5(d)

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM:

DATE: March 9, 2015

Resolution – Approving Release of Condition Deficiencies
2011 Sidewalk Improvement Program

FINANCIAL IMPACT: None.

SYNOPSIS:

The Council action listed under recommendation authorizes Polk County to remove conditional deficiency assessments identified in the Final Assessment Schedule from the tax rolls. The impacted parties are listed in the attachment.

BACKGROUND:

On February 4, 2013, the Council approved the Final Plat and Schedule of Assessments. The schedule inadvertently included costs for several property owners above the maximum amount specified in the Preliminary Assessment Schedule. These extra costs were shown as conditional deficiencies. Conditional deficiencies can be levied when the value of the property is less than 400% of the cost of the improvements. No special assessments to properties met this condition. The Preliminary Schedule established the maximum assessment amount that could be levied by the City for each property owner. At the time of construction additional costs were incurred due to field quantity adjustments beyond the amount that was originally estimated as part of the preliminary schedule. These costs cannot be levied against the property owners without re-establishing the special assessment process. The City did pay for these extra costs and they are not recoupable. There were 28 properties in Polk County that were impacted. These properties currently have a cloud on their title for the conditional deficiency assessment. Staff recommends Council act to release the conditional deficiency assessments for these properties so the individual titles can be cleared.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:
- Resolution Removing Condition Deficiencies.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	March 2, 2015		
Recommendation		No	Split

P:\PWENGR\51011\011 2011 Sidewalk Program\Pinkies\Release of Assessment.doc

RESOLUTION REMOVING CONDITION DEFICIENCIES

WHEREAS, this Council has on February 4, 2013 approved the Final Plat and Schedule of Assessments for the 2011 Sidewalk Improvement Program, and has held a Public Hearing thereon required by law; and

WHEREAS, Bond Number 2012-01 was assigned to this project;

WHEREAS, Conditional Deficiency assessments were identified in the approved Final Plat and Schedule of Assessments;

WHEREAS, Polk County, Iowa was directed to apply the assessments to benefited properties in accordance with Resolution Number 13-02-04-15 dated February 4, 2013;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WEST DES MOINES, IOWA; that the proposed action authorizes Polk County to remove the Condition Deficiencies identified in the Final Assessment Schedule from the tax rolls.

PASSED AND APPROVED this **9th** day of **March, 2015.**

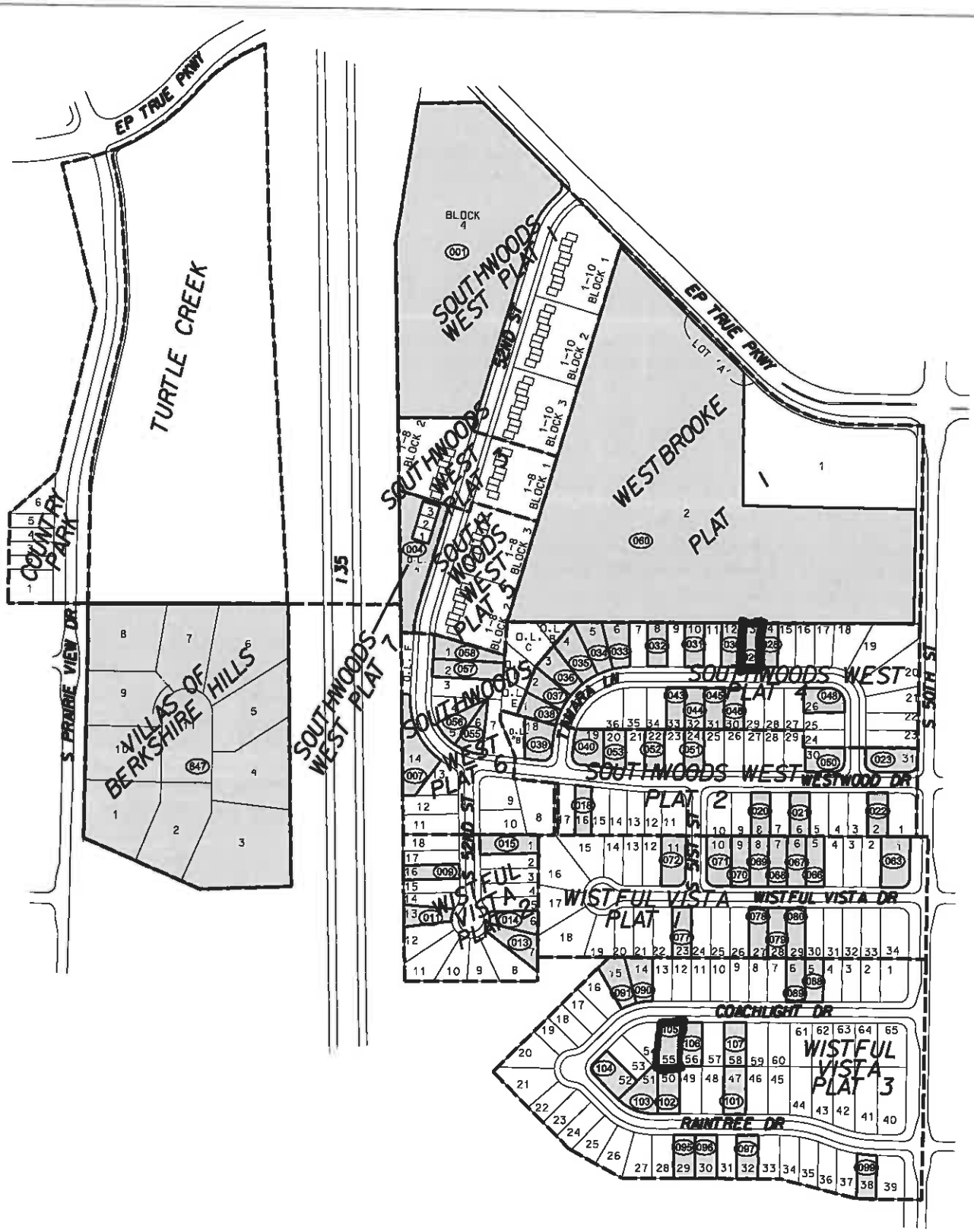
_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson, City Clerk

2011 Sidewalk Program – Bond No. 2012-01
Accepted Final Assessment February 4, 2013
Conditional Deficiency Liens
Request to remove the following liens from the following property

City's Prop # (City Use)	Address	Certificate	Parcel	Conditional Deficiency
029	5017 Tamara Ln	5200400	320 04116-713-000	75.82
105	5112 Coachlight	5205400	320 04947-760-055	20.40
135	4624 Tamara Ln	5206800	320 04116-569-000	117.96
181	4820 Westwood	5209600	320 04116-506-000	286.65
213	340 S 49th St	5211400	320 04116 598-418	33.92
216	376 S 49th St	5211700	320 04116-598-412	11.02
263	4803 Coachlight	5214500	320 04116-598-222	5.04
346	4332 Ashley Park	5218900	320 00780-173-011	1.20
350	4465 Meadow Valley	5219300	320 00780-173-021	145.60
409	4855 Turnberry	5222400	320 03913-299-157	84.90
431	4806 Valley View	5223900	320 03913-230-004	15.65
453	1145 S 49th	5224500	320 03913-299-104	138.32
461	4810 Turnberry	5225200	320 03913 299-128	133.82
463	4925 Timberwood	5225400	320 03913-251-000	198.87
519	Quail Vista Townhome	5228800	320 03913-693-039	215.02
522	Quail Vista Townhome	5228900	320 03913-693-094	29.12
555	5022 Grand Ridge	5231500	320 02724-214-000	7.20
556	3480 Parkhaven	5231600	320 03857-500-101	5.64
561	633 S 34th Ct	5232100	320 03857-500-112	26.00
565	590 S 34th Ct.	5232300	320 03857-500-121	224.90
566	3308 Parkhaven	5232400	320 03857-500-122	120.82
637	3101 Scenic Valley	5237700	320 02792-222-000	239.20
639	3405 Scenic Valley	5237900	320 04116-321-000	66.60
643	3436 Scenic Valley	5238300	320 04116-301-000	14.56
655	705 S 26th	5239200	320 02792-184-000	120.28
680	808 S. 26th	5241000	320 02792-157-000	76.23
704	2432 Park Dr	5242400	320 02724-727-000	58.94
799	2909 Country Side Dr	5247000	320 01380-502-000	1.20
			Total	2,249.98



LEGEND

- 2011 SIDEWALK PROGRAM BOUNDARY
- PARCELS FOR SIDEWALK IMPROVEMENTS
- SUBDIVISION BOUNDARY
- (000) PROPERTY NUMBER

N

SCALE IN FEET: 1" = 400'

0 200 400 800

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
500 S. 19TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3476

DATE: 02-12

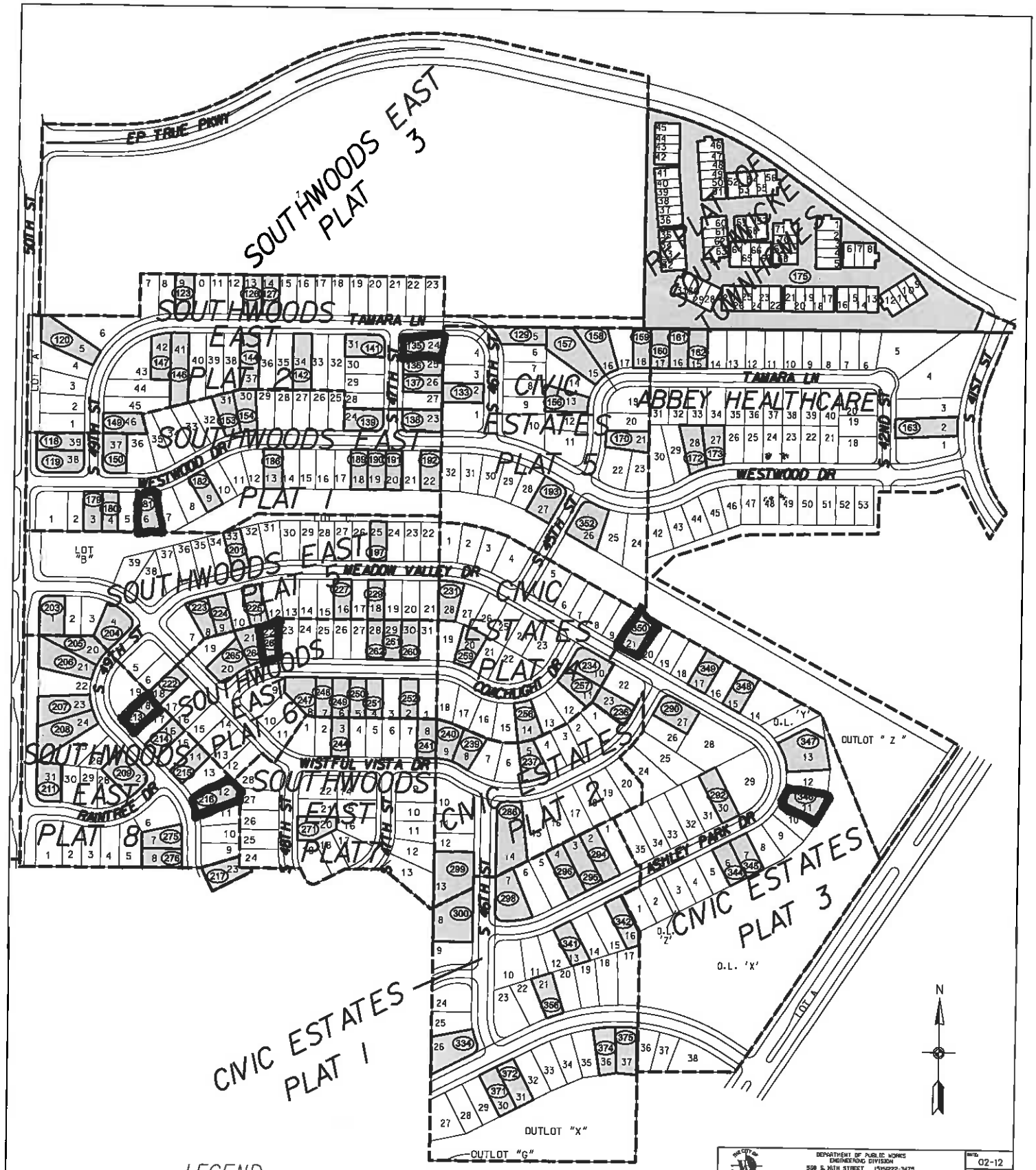
PROJECT: FINAL ASSESSMENT PLAT
2011 SIDEWALK IMPROVEMENT PROGRAM

LOCATION: VARIOUS LOCATIONS POLK COUNTY AND DALLAS COUNTY

DRAWN BY: MJA | DESIGNED BY: | SCALE: 1" = 400'

PROJECT NO. 0510-011-2011 | SHT. 2 OF 20

S:\CADD\51011 - 2011 Sidewalk Program\FinalSidewalkImprovPgm.dgn



LEGEND

- 2011 SIDEWALK PROGRAM BOUNDARY
- PARCELS FOR SIDEWALK IMPROVEMENTS
- SUBDIVISION BOUNDARY
- (000) PROPERTY NUMBER

SCALE IN FEET: 1" = 400'

0 200 400 800

DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION 500 E. 36TH STREET (515)222-3475 WEST DES MOINES, IOWA 50265 FAX NO. (515)222-3478	DATE 02-12
PROJECT: FINAL ASSESSMENT PLAT 2011 SIDEWALK IMPROVEMENT PROGRAM	
LOCATION: VARIOUS LOCATIONS POLK COUNTY AND DALLAS COUNTY	
DRAWN BY: MJA / DESIGNED BY:	SCALE: 1" = 400'
PROJECT NO. 0510-011-2011	SHT. 3 OF 20

S:\CADD\51011 - 2011 Sidewalk Program\FinalSidewalkImprovPgm.dgn

LEGEND

- 2011 SIDEWALK PROGRAM BOUNDARY
- PARCELS FOR SIDEWALK IMPROVEMENTS
- SUBDIVISION BOUNDARY
- (000) PROPERTY NUMBER

SCALE IN FEET: 1" = 400'

0 200 400 800

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
568 S. 16TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3475

DATE: 02-12

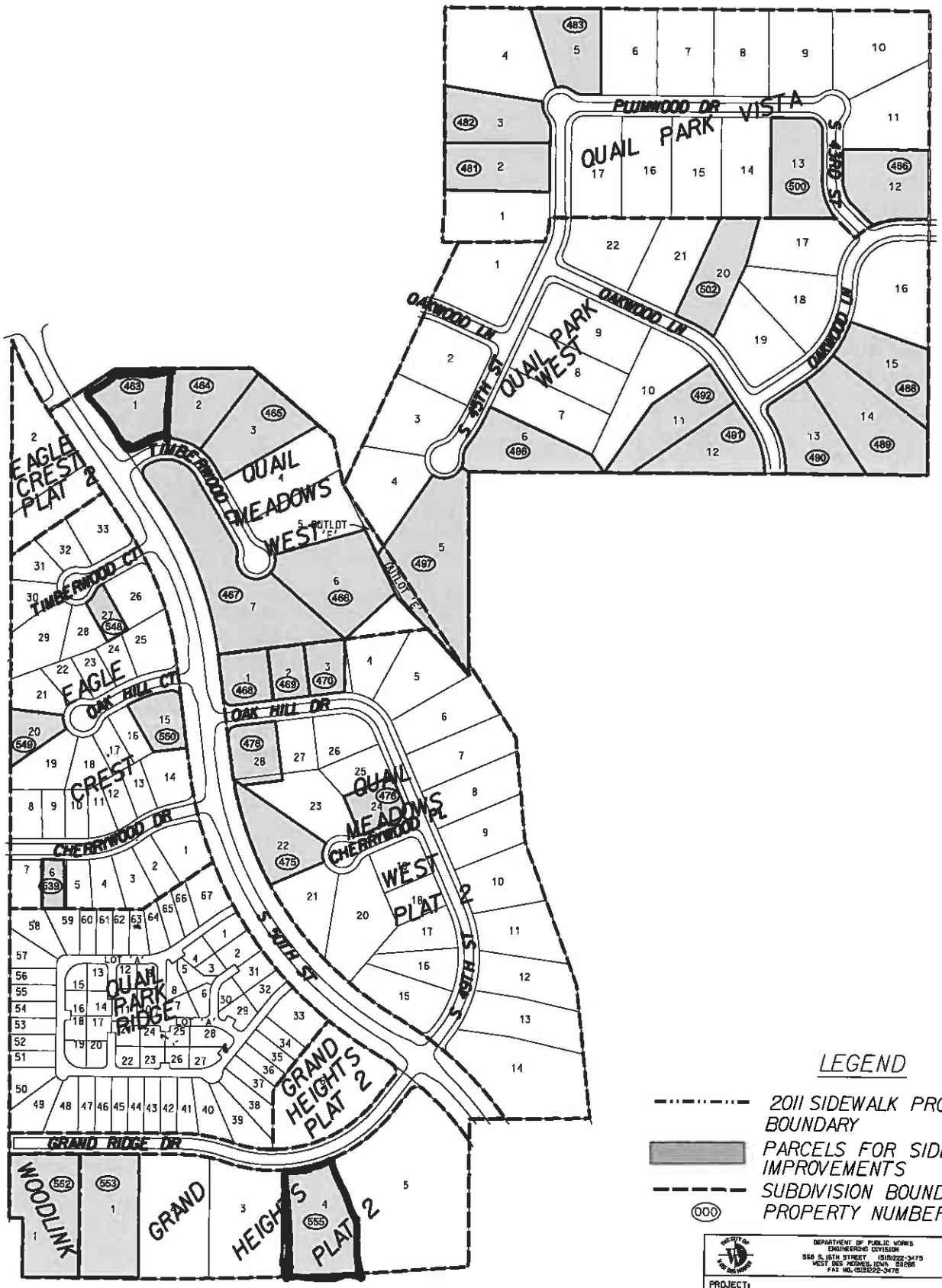
PROJECT: FINAL ASSESSMENT PLAT
2011 SIDEWALK IMPROVEMENT PROGRAM

LOCATION: VARIOUS LOCATIONS POLK COUNTY AND DALLAS COUNTY

DRAWN BY: MJA | DESIGNED BY: | SCALE: 1" = 400'

PROJECT NO. 0510-011-2011 | SHT. 5 OF 20

S:\CADD\51011 - 2011 Sidewalk Program\FinalSidewalkImprovPgm.dgn



LEGEND

- 2011 SIDEWALK PROGRAM BOUNDARY
- PARCELS FOR SIDEWALK IMPROVEMENTS
- SUBDIVISION BOUNDARY
- (000) PROPERTY NUMBER

SCALE IN FEET: 1" = 400'

0 200 400 800

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
550 S. 18TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3476

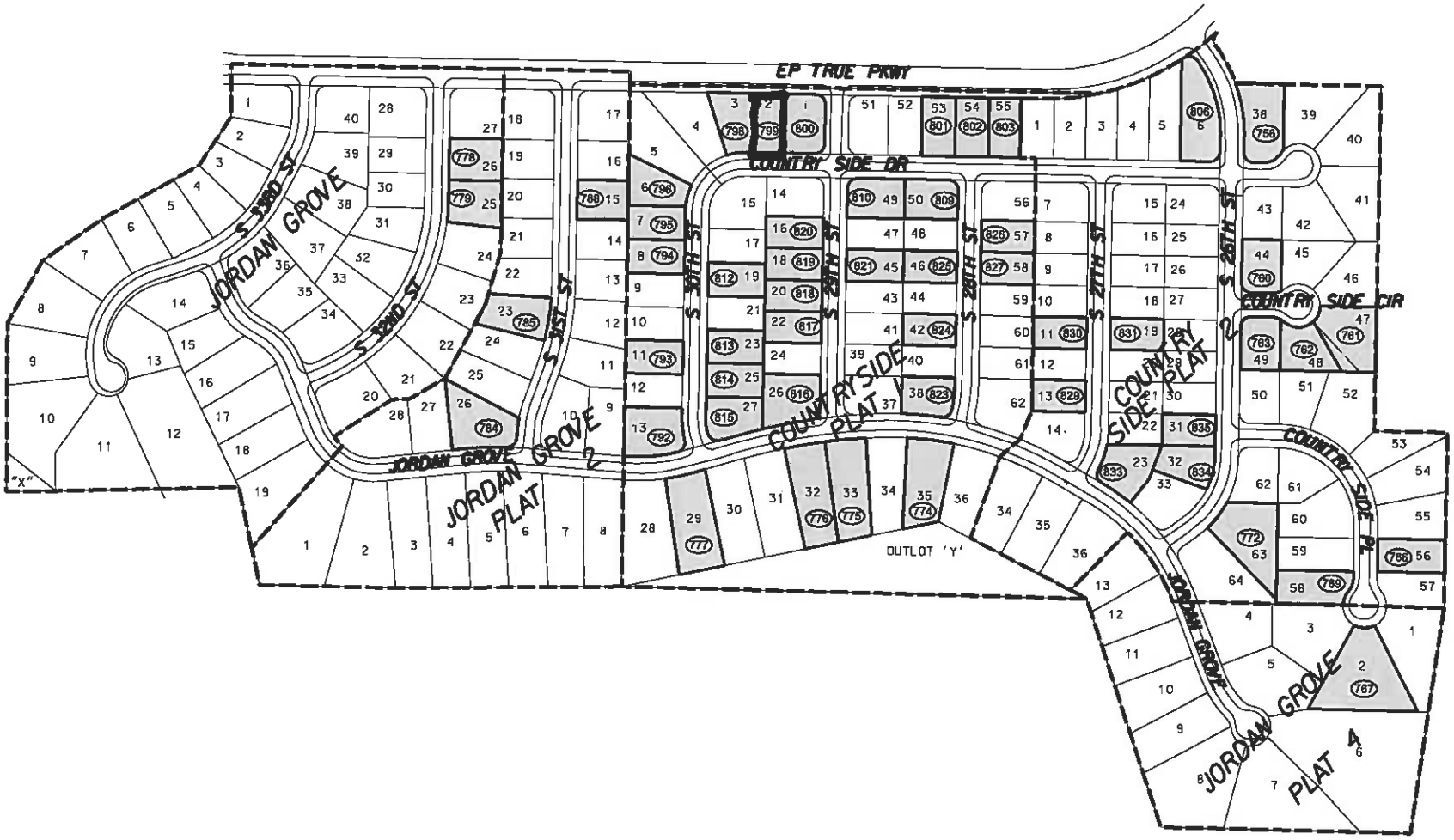
DATE: 02-12

PROJECT:
FINAL ASSESSMENT PLAT
2011 SIDEWALK IMPROVEMENT PROGRAM

LOCATION:
VARIOUS LOCATIONS POLK COUNTY AND DALLAS COUNTY

DRAWN BY: MJA	DESIGNED BY:	SCALE: 1" = 400'
PROJECT NO. 0510-011-2011		SHT. 7 OF 20

S:\CADD\51011 - 2011 Sidewalk Program\FinalSidewalkImprovPgm.dgn



LEGEND

- 2011 SIDEWALK PROGRAM BOUNDARY
- PARCELS FOR SIDEWALK IMPROVEMENTS
- SUBDIVISION BOUNDARY
- (000) PROPERTY NUMBER

SCALE IN FEET: 1" = 400'

0 200 400 800

N

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
560 S. 16TH STREET (515)222-3470
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3478

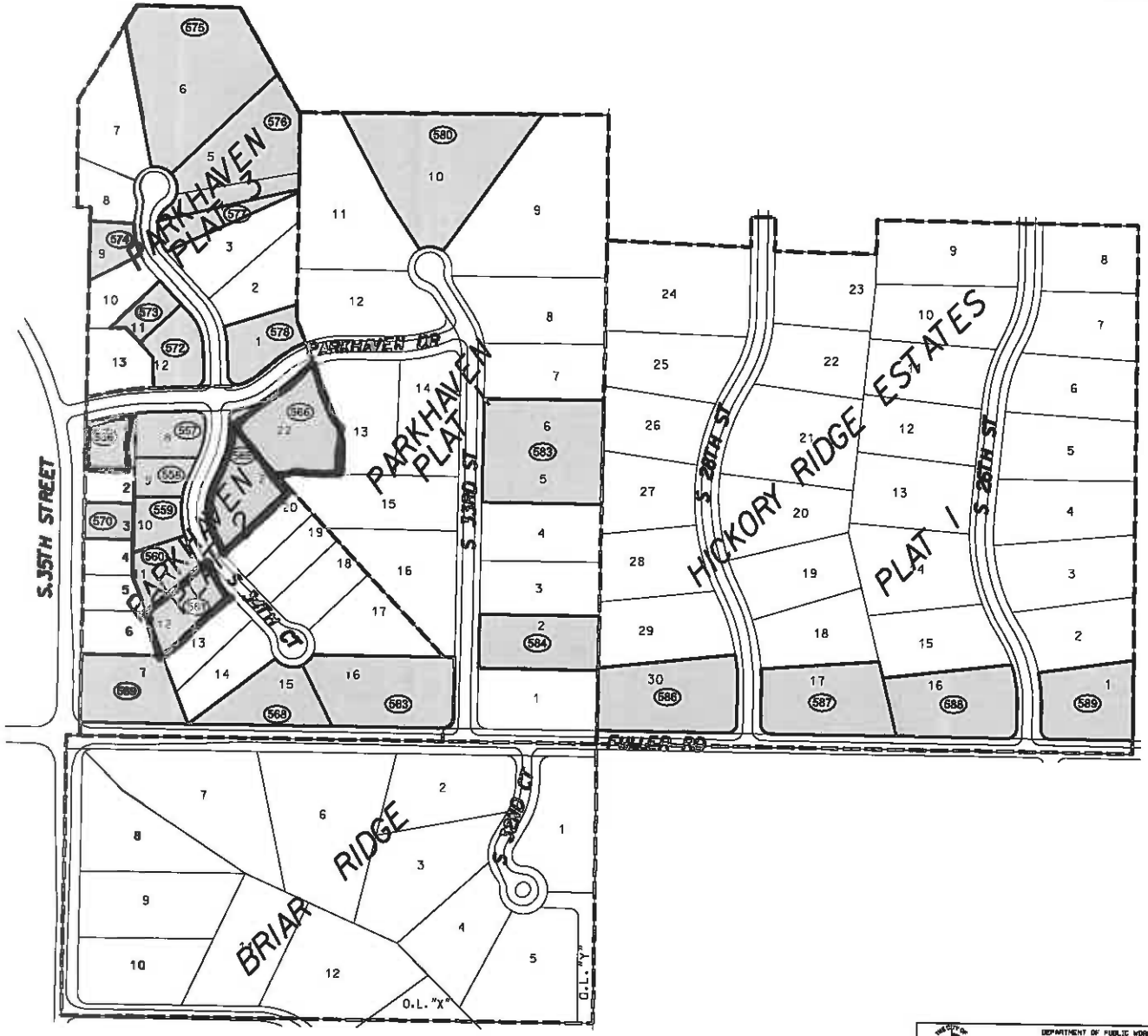
DATE: 02-12
REVISION:

PROJECT:
FINAL ASSESSMENT PLAT
2011 SIDEWALK IMPROVEMENT PROGRAM

LOCATION:
VARIOUS LOCATIONS POLK COUNTY AND DALLAS COUNTY

DRAWN BY: MJA
DESIGNED BY:
SCALE: 1" = 400'
PROJECT NO. 0510-011-2011
SHT. 8 OF 20

S:\CADD\51011 - 2011 Sidewalk Program\FinalSidewalkImprovPgm.dgn



LEGEND

- 2011 SIDEWALK PROGRAM BOUNDARY
- PARCELS FOR SIDEWALK IMPROVEMENTS
- SUBDIVISION BOUNDARY
- (000) PROPERTY NUMBER

SCALE IN FEET: 1" = 400'

0 200 400 800

N

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
560 S. 16TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3476

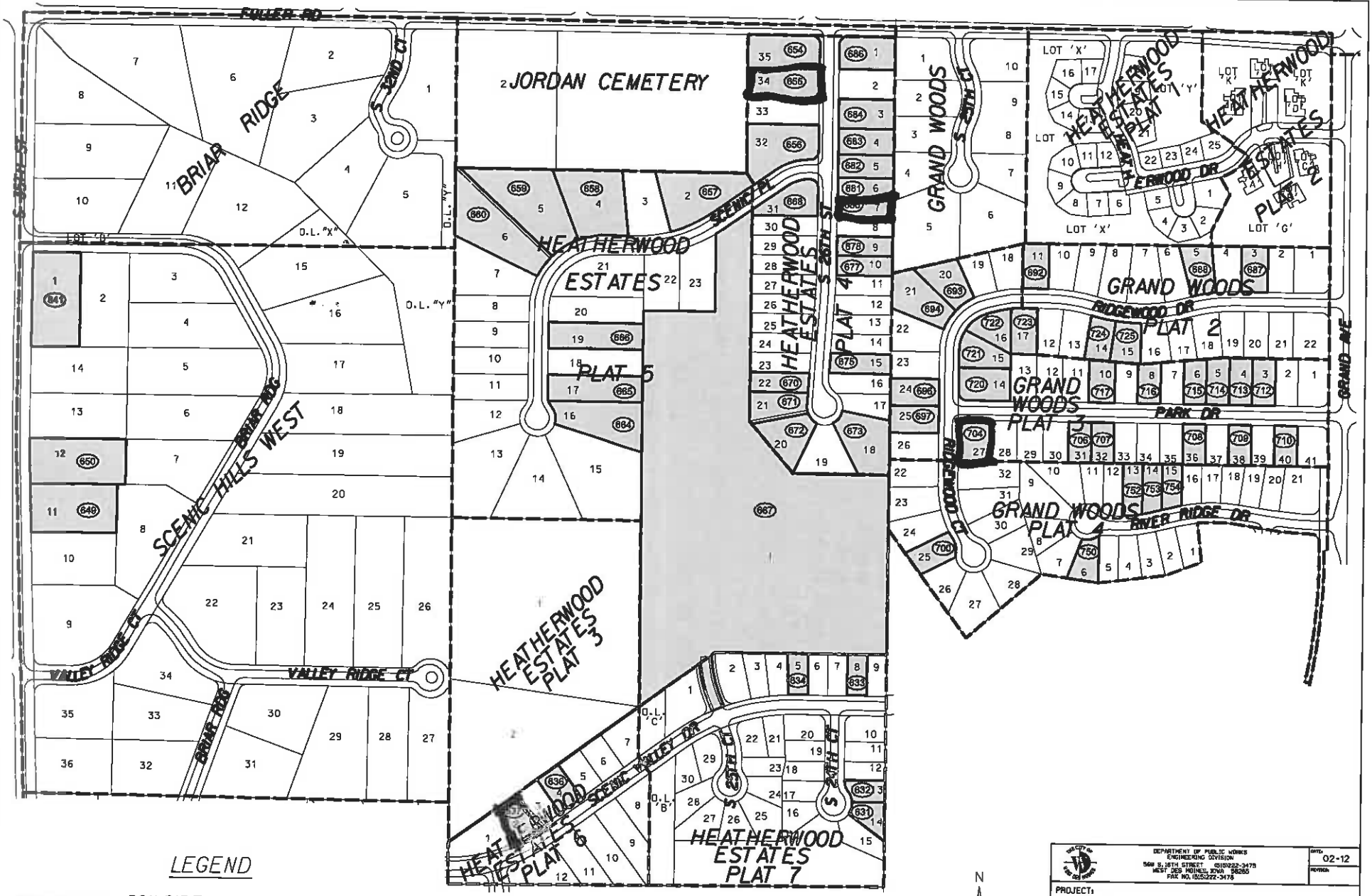
DATE: 02-12

PROJECT:
FINAL ASSESSMENT PLAT
2011 SIDEWALK IMPROVEMENT PROGRAM

LOCATION:
VARIOUS LOCATIONS POLK COUNTY AND DALLAS COUNTY

DRAWN BY: MJA
DESIGNED BY:
SCALE: 1" = 400'
PROJECT NO. 0510-011-2011
SHT. 9 OF 20

S:\CADD\51011-2011 Sidewalk Program\FinalSidewalkImprovPgm.dgn



DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
560 S. 16TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3478

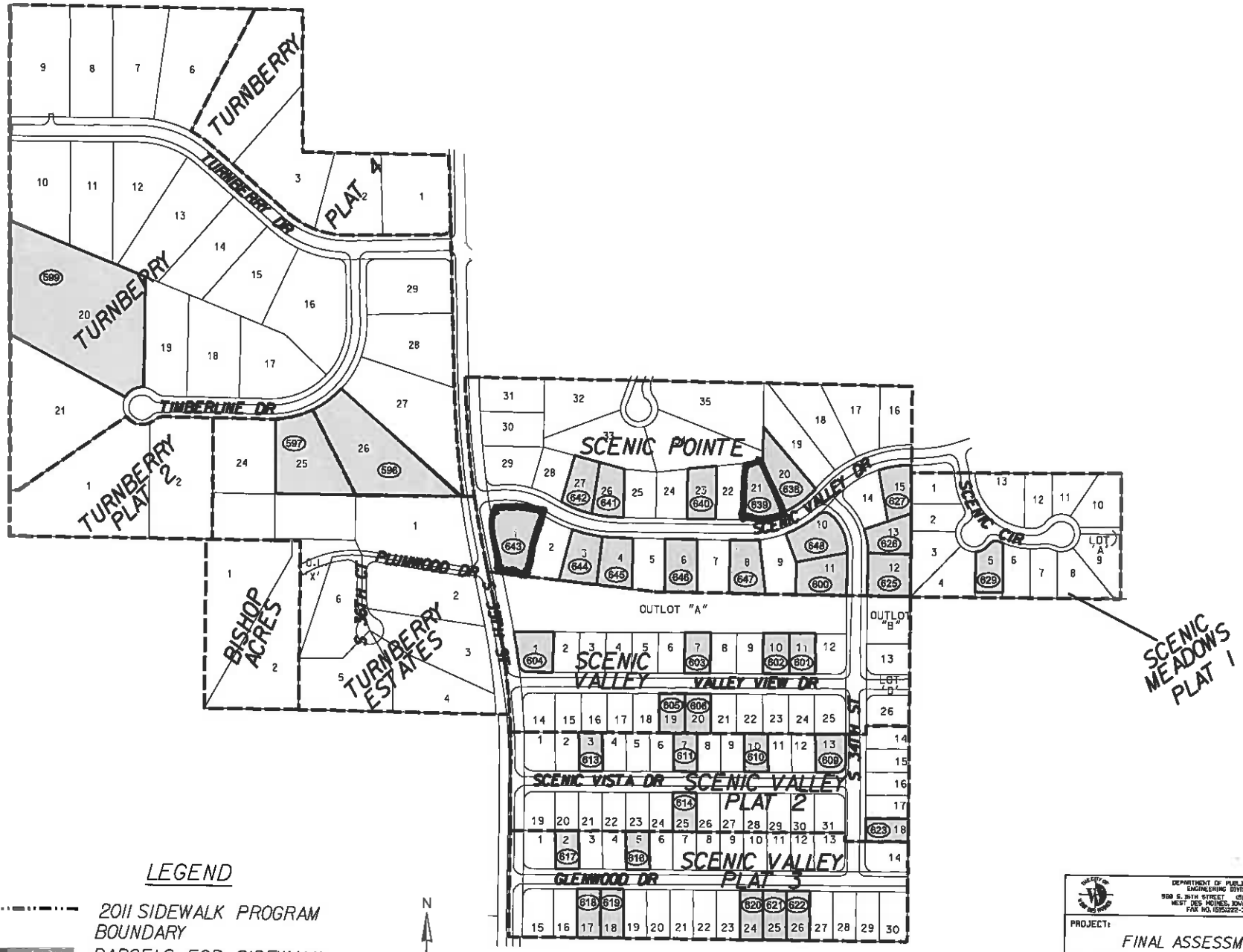
DATE: 02-12

PROJECT:
FINAL ASSESSMENT PLAT
2011 SIDEWALK IMPROVEMENT PROGRAM

LOCATION:
VARIOUS LOCATIONS POLK COUNTY AND DALLAS COUNTY

DRAWN BY: MJA
DESIGNED BY:
SCALE: 1" = 400'
PROJECT NO. 0510-011-2011
SHT. 11 OF 20

S:\CADD\51011 - 2011 Sidewalk Program\FinalSidewalkImprovPgm.dgn



LEGEND

- 2011 SIDEWALK PROGRAM BOUNDARY
- PARCELS FOR SIDEWALK IMPROVEMENTS
- SUBDIVISION BOUNDARY
- (000) PROPERTY NUMBER

N

SCALE IN FEET: 1" = 400'

0 200 400 800

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
500 S. 34TH STREET (515)222-3479
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3476

DATE: 02-12
REVISION:

PROJECT:
FINAL ASSESSMENT PLAT
2011 SIDEWALK IMPROVEMENT PROGRAM

LOCATION:
VARIOUS LOCATIONS POLK COUNTY AND DALLAS COUNTY

DRAWN BY: MJA
DESIGNED BY:
SCALE: 1" = 400'

PROJECT NO. 0510-011-2011
SHT. 12 OF 20

S:\CADD\51011 - 2011 Sidewalk Program\FinalSidewalkImprovPgm.dgn