BUILDING, 319 7<sup>TH</sup> STREET**

WHEREAS, the Iowa Urban Revitalization Act, Chapter 404, Code of Iowa (the "Act"), provides for partial exemption from property tax (tax abatement) 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 must make application to the City Council for tax abatement by February 1st of the assessment year in which the improvements are first assessed for taxation, or the following two assessment years; and

WHEREAS, the City Council shall approve such applications 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 improvements were made during the time the area was so designated; and (c) the project is in conformance with the urban revitalization plan for such area; and

WHEREAS, the attached application from Des Moines Griffin Building, LLC, represented by Tim Rypma, Jeremy Cortright, and Paul Cownie, Development members, and Ron Daniels and Abe Wolf, Lead Investors, seeks tax abatement on the taxable value added by eligible improvements to the Griffin Building located at 319 7<sup>th</sup> Street within the City-wide Urban Revitalization Area which were completed prior to January 1, 2020, and such application was filed in October 2020 within the above-referenced statutory two-year grace period; and

WHEREAS, the attached application has been received, reviewed and recommended for approval by City Development Services staff.

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

1. The attached application is hereby found to have been timely filed within the two-year grace period allowed by Iowa Code Section 404.4.
2. The following findings are hereby adopted:
  - a) The attached application is for a project located in the City-Wide Urban Revitalization Area;
  - b) The improvements described in the application were made during the time the City-wide Urban Revitalization Area was so designated; and,
  - c) The project is in conformance with the Urban Revitalization Plan for the City-wide Urban Revitalization Area.
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.



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- 4. The City Council hereby declares its support for the request by Des Moines Griffin Building, LLC to the Polk County Board of Supervisors to apply the application retroactively to abate the property taxes levied on the assessed value added in 2019 and first payable in FY 2021/22, as if the application had been timely filed.
- 5. The City Clerk shall forward a certified copy of this resolution and the attached application to the Development Services Director, for submittal to the County Assessor.

(Council Comm. No. 20-511)

MOVED BY Gatto TO ADOPT.

APPROVED AS TO FORM:

/s/ Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

**CERTIFICATE**

I, P. KAY CMELIK, 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.

P. M. Frank  
Mayor

P. Kay Cmelik  
City Clerk