

# CITY OF WEST DES MOINES

## COUNCIL AGENDA

**date:** June 27, 2016

**time:** 5:30 P.M.

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MAYOR .....	STEVEN K. GAER	CITY MANAGER.....	TOM HADDEN
COUNCILMEMBER AT LARGE .....	RICK MESSERSCHMIDT	CITY ATTORNEY.....	RICHARD SCIESZINSKI
COUNCILMEMBER AT LARGE .....	JIM SANDAGER	CITY CLERK.....	RYAN JACOBSON
COUNCILMEMBER 1 <sup>ST</sup> WARD .....	KEVIN L. TREVILLYAN		
COUNCILMEMBER 2 <sup>ND</sup> WARD .....	JOHN MICKELSON		
COUNCILMEMBER 3 <sup>RD</sup> WARD.....	RUSS TRIMBLE		

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1. **Call to Order/Pledge of Allegiance/Roll Call/Approval of Agenda**
2. **Citizen Forum** (Pursuant to City Council Procedural Rules citizen remarks are limited to five minutes under this agenda category - if additional time is desired the Mayor/Council may allow continuation as part of the Other Matters portion of the agenda)
3. **Mayor/Council/Manager Report/Other Entities Update**
  - a. Presentation of Police Department Lifesaving Award - Blake Havard
  - b. Presentation of Police Chief's Commendation Awards - Lieutenant Jody Hayes and Lieutenant James Barrett
4. **Consent Agenda**
  - a. Motion - Approval of Minutes of June 13, 2016 Meeting
  - b. Motion - Approval of Bill Lists
  - c. Motion - Approval of Liquor Licenses:
    1. Casey's Marketing Company, d/b/a Casey's General Store #2824, 6630 Mills Civic Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
    2. Casey's Marketing Company, d/b/a Casey's General Store #2923, 1850 22<sup>nd</sup> Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
    3. Casey's Marketing Company d/b/a Casey's General Store #3098, 125 Grand Avenue - Class LE Liquor License with Carryout Beer, Native Wine, and Sunday Sales - Renewal
    4. Crazy Chicken, LLC, d/b/a Chicken Coop Sports Bar & Grill, 1960 Grand Avenue, Suite 23 - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal
    5. Decades, LLC d/b/a Decades, 1208 Grand Avenue - Class LC Liquor License with Sunday Sales and Catering Privileges - New

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6. OSI/Fleming's, LLC, d/b/a Fleming's Prime Steakhouse & Wine Bar, 150 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  7. Hy-Vee, Inc. d/b/a Hy-Vee Market Grille #4, 555 South 51<sup>st</sup> Street (Grille Area) - Class LC Liquor License with Sunday Sales - Renewal
  8. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - July 13-14, 2016
  9. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - July 28, 2016
  10. Kum & Go, LC d/b/a Kum & Go #576, 3501 EP True Parkway - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
- d. Motion - Approval of Order for Violation of Alcohol Laws
- e. Motion - Approval of Cigarette/Tobacco Permits
- f. Motion - Approval of Lane Closure(s) for Special Events:  
1. Independence Day Parade, July 3, 2016  
2. Kids Triathlons, July 9-10, 2016
- g. Motion - Approval of Appointments:  
1. Revised 2016-17 Committee and Other Assignments  
2. Human Services Advisory Board
- h. Motion - Approval of Purchase - F5 Network Security Appliance
- i. Motion - Approval of Change Order #6 - SE Soteria Avenue Improvements - White Crane Road to County Line Road
- j. Motion - Approval to Renew Agreement with Iowa DOT - Maintenance and Repair of Primary Roads
- k. Motion - Approval and Acceptance of Public Right of Way and Utility Easement - 50<sup>th</sup> Street and University Avenue Intersection Improvements
- l. Resolution - Approval and/or Ratification of Fees and Charges Effective July 1, 2016
- m. Resolution - Approval of Offer of Settlement - U.S. Securities and Exchange Commission
- n. Resolution - Approving Compensation - City Manager
- o. Resolution - Approval of 28E Agreement - Neighborhood Finance Corporation
- p. Resolution - Establish Consultation Meeting and Public Hearing - Amendment #2 to Fuller Road Urban Renewal Area
- q. Resolution - Order Construction:  
1. Coachlight Drive Improvements - South 88<sup>th</sup> Street to South 91<sup>st</sup> Street  
2. Woodland Hills Park Site Development
- r. Resolution - Acceptance of Public Improvements - Clocktower Square (Sanitary Sewer Manhole)
- s. Resolution - Approval of Professional Services Agreement - Construction Testing Services
- t. Resolution - Approval of Addressing - Various Locations within City Limits
- u. Resolution - Approval of Fiber Optic Reimbursement Agreement - South 88<sup>th</sup> Street Improvements

- v. Resolution - Approval of Vacation Request - Sanitary Sewer Easement, Delavan Plat 1
- w. Resolution - Authorizing Construction of Improvements within Public Street Right-of-Way - Transit Stop for Public Transit Buses on 31<sup>st</sup> Street Adjacent to Valley West Mall

**5. Old Business**

- a. Amendment to City Code - Title 2 (Boards and Commissions), Chapter 5 (Human Services Advisory Board), Section 3 (Board Established; Membership) and Section 4 (Term of Office; Vacancies) - Amend the Composition of Board Members and Amend the Number of Consecutive Terms a Board Member May Serve - City Initiated
  - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

**6. Public Hearings (5:35 p.m.)**

- a. Pheasant Ridge, generally located on the north side of Booneville Road from South 60<sup>th</sup> Street to South Jordan Creek Parkway - Zone Property Consistent with the Comprehensive Plan Land Use Map - City Initiated
  - 1. Ordinance - Approval of First Reading
- b. Public Services Facility Grading - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract
- c. Intersection Improvements - 50th Street and University Avenue; 50th Street and Corporate Drive - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract
- d. Law Enforcement Center Lower Level Remodel, Phase 2 - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract
- e. Sugar Creek Trunk Sewer Extension - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract
- f. Jordan Creek Parkway and University Avenue Intersection Improvements, Phase 1 - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract

**7. New Business**

- a. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 2 (Through Streets Stop Required) - South 81<sup>st</sup> Street, Mills Civic Parkway to south terminus of South 81<sup>st</sup> Street, and SE Maffitt Lake Road, SE Soteria Avenue to Veterans Parkway - City Initiated
  - 1. Ordinance - Approval of First Reading
- b. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 3 (Special Yield Required) - 92<sup>nd</sup> Street and Westown Parkway - City Initiated
  - 1. Ordinance - Approval of First Reading
- c. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - SE White Crane Road, SE Soteria Avenue, and SE Maffitt Lake Road - City Initiated
  - 1. Ordinance - Approval of First Reading
- d. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 10 (Special Speed Zones) - SE White Crane Road, SE Soteria Avenue, and SE Maffitt Lake Road - City Initiated
  - 1. Ordinance - Approval of First Reading

**8. Receive, File and/or Refer**

**9. Other Matters**

**CITY COUNCIL WORKSHOP**

(immediately follows Council meeting)

- 1. Strategic and Action Planning Schedule - Pat Boddy
- 2. Other Matters

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.



June 13, 2016

West Des Moines City Council Proceedings  
Monday, June 13, 2016

Mayor Steven K. Gaer opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, in the Council Chambers of the West Des Moines City Hall on Monday, June 13, 2016 at 5:31 PM. Council members present were: R. Messerschmidt, J. Mickelson, J. Sandager, and K. Trevillyan.

On Item 1. Agenda. It was moved by Sandager, second by Messerschmidt approve the agenda as presented.

Vote 16-212: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 2. Public Forum: No one came forward.

On Item 3. Council/Manager/Other Entities Reports:

Council member Sandager reported he attended a meeting of the Bravo Finance and Sustainability Committee, and he noted that he will start his new role on the Bravo Executive Committee on July 1. He also attended a meeting of the West Des Moines Chamber of Commerce, where discussion was held on the recruitment of a new President/CEO.

Council member Messerschmidt reported a Public Works Subcommittee meeting was held, where discussion was held on concerns expressed by a resident regarding the proposed bike trail along South 60<sup>th</sup> Street. There is a fairly steep grade from the location of the proposed bike trail down to the resident's property, and the resident has requested to install a fence along the proposed trail and landscaping in front of the fence.

On Item 4. Consent Agenda.

Council members pulled Item 4(g)3 for discussion. It was moved by Sandager, second by Messerschmidt to approve the consent agenda as amended.

- a. Approval of Minutes of May 31, 2016 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
  - 1. Bambino's Restaurant, Inc. d/b/a Bambino's Restaurant, 2025 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
  - 2. MLC Holdings, LLC, d/b/a Blue Moon Dueling Piano Bar & Restaurant, 5485 Mills Civic Parkway - Class LC Liquor License Extension of Outdoor Service - June 17-18, 2016

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3. Fordad, Inc., d/b/a Cattoor's on Grand, 1306 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  4. P2C2 Investments, LLC d/b/a Global Brew Tap House and Lounge, 9500 University Avenue, Suite 1118 - Class BW Permit with Sunday Sales and Outdoor Service - New
  5. Kum & Go, LC d/b/a Kum & Go #97, 196 South 50th Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
  6. Maxie's Enterprises, LLC d/b/a Maxie's Restaurant & Lounge, 1311 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
  7. P. F. Chang's China Bistro, Inc., d/b/a P. F. Chang's China Bistro, 110 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  8. Red Lobster Restaurants, LLC d/b/a Red Lobster #0796, 3838 Westown Parkway - Class LC Liquor License with Sunday Sales - Renewal
- d. Approval of Order for Violation of Alcohol Laws
- e. Acceptance of Grant Funding for WDM Human Services - Sammons Financial Group
- f. Approval of Professional Services Agreement - Economic Development Action Plan
- g. Order Construction:
1. Public Services Facility Grading
  2. Sugar Creek Trunk Sewer Extension
  4. Intersection Improvements - 50th Street and University Avenue; 50th Street and Corporate Drive
  5. Holiday Park Baseball Improvements - Commons Area - Phase 4A
- h. Accept Work:
1. Dixie Acres Sanitary Sewer
  2. Law Enforcement Center Roof Replacement
- i. Approval of 28E Agreement with Polk County- Delinquent Parking Ticket Program
- j. Approval of Professional Services Agreement - Miscellaneous Engineering Services
- k. Approval and Acceptance of Purchase Agreements, Condemnation Award and Property Interests - South 50th Street Improvements Project
- l. Approval and Acceptance of Purchase Agreements and Property Interests - Ashworth Road - Phase 1 Improvements Projects
- m. Approval and Acceptance of Purchase Agreements and Easements - Sugar Creek Sewer Extension Project
- n. Approval of Assigning an Interest in the Woodland Hills Urban Renewal Development Agreement

Vote 16-213: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 4(g)3 Order Construction - Jordan Creek Parkway and University Avenue Intersection Improvements, Phase 1

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Council member Messerschmidt stated the City is aware of the traffic challenges in this area, and this proposed project is expected to provide some relief at an affordable cost. He noted the project is expected to be completed by the end of 2016.

It was moved by Messerschmidt, second by Trevillyan to approve Item 4(g)3 Order Construction - Jordan Creek Parkway and University Avenue Intersection Improvements, Phase 1.

Mayor Gaer requested that staff reach out to the media regarding this project. He also noted this is the last project the City of West Des Moines can physically do to add traffic capacity in this area, and any further improvements would need to be done by the cities of Clive or Waukee.

Vote 16-214: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 5(a) West Glen Town Center, south of Wild Rose Lane and east of South Prairie View Drive - Amend Specific Plan to Add 48 Dwelling Units to Building J-2 (a planned parking structure) and Add an I-2 Building with 60 Dwelling Units and Structured Parking, initiated by MRES West Glen Holding, LP

It was moved by Sandager, second by Trevillyan to consider the second reading of the ordinance.

Vote 16-215: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Sandager, second by Trevillyan to approve the second reading of the ordinance.

Vote 16-216: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

It was moved by Sandager, second by Trevillyan to waive the third reading and adopt the ordinance in final form.

Vote 16-217: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 5(b) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 2 (Through Streets Stop Required) - 81st Street, Ashworth Road to EP True Parkway, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Messerschmidt to consider the second reading of the ordinance.

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Vote 16-218: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 16-219: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 16-220: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 6(a) Amendment #1 to Ashworth Corridor Urban Renewal Area, initiated by the City of West Des Moines

It was moved by Messerschmidt, second by Sandager to adopt Motion - Continue Public Hearing to July 25, 2016.

Vote 16-221: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Raccoon River Park Softball Irrigation Modifications, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on May 27, 2016 and June 3, 2016 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Sandager, second by Messerschmidt to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Motion - Defer Award of Contract.

Mayor Gaer noted staff recommends deferring award of the contract because the bids received were all significantly higher than the estimate.

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Council member Trevillyan inquired how staff intends to proceed with this proposed project.

Gary Scott, Director of Parks and Recreation, responded staff plans to meet with the project engineer and the lowest responsive bidder to determine if the project design could be simplified to reduce some of the project costs. He noted West Des Moines Water Works has expressed willingness to consider increasing their contribution up to 50 percent of the project cost. Once those discussions have taken place, staff may request the Council approve an increase to the City's allocation towards this project, if needed.

Vote 16-222: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 7(a) Amendment to City Code - Title 2 (Boards and Commissions), Chapter 5 (Human Services Advisory Board), Section 3 (Board Established; Membership) and Section 4 (Term of Office; Vacancies) - Amend the Composition of Board Members and Amend the Number of Consecutive Terms a Board Member May Serve, initiated by the City of West Des Moines

It was moved by Messerschmidt, second by Sandager to consider the first reading of the ordinance.

Council member Trevillyan inquired if the composition and/or term limits for all boards and commissions should be reviewed as well.

Mayor Gaer explained that there is already an unwritten practice that members of all boards and commissions will only serve two consecutive terms, unless there is a compelling reason to have them continue beyond those two terms. He noted the Human Services Advisory Board has had the most challenges with filling vacant seats and having a quorum at its meetings, so the proposed ordinance was needed in this case, but he feels comfortable with how the other boards and commissions are working, so changes to their ordinances are not needed at this time.

Vote 16-223: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Sandager, second by Trevillyan to approve the first reading of the ordinance.

Vote 16-224: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

June 13, 2016

On Item 8(a) Pheasant Ridge, generally located on the north side of Booneville Road from South 60th Street to South Jordan Creek Parkway - Zone Property Consistent with the Comprehensive Plan Land Use Map - City Initiated - Referred to Plan and Zoning

On Item 8(b) Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts) - Allow SIC 0752-9901 'Animal Specialty Services, Grooming Services' as a Permitted Use in the General Industrial District - City Initiated - Referred to Plan and Zoning

On Item 8(c) Vicki Arroyo Resignation - Human Services Advisory Board - Received and Filed

On Item 8(d) Jed Gammell Resignation - Human Services Advisory Board - Received and Filed

On Item 9 - Other Matters: none

The meeting was adjourned at 5:53 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC  
City Clerk

ATTEST:

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Steven K. Gaer, Mayor

641  
4(b)

**CITY OF WEST DES MOINES**  
**CITY COUNCIL ACTION ITEM**

The following list(s) of municipal expenditures, all of which have been reviewed and authorized by the respective departments as being justified and properly due and the listing of which have been prepared by Finance departmental staff are being submitted to the City Council for approval:

Regular Bi-Weekly Claims	06/16/2016		\$ 1,174,614.66
			Total \$ Amount
EFT Claims	06/16/2016		\$535,694.14
			Total \$ Amount
Control Pay	06/16/2016		\$110,745.45
			Total \$ Amount
End of Month	05/31/2016		\$66,796.09
			Total \$ Amount
Manual Check	06/16/2016		\$212,608.63
	Claim Listing Date		Total \$ Amount

Approved by the West Des Moines City Council this 27th day of June  
2016

\_\_\_\_\_  
Tim Stiles, Finance Director

\_\_\_\_\_  
Tom Hadden, City Manager

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan Jacobson, City Clerk

Finance and Administration Committee acknowledgement of disbursement of expenditures:

\_\_\_\_\_  
Russ Trimble, Councilmember

\_\_\_\_\_  
Jim Sandager, Councilmember

\_\_\_\_\_  
John Mickelson (alternate)

BANK	VENDOR	CHECK#	DATE	AMOUNT
WBVD WEST BANK				
	A-D DISTRIBUTING CO., IN	207216	06/27/16	1,600.00
	ABL LABORATORIES	207217	06/27/16	146.95
	AGRILLAND FS, INC.	207218	06/27/16	430.00
	AHTERS & COONEY	207219	06/27/16	1,070.40
	ALEX AIR APPARATUS INC	207220	06/27/16	222.00
	AMOR/LUKE	207221	06/27/16	2,078.50
	ADREON NETWORK SERVICES	207222	06/27/16	3,119.00
	BENJAMIN DESIGN COLLABOR	207223	06/27/16	3,197.00
	BOLTON & HAY INC	207224	06/27/16	54.50
	BONNIE'S BARRICADES	207225	06/27/16	9,104.45
	BOUND TREE MEDICAL, LLC.	207226	06/27/16	619.99
	BRIGHT & CLEAR SOLUTIONS	207227	06/27/16	1,300.00
	CARPENTER UNIFORM CO	207228	06/27/16	5,179.51
	CDW GOVERNMENT, INC.	207229	06/27/16	9,576.57
	CENTRAL IOWA FLORAL, INC	207230	06/27/16	63.60
	CHRISTIAN PRINTERS	207231	06/27/16	178.08
	CITY OF DES MOINES	207232	06/27/16	119.80
	CITY OF URBANDALE	207233	06/27/16	642.85
	CIVIL DESIGN ADVANTAGE I	207234	06/27/16	1,959.35
	CIVIL DESIGN ADVANTAGE I	207235	06/27/16	3,167.30
	CONCRETE TECHNOLOGIES	207236	06/27/16	84,394.56
	CONSTRUCTION & AGGREGATE	207237	06/27/16	182.69
	CORELL CONTRACTOR INC	207238	06/27/16	10.00
	CORELL CONTRACTOR INC	207239	06/27/16	319,846.06
	CREATIVE VISUAL PRODUCTI	207240	06/27/16	1,271.40
	DALLAS COUNTY RECORDER	207241	06/27/16	44.00
	DES MOINES EMBASSY CLUB/	207242	06/27/16	395.25
	DES MOINES GOLF & COUNTR	207243	06/27/16	84.35
	DES MOINES IRON AND SUPP	207244	06/27/16	295.67
	DES MOINES STAMP MFG CO	207245	06/27/16	20.90
	DMAC	207246	06/27/16	15.00
	DOGPOOPBAGS.COM	207247	06/27/16	409.84
	DONNOE & ASSOCIATES	207248	06/27/16	396.00
	DOUGLAS/JONATHAN	207249	06/27/16	280.00
	DOWLING/CONNTE	207250	06/27/16	247.50
	DUGGAN/SCOTT	207251	06/27/16	75.00
	EMARKIT, INC.	207252	06/27/16	11,250.00
	FRIEDRICHS/CHRIS	207253	06/27/16	439.25
	FRIENDS OF IOWA	207254	06/27/16	250.00
	GATEHOUSE MEDIA IOWA HOL	207255	06/27/16	250.00
	GHA SYSTEMS INTEGRATORS,	207256	06/27/16	954.29
	GRIMES ASPHALT & PAVING	207257	06/27/16	491.36
	HARTPENCE/LAWRENCE	207258	06/27/16	23.87
	HAWKEYE PAVING CORPORATI	207259	06/27/16	58.86
	HEARTLAND BUSINESS SYSTE	207260	06/27/16	122,611.25
	HEARTLAND DOOR AND FRAME	207261	06/27/16	900.00
	HISTORIC VALLEY JUNCTION	207262	06/27/16	1,124.27
	HOME INC.	207263	06/27/16	202.50
				38,320.97



BANK	VENDOR	CHECK#	DATE	AMOUNT
WBVD WEST BANK				
	TOWA CUBS SPORTS TURE MN	2072664	06/27/16	22,200.00
	IOWA DEPT OF TRANSPORTAT	2072665	06/27/16	164,639.38
	IOWA ONE CALL	2072666	06/27/16	2,270.80
	IOWA PRISON INDUSTRIES	2072667	06/27/16	13,581.20
	JACK DELEON CONSTRUCTION	2072668	06/27/16	132.00
	JEFFREY L BRUCE & COMPAN	2072669	06/27/16	6,352.64
	JIM'S JOHNS	2072770	06/27/16	6,699.00
	KABEL BUSINESS SERVICES	2072771	06/27/16	60.00
	KALDENBERG'S PBS LANDSCA	2072772	06/27/16	135.00
	KLOCKE'S EMERGENCY VEHIC	2072773	06/27/16	354.91
	LA GROSSE FORAGE & TURF	2072774	06/27/16	10.90
	LOWE'S HOME CENTER, INC.	2072775	06/27/16	1,992.63
	LT LEON ASSOCIATES, INC	2072776	06/27/16	14,285.00
	LUNNING/SCARLETT	2072777	06/27/16	150.00
	LUTHERN CHURCH OF HOPE	2072778	06/27/16	750.00
	MARINE RESCUE PRODUCTS I	2072779	06/27/16	131.25
	MCGRATH CONSULTING GROU	207280	06/27/16	6,000.00
	MEMORIAL SERVICES OF IOW	207281	06/27/16	350.00
	MID-STATE DISTRIBUTING C	207282	06/27/16	43.00
	MIDAMERICAN ENERGY	207283	06/27/16	87.84
	MORROW/HOLLY	207284	06/27/16	70.00
	MUNDY/NATHAN	207285	06/27/16	60.00
	MUNICIPAL PIPE TOOL CO I	207286	06/27/16	9,906.92
	MURDOCK-SUPER SECUR LLC	207287	06/27/16	203.23
	MURPHY TRACTOR & EQUIPME	207288	06/27/16	785.72
	NGUYEN/MICHAEL	207289	06/27/16	18.00
	NICHOLS/ANDREA	207290	06/27/16	552.50
	NORWALK READY-MIXED CONC	207291	06/27/16	1,664.50
	OPN ARCHITECTS	207292	06/27/16	3,894.18
	PEARSON/KURT	207293	06/27/16	2,078.50
	PI MIDWEST	207294	06/27/16	30,000.00
	PLUMB SUPPLY CO	207295	06/27/16	219.39
	POLK COUNTY RECORDER	207296	06/27/16	363.00
	POLK COUNTY TREASURER	207297	06/27/16	3,777.44
	POLK COUNTY TREASURER	207298	06/27/16	150.00
	O3 CONTRACTING INC	207299	06/27/16	61,089.39
	RAGAN COMMUNICATIONS INC	207300	06/27/16	119.00
	RELECTIVE APPAREL FCTORY	207301	06/27/16	533.25
	RELIANT FIRE APPARATUS,	207302	06/27/16	73.65
	RHOMAR INDUSTRIES INC	207303	06/27/16	1,537.36
	ROY'S TOWING AND RECOVER	207304	06/27/16	75.00
	SAM'S CLUB DIRECT	207305	06/27/16	213.99
	SANCHEZ-NAERT/SANDRA	207306	06/27/16	30.00
	SECRETARY OF STATE	207307	06/27/16	30.00
	SHOWTIME ENTERTAINMENT	207308	06/27/16	150.00
	SIMMS-DAVIS/CAROL	207309	06/27/16	60.00
	SMITH/LINDBSEY	207310	06/27/16	7.00
	SPECK USA	207311	06/27/16	5,280.00

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BANK	VENDOR	CHECK#	DATE	AMOUNT
WBVD WEST BANK				
27422	SPRINT	207312	06/27/16	178.05
29204	STILES/TIM	207313	06/27/16	83.42
18825	STOREY-KENWORTHY CO	207314	06/27/16	28,580.01
28433	SWINTON/ASHLEE	207315	06/27/16	1,162.00
27650	SYNERGY CONTRACTING LLC	207316	06/27/16	6,916.00
29929	TESKA ASSOCIATES INC	207317	06/27/16	13,160.50
.11497	THOMPSEN/ERIC	207318	06/27/16	3,118.00
30081	TRUE PARKWAY LLC	207319	06/27/16	12,635.00
19600	TRUE VALUE & VES VARIETY	207320	06/27/16	849.68
25814	DILTRAMAX	207321	06/27/16	6,285.20
29213	UNION PACIFIC RAILROAD C	207322	06/27/16	39,000.00
83413	UNITED PARCEL SERVICE	207323	06/27/16	13.39
30087	UNITYPOINT HEALTH HOSPTT	207324	06/27/16	10,476.32
29279	UPS STORE/THE	207325	06/27/16	43.76
26935	VAN-WALLI EQUIPMENT	207326	06/27/16	1,453.54
29045	VERMEER	207327	06/27/16	1,320.00
29220	VISION SERVICE PLAN	207328	06/27/16	498.50
28806	WASTE CONNECTIONS INC	207329	06/27/16	318.52
24712	WAUKEE COMMUNITY SCHOOLS	207330	06/27/16	2,002.50
20720	WEST DES MOINES CHAMBER	207331	06/27/16	20.00
20725	WEST DES MOINES COMM EDU	207332	06/27/16	24,549.00
20700	WEST DES MOINES COMM SCH	207333	06/27/16	21.21
21000	WEST DES MOINES WATER WO	207334	06/27/16	32,640.00
27137	WINTERSET MADISONIAN	207335	06/27/16	15.87
.11461	XEROX LITIGATION SVCS	207336	06/27/16	4,865.48
.28902	YOUTH TECH INC.	207337	06/27/16	1,476.00
29999	411 SAFETY SHOP & TRAINI	207338	06/27/16	340.00

WEST BANK 1,174,614.66 \*\*\*

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BANK                      VENDOR                      CHECK#                      DATE                      AMOUNT

BANK	VENDOR	CHECK#	DATE	AMOUNT
WBVD WEST BANK				
90074	A TECH, INC.	9266	06/27/16	80.00
90023	ARNOLD MOTOR SUPPLY, LLP	9267	06/27/16	647.22
90068	BAUER BUILT	9268	06/27/16	476.00
90015	EMC RISK SERVICES	9269	06/27/16	20,080.68
90042	ENTENMANN ROVIN-CO	9270	06/27/16	605.50
90044	FBG SERVICE CORPORATION	9271	06/27/16	2,798.00
90158	FINESTEAD/MIKE	9272	06/27/16	9,939.15
90013	MCCAINCH CORP & AFFILIAT	9273	06/27/16	490,194.21
90006	MCCUIRE ENGINEERING COMP	9274	06/27/16	2,032.00
90087	MIDWEST WHEEL	9275	06/27/16	393.21
90150	RELIABLE MAINTENANCE	9276	06/27/16	5,300.20
90175	TYLER TECHNOLOGIES INC	9277	06/27/16	1,608.97
90142	YAGER/LEMAR	9278	06/27/16	1,539.00

535,694.14

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BANK VENDOR  
WBVD WEST BANK

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CHECK# DATE AMOUNT

70003	ACCO UNLIMITED CORP	207339	06/27/16	6,142.10
70197	ALLIED 100, LLC	207340	06/27/16	5,373.00
70157	ALTEC INDUSTRIES INC	207341	06/27/16	2,669.44
70158	ARMARK UNIFORM SERVICES	207342	06/27/16	138.54
70191	BROWNELLS INC	207343	06/27/16	300.01
70017	CAPITAL SANITARY SUPPLY	207344	06/27/16	444.34
70059	CITY SUPPLY CORP	207345	06/27/16	40.63
70008	COMPETITIVE EDGE	207346	06/27/16	207.60
70019	CORN STATES METAL	207347	06/27/16	5,123.00
70187	D&K PRODUCTS	207348	06/27/16	5,240.00
70083	DES MOINES REGISTER MEDI	207349	06/27/16	5,692.97
70060	DOORS INC.	207350	06/27/16	44.00
70067	EXCEL MECHANICAL, INC.	207351	06/27/16	10,066.77
70020	FIELD FIRE	207352	06/27/16	13.00
70039	G&L CLOTHING	207353	06/27/16	2,425.05
70226	GALETON GLOVES	207354	06/27/16	181.65
70256	GOVERNMENT FINANCE	207355	06/27/16	595.00
70122	HD SUPPLY WATERWORKS	207356	06/27/16	75.00
70194	INTERFLEET INC	207357	06/27/16	2,329.61
70239	INTERSTATE ALL BATTERY C	207358	06/27/16	12.10
70077	IOWA FIRE EQUIPMENT	207359	06/27/16	220.70
70053	IOWA WATER MANAGEMENT CO	207360	06/27/16	540.00
70024	JERICO SERVICES	207361	06/27/16	7,131.60
70006	LOGAN CONTRACTORS SUPPLY	207362	06/27/16	426.17
70291	MENARDS	207363	06/27/16	170.52
70107	MOODY'S INVESTORS SERVIC	207364	06/27/16	19,000.00
70107	O'REILLY AUTOMOTIVE, INC	207365	06/27/16	181.40
70025	PAY-LESS OFFICE PRODUCTS	207366	06/27/16	6,413.39
70046	PITNEY BOWES	207367	06/27/16	312.76
70278	PROCTOR MECHANICAL CORP	207368	06/27/16	4,836.02
70241	SANDRY FIRE SUPPLY LLC	207369	06/27/16	25,355.63
70069	SHOTTEKIRK CHEVROLET	207370	06/27/16	803.61
70057	SNYDER & ASSOCIATES	207371	06/27/16	675.00
70026	STIVERS FORD	207372	06/27/16	1,431.96
70255	STRAUSS SAFE AND LOCK CO	207373	06/27/16	592.00
70016	TEAM SERVICES	207374	06/27/16	0.40
70181	TOTAL TOOL	207375	06/27/16	540.48

WEST BANK

110,745.45 \*\*\*

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BANK                      VENDOR

WBVD WEST BANK

25595                    COMMERCE BANK  
25595                    COMMERCE BANK

WEST BANK

CHECK#                   DATE

900059 05/31/16  
900060 05/31/16

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AMOUNT

37,940.82  
28,855.27  
66,796.09

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CITY OF WEST DES MOINES IOWA  
GIS40R-V07.27 PAGE 1

BANK VENDOR

CHECK# DATE AMOUNT

WBVD WEST BANK

02850	DELTA DENTAL OF IOWA	800809	06/17/16	5,842.65
24822	WELLMARK BLUE CROSS	800810	06/09/16	70,605.64
24822	WELLMARK BLUE CROSS	800811	06/16/16	69,641.26
12755	IOWA DEPT OF REVENUE & F	800812	06/16/16	1,127.00
29866	SUN LIFE FINANCIAL	800813	06/14/16	54,742.08

WEST BANK

201,958.63

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CITY OF WEST DES MOINES IOWA  
GIS40R-V07.27 PAGE 1

BANK VENDOR

CHECK# DATE AMOUNT

WBVD WEST BANK

29762 PATERSON/BARRY

207376 06/16/16 10,650.00

WEST BANK

10,650.00 \*\*\*

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Approval of Liquor Licenses

**DATE:** June 27, 2016

**FINANCIAL IMPACT:** None

**BACKGROUND:** In accordance with the Iowa Code Section 123.1 and the West Des Moines City Code Title 3, Business and Licensing, Chapter 2, Beer and Liquor Control, the following licenses have been investigated and reviewed by the WDM Police Department and, when necessary, by Building Inspection and/or Fire Department staff, and are presented to the City Council for approval. Copies of license applications are available, for your review, in the Office of the City Clerk.

1. Casey's Marketing Company, d/b/a Casey's General Store #2824, 6630 Mills Civic Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
2. Casey's Marketing Company, d/b/a Casey's General Store #2923, 1850 22nd Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
3. Casey's Marketing Company d/b/a Casey's General Store #3098, 125 Grand Avenue - Class LE Liquor License with Carryout Beer, Native Wine, and Sunday Sales - Renewal
4. Crazy Chicken, LLC, d/b/a Chicken Coop Sports Bar & Grill, 1960 Grand Avenue, Suite 23 - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal
5. Decades, LLC d/b/a Decades, 1208 Grand Avenue - Class LC Liquor License with Sunday Sales and Catering Privileges - New
6. OSI/Fleming's, LLC, d/b/a Fleming's Prime Steakhouse & Wine Bar, 150 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
7. Hy-Vee, Inc. d/b/a Hy-Vee Market Grille #4, 555 South 51st Street (Grille Area) - Class LC Liquor License with Sunday Sales - Renewal
8. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - July 13-14, 2016
9. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - July 28, 2016
10. Kum & Go, LC d/b/a Kum & Go #576, 3501 EP True Parkway - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** Motion to approve the issuance of liquor licenses in the City of West Des Moines.



Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

**STAFF REVIEWS**

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Motion - Approval of Order for Violation of Alcohol Laws      **DATE:** June 27, 2016

**FINANCIAL IMPACT:**      \$500.00 (positive impact to City)

**BACKGROUND:**

Pursuant to state law, a municipality is required to assess a \$500.00 fine for a first violation against alcohol permittees who have been found in violation of providing alcoholic beverages to persons under 21 years of age at their respective places of business.

On or about the date referenced on attached Exhibit "A", an employee of the permittee, also referenced on Exhibit "A", was cited for providing alcoholic beverages to persons under 21 years of age. The City of West Des Moines Legal Department sent notice of the violation to the permittee. Since that time, said permittee acknowledged its respective order and returned payment of the fine for the alcohol violation.

**OUTSTANDING ISSUES (if any):** None.

**RECOMMENDATION:**

It is recommended that the City Council approve the Order and accept payment of fine regarding the alcohol violation of the permittee as referenced on the attached Exhibit "A".

**Lead Staff Member:** Greta Truman, Assistant City Attorney

**STAFF REVIEWS**

Department Director	Richard J. Scieszinski, City Attorney
Appropriations/Finance	<i>[Signature]</i>
Legal	<i>[Signature]</i>
Agenda Acceptance	<i>[Signature]</i>

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	
Date Reviewed	
Recommendation	

**EXHIBIT "A"**

<b><u>Licensee</u></b>	<b><u>D/B/A</u></b>	<b><u>Date of Violation</u></b>	<b><u>#Violation</u></b>
Ingersoll Liquor & Beverage Co.	Ingersoll Wine Merchants 1300 50 <sup>th</sup> Street, Suite 200	November 13, 2015	1st (minors)

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Approval of Cigarette/Tobacco Licenses

**DATE:** June 27, 2016

**FINANCIAL IMPACT:** None

**BACKGROUND:** Under Title III - Chapter 10, Cigarette Sales, the Council has the authority to issue cigarette permits for establishments located within the city limits of West Des Moines. All cigarette permits expire on June 30 of each year. Applications from the following establishments are on file in the City Clerk's office for review:

1. J & P Parking, d/b/a Beach Girls, 6220 Raccoon River Drive
2. MLC Holdings, LLC, d/b/a Blue Moon Dueling Piano Bar, 5485 Mills Civic Parkway
3. Bradley Lathrop, d/b/a Bradley's Pub, 1300 50<sup>th</sup> Street, Suite 203
4. Cabaret West Des Moines, LLC, d/b/a Cabaret West Glen, 560 South Prairie View Drive, Suite 105
5. Casey's Marketing Co., d/b/a Casey's General Store #2150, 2125 Grand Avenue
6. Casey's Marketing Co., d/b/a Casey's General Store #2297, 108 8<sup>th</sup> Street
7. Casey's Marketing Co., d/b/a Casey's General Store #2824, 6630 Mills Civic Parkway
8. Casey's Marketing Co., d/b/a Casey's General Store #2923, 1850 22<sup>nd</sup> Street
9. Casey's Marketing Co., d/b/a Casey's General Store #3098, 125 Grand Avenue
10. For Dad, Inc., d/b/a Cattoors on Grand, 1306 Grand Avenue
11. Mohamed Ali, d/b/a Chicha Shack, 5435 Mills Civic Parkway, Suite 110
12. Christopher Thayer, d/b/a Club Herf, 9500 University Avenue, Suite 1101
13. Fareway Stores, Inc., d/b/a Fareway Store #153, 329 Grand Avenue
14. Git-N-Go Convenience Stores, Inc., d/b/a Git-N-Go Convenience Store #4, 1325 Grand Avenue
15. GOCC Investments, LLC, d/b/a Glen Oaks Country Club, 1401 Glen Oaks Drive
16. Steve D. Hebron, d/b/a Great Alternatives II, 411 Railroad Place
17. Hy-Vee, Inc., d/b/a Hy-Vee Food Store #1, 1700 35<sup>th</sup> Street
18. Hy-Vee, Inc., d/b/a Hy-Vee Food Store #2, 1990 Grand Avenue
19. Hy-Vee, Inc., d/b/a Hy-Vee Food Store #3, 1725 Jordan Creek Parkway
20. Hy-Vee, Inc., d/b/a Hy-Vee Food Store #4, 555 South 51<sup>st</sup> Street
21. Hy-Vee, Inc., d/b/a Hy-Vee Drugstore, 1010 60<sup>th</sup> Street
22. Hy-Vee, Inc., d/b/a Hy-Vee Gas #3, 7280 University Avenue
23. Hy-Vee, Inc., d/b/a Hy-Vee Gas #4, 665 South 51<sup>st</sup> Street
24. Ingersoll Liquor & Beverage Co., d/b/a Ingersoll Wine Merchants, 1300 50<sup>th</sup> Street, Suite 200
25. Butterface, LLC, d/b/a The Keg Stand, 3530 Westown Parkway
26. Kum & Go, LC, d/b/a Kum & Go #8, 1293 8<sup>th</sup> Street
27. Kum & Go, LC, d/b/a Kum & Go #50, 745 South 51<sup>st</sup> Street, Suite 200
28. Kum & Go, LC, d/b/a Kum & Go #66, 5308 University Avenue
29. Kum & Go, LC, d/b/a Kum & Go #74, 141 South Jordan Creek Parkway
30. Kum & Go, LC, d/b/a Kum & Go #97, 196 South 50<sup>th</sup> Street
31. Kum & Go, LC, d/b/a Kum & Go #576, 3501 EP True Parkway
32. Kum & Go, LC, d/b/a Kum & Go #2035, 7265 Vista Drive
33. Kum & Go, LC, d/b/a Kum & Go #2091, 5969 Ashworth Drive
34. Liberty Alternative Gifts, LLC, d/b/a Liberty Alternative Gifts, 2600 University Avenue, #200

35. Sewa Singh, d/b/a Lovely Food Mart, 6630 Mills Civic Parkway, Suite 3110
36. Denis Y. Reed, d/b/a Pars and Cigars, 1401 22<sup>nd</sup> Street
37. Quik Trip Corporation, d/b/a Quik Trip #517, 1451 22<sup>nd</sup> Street
38. Donald Jeffrey Richman, d/b/a Richman Enterprises, LLC, 1272 8<sup>th</sup> Street
39. Stephanie Waheed & Abdul R. Jalali, d/b/a SA Petro Mart, 136 1<sup>st</sup> Street
40. Spencer Gifts, LLC, d/b/a Spencer Gifts - Jordan Creek Town Center, 101 Jordan Creek Parkway, #2050
41. Spencer Gifts, LLC, d/b/a Spencer Gifts - Valley West Mall, 1551 Valley West Drive
42. Boggs Properties, LLC, d/b/a Sully's Irish Pub, 110 Grand Avenue
43. 34's Sports Grill Valley West, LLC, d/b/a 34's Sports Grill, 1551 Valley West Drive, Suite 253
44. Kwik Trip, Inc., d/b/a Tobacco Outlet Plus #565, 1220 Grand Avenue, #101
45. Riley Drive Entertainment I, Inc., d/b/a Tonic Bar, 5535 Mills Civic Parkway, Suite 105
46. Stu's Petroleum, LLC, d/b/a Valley West Corner Store, 1400 Valley West Drive
47. Andrew Frye and Omar Avalos, The Vape House II, 404 Vine Street, Suite B
48. Fast Mart 2, LLC, d/b/a Vine Stop, 2704 Vine Street
49. Walgreen Co., d/b/a Walgreens #06623, 1660 22<sup>nd</sup> Street
50. Walgreen Co., d/b/a Walgreens #06677, 4900 Mills Civic Parkway
51. Walgreen Co., d/b/a Walgreens #06678, 1999 Grand Avenue
52. Wal-Mart Stores, Inc., d/b/a Walmart #3762, 6365 Stagecoach Drive

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** Motion to approve the issuance of cigarette permits in the City of West Des Moines.

**Lead Staff Member:** Ryan T. Jacobson, City Clerk

**STAFF REVIEWS**

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	
Agenda Acceptance	<i>RTJ</i>

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	
Date Reviewed	

CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION

ITEM: Approval of Special Event Lane Closures  
Independence Day Parade

DATE: June 27, 2016

FINANCIAL IMPACT: None

BACKGROUND:

Ordinance 2013 was adopted by the City Council on November 25, 2013, establishing that street or lane closures for special events on arterial or collector streets shall require approval of the City Council.

West Des Moines Parks and Recreation is hosting the annual Independence Day parade on Sunday, July 3, 2016. The route will require the temporary closure of the following arterial/collector streets:

- Valley West Drive (from Woodland Avenue to Ashworth Road)
- Ashworth Road (from Valley West Drive to Vine Street)
- Vine Street (from Ashworth Road to 4th Street)
- 4th Street (from Vine Street to Maple Street)

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Request made by WDM Parks and Recreation

Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

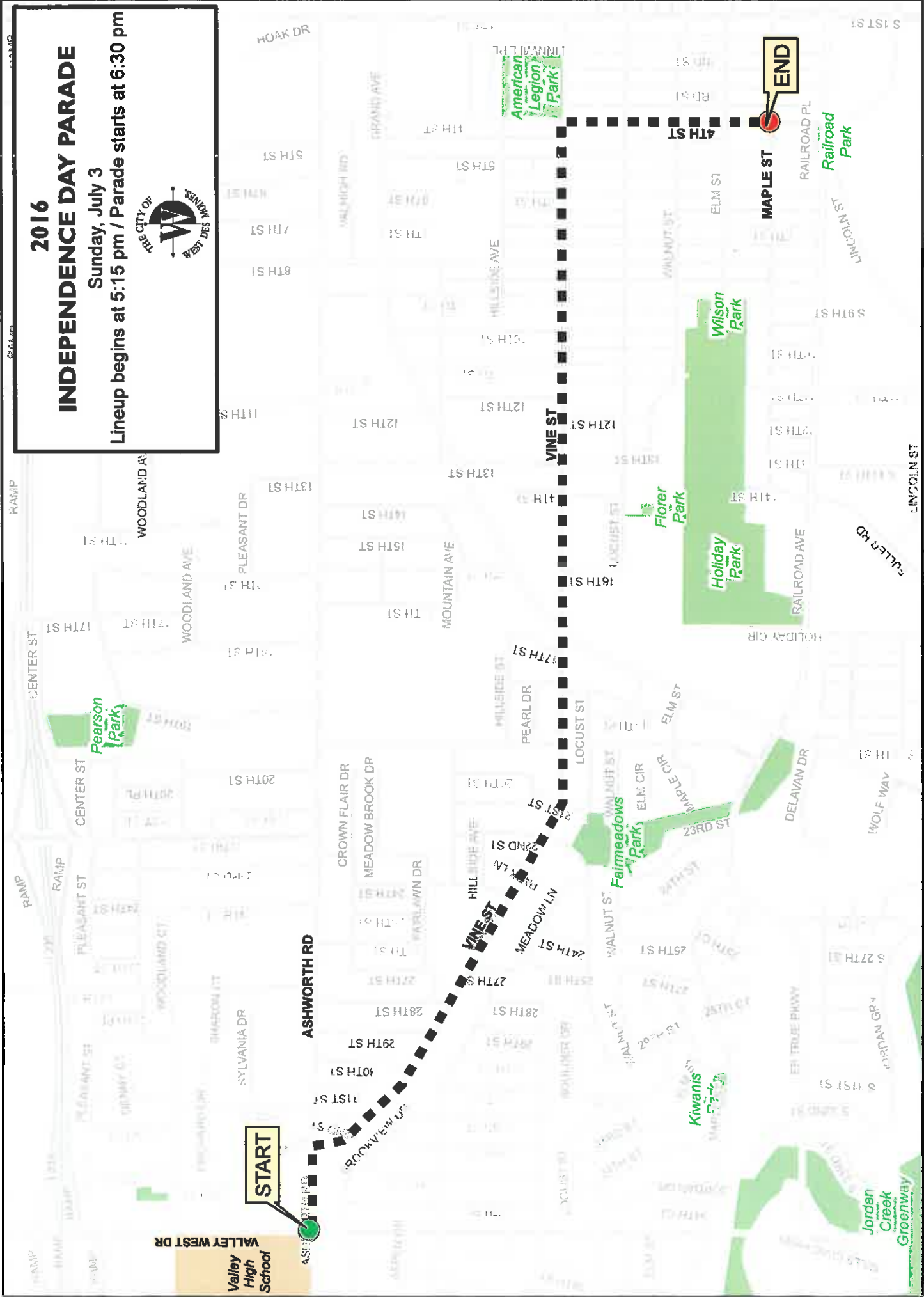
SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	

# 2016 INDEPENDENCE DAY PARADE

Sunday, July 3

Lineup begins at 5:15 pm / Parade starts at 6:30 pm



<b>TITLE: 2016 INDEPENDENCE DAY PARADE ROUTE</b>	
<b>LOCATION: ASHWORTH RD TO VINE ST TO 4TH ST TO MAPLE ST</b>	<b>SHEET: 1 of 1</b>
<b>AUTHOR: mab</b>	<b>DATE: 5/19/2016</b>
<small>                 CITY OF WEST DES MOINES                  DEPARTMENT OF PARKS AND RECREATION                  PLACES DIVISION                  400 WALKER CIVIC PARKY (515) 281-3444                  WEST DES MOINES, IOWA 50309                  FAX: (515) 281-3457             </small>	

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Approval of Special Event Lane Closures  
CamTri Kids Triathlon and Flatland Kids Triathlon

**DATE:** June 27, 2016

**FINANCIAL IMPACT:** None

**BACKGROUND:**

Ordinance 2013 was adopted by the City Council on November 25, 2013, establishing that street or lane closures for special events on arterial or collector streets shall require approval of the City Council.

The CamTri Kids Triathlon and Flatland Kids Triathlon are scheduled to take place at Raccoon River Park on Saturday, July 9th and Sunday, July 10th, respectively. The route for the bicycle portion of each triathlon will require the temporary closure of the following arterial/collector streets:

- Grand Avenue (from River Ridge Drive to South 35<sup>th</sup> Street)

The road closure will occur from 6:00 a.m. until approximately 12:00 noon on each of the two days. Due to the significant impact this closure will have on the area, notices have been sent out to area businesses and residents.

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** Motion - Approval of Requests made by the CamTri Kids Triathlon and Flatland Kids Triathlon

**Lead Staff Member:** Ryan T. Jacobson, City Clerk *RTJ*

**STAFF REVIEWS**

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	
Date Reviewed	





**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Approval of Metro/Regional Committee Assignments

**DATE:** June 27, 2016

**FINANCIAL IMPACT:** None

**BACKGROUND:**

Mayor Gaer requests the highlighted individual be approved for appointment to a metro/regional committee.

Metro/Regional Committee	Member(s)	Alternate(s)
Metro Waste Authority	John Mickelson	Bret Hodne

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** Approval of appointments to metro/regional committees.

**Lead Staff Member:** Ryan T. Jacobson, City Clerk *RTJ*

**STAFF REVIEWS**

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

**CITY OF WEST DES MOINES**  
**2016 – 2017 MAYOR/COUNCIL/STAFF COMMITTEE ASSIGNMENTS**  
(Presented at June 27, 2016 City Council meeting)

	<b>Member(s)</b>	<b>Alternate(s)</b>
<b>Mayor Pro-Tem</b>	Jim Sandager (2016)	Rick Messerschmidt (2017)
<b>COUNCIL SUBCOMMITTEES</b>		
<b>Code Enforcement Subcommittee</b>	Kevin Trevislyan, Chair Rick Messerschmidt	Russ Trimble
<b>Finance &amp; Administration Subcommittee</b>	Russ Trimble, Chair Jim Sandager	John Mickelson
<b>Planning and Development Subcommittee</b>	Jim Sandager, Chair John Mickelson	Kevin Trevislyan
<b>Public Safety Subcommittee</b>	John Mickelson, Chair Russ Trimble	Rick Messerschmidt
<b>Public Works Subcommittee</b>	Rick Messerschmidt, Chair Kevin Trevislyan	Jim Sandager
<b>LIAISONS</b>		
<b>Bicycle Advisory Commission</b>	John Mickelson	Jim Sandager
<b>Human Rights Commission</b>	Rick Messerschmidt	Russ Trimble
<b>Human Services Advisory Board</b>	Russ Trimble	Kevin Trevislyan
<b>Library Board of Trustees</b>	Jim Sandager	Rick Messerschmidt
<b>Parks &amp; Recreation Advisory Board</b>	Russ Trimble	John Mickelson
<b>Public Arts Advisory Commission</b>	Rick Messerschmidt	Kevin Trevislyan
<b>WDM Water Works Board of Trustees</b>	John Mickelson	Russ Trimble
<b>ADMINISTRATIVE/OTHER COMMITTEES</b>		
<b>City/School Advisory Committee</b>	Rick Messerschmidt Jim Sandager	John Mickelson
<b>Iowa EMS Alliance Advisory Board</b>	John Mickelson (3-31-15) Fr. Michael Hess (3-31-16) Tim Stiles (3-31-17)	Tom Hadden
<b>Legislative Committee (including Metro Advisory Council Legislative Action Committee)</b>	Kevin Trevislyan Jim Sandager	Rick Messerschmidt
<b>Valley Junction Events Advisory Committee</b>	Kevin Trevislyan, Chair Rick Messerschmidt	<b>Citizens:</b> Jim Miller, Nicole Engler-Selser, Isa O'Hara and Victoria Veiock; HVJF; Pamela Young, Ken Raush, Bobbie Bishop, Renae Johanningmeier,
<b>Valley Junction Foundation</b>	Kevin Trevislyan Sally Ortgies	Rick Messerschmidt
<b>WDM Chamber Board</b>	Jim Sandager	Rick Messerschmidt

	<b>Member(s)</b>	<b>Alternate(s)</b>
<b>METRO/REGIONAL COMMITTEES</b>		
<b>BRAVO</b>	Jim Sandager	Rick Messerschmidt
<b>Central Iowa Regional Housing Authority</b>	Christine Gordon	Carole Bodin
<b>Convention &amp; Visitors Bureau</b>	Rick Messerschmidt	Kevin Trevillyan
<b>Dallas County Local Housing Trust Fund</b>	Clyde Evans	Russ Trimble
<b>Dallas County E911 Service Board</b>	Rob Dehnert	Dave Edgar
<b>DART Board</b>	Steve Peterson (6-30-17)	Kevin Trevillyan (6-30-17)
<b>Greater Dallas County Development Alliance</b>	Clyde Evans	Russ Trimble
<b>Homeless Coordinating Council</b>	Russ Trimble Kevin Trevillyan	Althea Holcomb
<b>Metro Advisory Council</b>	Rick Messerschmidt John Mickelson	Russ Trimble
<b>Metro Waste Authority</b>	John Mickelson	Bret Hodne
<b>Metropolitan Coalition</b>	Steven K. Gaer Tom Hadden	Mayor Pro-Tem Tim Stiles
<b>MPO Bicycle-Pedestrian Roundtable</b>	Marco Alvarez	
<b>MPO Intelligent Transportation Systems Policy Committee</b>	Duane Wittstock	
<b>MPO Policy Committee</b>	Steven K. Gaer Tom Hadden Russ Trimble Rick Messerschmidt	Kevin Trevillyan John Mickelson Jamie Letzring
<b>MPO Sustainability Committee</b>	Kevin Trevillyan Russ Trimble Linda Schemmel	John Mickelson Sally Orgies
<b>MPO Technical Committee</b>	Joe Cory Kara Tragesser Duane Wittstock	Jim Dickinson Clyde Evans Eric Petersen
<b>MPO Traffic Management Advisory Committee</b>	Jim Barrett Aubyn Bjornsen Craig Leu Eric Petersen	Jim Dickinson Clyde Evans
<b>MPO Transportation Advisory Group</b>	Carmen Murillo	
<b>Polk County E911 Service Board</b>	Dave Edgar	Shaun LaDue
<b>Polk and Dallas County Emergency Management Commissions</b>	Steven K. Gaer Craig Leu	Mayor Pro-Tem Jack Benge
<b>R. E. A. P.</b>	Ted Ohmart	Rick Messerschmidt
<b>Warren County E911 Service Board</b>	Greg Jones	Rob Dehnert
<b>Warren County Economic Develop. Corp.</b>	Jamie Letzring	Clyde Evans
<b>Warren and Madison County Emergency Management Commissions</b>	Steven K. Gaer Jeff Dumermuth	Mayor Pro-Tem Craig Leu
<b>WRA Board</b>	John Mickelson Jody E. Smith	Rick Messerschmidt Tim Stiles
<b>WRA Technical Committee</b>	Duane Wittstock	Brian Hemesath

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**4(g)2**

**ITEM:** Approval of Appointments  
Human Services Advisory Board

**DATE:** June 27, 2016

**FINANCIAL IMPACT:** None

**BACKGROUND:**

Mayor Gaer would like to re-appoint to the Human Services Advisory Board for the term 7/1/16 to 6/30/19.

Re-Appointment	Jessinda Madonia	2908 Elm Street	822-5755 (w)	822-5755 (h)
Re-Appointment	Matthew McNeece	912 23 <sup>rd</sup> Street	222-1520 (w)	210-9484 (c)

In order to comply with the new ordinance amending requirements for board member composition and implementing term limits, a number of changes to the board are needed. Board members Chasidy Crawford, Mark Rocha, and Harold Templeman all have terms expiring on June 30, 2016, and will not be reappointed. Vicki Arroyo and Jed Gammell have both submitted letters of resignation. The Mayor and Council thank all these individuals for their service to the community.

Mayor Gaer would like to appoint Janet Clary-Jones, Rick Riley, and Daniel Werner to serve a three-year term on the Human Services Advisory Board with an expiration of June 30, 2019.

New Appointment	Janet Clary-Jones	5825 Fairway Court	235-1100 (w)	225-8508 (h)
New Appointment	Rick Riley	161 58 <sup>th</sup> Court	681-2355 (w)	
New Appointment	Daniel Werner	521 45 <sup>th</sup> Street	342-3528 (w)	222-1222 (h)

Mayor Gaer would like to appoint Lonnie Williams to serve out the remainder of Ms. Arroyo's term with an expiration of June 30, 2018.

New Appointment	Lonnie Williams	209 2 <sup>nd</sup> Street	263-7815 (w)	745-9242 (h)
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Mayor Gaer would like to appoint Susan Wright to serve out the remainder of Mr. Gammell's term with an expiration of June 30, 2017.

New Appointment	Susan Wright	920 45 <sup>th</sup> Street	225-3314 (h)	480-8670 (c)
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**RECOMMENDATION:**

Motion – Approve Mayor's recommendation for appointments to the Human Services Advisory Board.

**LEAD STAFF MEMBER:** Ryan T. Jacobson, City Clerk RTJ

**STAFF REVIEWS**

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

CITY OF WEST DES MOINES, IOWA

APPLICATION FOR APPOINTMENT TO BOARDS AND COMMISSIONS

The City of West Des Moines appreciates your interest in serving the community and welcomes your application. Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515) 222-3600 or TDD (Hearing Impaired) (515) 222-3334. The City of West Des Moines is committed to providing equal opportunity for citizen involvement.

Please indicate those Boards and/or Commissions on which you would be willing to serve by checking below:

- Board of Adjustment
Civil Service Commission
Library Board of Trustees
Plan & Zoning Commission
Sister Cities Commission
Bicycle Advisory Commission

- Water Works Board of Trustees
[X] Human Services Advisory Board
Human Rights Commission
Public Arts Advisory Commission
Valley Junction Events Committee
Other

Name: Clary-Jones Janet L.
Last First Middle

Address: 5825 Fairway Ct. WDM Ia 50266
Street City State Zip

Occupation: Assistant Director - IT

Employer's Name & Address
Principal Financial Group
711 High Street, Des Moines 50392

Work Phone: 235-1100 When can you be reached at this number?: 7:30 AM - 4 PM

Home Phone: 225-8508 When can you be reached at this number?: 4:30 PM - 9 PM

E-mail address: jones5825@gmail.com

Length of residence in West Des Moines: 25 years

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service:
Chairperson of Festival of Trees & Lights, 2007

Please indicate below the reasons why you would like to be appointed to a Board or Commission and any specific skills or experience that you believe support your application.

I have volunteered for several years for Blank Children's Hospital,  
focusing on children's health issues. At this time, I  
would like my volunteer time to apply to a larger  
demographic & serve West Des Moines.

Please list two references other than a family member:

Name: Kim Rickert Relationship: friend Phone: 246-5482

Name: Anita Martman Relationship: friend Phone: 283-5885

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? n/a If so, please list: \_\_\_\_\_

Have you ever been employed by the City? n/a If so, please list dates of employment and positions held.  
\_\_\_\_\_

Do you have relatives working for the City? n/a If so, please give name and relationship.  
\_\_\_\_\_

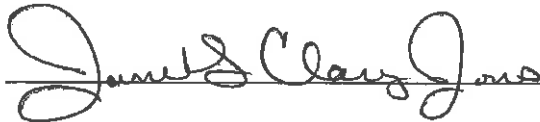
Are you being sponsored by a community organization(s)? n/a If so, please list the following and attach a confirmation letter from said organization:

Organization: \_\_\_\_\_ Contact: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Iowa Code Section 69.16A requires City boards/commissions to be gender balanced. Please indicate whether you are male or female.

Male  Female

Applicant Signature:  Date: 8-9-2015

**Please mail completed application to the office of the City Clerk at the following address:**

**City of West Des Moines  
P.O. Box 65320  
West Des Moines, Iowa 50265-0320  
ATTN: Ryan Jacobson**

CITY OF WEST DES MOINES, IOWA

APPLICATION FOR APPOINTMENT TO BOARDS AND COMMISSIONS

The City of West Des Moines appreciates your interest in serving the community and welcomes your application. Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515) 222-3600 or TDD (Hearing Impaired) (515) 222-3334. The City of West Des Moines is committed to providing equal opportunity for citizen involvement.

Please indicate those Boards and/or Commissions on which you would be willing to serve by checking below:

- Board of Adjustment
- Civil Service Commission
- Library Board of Trustees
- Plan & Zoning Commission
- Sister Cities Commission
- Bicycle Advisory Commission

- Water Works Board of Trustees
- Human Services Advisory Board
- Human Rights Commission
- Public Arts Advisory Commission
- Valley Junction Events Committee
- Other \_\_\_\_\_

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Name: Riley Rick  
Last First Middle  
Address: 161 58th Court WDM IA 50266  
Street City State Zip  
Occupation: Health care leader

Employer's Name & Address  
Kick Health Consulting

---

Work Phone: 515-681-2355 When can you be reached at this number?: anytime

Home Phone: \_\_\_\_\_ When can you be reached at this number?: \_\_\_\_\_

E-mail address: richard.r.riley@gmail.com

Length of residence in West Des Moines: 27 years

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service:

WDM Library Board of Trustees - July 2006 - July 2014



Please indicate below the reasons why you would like to be appointed to a Board or Commission and any specific skills or experience that you believe support your application.

Contributing to the department's mission of improving opportunities for individuals would be a privilege for me as a WDM citizen. Given my professional and other civic experience, I would bring skill sets that would support establishing regulations, procedures and policies.

Please list two references other than a family member:

Name: Russ Trimble Relationship: Friend Phone: 554-8746  
Name: Mark Lowe Relationship: Friend Phone: 237-3210

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? No If so, please list: \_\_\_\_\_

Have you ever been employed by the City? No If so, please list dates of employment and positions held.  
\_\_\_\_\_

Do you have relatives working for the City? No If so, please give name and relationship.  
\_\_\_\_\_

Are you being sponsored by a community organization(s)? No If so, please list the following and attach a confirmation letter from said organization:

Organization: \_\_\_\_\_ Contact: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Iowa Code Section 69.16A requires City boards/commissions to be gender balanced. Please indicate whether you are male or female.

Male  Female

Applicant Signature:  Date: 11/4/14

Please mail completed application to the office of the City Clerk at the following address:

City of West Des Moines  
P.O. Box 65320  
West Des Moines, Iowa 50265-0320  
ATTN: Ryan Jacobson

CITY OF WEST DES MOINES, IOWA

APPLICATION FOR APPOINTMENT TO BOARDS AND COMMISSIONS

The City of West Des Moines appreciates your interest in serving the community and welcomes your application. Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515) 222-3600 or TDD (Hearing Impaired) (515) 222-3334. The City of West Des Moines is committed to providing equal opportunity for citizen involvement.

Please indicate those Boards and/or Commissions on which you would be willing to serve by checking below:

- Board of Adjustment
Civil Service Commission
Library Board of Trustees
Plan & Zoning Commission
Sister Cities Commission
Bicycle Advisory Commission

- Water Works Board of Trustees
Human Services Advisory Board
Human Rights Commission
Public Arts Advisory Commission
Valley Junction Events Committee
Other

Name: Werner Daniel Joseph
Last First Middle
Address: 521-45th Street West Des Moines Iowa 50265
Street City State Zip
Occupation: Compliance Director

Employer's Name & Address

Athene USA

7700 Mills Civic Parkway West Des Moines Iowa 50266

Work Phone: 342-3528 When can you be reached at this number?: M - F daytime

Home Phone: 222-1222 When can you be reached at this number?: Evenings and weekends

E-mail address: wernerdcbb@aol.com

Length of residence in West Des Moines: 24 years

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service:

West Des Moines Library Board of Trustees, 1998-2006, Friends of the West Des Moines Library Board, 2009-2015,

Catholic Charities Board, 2008-2014, Athene Volunteer Network, 2012-2015

Please indicate below the reasons why you would like to be appointed to a Board or Commission and any specific skills or experience that you believe support your application.

I have served on a number of boards and volunteer groups related to human services. I am very grateful to live in the city of West Des Moines and I have enjoyed my time of service involving the West Des Moines Library. As I have reached my term limit on the Library Friends Board, I would like to continue to serve the community on the Human Services Board, where my past experiences will be helpful.

Please list two references other than a family member:

Name: Russ Trimble Relationship: We served on the Friends Board Phone: 554-8746  
Name: Charles Schneider Relationship: We worked together Phone: 281-3371

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? No If so, please list: \_\_\_\_\_

Have you ever been employed by the City? No If so, please list dates of employment and positions held. \_\_\_\_\_

Do you have relatives working for the City? No If so, please give name and relationship. \_\_\_\_\_

Are you being sponsored by a community organization(s)? No If so, please list the following and attach a confirmation letter from said organization:

Organization: \_\_\_\_\_ Contact: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Iowa Code Section 69.16A requires City boards/commissions to be gender balanced. Please indicate whether you are male or female.

Male  Female

Applicant Signature: Daniel J. Werner Date: March 2, 2015

Please mail completed application to the office of the City Clerk at the following address:

City of West Des Moines  
P.O. Box 65320  
West Des Moines, Iowa 50265-0320  
ATTN: Ryan Jacobson

March 2, 2015

Mr. Ryan Jacobson  
City of West Des Moines  
P.O. Box 65320  
West Des Moines IA 50265-0320

RE Application for Appointment to Boards and Commissions

Dear Mr. Jacobson,

My name is Dan Werner. I am a long-time resident of West Des Moines and have served on the West Des Moines Library Board of Trustees from 1998 to 2006 and on the West Des Moines Public Library Friends Foundation Board from 2009 to the present. I have also, at various times, served as the president or leader of the Catholic Charities Board for the Des Moines area, the Dowling Catholic High School Board of Education, the Iowa Knights of Columbus, the Athene Volunteer Network, and other local organizations.

Please consider the enclosed application to serve on the West Des Moines Human Services Advisory Board. I am interested in continuing to serve the West Des Moines community and I feel that my experiences with human services and volunteer organizations would be helpful to the board.

Mr. Russ Trimble and Mr. Charles Schneider have agreed to serve as references for me. In addition, Mr. Doug Pfeil, the current president of the West Des Moines Library Friends Foundation Board, has agreed to serve as a reference if needed.

I appreciate your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Dan Werner".

Dan Werner  
521-45<sup>th</sup> Street  
West Des Moines IA 50265  
Email: [wernerdcbb@aol.com](mailto:wernerdcbb@aol.com)  
Home telephone: 515-222-1222  
Cell telephone: 515-778-9431

CITY OF WEST DES MOINES, IOWA

APPLICATION FOR APPOINTMENT TO BOARDS AND COMMISSIONS

The City of West Des Moines appreciates your interest in serving the community and welcomes your application. Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515) 222-3600 or TDD (Hearing Impaired) (515) 222-3334. The City of West Des Moines is committed to providing equal opportunity for citizen involvement.

Please indicate those Boards and/or Commissions on which you would be willing to serve by checking below:

- Board of Adjustment
- Civil Service Commission
- Library Board of Trustees
- Plan & Zoning Commission
- Sister Cities Commission
- Bicycle Advisory Commission

- Water Works Board of Trustees
- Human Services Advisory Board
- Human Rights Commission
- Public Arts Advisory Commission
- Valley Junction Events Committee
- Other \_\_\_\_\_

Name: Williams Lonnie Williams  
Last First Middle

Address: 209 2nd St West Des Moines IA 50265  
Street City State Zip

Occupation: Preload @ UPS

Employer's Name & Address  
UPS 2609 Dixon St

Work Phone: 515-263-7815 When can you be reached at this number?: 9am-9am ←

Home Phone: 515-745-9242 When can you be reached at this number?: ANYTIME After

E-mail address: lonnie.williams1992@gmail.com

Length of residence in West Des Moines: 4 months

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service:

N/A

Please indicate below the reasons why you would like to be appointed to a Board or Commission and any specific skills or experience that you believe support your application.

I could be a good leader, I can give good input  
Im wise

Please list two references other than a family member:

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? NO If so, please list: \_\_\_\_\_

Have you ever been employed by the City? NO If so, please list dates of employment and positions held.

Do you have relatives working for the City? NO If so, please give name and relationship.

Are you being sponsored by a community organization(s)? YES If so, please list the following and attach a confirmation letter from said organization:

Organization: COOR Contact: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Iowa Code Section 69.16A requires City boards/commissions to be gender balanced. Please indicate whether you are male or female.

Male  Female

Applicant Signature: Jamie Williams Date: 06/03/2016

Please mail completed application to the office of the City Clerk at the following address:

City of West Des Moines  
P.O. Box 65320  
West Des Moines, Iowa 50265-0320  
ATTN: Ryan Jacobson

CITY OF WEST DES MOINES, IOWA

APPLICATION FOR APPOINTMENT TO BOARDS AND COMMISSIONS

The City of West Des Moines appreciates your interest in serving the community and welcomes your application. Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515) 222-3600 or TDD (Hearing Impaired) (515) 222-3334. The City of West Des Moines is committed to providing equal opportunity for citizen involvement.

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- Board of Adjustment
Civil Service Commission
Library Board of Trustees
Plan & Zoning Commission
Sister Cities Commission
Bicycle Advisory Commission
Water Works Board of Trustees
Human Services Advisory Board
Human Rights Commission
Public Arts Advisory Commission
Valley Junction Events Committee
Other

Name: Wright Susan E
Address: 920 45th Street West Des Moines IA 50265
Occupation: Retired Professor and Academic Administrator, Drake University

Employer's Name & Address

Work Phone: 515-225-3314 When can you be reached at this number?: varied times
Home Phone: 515-488-8670 When can you be reached at this number?:
E-mail address: susan.wright@drake.edu

Length of residence in West Des Moines: 41 years

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service:
Midwest Sociological Society Board (1990-1993; President 1991-92); Polk County
Continuum of Care Board (2015-current); New Directions Shelter-Des Moines (1990s)

Please indicate below the reasons why you would like to be appointed to a Board or Commission and any specific skills or experience that you believe support your application.

Since retirement I have volunteered for several WDM Human Services programs.

I am impressed with the programs and the staff and would very much like to have an opportunity to be involved at the policy and programming level and offer my experience to help WDM Human Services move forward.

Please list two references other than a family member:

Name: Lou Ann Simpson Relationship: Former Colleague Phone: 271-2007  
Name: Ruth Mosher Relationship: Friend Phone: 223-0331

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? No If so, please list:

Have you ever been employed by the City? No If so, please list dates of employment and positions held.

Do you have relatives working for the City? No If so, please give name and relationship.

Are you being sponsored by a community organization(s)? No If so, please list the following and attach a confirmation letter from said organization:

Organization: Contact:  
Phone Number: Email:

Iowa Code Section 69.16A requires City boards/commissions to be gender balanced. Please indicate whether you are male or female.

Male  Female

Applicant Signature: Susan E Wright Date: 10 June 2016

Please mail completed application to the office of the City Clerk at the following address:

City of West Des Moines  
P.O. Box 65320  
West Des Moines, Iowa 50265-0320  
ATTN: Ryan Jacobson



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Approval of Purchase of  
F5 Network Security Appliance

**DATE:** June 27th, 2016

**FINANCIAL IMPACT:** \$150,572.46 has been budgeted in FY 15-16 for completion of this project in account number 0100.60.650.6.7110. Based on the immediate need to acquire additional network security, a budget amendment was requested at the May Finance and Administration meeting.

**BACKGROUND:** IT services needs to enhance many of the current security systems at the perimeter to ensure network compliance requirements for several systems and applications. Due to the critical nature of our Internet connectivity, we need to add the ability to load balance between independent Internet Service Providers for redundancy – this has become even more critical with the new Computer Aided Dispatch system that is being installed. We also need to provide much more enhanced security capabilities at the application layer for HRIS and GIS in terms of reverse proxy capabilities. This system will ensure PCI (payment card industry) compliance as well for taking credit card payments through networked devices and applications. The F5 system will replace several hardware and software components that we currently are paying maintenance on and make supporting web apps and VPN much more easy through one system instead of five independent systems deployed today.

The Chief Information Officer, Enterprise Applications Manager, IT Operations Manager and the Server Infrastructure Specialist consulted with several network security consultants with regards to the need for several of these technologies described above. IT requested quotes from three companies with regards to very specific equipment, licensing and installation services.

**EVALUATION OF PROPOSALS:** Proposals were evaluated on price and vendor qualifications. Heartland Business Systems (HBS) was selected with the winning quote based on being the lowest overall cost and having extensive previous experience installing and integrating F5 network security systems. The vendor quotes were:

F5 Direct	\$226,058.30
CDW-G	\$254,029.96
HBS	\$150,572.46

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** Approval of purchase and payment for the installation of the proposed F5 Security Appliance with Heartland Business Systems (HBS).

**Lead Staff Member:** Chris Pelton – IT Operations Manager, Information Technology Services

**STAFF REVIEWS**

Department Director	Mark Lumsden, Director, IT Services & CIO	<i>ML</i>
Appropriations/Finance	Tim Stiles	<i>TS</i>
Legal		
Agenda Acceptance		<i>RTG</i>

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**4(i)**

**ITEM:**

**DATE: June 27, 2016**

Motion – Approving Change Order #6  
SE Soteria Avenue Improvements (S. 8<sup>th</sup> Street) – White Crane Road to County Line Road  
Concrete Technologies, Inc.

**FINANCIAL IMPACT:**

**Contract Summary:**

Description	Amount	Date Approved	Remarks
Construction Contract	\$ 1,691,963.55	August 10, 2015	
Change Order 1	\$ 7,150.00	November 2, 2015	
Change Order 2	\$ 2,750.00	March 1, 2016	
Change Order 3	\$ 11,385.00	March 21, 2016	
Change Order 4	\$ 1,400.00	April 4, 2016	
Change Order 5	\$ 65,462.25	April 18, 2016	Reimbursed by consultant
Change Order 6	\$ 26,107.29	Pending	
<b>Total</b>	<b>\$ 1,806,218.09</b>		

Cost for this change order items will be paid from budgeted account no. 4263.77.820.6.7910 with the ultimate funding intended to come from the Alluvion TIF.

**BACKGROUND:**

The SE Soteria Avenue Improvements include construction from County Line Road to White Crane Road. The project was designed by MSA Professional Services, and Concrete Technologies, Inc. was awarded the contract on August 24, 2015. At the time of bidding, design of Maffitt Lake Road adjacent to this project was not complete. Geometric design of the Maffitt Lake Road intersection was finalized during construction. To prevent additional street and lane closures the final intersection was constructed with the SE Soteria Avenue project in advance of Maffitt Lake Road construction.

Change order #6 adjusts the quantities of existing pay items to account for the additional paving at the Maffitt Lake Road intersection and addition of rock drainage pads under the Iowa Highway 5 bridge drains to prevent erosion.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Motion Approving Change Order #6 for the SE Soteria Avenue (S. 8<sup>th</sup> Street) Improvements – White Crane Road to County Line Road project.

**Lead Staff Member: Ben McAlister, P.E., Principal Engineer**

**STAFF REVIEWS**

Department Director	Duane 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	June 23, 2016		
Recommendation	Yes	No	Split



**CITY OF WEST DES MOINES**

Department of Engineering Services  
 4200 Mills Civic Parkway, Ste 2D  
 West Des Moines, IA 50265-0320  
 (515) 222-3620 Fax (515) 273-0602

**CHANGE ORDER**

Distribution:  
 Owner   X    
 Engineer   X    
 Contractor   X    
 Other       

Contractor: **Concrete Technologies, Inc.**  
 1001 SE 37th Street  
 Grimes, IA 50111

Project Title	South 8th Street Improvements White Crane Road to County Line Road	
WDM Project File Number	0510-050-2014	
Purchase Order Number	4263-02	
Orig. Contract Amount & Date	\$1,691,963.55	August 24, 2015
Change Order Number	6	
Date	June 27, 2016	

THE CONTRACT IS CHANGED AS FOLLOWS: **SEE ATTACHMENT**

Item	Description	Unit	Unit Price	Quantity Adjustment	Value Adjustment
2.40	Subgrade Preparation	SY	\$3.15	424.90	\$1,338.44
7.10	PCC Pavement, Reinforced, 8.5"	SY	\$67.00	649.80	\$43,536.60
7.20	PCC Pavement, Reinforced, 9"	SY	\$95.50	(240.50)	(\$22,967.75)
CO 6.1	8'x8'x2' Granular Drain Pads	EA	\$1,050.00	4.00	\$4,200.00
<b>TOTAL</b>					<b>\$26,107.29</b>

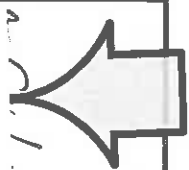
CHANGE ORDER SUMMARY	
The Original Contract Sum was	\$1,691,963.55
Net Change by previously authorized Change Orders	\$88,147.25
The Contract Sum prior to This Change Order was	\$1,780,110.80
The Contract Sum will be increased by this Change Order in the amount of	\$26,107.29
<b>The new Contract Sum including this Change Order will be</b>	<b>\$1,806,218.09</b>
Aggregate Change Order as a percent of Original Contract (if the aggregate is \$10,000, or greater than 5% of the original contract, whichever is greater, all signatures through the full Council are required)	6.75%
The Contract Time will be changed by	0 Days
The date of Final Completion as of the date of this Change Order therefore is	May 31, 2016

**NOT VALID UNTIL SIGNED BY THE CONTRACTOR, OWNER'S REPRESENTATIVE (if applicable) AND OWNER**

Contractor: Concrete Technologies, Inc.	Recommended By: MSA Professional Services	Checked By: <i>[Signature]</i>
Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>
Name: <i>[Name]</i>	Name: Carl Elshire, P.E.	Name: Duane C. Wittstock, P.E., L.S.
Title: <i>[Title]</i>	Title: Project Manager	Title: City Engineer
Date: <i>[Date]</i>	Date: 6-16-2016	Date:

Owner: City of West Des Moines

<input type="checkbox"/> ≤	\$2,500 Department Director	<input checked="" type="checkbox"/>	Date: 6-20-16
<input type="checkbox"/>	\$2,501 to 5,000 City Manager	<input checked="" type="checkbox"/>	Date: _____
<input type="checkbox"/>	\$5001 to 10,000 PW Council Committee scheduled for agenda on April 11, 2016	<input type="checkbox"/>	Date: _____
<input type="checkbox"/> >	\$10,000 City Council approved or ratified at Council meeting on April 18, 2016	<input type="checkbox"/>	Date: _____



**8 DATE**

Change Order (6)

## **Attachment for Change Order #6**

**Date: 6-27-2016**

**Contract is changed as follows:**

**Items: 2.40, 7.10 & 7.20**

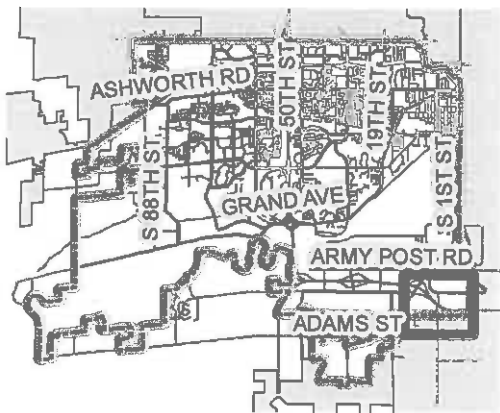
At the time of bidding design of Maffitt Lake Road adjacent to this project was not complete. Geometric changes to the design of Maffitt Lake Road were finalized during construction. This change order adjusts the quantities of existing pay items to account for these changes.

**Items: CO 6.1**

Rock drainage pads were added to prevent erosion under the existing Iowa Highway 5 bridge drains.



**VICINITY MAP**



**LEGEND**

**PROJECT LOCATION** ———



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT: **S. 8th STREET COUNTY LINE ROAD TO PINE AVENUE**

Project No. 0510-050-2014

LOCATION:

**EXHIBIT "A"**

DRAWN BY: BJM

DATE: 8/5/2015

SHT. 1 OF 1

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**DATE: June 27, 2016**

**ITEM:**

Motion – Approval to Renew Agreement with Iowa DOT for Maintenance and Repair of Primary Roads

**FINANCIAL IMPACT:**

None

**SYNOPSIS:**

The attached standard agreement is to be renewed for another 5 year period. The agreement covers responsibilities of the State and the City of West Des Moines for freeways and primary highways passing through the City, and City streets crossing freeway rights-of-way.

**BACKGROUND:**

The agreement generally provides that, for freeways, the State will operate and maintain pavements, ramps, bridges, and highway lighting. For primary highways passing through the City (west one-half of 1<sup>st</sup> Street/Highway 28), the State will maintain pavements between curbs, signage, pavement markings, and accomplish snow removal. The City will operate and maintain traffic signals, street lights, drainage structures, all arrears behind the curbs, and accomplish street sweeping. For City streets crossing freeway rights-of-way, the State will maintain guardrails, bridges, and bridge approach panels. The City will maintain shoulders and lane markings, and accomplish snow removal and street sweeping.

**RECOMMENDATION:**

City Council Approve:

- Motion renewing the agreement with Iowa DOT for maintenance and repair of primary roads.

**Lead Staff Member: R. Bret Hodne**

**STAFF REVIEWS**

Department Director	Bret Hodne <i>BH</i>
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTA</i>

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works		
Date Reviewed	June 20, 2016 via e-mail		
Recommendation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Split

District 1 Office  
1020 S. 4<sup>th</sup> Street, Ames, IA 50010  
Phone: 515.239.1039 | Email: [jeremey.vortherms@dot.iowa.gov](mailto:jeremey.vortherms@dot.iowa.gov)

May 23, 2016

Ref:

Bret Hodne  
Public Works Director  
560 S 16th Street  
West Des Moines, IA 50265

Subject: Five Year Agreement with City of West Des Moines for Maintenance and Repair of Primary Roads in Municipalities

Dear Bret,

Enclosed is a copy of the proposed the five year Agreement for Maintenance and Repair of Primary Roads in Municipalities. This agreement is for state routes within the corporate limits of West Des Moines and will be effective for the period beginning July 1, 2016 and ending June 30, 2021.

This agreement is in accordance with the Iowa Code and reiterates the maintenance and repair responsibilities of the Department of Transportation and the municipality.

Please sign and return a scanned copy by *email* or an original copy by *mail*. If mailing, please return to the District office. That address is:

Iowa DOT District 1  
5 Year Maintenance Agreements c/o Cheryl Parrish  
1020 S. 4<sup>th</sup> Street  
Ames, IA 50010

A scanned copy will be emailed for your records. A paper copy can be mailed upon request.

If you have any questions, please contact either Cy Quick or Jeremy Vortherms.

Sincerely,

Cy Quick  
District 1 Grimes Area Engineer  
(515) 986-5458  
[cy.quick@dot.iowa.gov](mailto:cy.quick@dot.iowa.gov)



Jeremy Vortherms  
District 1 Design Engineer/North Area Engineer  
515-239-1039  
[jeremey.vortherms@dot.iowa.gov](mailto:jeremey.vortherms@dot.iowa.gov)

Enclosure

cc: Tony Gustafson, IA DOT, District 1  
Lance Starbuck, IA DOT, District 1

File



 **Iowa Department of Transportation**  
**Agreement for Maintenance and Repair of**  
**Primary Roads in Municipalities**

This Agreement made and entered into by and between the Municipality of West Des Moines, Polk County, Iowa, hereinafter referred to as the Municipality, and the Iowa Department of Transportation, Ames, Iowa, hereinafter referred to as the Department.

**AGREEMENT:**

In accord with Provisions of Chapter 28E, Sections 306.3, 306.4, 313.3-5, 313.21-23, 313.27, 313.36, 314.5, 321.348 and 384.76 of the Code of Iowa and the Iowa Administrative Rules 761 – Chapter 150 (IAC) the Municipality and Department enter into the following agreement regarding maintenance, repair and minor reconstruction of the primary roads within the boundaries of the Municipality.

I. The Department shall maintain and repair:

- A. **Freeways (functionally classified and constructed)**
  - 1. Maintain highway features including ramps and repairs to bridges.
  - 2. Provide bridge inspection.
  - 3. Highway lighting.
- B. **Primary Highways – Urban Cross-Section (curbed) (See Sec. II.A)**
  - 1. **Pavement:** Maintain and repair pavement and subgrade from face of curb to face of curb (excluding parking lanes, drainage structures, intakes, manholes, public or private utilities, sanitary sewers and storm sewers).
  - 2. **Traffic Services:** Provide primary road signing for moving traffic, pavement marking for traffic lanes, guardrail, and stop signs at intersecting streets.
  - 3. **Drainage:** Maintain surface drainage within the limits of pavement maintenance described in I.B.1 above.
  - 4. **Snow and Ice Removal:** Plow traffic lanes of pavement and bridges and treat pursuant to the Department's policy.
  - 5. **Vehicular Bridges:** Structural maintenance and painting as necessary.
  - 6. Provide bridge inspection.
- C. **Primary Highways – Rural Cross-Section (uncurbed) (See II.B)**
  - 1. Maintain, to Department standards for rural roads, excluding tree removal, sidewalks, and repairs due to utility construction and maintenance.
- D. **City Streets Crossing Freeway Rights of Way (See II.C)**
  - 1. Roadsides within the limits of the freeway fence.
  - 2. Surface drainage of right of way.
  - 3. Traffic signs and pavement markings required for freeway operation.
  - 4. Guardrail at piers and bridge approaches.
  - 5. Bridges including deck repair, structural repair, berm slope protection and painting.
  - 6. Pavement expansion relief joints and leveling of bridge approach panels.

II. The Municipality shall maintain and repair:

- A. **Primary Highways – Urban Cross-Section (curbed) (See Sec. I.B)**
  - 1. **Pavement:** Maintain and repair pavement in parking lanes, intersections beyond the limits of state pavement maintenance; curbs used to contain drainage; and repairs to all pavement due to utility construction, maintenance and repair.
  - 2. **Traffic Services:** Paint parking stalls, stop lines and crosswalks. Maintain, repair and provide energy to traffic signals and street lighting.
  - 3. **Drainage:** Maintain storm sewers, manholes, intakes, catch basins and culverts used for collection and disposal of surface drainage.
  - 4. **Snow and ice removal:** Remove snow windrowed by state plowing operations, remove snow and ice from all areas outside the traffic lanes and load or haul snow which the Municipality considers necessary. Remove snow and ice from sidewalks on bridges used for pedestrian traffic.



5. Maintain sidewalks, retaining walls and all areas between curb and right-of-way line. This includes the removal of trees as necessary and the trimming of tree branches as necessary.
  6. Clean, sweep and wash streets when considered necessary by the Municipality.
  7. Maintain and repair pedestrian overpasses and underpasses including snow removal, painting and structural repairs.
- B. Primary Highways – Rural Cross-Section (uncurbed) (See Sec. I.C)
1. Maintain and repair highway facilities due to utility construction and maintenance.
  2. Removal of trees as necessary and the trimming of tree branches as necessary.
  3. Maintain sidewalks.
- C. City Streets Crossing Freeway Rights of Way (See I.D)
1. All pavement, subgrade and shoulder maintenance on cross streets except expansion relief joints and bridge approach panel leveling.
  2. Mark traffic lanes on the cross street.
  3. Remove snow on the cross street, including bridges over the freeway.
  4. Clean and sweep bridge decks on streets crossing over freeway.
  5. Maintain all roadside areas outside the freeway fence.
  6. Maintain pedestrian overpasses and underpasses including snow removal, painting, lighting and structural repair.

III. The Municipality further agrees:

- A. That all traffic control devices placed by the Municipality on primary roads within the Municipal boundaries shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways."
  - B. To prevent encroachment or obstruction within the right of way, the erection of any private signs on the right of way, or on private property which may overhang the right of way and which could obstruct the view of any portion of the road or the traffic signs or traffic control devices contrary to Section 318.11 of the Code of Iowa.
  - C. To comply with all current statutes and regulations pertaining to overlength and overweight vehicles using the primary roads, and to issue special permits for overlength and overweight vehicles only with approval of the Department.
  - D. To comply with the current Utility Accommodation Policy of the Department.
  - E. To comply with the access control policy of the Department by obtaining prior approval of the Department for any changes to existing entrances or for the construction of new entrances.
- IV. Drainage district assessments levied against the primary road within the Municipality shall be shared equally by the Department and the Municipality.
- V. Major construction initiated by the Department and all construction initiated by the Municipality shall be covered by separate agreements.
- VI. The Department and the Municipality may by a separate annual Supplemental Agreement, reallocate any of the responsibilities covered in Section I of this agreement.
- VII. This Agreement shall be in effect for a five year period from July 1, 2016 to June 30, 2021.

IN WITNESS WHEREOF, The Parties hereto have set their hands, for the purposes herein expressed, on the dates indicated below.

West Des Moines  
MUNICIPALITY

IOWA DEPARTMENT OF TRANSPORTATION

By \_\_\_\_\_

BY \_\_\_\_\_  
District Engineer

Date \_\_\_\_\_

Date \_\_\_\_\_

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**DATE: June 27, 2016**

**ITEM:** Motion - Approval and acceptance of public right of way and utility easement – 50<sup>th</sup> Street and University Avenue Traffic Capacity Improvement Project

**FINANCIAL IMPACT:** None

**SYNOPSIS:** For policy and title purposes, formal acceptance by the City of easements is required. A permanent right of way and utility easement related to traffic capacity improvements for 50<sup>th</sup> Street and University Avenue has been acquired from Three Fountains I, LLC.

**RECOMMENDATION:**

Adopt resolution approving and accepting a right of way and utility easement for the 50<sup>th</sup> Street and University Avenue Traffic Capacity Improvement Project.

**Lead Staff Member:** Richard J. Scieszinski, City Attorney

**STAFF REVIEWS**

Department Director	Richard J. Scieszinski, City Attorney	RTS
Appropriations/Finance		
Legal		
Agenda Acceptance	RTJ	

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	None		
Date Reviewed			
Recommendation	Yes	No	Split

## PUBLIC RIGHT-OF-WAY AND UTILITY EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

1. Grant of Easement.

The undersigned, **Three Fountains I, LLC, an Iowa limited liability company** (hereinafter referred to as the "Grantor," owner and/or developer of property upon which this Easement is located), in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby sell, grant, and convey to the **City of West Des Moines, Iowa, a municipal corporation** (hereinafter referred to as "City"), a permanent and perpetual Public Right-of-Way and Utility Easement (hereinafter referred to as the "Easement") upon, over, under, through, and across the real property legally described as:

**See attached Exhibit "A" (the "Easement Area").**

2. Use and Purpose of Easement.

This Easement is granted to the City for the purpose of accessing the Easement Area to locate and construct a public roadway, public sidewalk and public and private utilities and to operate and maintain the public roadway and public and private utilities and to allow the City and other non-City owned utilities, upon prior reasonable notice to Grantor, to enter at any time upon, over, under, through and across the Easement Area to use as much of the surface and sub-surface thereof to locate, construct, replace, rebuild, enlarge, reconstruct, patrol and repair (including the right to expand the roadway and place and build additional utilities and appurtenances thereto as authorized by the City) and to forever maintain the public roadway and utilities whenever necessary within the Easement Area, subject to the following terms and conditions:

- a) Other than a public roadway and public sidewalks, no structure, building or obstruction of any kind whatsoever shall be erected above ground within the Easement Area without the express written consent of both the City and the Grantor, and both the City and the Grantor shall mutually agree to the location of any utility box or accessory utility structure located above ground in the Easement Area. The Grantor reserves and retains all other property rights in and to the Easement Area.
- b) The City shall take reasonable steps to ensure that all work performed by or at the direction or authority of the City in the Easement Area will be initiated and completed within a reasonable period. Following completion of the work performed by or at the direction or authority of the City, the Easement Area shall be restored to a condition similar to that which existed prior to the performance of work by or at the direction of the City, including without limitation the restoration of lawns by sodding. The City shall be responsible for the timely removal of all debris, spoils, equipment, etc. used by or at the direction or authority of the City in connection with the work performed in the Easement Area.

- c) Unless done at the direction or authority of the City, nothing in this Easement shall obligate the City to perform any work or engage in any repair or restoration of the Easement Area resulting from actions taken by individuals or entities (i.e., utility companies) other than the City or its contractors.
- d) The City agrees to obtain at its sole cost and expense such permits, licenses or other authority which may be required from federal, state, county, municipal or other governmental agency or units exercising jurisdiction over the use and purpose set forth above before using the Easement or exercising the rights herein provided, and further agrees to comply with and strictly observe any and all laws, rules and regulations of any such governmental agency or unit.

3. Grant of Temporary Easement.

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant and convey to the City a Temporary Construction Easement (hereinafter referred to as "Temporary Easement") upon, over, under, through and across the real property as shown and legally described on the attached Exhibit "B" ("Temporary Easement Area") located in Polk County, Iowa. This Temporary Construction Easement terminates the earlier of (a) the date the City Council of the City accepts the 50<sup>th</sup> Street and University Avenue Traffic Capacity Improvement Project to be constructed by the City in the Easement Area, or (b) April 30, 2017.

Use and Purpose of Temporary Easement(s).

This Temporary Easement shall be granted solely for the purpose of allowing the City, its agents, contractors and employees a right of entry in, upon and onto the above-described property for but not limited to surveying, grading, storing materials and equipment and providing access during the construction of the 50<sup>th</sup> Street and University Avenue Traffic Capacity Improvement Project for a period not to extend beyond the acceptance of the specified project. The City shall have the right to use said Temporary Easement Area in connection with the discharge of its functions as a municipal corporation only for the construction of the 50<sup>th</sup> Street and University Avenue Traffic Capacity Improvement Project and shall (a) restore the Temporary Easement Area as provided for in paragraph 2(b), above and (b) remove all materials and equipment from the temporary easement area prior to acceptance of the 50<sup>th</sup> Street and University Avenue Traffic Capacity Improvement Project.

4. Hold Harmless.

Each party shall indemnify and hold the other party harmless from and against any loss, expense or claim asserted by third parties for damage to third party tangible property, or for bodily injury, or both, related to this Easement, to the extent such damage or injury is attributable to the negligent or willful misconduct of the indemnitor; provided, indemnitee gives the indemnitor prompt notice of any such claim and all necessary information and assistance so that indemnitor, at its option, may defend or settle such claim, and indemnitee does not take any adverse position in connection with such claim. In the event that any such damage or injury is caused by the joint or concurrent

negligence of both parties, the loss, expense or claim shall be borne by each party in proportion to its negligence.

5. Running of Benefits and Burdens.

The terms and conditions of this Easement are binding upon the City and Grantor including, but not limited to, future owners, developers, lessees, or occupants. All provisions of this Easement, including benefits and burdens, run with the land and are binding upon and inure to the assigns, successors, tenants and personal representatives of the parties hereto.

6. Jurisdiction and Venue.

The City and the Grantor agree that the District Court in and for the State of Iowa shall have exclusive jurisdiction over the subject matter and enforcement of the terms and conditions of this Easement and said parties shall consent to the venue of Polk County, Iowa.

7. Words and Phrases.

Words and phrases herein shall be construed as in the singular or plural number, and as masculine, feminine, or gender neutral, according to the context.

8. Attorney's Fees.

Either party may enforce this Easement by appropriate action, and the prevailing party shall recover as part of its costs the reasonable attorney fees incurred in such action.

9. Parties.

The term "City" as used herein shall refer to the **City of West Des Moines, Iowa, a municipal corporation**, its elected officials, agents, employees, officers, and contractors. The term "Grantor(s)" shall refer to **Three Fountains I, LLC, an Iowa limited liability company**, its assigns, successors-in-interest, or lessees, if any.

10. Integration.

This Easement shall constitute the entire agreement between the parties and no amendments or additions to this Easement shall be binding unless in writing and signed by both parties.

11. Paragraph Headings.

The paragraph headings in this Easement are included solely for convenience and shall not affect or be used in connection with the interpretation of this Easement.

Dated this \_\_\_\_ day of June, 2016.

THREE FOUNTAINS I, LLC,  
an Iowa limited liability company

By: RRNGL, LLC,  
an Iowa limited liability company,  
Sole Member

By: R&R Real Estate Investors II, LLC,  
an Iowa limited liability company,  
Managing Member

By: \_\_\_\_\_  
Mark A. Rupprecht, President

STATE OF IOWA            )  
  ) SS  
COUNTY OF POLK        )

On this \_\_\_ day of \_\_\_\_\_, 2016 before me, the undersigned, a Notary Public in and for said State, personally appeared Mark Rupprecht, to me personally known, who being duly sworn, did say that he is President of R&R Real Estate Investors, II, LLC, an Iowa limited liability company, which is the Managing Member of RRNGL, LLC, an Iowa limited liability company, which is the Sole Member of Three Fountains I, LLC, an Iowa limited liability company.

Executing the within and foregoing instrument and acknowledged the execution of said instrument to be the voluntary act and deed of each entity and by him voluntarily executed.

\_\_\_\_\_  
Notary Public in and for said State

**CERTIFICATION BY CITY OF WEST DES MOINES, IOWA**

I, Ryan T. Jacobson, City Clerk of the City of West Des Moines, Iowa, do hereby certify that acquisition of the within and foregoing Public Right-of-Way and Utility Easement was duly authorized and approved by the City Council of the City of West Des Moines by Roll Call No. \_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, and that this certificate is made pursuant to the authority of said City Council.

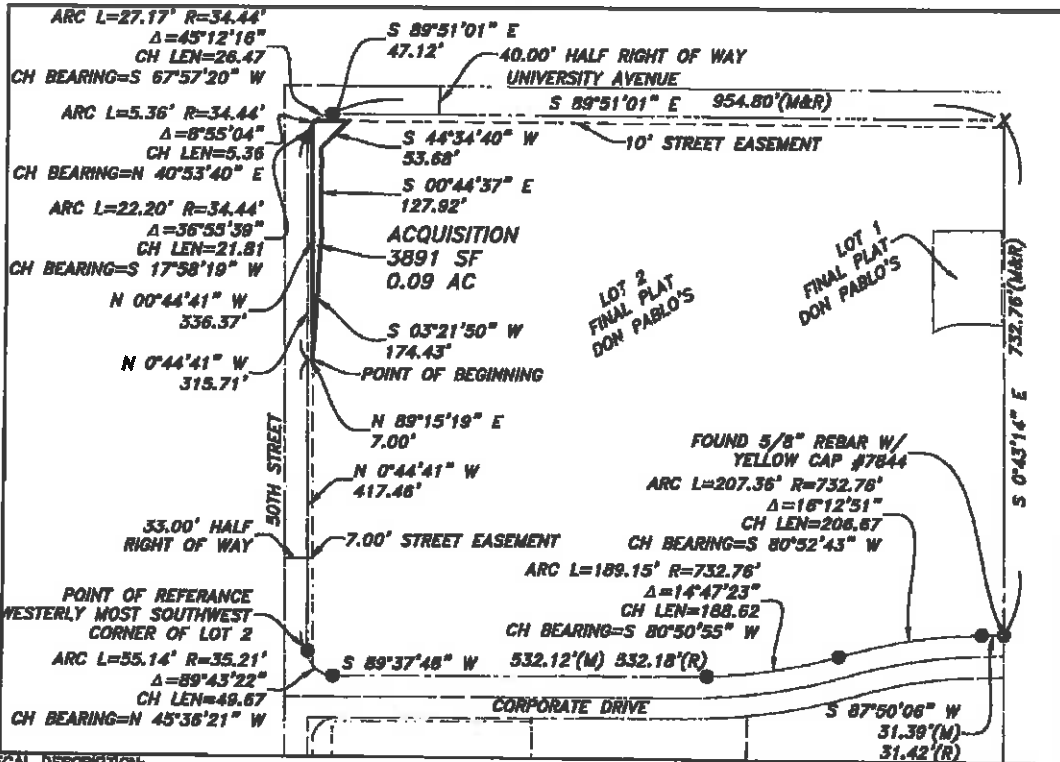
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF WEST DES MOINES, IOWA

BY: \_\_\_\_\_  
Ryan T. Jacobson, City Clerk

PROJECT NAME:  
ROAD INTERSECTION IMPROVEMENTS  
PROJECT NUMBER:  
0810-048-2014

**PERMANENT EASEMENT**  
OF PROPERTY BEING CONVEYED TO  
THE CITY OF WEST DES MOINES  
EXHIBIT 1PE



**LEGAL DESCRIPTION:**  
A PORTION OF LOT 2, DON PABLO'S, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE WESTERLY MOST SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00(DEGREES)44(MINUTES)41(SECONDS) WEST, 417.46 FEET ON THE WEST LINE OF SAID LOT 2; THENCE NORTH 89°15'19" EAST, 7.00 FEET TO THE EAST LINE OF A 7.00 FOOT STREET EASEMENT AND THE POINT OF BEGINNING; THENCE NORTH 00°44'41" WEST, 336.37 ON SAID EAST LINE TO THE NORTHWESTERLY LINE OF SAID LOT 2; THENCE 5.36 FEET ON A 34.44 FOOT RADIUS CURVE TO THE RIGHT WITH A CHORD DISTANCE OF 5.36 FEET AND BEARS NORTH 40°53'40" EAST ON SAID NORTHWESTERLY LINE TO THE SOUTH LINE OF A 10.00 FOOT STREET EASEMENT; THENCE SOUTH 89°51'01" EAST, 47.12 FEET ON SAID SOUTH LINE; THENCE SOUTH 44°34'40" WEST, 53.68 FEET; THENCE SOUTH 00°44'37" EAST, 127.92 FEET; THENCE SOUTH 03°21'50" WEST, 174.43 FEET TO THE POINT OF BEGINNING CONTAINING (3891 SF) 0.09 ACRES MORE OR LESS, SAID PROPERTY SUBJECT TO ALL EASEMENTS OF RECORD.



**BASIS OF BEARING:**  
THE WEST LINE OF LOT 2 WAS ASSUMED TO BEAR N 00°44'41" W FOR THIS SURVEY.

SURVEY DATE: NOVEMBER 2015

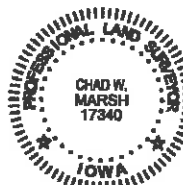
THIS SURVEY WAS PREPARED AT THE REQUEST OF:  
THE CITY OF WEST DES MOINES

MAILING ADDRESS: 1225 JORDAN CREEK PKWY STE 200  
WEST DES MOINES, IA 50286-2346

OWNER: THREE FOUNTAINS I LLC

TAX PARCEL NO.: 320/01438-102-000

- LEGEND:**
- SET 5/8"x24" REROD W/ YELLOW PLASTIC CAP #17340 OR CUT "X"
  - FND. MONUMENT (1" IRON PIPE W/ YELLOW CAP #3169 (UNLESS NOTED OTHERWISE))
  - M MEASURED
  - R RECORDED
  - P PLATTED
  - X CALCULATED



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

*Chad W. Marsh* 6-13-16  
CHAD W. MARSH DATE

LICENSE NUMBER 17340

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2016.

PAGES OR SHEETS COVERED BY THIS SEAL:

SHEET 1 THRU SHEET 1

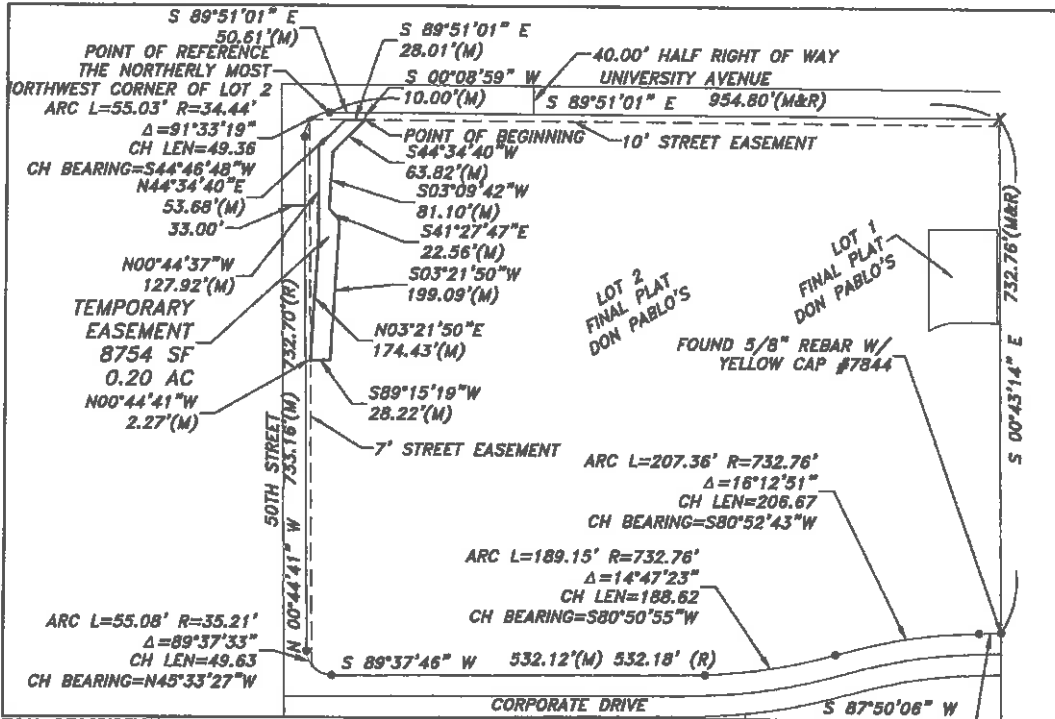
**KIRKHAM MICHAEL**  
CONSULTING ENGINEERS

TITLE	PARCEL 1PE	KM PR NO. 1407610
DATE 11/16/2016	SCALE 1"=200'	SHEET NO. 1 of 1
DRAWN DIL	APPROVED CMW	REVISION



PROJECT NAME:  
WDM INTERSECTION IMPROVEMENTS  
PROJECT NUMBER:  
0810-042-2014

**ACQUISITION PLAT**  
OF TEMPORARY EASEMENT BEING CONVEYED TO  
THE CITY OF WEST DES MOINES  
EXHIBIT 1TE



**LEGAL DESCRIPTION:**

A PORTION OF LOT 2, DON PABLOS'S, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHERLY MOST NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 89°(DEGREES)51'(MINUTES)01'(SECONDS) EAST, 50.81 FEET ON THE NORTH LINE OF SAID LOT 2; THENCE SOUTH 00°08'59" WEST, 10.00 FEET TO THE SOUTH LINE OF A 10.00 FOOT STREET EASEMENT AND THE POINT OF BEGINNING; THENCE SOUTH 44°34'40" WEST, 63.82 FEET; THENCE SOUTH 03°09'42" WEST, 81.10 FEET; THENCE SOUTH 41°27'47" EAST, 22.56 FEET; THENCE SOUTH 03°21'50" WEST, 199.09 FEET; THENCE SOUTH 89°15'19" WEST, 28.22 FEET; THENCE NORTH 00°44'41" WEST, 2.27 FEET; THENCE NORTH 03°21'50" EAST, 174.43 FEET; THENCE NORTH 00°44'37" WEST, 127.92 FEET; THENCE NORTH 44°34'40" EAST, 53.68 FEET TO THE SOUTH LINE OF SAID STREET EASEMENT; THENCE SOUTH 89°51'01" EAST, 28.01 FEET ON SAID STREET EASEMENT TO THE POINT OF BEGINNING CONTAINING (8754 SF) 0.20 ACRES MORE OR LESS, PROPERTY SUBJECT TO ALL EASEMENTS OF RECORD.

**BASIS OF BEARING:**

THE WEST LINE OF LOT 2 WAS ASSUMED TO BEAR N 00°44'41" W FOR THIS SURVEY.



SURVEY DATE: NOVEMBER 2015  
THIS SURVEY WAS PREPARED AT THE REQUEST OF:  
THE CITY OF WEST DES MOINES  
MAILING ADDRESS: 1225 JORDAN CREEK PKWY STE 200  
WEST DES MOINES, IA 50266-2346  
OWNER: THREE FOUNTAINS I LLC  
TAX PARCEL NO.: 320/01438-102-000

**LEGEND**

- SET 5/8"x24" REROD W/ YELLOW PLASTIC CAP #17340 OR CUT "X"
- FND. MONUMENT (1" IRON PIPE W/ YELLOW CAP #3169 (UNLESS NOTED OTHERWISE))
- M MEASURED
- R RECORDED
- P PLATTED
- X CALCULATED

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

*Chad W. Marsh*    12-1-2015  
CHAD W. MARSH    DATE

LICENSE NUMBER 17340

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2016.

PAGES OR SHEETS COVERED BY THIS SEAL:  
SHEET 1 THRU SHEET 1



<b>KIRKHAM MICHAEL</b> CONSULTING ENGINEERS	
TITLE	PARCEL 1TE
DATE 11/19/2016	SCALE 1"=200'
DRAWN DEL	SHEET NO. 1 of 1
APPROVED CWM	REVISION

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Resolution Approving and Ratifying Fees and Charges  
Effective July 1, 2016

**DATE:** June 27, 2016

**FINANCIAL IMPACT:** Ratification of the existing fees will have no impact, and the adjustment of various fees will have an unknown, but slight increase to overall revenues.

**BACKGROUND:** The attached listing represents a consolidation of all of the City's various rates, fees, and charges into one document. The intent of providing this consolidated listing to Council is to allow for a simpler review and update process. This listing will also serve as a resource to help staff consistently apply rates and charges across the City. The overall document was first approved by Council in June of 2014 and was also updated in June and December of 2015. Each of the rates/charges/fees listed has recently been reviewed by staff, and Council is being asked at this time to update rates. The adjustments are noted in red and can be summarized as follows:

- 1) The Development Services and Engineering Charges (Section B) is required by City Policy to annually update several of their fees. These fees are determined by formula which were established in cooperation with the Homebuilders Association of Central Iowa in 2006. Because the underlying index did not increase during the year, these fees will remain the same for the upcoming year
- 2) City Code also requires annual adjustment of sanitary sewer capital charges and sanitary sewer connection district fees based on a construction cost index (ENR).
- 3) Developer Application Fees were analyzed by the Development Services Department. They compared various development application fees with Ames, Ankeny, Clive, Des Moines, Johnston, Des Moines, Urbandale, and Windsor Heights. WDM currently bills most of its fees up front but it currently bills for publication and recordation fees "after the fact" (after publication occurs). Also the City currently does not recover codification costs. The proposed changes incorporate publication and recordation fees into the initial application fee. This approach would be more efficient for staff, and also it has been expressed that developers appreciate knowing their total fee up front rather than making multiple payments.
- 4) Engineering-related fees are shifted from the Public Works section to the Development Services and Engineering section of the document, to reflect staff changes. Costs related to Code Enforcement are shifted from Police to Public Works, to reflect staff changes.
- 5) The Parks and Recreation Department recommended slight adjustments to a couple rates in order to reflect true cost recovery. The new rates are in line with the market. They also recommended deleting rates which are no longer applicable.
- 6) The Water Works Board and Council have approved adjustments in recent months to various fees and those are being updated in Section K. Current rates and fees for the Water Works and Library are included with this item although those rates have been previously approved by a separate governing body.

**OUTSTANDING ITEMS:** None

**RECOMMENDATION:** Approve and ratify the current listing of Consolidated City Fees and Charges with an effective Date of July 1, 2016.

Lead Staff Member: Tim Stiles, Finance Director

*Tim Stiles*

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTG</i>

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Finance & Administration		
Date Reviewed	May 18 and June 15, 2016		
Recommendation	Yes	No	Split

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION RATIFYING CURRENT RATES, FEES, AND CHARGES OF THE CITY OF WEST DES MOINES AND UPDATING DEVELOPMENT-RELATED FEES AS REQUIRED BY CITY POLICY AND IOWA CODE.**

WHEREAS, effort has been made to consolidate all fees, rates, and charges into one reference document to be ratified by Council, and

WHEREAS, various updates to rates are proposed by staff and recommended by the Finance Committee, and

**NOW, THEREFORE, BE IT RESOLVED**

**BY THE COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that the attached schedule of charges and fees are ratified and approved as of June 27, 2016 and

**BE IT FURTHER RESOLVED**, that previous resolutions in conflict with this resolution are hereby repealed.

**PASSED AND APPROVED**, this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan Jacobson, City Clerk

City of West Des Moines, Iowa  
 Schedule of Rates, Fees and Charges  
 As of July 1, 2016

Description	Fee	Last Change (Approval Date)
<b>A. Administrative / City Clerk's Office / Finance</b>		
<b>I. Copying of Records</b>		
a. Audio Recording	\$ 10.00	Admin Policy (5/15/2005)
b. Video Recording	35.00	Admin Policy (5/15/2005)
c. Paper (8 ½ x 11 and/or 8 ½ x 14)	0.25/page	Motion (5/24/1993)
d. Scanned	0.25/page	Admin Policy (5/15/2005)
e. City Street Map	FREE	Resolution (06/30/2014)
f. Maps (all other except Section B (XIV) (j))	5.00	Admin Policy (5/15/2005)
<b>II. Alarms</b>		
a. Installation License (Annual)	\$ 100.00	Ordinance (2/2/2004)
i. Additional License	25.00	Ordinance (2/2/2004)
b. System Registration	\$ 10.00	Ordinance (2/2/2004)
c. Monitoring Fee – Residential (Monthly)	1.00	Ordinance (2/2/2004)
d. Monitoring Fee – Commercial (Annual)	2.00	Ordinance (2/2/2004)
e. False Alarms 1 <sup>st</sup> -3 <sup>rd</sup> *	FREE	Ordinance (2/2/2004)
f. False Alarm 4 <sup>th</sup> *	50.00	Ordinance (2/2/2004)
g. False Alarm Each Occurrence after 4 <sup>th</sup> *	100.00	Ordinance (2/2/2004)
*Recorded in a Calendar Year Starting with 1 <sup>st</sup> False Alarm		
<b>III. Annual Permits</b>		
a. Auction	\$ 5.00	Resolution (06/30/2014)
b. Cigarette/Tobacco	100.00	State of Iowa Code
c. Hauling	5.00 / vehicle	Resolution (06/30/2014)
<b>IV. Block Parties</b>	<b>No Charge</b>	Resolution (12/9/2013)
<b>V. Miscellaneous Fees</b>		
a. Non-Sufficient Funds (NSF) Fee	\$ 25.00	Resolution (06/30/2014)
b. Conduit Financing – Fee for City as Issuer	\$ 2,000.00 / issuance	Resolution (12/28/15)
<b>VI. Solicitor / Transient Merchant</b>		
<b>a. Solicitor Fees</b>		
i. Applicant Fee	\$ 100.00	Ordinance (4/1/2013)
ii. Permit Fee (30-day license)	50.00	Ordinance (4/1/2013)
iii. Permit Fee (90-day license)	100.00	Ordinance (4/1/2013)
iv. Surety Bond	1,000.00	Ordinance (4/1/2013)
<b>b. Transient Merchant Fees</b>		
i. License Application	\$ 100.00	Ordinance (4/1/2013)
ii. 1-Day License	20.00	Ordinance (4/1/2013)
iii. 7-Day License	100.00	Ordinance (4/1/2013)
<b>VII. Special Events</b>		
a. Events Not Requiring Council Approval	\$ 225.00	Resolution (12/9/2013)
b. Events Requiring Council Approval	325.00	Resolution (12/9/2013)

City of West Des Moines, Iowa  
Schedule of Rates, Fees and Charges  
As of July 1, 2016

Description	Fee	Last Change (Approval Date)
Note: Special Events also require liability insurance coverage of not less than \$500,000 / person and accident coverage of not less than \$1,000,000 / person.		
VIII. Sound Permit (Live Amplified Outdoors)		
a. One – 48 Hour Event	\$ 22.00	Resolution (1/28/2008)
b. 2 – 7 Consecutive Days	44.00	Resolution (1/28/2008)
c. One calendar year	82.50	Resolution (1/28/2008)

City of West Des Moines, Iowa  
 Schedule of Rates, Fees and Charges  
 As of July 1, 2016

Description	Fee	Last Change (Approval Date)
<b>B. Development Services and Engineering Services</b>		
<b>IX. Building Permits</b>		
a. Valuation		
i. \$1 to \$2,000	\$46.00 (minimum)	Resolution (6/29/2015)
ii. \$2,001 to \$25,000	\$46.00 for the first \$2,000 plus \$8.86 for each additional \$1,000	Resolution (6/29/2015)
iii. \$25,001 to \$50,000	\$249 for the first \$25,000 plus \$7.75 for each additional \$1,000	Resolution (6/29/2015)
iv. \$50,001 to \$100,000	\$443 for the first \$50,000 plus \$4.96 for each additional \$1,000	Resolution (6/29/2015)
v. \$100,001 to \$500,000	\$626 for the first \$100,000 plus \$3.62 for each additional \$1,000	Resolution (6/29/2015)
vi. \$500,001 and up	\$2,249 for the first \$500,000 + \$2.48 for each additional \$1,000	Resolution (6/29/2015)
X. Certificate of Occupancy	\$ 46.00	Resolution (6/29/2015)
XI. Inspection-Rental Housing		
a. Single Family	\$ 66.00	Resolution (6/29/2015)
b. Multifamily		
i. First Unit	66.00	Resolution (6/29/2015)
ii. Each Additional Unit	19.50	Resolution (6/29/2015)
c. Re-inspection of Required Corrections		
i. First Re-Inspection	No Charge	Resolution (6/29/2015)
ii. Each Additional Re-Inspection		
1. Trip Charge	66.00	Resolution (6/29/2015)
2. Each Item on List	33.00	Resolution (6/29/2015)
XII. Permits		
a. Basic Fee ( <u>Applies to All Permits except Flat Fee Permits</u> )	\$ 26.00	Resolution (6/29/2015)
b. Basement Finish – existing home ( <u>Flat Fee</u> ) (valuation of less than \$10,000)	52.00	Resolution (6/29/2015)
c. Deck – existing home ( <u>Flat Fee</u> )	52.00	Resolution (6/29/2015)
d. Demolition ( <u>Flat Fee</u> )	46.00	Resolution (6/29/2015)
e. Electrical		
i. New Single Family/Town Home ( <u>Flat Fee</u> )		
1. 100 amp service	\$ 128.00	Resolution (6/29/2015)
2. 200 amp service	171.00	Resolution (6/29/2015)
3. 400 amp or larger service	267.00	Resolution (6/29/2015)
ii. Meters		
1. 1 <sup>st</sup> Meter	11.00	Resolution (6/29/2015)
2. Each Additional Meter	3.15	Resolution (6/29/2015)
iii. Circuits		
1. First 10 Circuits	3.80	Resolution (6/29/2015)
2. Each Additional Circuit	2.05	Resolution (6/29/2015)
3. Openings (Added to existing)	1.25	Resolution (6/29/2015)
4. Fixed Appliances	6.20	Resolution (6/29/2015)

City of West Des Moines, Iowa  
Schedule of Rates, Fees and Charges  
As of July 1, 2016

Description	Fee	Last Change (Approval Date)
5. Fixtures	0.55	Resolution (6/29/2015)
iv. Residential Service Upgrade	11.00	Resolution (6/29/2015)
f. Fence ( <u>Flat Fee</u> )	\$ 41.00	Resolution (6/29/2015)
g. Garage-Detached ( <u>Flat Fee</u> )	75.00	Resolution (6/29/2015)
h. Home Occupation	26.00	Resolution (6/29/2015)
i. Homeowner		
i. Exemption Affidavit	\$ 32.00	Resolution (6/29/2015)
j. Mechanical		
i. New Single Family/Town Home ( <u>Flat Fee</u> )		
1. 1-Furnace & 1-AC Unit	\$ 109.00	Resolution (6/29/2015)
2. 2 or More Furnaces & 2 or more AC units	140.00	Resolution (6/29/2015)
ii. Air Conditioner	16.00	Resolution (6/29/2015)
iii. Appliance Vent	8.55	Resolution (6/29/2015)
iv. Boiler	16.00	Resolution (6/29/2015)
v. Ductwork Only	16.00	Resolution (6/29/2015)
vi. Evaporative Cooler	8.55	Resolution (6/29/2015)
vii. Fireplace	16.00	Resolution (6/29/2015)
viii. Furnace or Heater	16.00	Resolution (6/29/2015)
ix. Gas Piping (per outlet)	8.55	Resolution (6/29/2015)
x. Geo Thermal System	16.00	Resolution (6/29/2015)
xi. Hood – Type I	37.80	Resolution (6/29/2015)
xii. Hood – Non Type I	13.40	Resolution (6/29/2015)
xiii. Refrigeration Unit	16.00	Resolution (6/29/2015)
xiv. Ventilation Fan	6.20	Resolution (6/29/2015)
xv. Water Heater	6.20	Resolution (6/29/2015)
k. Porch-Screened or Covered ( <u>Flat Fee</u> )	75.00	Resolution (6/29/2015)
l. Plumbing		
i. New Single Family/Town Home ( <u>Flat Fee</u> )		
1. 1 Kitchen /1 Bath	\$ 83.00	Resolution (6/29/2015)
2. 1 Kitchen /2 Baths	95.00	Resolution (6/29/2015)
3. 1 Kitchen/ 2 or more baths	108.00	Resolution (6/29/2015)
4. Sewer/Water/Storm Only	40.00	Resolution (6/29/2015)
ii. Backflow Preventer	16.00	Resolution (6/29/2015)
iii. Boiler	16.00	Resolution (6/29/2015)
iv. External Grease Interceptor	19.50	Resolution (6/29/2015)
v. Fixtures ( <i>each tub, sink, water closet Shower, ice machine, garbage disposal Sump, grease trap, drinking fountain, Floor or roof drain, urinal, and similar</i> )	6.20	Resolution (6/29/2015)
vi. Gas Piping (per outlet)	8.55	Resolution (6/29/2015)
vii. Sewer Service	19.50	Resolution (6/29/2015)
viii. Sewer-Private (for each 100 lineal feet)	9.85	Resolution (6/29/2015)
ix. Storm Sewer & Storm Water Detention (For each 100 lineal feet)	9.85	Resolution (6/29/2015)
x. Water Heater	6.20	Resolution (6/29/2015)
xi. Water Service (Fire or Domestic)	19.50	Resolution (6/29/2015)
XIII. Fire Plan Review Fees		



City of West Des Moines, Iowa  
 Schedule of Rates, Fees and Charges  
 As of July 1, 2016

Description	Fee	Last Change (Approval Date)
a. 100 – 6,000 sq. ft.	\$ 110.00	Resolution (6/29/2015)
b. 6,001 – 12,000 sq. ft.	218.00	Resolution (6/29/2015)
c. 12,001 – 24,000 sq. ft.	327.00	Resolution (6/29/2015)
d. 24,001 – 50,000 sq. ft.	453.00	Resolution (6/29/2015)
e. 50,001 – 100,000 sq. ft.	546.00	Resolution (6/29/2015)
f. 100,001 – 500,000 sq. ft.	1,093.00	Resolution (6/29/2015)
g. 500,001 – 1,000,000 sq. ft.	1,639.00	Resolution (6/29/2015)
h. 1,000,000 sq. ft. and above	1,639.00+	Resolution (6/29/2015)
i. Each additional 6,000 sq. ft.	110.00	Resolution (6/29/2015)
XIV. Plan Review Fee		
a. Equal to 65% of the building permit fee		Resolution (6/30/2014)
XV. Planning		
a. Area Development Plan	\$ <del>110.00</del> 140.00 +	Resolution (1/28/2008)
i. Each Acre	11.00	Resolution (1/28/2008)
b. Auditors Plat	<del>465.00</del> 230.00 +	Resolution (1/28/2008)
i. Per Lot	5.50	Resolution (1/28/2008)
c. Board of Adjustment Variance Application	200.00	
d. Copy of Comprehensive Plan (without map)	55.00	Resolution (1/28/2008)
e. Comprehensive Plan Amendment		
i. Land Use Exchange	<del>465.00</del> 195.00 +	Resolution (1/28/2008)
1. Per Acre	11.00	Resolution (1/28/2008)
ii. Text Change	<del>55.00</del> 115.00	Resolution (1/28/2008)
f. Final Plat	165.00 +	Resolution (1/28/2008)
i. Per Lot	5.50	Resolution (1/28/2008)
g. Grading Permit	<del>110.00</del> 140.00	Resolution (1/28/2008)
h. Home Occupation Permit (new or renewal)	26.00	Resolution (6/29/2015)
i. Major Modification (Revised Site Plan)	110.00 +	Resolution (1/28/2008)
i. Per Acre	11.00	Resolution (1/28/2008)
j. Copy of Map		
i. Comprehensive Plan Land Use Map	27.50	Resolution (1/28/2008)
ii. 2020 Circulation System Map	5.50	Resolution (1/28/2008)
iii. Ultimate Circulation System Map	5.50	Resolution (1/28/2008)
iv. Zoning Map	27.50	Resolution (1/28/2008)
k. Master Plan	110.00	Resolution (1/28/2008)
l. Minor Modification (Administrative Approval)	<del>55.00</del> 85.00	Resolution (1/28/2008)
m. Municipal Code of Appeals Board	110.00	Resolution (1/28/2008)
n. Permitted Conditional Use Permit	<del>137.50</del> 240.00 +	Resolution (1/28/2008)
i. Per Acre	11.00	Resolution (1/28/2008)
o. Plat-of-Survey	\$ <del>165.00</del> 230.00 +	Resolution (1/28/2008)
i. Per Lot	5.50	Resolution (1/28/2008)
p. Preliminary Plat	<del>110.00</del> 140.00 +	Resolution (1/28/2008)
i. Per Lot	5.50	Resolution (1/28/2008)
q. Property Owners Mailing List	467.50	Resolution (1/28/2008)
r. Sign Code Appeal	100.00	Resolution (6/29/2015)
s. Site Plan/Major Modification/Overlay		
District Plan	<del>110.00</del> 240.00 +	Resolution (1/28/2008)
i. Per Acre	11.00	Resolution (1/28/2008)

City of West Des Moines, Iowa  
 Schedule of Rates, Fees and Charges  
 As of July 1, 2016

Description	Fee	Last Change (Approval Date)
t. Not Used		
u. Vacation Request	110.00	Resolution (1/28/2008)
v. Variance or Appeal	200.00	Resolution (1/28/2008)
w. Zone Change		
i. Regular Zoning	<del>465.00</del> <b>315.00</b> +	Resolution (1/28/2008)
1. Per Acre	11.00	Resolution (1/28/2008)
ii. Planned Unit Dev. (PUD)	<del>220.00</del> <b>470.00</b> +	Resolution (1/28/2008)
1. Per Acre	11.00	Resolution (1/28/2008)
iii. Specific Plan	<del>220.00</del> <b>470.00</b> +	Resolution (1/28/2008)
1. Per Acre	11.00	Resolution (1/28/2008)
x. Zoning Compliance Letters	300.00	Resolution (1/28/2008)
y. Purchase Zoning Ordinance (without map)	55.00	Resolution (1/28/2008)
z. Zoning Ordinance Amendment (Text)	<del>55.00</del> <b>205.00</b>	Resolution (1/28/2008)
XVI. Sanitary Sewer and Stormwater Connection Fee District (per acre)		
a. Grand Avenue West	<del>\$4,226.00</del> <b>\$4,348.00</b>	Resolution (6/29/2015)
b. Middle Creek	<del>2,165.00</del> <b>\$2,227.00</b>	Resolution (6/29/2015)
c. Quail Park/Thornwood (per dwelling)		
i. Category 1	<del>44,707.00</del> <b>\$12,044.00</b>	Resolution (6/29/2015)
ii. Category 2	<del>48,632.00</del> <b>\$19,170.00</b>	Resolution (6/29/2015)
iii. Category 3	<del>44,908.00</del> <b>\$15,337.00</b>	Resolution (6/29/2015)
d. Raccoon River	<del>8,003.00</del> <b>\$8,234.00</b>	Resolution (6/29/2015)
e. South Service	<del>6,057.00</del> <b>\$6,232.00</b>	Resolution (6/29/2015)
f. Ashworth Road Low Pressure Sanitary Sewer	<del>26,181.00</del> <b>\$26,936.00</b>	Resolution (6/29/2015)
g. Dixie Acres	<del>28,063.00</del> <b>\$28,872.00</b>	
h. Sugar Creek Stormwater	<del>4,962.00</del> <b>\$5,105.00</b>	Resolution (6/29/2015)
i. Grand Avenue East Stormwater	<del>15,439.00</del> <b>\$15,884.00</b>	Resolution (6/29/2015)
XVII. Sewer Tap Fee (when required)	64.00	Resolution (6/29/2015)
XVIII. Sewer Capital Charges (new commercial or additional fixtures added)		
a. Per Single Family Residential Lot	<del>\$946.00</del> <b>\$974.00</b>	Resolution (6/29/2015)
b. Per Multi-Family Dwelling Unit	<del>536.00</del> <b>\$551.00</b>	Resolution (6/29/2015)
c. Non-Residential Building Charge (per fixture)	<del>47.80</del> <b>\$18.30</b>	Resolution (6/29/2015)
i. Sink, Lavatory, Drain, or Similar = 3 Units		
ii. Water Closet, Urinal = 6 Units		
XIX. Sidewalk (New)	\$16.25/per building	Resolution (6/29/2015)
XX. Sign Permit		
a. Permanent and Temporary	\$ 90.00+	Resolution (6/29/2015)
i. Per Sq. Ft.	0.61	Resolution (6/29/2015)
b. Short Term Signs	16.50	Resolution (6/29/2015)
XXI. Sign Licenses – all expire Dec. 31 if Odd Years		
a. 2 Full Years (Requires \$5,000 Surety Bond)	132.00	Resolution (6/29/2015)
XXII. Storage Shed (Flat Fee)	41.00	Resolution (6/29/2015)
a. Stormwater Erosion Inspection Fee	116.00Minimum	Resolution (6/29/2015)
b. Based on 2 required inspections per year at	58.00	
c. Large Projects will be estimated		
XXIII. Swimming Pool – existing home (Flat Fee)	52.00	Resolution (6/29/2015)
XXIV. Temporary Use Permit		
a. 4 Day Events (Concert, Walks, etc.)	\$ 25.50	Resolution (6/29/2015)

City of West Des Moines, Iowa  
Schedule of Rates, Fees and Charges  
As of July 1, 2016

Description	Fee	Last Change (Approval Date)
b. Long Term Food & Beverage		
i. May 1 – Sep 30	280.00	Resolution (6/29/2015)
ii. Deposit	750.00	Resolution (6/29/2015)
c. Christmas Tree Sales (Nov 15-Dec 25)	25.50	Resolution (6/29/2015)
d. Pumpkin Sales (Oct 1-Nov 1)	25.50	Resolution (6/29/2015)
e. Ag Produce Stands	52.00	Resolution (6/29/2015)
f. Seasonal Garden Centers		
i. Spring (Apr 1-Jul 15)	52.00	Resolution (6/29/2015)
ii. Fall (Sep 1-Oct 31)	52.00	Resolution (6/29/2015)
iii. Deposit	500.00	Resolution (6/29/2015)
g. Temp Concrete & Asphalt Plants	515.00	Resolution (6/29/2015)
h. Real Estate & Const. Trailers; Model Homes	25.50	Resolution (6/29/2015)
<b>XXV. Traffic Impact Studies</b>		
a. Initial Base Fee at Beginning of Study		
I. Total fee estimate < \$2,000	\$100	Resolution (06/29/2015)
II. Total fee estimate > \$2,000	½ of total fee estimate	Resolution (06/29/2015)
b. Additional Fee at End of Study		
I. Fees for Independent Processes and Applications		
i. Comprehensive Plan Amendment, Area Development Plan, Rezoning, or Subdivision		
1. Site is 0-10 acres	\$1.25/additional trip	Resolution (06/29/2015)
2. Site is 10-20 acres	\$1.15/additional trip	Resolution (06/29/2015)
3. Site is 20-40 acres	\$1.00/additional trip	Resolution (06/29/2015)
4. Site is 40-80 acres	\$0.85/additional trip	Resolution (06/29/2015)
5. Site is over 80 acres	\$0.75/additional trip	Resolution (06/29/2015)
ii. Site Plan		
1. Site is 0-10 acres	\$1.75/additional trip	Resolution (06/29/2015)
2. Site is 10-20 acres	\$1.60/additional trip	Resolution (06/29/2015)
3. Site is 20-40 acres	\$1.40/additional trip	Resolution (06/29/2015)
4. Site is 40-80 acres	\$1.20/additional trip	Resolution (06/29/2015)
5. Site is over 80 acres	\$1.05/additional trip	Resolution (06/29/2015)
II. Fees for Combined Processes and Applications Tracking Together with No Modifications		
i. Any Combination of Comprehensive Plan Amendment, Area Development Plan, Rezoning, or Subdivision		
1. Site is 0-10 acres	\$1.25/additional trip	Resolution (06/29/2015)
2. Site is 10-20 acres	\$1.15/additional trip	Resolution (06/29/2015)
3. Site is 20-40 acres	\$1.00/additional trip	Resolution (06/29/2015)
4. Site is 40-80 acres	\$0.85/additional trip	Resolution (06/29/2015)
5. Site is over 80 acres	\$0.75/additional trip	Resolution (06/29/2015)
ii. Site Plan		
1. Site is 0-10 acres	\$1.75/additional trip	Resolution (06/29/2015)
2. Site is 10-20 acres	\$1.60/additional trip	Resolution (06/29/2015)
3. Site is 20-40 acres	\$1.40/additional trip	Resolution (06/29/2015)
4. Site is 40-80 acres	\$1.20/additional trip	Resolution (06/29/2015)
5. Site is over 80 acres	\$1.05/additional trip	Resolution (06/29/2015)
6.		
III. Fees for Independent Process and Applications within One Year of Initial Application with No Modifications		
i. Any Combination of Comprehensive Plan Amendment, Area Development Plan, Rezoning, or Subdivision	25% of Initial Fee	Resolution (06/29/2015)

City of West Des Moines, Iowa  
 Schedule of Rates, Fees and Charges  
 As of July 1, 2016

Description	Fee	Last Change (Approval Date)
ii. Site Plan		
1. Site is 0-10 acres	25% of Initial Fee + \$0.50/additional trip	Resolution (06/29/2015)
2. Site is 10-20 acres	25% of Initial Fee + \$0.45/additional trip	Resolution (06/29/2015)
3. Site is 20-40 acres	25% of Initial Fee + \$0.40/additional trip	Resolution (06/29/2015)
4. Site is 40-80 acres	25% of Initial Fee + \$0.35/additional trip	Resolution (06/29/2015)
5. Site is over 80 acres	25% of Initial Fee + \$0.30/additional trip	Resolution (06/29/2015)
IV. Reanalysis Fees within One Year of Initial Application		
i. Any Combination of Comprehensive Plan Amendment, Area Development Plan, Rezoning, or Subdivision	25% of Initial Fee	Resolution (06/29/2015)
ii. Site Plan		
1. Site is 0-10 acres	25% of Initial Fee + \$1.75/additional trip	Resolution (06/29/2015)
2. Site is 10-20 acres	25% of Initial Fee + \$1.60/additional trip	Resolution (06/29/2015)
3. Site is 20-40 acres	25% of Initial Fee + \$1.40/additional trip	Resolution (06/29/2015)
4. Site is 40-80 acres	25% of Initial Fee + \$1.20/additional trip	Resolution (06/29/2015)
5. Site is over 80 acres	25% of Initial Fee + \$1.05/additional trip	Resolution (06/29/2015)
XXVI. Construction Site Visits		
a. Erosion & Sediment Control	\$ 50.00 per visit	Resolution (06/30/2014)
<i>Quarterly Visits for sites greater than 1 acre</i>		
XXVII. Miscellaneous		
a. CADD Plotting	\$ 2.00 sq. ft.	Resolution (06/30/2014)
b. Computer Diskette/CD ROM	10.00	Resolution (06/30/2014)
c. Construction Observation	\$60.00 per hour plus \$0.575 per mile (or current IRS Rate)	Resolution (06/29/2015)
d. Private Fiber Optic	50.00 + \$1.00 per foot + annual licenses	Resolution (06/30/2014)
e. Topography	12.00 per acre	Resolution (06/30/2014)
XXVIII. Permits		
a. Communications Systems with ROW	\$ 500.00	Ordinance (08/22/2011)
b. Sidewalk		
i. Approach – New Construction	16.00	Resolution (06/29/2015)
ii. <del>Reconstruction less than 20'</del>	<del>3.00</del>	<del>Resolution (06/30/2014)</del>
c. Street Excavation	20.00	Resolution (06/30/2014)
i. Refundable Deposit Non-Utility	200.00	Resolution (06/30/2014)

City of West Des Moines, Iowa  
 Schedule of Rates, Fees and Charges  
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Description	Fee	Last Change (Approval Date)
<b>C. Emergency Medical Services</b>		
<b>XXIX. Ambulance Services</b>		
a. Basic Life Support	\$ 375.00	Resolution (6/29/2015)
b. Basic Life Support – Emergency	600.00	Resolution (6/29/2015)
c. Advanced Life Support	450.00	Resolution (6/29/2015)
d. Advanced Life Support – Emergency	700.00	Resolution (6/29/2015)
e. Advanced Life Support – Level 2	1,000.00	Resolution (6/29/2015)
f. Advanced Life Support – No Transport	200.00	Resolution (12/27/2011)
g. Critical Care Transport	1,200.00	Resolution (6/29/2015)
h. Mileage (loaded mile)	13.00	Resolution (12/27/2011)
i. Administrative Collection Fee	30.00	Resolution (12/27/2011)
j. Public Assist Fee	75.00	Resolution (12/27/2011)
k. Special Event Coverage	125.00	Resolution (6/29/2015)
l. Ambulance Report Request Fee	10.00	Resolution (12/27/2011)
<b>XXX. EMS AHA Training Center</b>		
a. Healthcare Provider Courses		
i. Initial	\$ 75.00	Resolution (06/30/2014)
ii. Renewal	60.00	Resolution (06/30/2014)
iii. Skills Check	45.00	Resolution (06/30/2014)
b. Heart Saver Courses		
i. CPR/AED	50.00	Resolution (06/30/2014)
CPR/AED with First Aid	90.00	Resolution (06/30/2014)
ii. Skills Check	35.00	Resolution (06/30/2014)
c. Miscellaneous Courses/Charges		
i. Blood Borne Pathogens	35.00	Resolution (06/30/2014)
ii. Family and Friend	35.00	Resolution (06/30/2014)
iii. Replacement Card	10.00	Resolution (06/30/2014)
iv. Travel Fee (outside of WDM)	30.00	Resolution (06/30/2014)
d. Text Materials		
i. Healthcare Provider	\$ 15.00	Resolution (06/30/2014)
ii. CPR/AED	15.00	Resolution (06/30/2014)
iii. CPR/AED w/First Aid	20.00	Resolution (06/30/2014)
iv. CPR Anytime Family/Friend Kit	50.00	Resolution (06/30/2014)

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Description	Fee	Last Change (Approval Date)
<b>D. Fire Department</b>		
XXXI. Construction Permit		
a. Automatic fire-extinguishing systems, Fire alarm, detections systems and Related equipment	\$ 107.00	Resolution (06/30/2014)
XXXII. Contractor's License (Annual)		
a. Alarm System Contractor	\$ 100.00	Resolution (06/30/2014)
b. Fire & Security Alarm Installation	100.00	Resolution (06/30/2014)
c. Fire Suppression System Installation	100.00	Resolution (06/30/2014)
d. Monitoring	25.00	Resolution (06/30/2014)
e. Design Services	100.00	Resolution (06/30/2014)
f. Penalties for Violation of Licenses (within 1 year)		
i. 1 <sup>st</sup> Violation	\$ 250.00	Resolution (06/30/2014)
ii. 2 <sup>nd</sup> Violation	500.00	
iii. 3 <sup>rd</sup> Violation	1,000.00 & revocation of license	
XXXIII. Fire Lane Signs		
a. 12" x 18" No Parking Fire Lane - \$50 Fine	\$ 12.00	Resolution (06/30/2014)
b. 6" x 12" Begin Fire Lane	8.00	Resolution (06/30/2014)
c. 6" x 12" End Fire Lane	8.00	Resolution (06/30/2014)
XXXIV. Fire Reports	\$ 5.00	Resolution (06/30/2014)
XXXV. Fireworks Display Permit	\$ 200.00	Ordinance (02/21/2012)
XXXVI. Hazardous Substance Spills		
a. Suppression Unit	\$ 165.00 per vehicle per hour	Resolution (06/30/2014)
b. Command Car	66.00 per vehicle per hour	Resolution (06/30/2014)
c. Personnel	16.50 per hour	Resolution (06/30/2014)
d. 1 <sup>st</sup> Bag of Fluid Absorbent – Peat Moss	20.00	Resolution (06/30/2014)
e. 2 <sup>nd</sup> Bag and after of Fluid Absorbent	10.00	Resolution (06/30/2014)
f. Expendable Materials	Cost + 10%	Resolution (06/30/2014)
g. Equipment/Clothing Used or Contaminated	Replacement Cost	Resolution (06/30/2014)
XXXVII. Operational Permit		
a. Amusement Buildings, Covered Mall Buildings, Cryogenic Fluids, Exhibits and Trade Shows, Explosive, Flammable, and Combustible Fluids, etc.	\$ 50.00	Ordinance (2/21/2012)
XXXVIII. Re-Inspections		
a. 1 <sup>st</sup> Re-Inspection	No Charge	Ordinance (2/21/2012)
b. 2 <sup>nd</sup> Re-Inspection	\$ 100.00	Ordinance (2/21/2012)
c. 3 <sup>rd</sup> Re-Inspection	300.00	Ordinance (2/21/2012)
d. 4 <sup>th</sup> Re-Inspection	600.00	Ordinance (2/21/2012)
e. 5 or more Re-Inspections	1,000.00	Ordinance (2/21/2012)
f. After-Hours Inspections(per inspector)	\$ 150.00 per hour	Ordinance (2/21/2012)
XXXIX. Tags		
a. More than 90, lots of 90	\$ 10.00	Resolution (06/30/2014)
b. Less than 90, lots of 9	1.00	Resolution (06/30/2014)

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Description	Fee	Last Change (Approval Date)
<b>E. Parks &amp; Recreation</b>		
<b>XL. Aquatic Centers – Holiday &amp; Valley View</b>		
<b>a. Daily Admission</b>		
i. Under 3 Years Old	Free	Motion (12/27/2011)
ii. 3-12 Years Old	\$ 5.00	Motion (12/27/2011)
iii. 13 Years and Older	8.00	Motion (12/27/2011)
iv. Senior Citizens (55+)	6.00	Motion (12/27/2011)
v. Family Nights (per family)	12.00	Motion (12/27/2011)
<b>b. Season Passes (per household)</b>		
<b>i. Resident</b>		
1. One Person	\$ 80.00	Motion (8/29/2005)
2. Two Person	110.00	Motion (8/29/2005)
3. Additional Person	35.00	Motion (8/29/2005)
4. Nanny/Granny	50.00	Motion (1/10/2010)
<b>ii. Non-Resident</b>		
1. One Person	\$ 120.00	Motion (2/23/2009)
2. Two Person	160.00	Motion (2/23/2009)
3. Additional Person	45.00	Motion (2/23/2009)
4. Nanny/Granny	50.00	Motion (1/10/2010)
<b>XLI. Archery Facility</b>		
<b>a. Annual Permit</b>		
i. Adult Resident	\$ 20.00	Motion (3/10/2014)
ii. Adult Non-Resident	40.00	Motion (3/10/2014)
iii. Youth (15 & Under) Resident	10.00	Motion (3/10/2014)
iv. Youth (15 & Under) Non-Resident	20.00	Motion (3/10/2014)
<b>b. Daily Permit</b>	\$ 5.00	Motion (3/10/2014)
<b>c. Replacement Permit</b>	5.00	Motion (3/10/2014)
<b>XLII. Dog Park</b>		
<b>a. Annual Permit</b>		
i. Resident	\$ 20.00	Motion (11/1/2010)
ii. Non-Resident	40.00	Motion (11/1/2010)
<b>b. Day Pass</b>	\$ 5.00	Motion (11/1/2010)
<b>XLIII. Jordan Cemetery</b>		
<b>a. Burial Space</b>		
i. Monument Space	\$ 1,250.00	Resolution (5/28/2013)
ii. 2nd Person in Same Space (ashes)	325.00	Resolution (5/28/2013)
iii. Cremation Space (flush marker only)	325.00	Resolution (5/28/2013)
iv. Transfer Fee	200.00	Resolution (5/28/2013)
<b>b. Interment</b>		
<b>i. Infant (24 months &amp; under)</b>		
1. Monday – Friday	\$ 600.00	Resolution (5/28/2013)
2. Saturday	725.00	Resolution (5/28/2013)

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Description	Fee	Last Change (Approval Date)
3. Sunday/Holiday	850.00	Resolution (5/28/2013)
ii. Adult		
1. Monday – Friday	825.00	Resolution (5/28/2013)
2. Saturday	950.00	Resolution (5/28/2013)
3. Sunday/Holiday	1,075.00	Resolution (5/28/2013)
iii. Ashes in Container		
1. Monday – Friday	700.00	Resolution (5/28/2013)
2. Saturday	825.00	Resolution (5/28/2013)
3. Sunday/Holiday	950.00	Resolution (5/28/2013)
c. Disinterment		
i. Infant/Child	\$ 975.00	Resolution (5/28/2013)
ii. Adult	1,400.00	Resolution (5/28/2013)
iii. Ashes in Container	1,175.00	Resolution (5/28/2013)
d. Extra Work (Per Hour)		
i. Monday – Friday	\$ 50.00	Resolution (5/28/2013)
ii. Monday – Friday Overtime	75.00	Resolution (5/28/2013)
iii. Saturday	75.00	Resolution (5/28/2013)
iv. Saturday Overtime	115.00	Resolution (5/28/2013)
v. Snow Removal in Tent Area	150.00	Resolution (5/28/2013)

XLIV. Rentals

a. Community Center		
i. Ballroom*	\$ 75.00 per hour	Motion (8/8/2011)
1. Cleaning Fee	200.00	Motion (8/8/2011)
ii. Classroom/Multipurpose Room	17.00 per hour	Motion (8/8/2011)
1. Cleaning Fee	40.00	Motion (8/8/2011)
iii. South Dining Room (2 hr. min.)	24.00 per hour	Motion (8/8/2011)
1. Cleaning Fee	80.00	Motion (8/8/2011)
iv. Vets Room	17.00 per hour	Motion (8/8/2011)

\*Minimum rental of 8 hours on Saturday, all other days 2 hour minimum.

b. Holiday Park Baseball Rental		
i. Open League Games	\$ 30.00 per game/slot	Agreement (9/16/13)
ii. Open League Practice	30.00 per game/slot	Agreement (9/16/13)
iii. Competitive League Games	45.00 per game/slot	Agreement (9/16/13)
iv. Competitive League Practice	45.00 per game/slot	Agreement (9/16/13)
v. Premier League Games	45.00 per game/slot	Agreement (9/16/13)
vi. Sportsplex West Programs	45.00 per game/slot	Agreement (9/16/13)
vii. Tournament Games	45.00 per game/slot +	Agreement (9/16/13)
1. Weekend Maintenance Fee	500.00	Agreement (9/16/13)
viii. All other Rentals	45.00 per game/slot	Agreement (9/16/13)
ix. Restroom Maintenance Fee	25.00 per field/per day	Resolution (NEW)



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Description	Fee	Last Change (Approval Date)
c. Nature Lodge **		
i. 1/3 Room	\$ 30.00 per hour	Resolution (06/30/2014)
ii. 2/3 Room	60.00 per hour	Resolution (06/30/2014)
iii. Full Room	90.00 per hour	Resolution (06/30/2014)
iv. Display Area	30.00 per hour	Resolution (06/30/2014)
** Sunday through Friday – 4 Hour Minimum Rental		
** Saturdays (April – October) – 10 Hour Minimum Rental		
** Saturdays (November – March) 5 Hour Minimum Rental		
d. Shelters (Must be in 4 Hour Increments)		
i. Monday – Thursday	\$ 30.00 for 4 hours	Motion (12/27/2011)
ii. Friday – Sunday & Holidays	40.00 for 4 hours	Motion (12/27/2011)
e. Softball Complex-Raccoon River Park		
i. Adult Softball Tourney (15 +Teams)	\$ 5.00 per Game	Motion (12/27/2011)
ii. Adult Softball Tourney (<15 Teams)	10.00 per Game	Motion (12/27/2011)
iii. Youth Tourney	25.00 per Game	Motion (12/27/2011)
iv. Hourly Rental	25.00 per Hour per Field	Motion (12/27/2011)
v. Field Light Fees	35.00 <del>25.00</del> Per Hour per Field	Motion (12/27/2011)
vi. Field Equipment Rental	50.00 Per Day Per Vehicle	Motion (12/27/2011)
vii. Temp Fence Set Up/Tear Down	100.00 Per Field	Motion (12/27/2011)
XLV. Parties		
a. Birthday Parties at the Nature Lodge (Maximum of 15 Participants)		
i. First 12 (including birthday child)	\$ 110.00 for 2 hours	Resolution (06/30/2014)
ii. Each Participant More than 12	10.00	Resolution (06/30/2014)
<del>b. Teen Center (Maximum of 30 Participants)</del>		
<del>    i. First 15 Participants</del>	<del>\$ 120.00 for 2 hours</del>	<del>Resolution (06/30/2014)</del>
<del>    ii. Each Participant More than 15</del>	<del>5.00</del>	<del>Resolution (06/30/2014)</del>
XLVI. Special Events – Park/Facilities		
a. Special Event – Non Refundable	\$ 225.00	Resolution (06/30/2014)
b. Tent/Canopy/Inflatable Membrane Permit	50.00	Resolution (06/30/2014)
c. Sound Permit	22.00	Resolution (06/30/2014)
d. Portable Toilets	50.00 each	Resolution (06/30/2014)

City of West Des Moines, Iowa  
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Description	Fee	Last Change (Approval Date)
<b>F. Police Department</b>		
XLVII. Animal Control		
a. Adoption	\$ 40.00	Resolution (12/27/2011)
b. Boarding Fee		
i. 1 <sup>st</sup> Day	No Charge	Resolution (12/27/2011)
ii. After First Day	10.00 Per Day	Resolution (12/27/2011)
c. Impoundment – Domestic Animal (licensed)		
i. 1 <sup>st</sup> Offense	\$ 50.00	Resolution (12/27/2011)
ii. 2 <sup>nd</sup> Offense	75.00	Resolution (12/27/2011)
iii. 3 <sup>rd</sup> and Subsequent	100.00	Resolution (12/27/2011)
d. Pick-up & Disposal of a Domestic Animal	\$ 10.00	Resolution (12/27/2011)
XLVIII. Animal License		
a. Cat		
i. Altered	\$ 17.00	F & A (09/24/14) *
ii. Intact	24.00	F & A (09/24/14) *
b. Dog		
i. Altered	\$ 19.00	F & A (09/24/14) *
ii. Intact	29.00	F & A (09/24/14) *
c. Penalty for no license after April 30 <sup>th</sup>	\$ 25.00	Resolution (12/27/2011)
<del>    d. Replacement of Lost License Tags</del>	<del>\$ 4.00</del>	<del>Resolution (12/27/2011)</del>
XLIX. Bicycle License	\$ 1.00	Resolution (06/30/2014)
<del>L. Code Enforcement MOVED TO PUBLIC WORKS</del>		
<del>    a. Nuisance Abatement</del>	<del>\$ 50.00 + Cost of Work</del>	<del>Resolution (06/30/2014)</del>
LI. Police Reports and Videos		
a. All Written Reports	\$ 5.00	Resolution (07/27/2015)
b. Videos and Photos (DVD format)	\$ 25.00	Resolution (07/27/2015)

\* Represents a change in structure of fee only, a Resolution dated 12/27/11 outlined the same overall fees, but stated a separate \$4.00 administrative fee. On 9/24/14 committee agreed to present the fees together for presentation to the public.

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Description	Fee	Last Change (Approval Date)
<b>G. Public Works</b>		
<b>LII. <del>Construction Site Visits</del> MOVED TO DEVELOPMENT SERVICES AND ENGINEERING SERVICES</b>		
a. <del>Erosion &amp; Sediment Control</del>	<del>\$ 50.00 per visit</del>	<del>Resolution (06/30/2014)</del>
<i>Quarterly Visits for sites greater than 1 acre</i>		
<b>LIII. Equipment/Personnel</b>		
a. Equipment Rate (1-hour minimum)		
i. Current AED Greenbook nationwide hour rate, plus 15% Administrative fee		Resolution (06/30/2014)
b. Labor		
i. Actual Cost, plus benefits, plus 15% administrative fee		Resolution (06/30/2014)
c. Material		
i. Actual cost plus 15% administrative fee		Resolution (06/30/2014)
d. Other (Delivery, Permits, Accessories, Etc.)		
i. Actual cost plus 15% administrative fee		Resolution (06/30/2014)
<b>LIV. <del>Miscellaneous</del> MOVED TO DEVELOPMENT SERVICES AND ENGINEERING SERVICES</b>		
a. <del>CADD Plotting</del>	<del>\$ 2.00 sq. ft.</del>	<del>Resolution (06/30/2014)</del>
b. <del>Computer Diskette/CD ROM</del>	<del>10.00</del>	<del>Resolution (06/30/2014)</del>
c. <del>Construction Observation</del>	<del>\$60.00 per hour plus \$0.575 per mile (or current IRS Rate)</del>	<del>Resolution (06/29/2015)</del>
d. <del>Private Fiber Optic</del>	<del>50.00 + \$1.00 per foot + annual licenses</del>	<del>Resolution (06/30/2014)</del>
e. <del>Topography</del>	<del>12.00 per acre</del>	<del>Resolution (06/30/2014)</del>
<b>LV. Nuisance Abatement</b>	<b>Cost of work + 20%</b>	<b>Resolution (06/30/2014)</b>
<b>LVI. <del>Permits</del> MOVED TO DEVELOPMENT SERVICES AND ENGINEERING SERVICES</b>		
a. <del>Communications Systems with ROW</del>	<del>\$ 500.00</del>	<del>Ordinance (08/22/2011)</del>
b. <del>Sidewalk</del>		
i. <del>Approach - New Construction</del>	<del>16.00</del>	<del>Resolution (06/29/2015)</del>
ii. <del>Reconstruction less than 20'</del>	<del>3.00</del>	<del>Resolution (06/30/2014)</del>
c. <del>Street Excavation</del>	<del>20.00</del>	<del>Resolution (06/30/2014)</del>
i. <del>Refundable Deposit Non-Utility</del>	<del>200.00</del>	<del>Resolution (06/30/2014)</del>
<b>LVII. Signs/Stickers</b>		
a. Handicap	\$ 9.50	Resolution (06/30/2014)
b. Van Accessible	8.00	Resolution (06/30/2014)
c. \$200 Fine	1.00	Resolution (06/30/2014)
<b>LVIII. <del>Code Enforcement Community Compliance</del> MOVED FROM POLICE DEPARTMENT</b>		
a. <del>Nuisance Abatement</del>	<del>\$ 50.00 + Cost of Work</del>	<del>Resolution (06/30/2014)</del>

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Description	Fee	Last Change (Approval Date)
<b>H. Sewer, Solid Waste, Storm Water</b>		
LIX. Sanitary Sewer Service (per 1,000 gallons)		
a. <del>Current</del>	<del>\$ 5.50</del>	<del>Ordinance (6/10/2013)</del>
b. <del>Effective October 1, 2015</del> <b>Current</b>	5.60	Ordinance (6/10/2013)
c. Effective October 1, 2016	5.70	Ordinance (6/10/2013)
d. Effective October 1, 2017	5.80	Ordinance (6/10/2013)
e. Effective October 1, 2018	5.90	Ordinance (6/10/2013)
LX. Sanitary Sewer Availability Charge (per month)		
a. <del>Current</del>	<del>\$ 3.10</del>	<del>Ordinance (6/10/2013)</del>
b. <del>Effective July 1, 2015</del> <b>Current</b>	3.20	Ordinance (6/10/2013)
c. Effective July 1, 2016	3.30	Ordinance (6/10/2013)
d. Effective July 1, 2017	3.40	Ordinance (6/10/2013)
e. Effective July 1, 2018	3.50	Ordinance (6/10/2013)
LXI. Solid Waste		
a. 48 Gallon Cart		
i. Per Month	\$ 10.55	Ordinance (12/13/2010)
ii. Each Additional Cart	7.05	Ordinance (12/13/2010)
b. 96 Gallon Cart		
i. Per Month	\$ 11.25	Ordinance (12/13/2010)
ii. Each Additional Cart	7.75	Ordinance (12/13/2010)
LXII. Storm Water Management Fee	\$ 4.25 per ERU	Ordinance (4/24/2006)

*An ERU is less < or = to 4,000 sq. ft. of impervious surface area*

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Description	Fee	Last Change (Approval Date)
<b>I. Westcom</b>		
LXIII. Audio Recording of 911 Call	\$ 25.00	Resolution (06/30/2014)
LXIV. CAD Transcripts	5.00	Resolution (06/30/2014)
LXV. Copies	5.00	Resolution (06/30/2014)

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Description	Fee	Last Change (Approval Date)
<b>J. Library</b>		
<b>LXVI. User Fees</b>		
a. Checkout Fee	\$ 0.50	Library Board
b. Damaged/Lost Items	Replacement Cost	Library Board
c. Interlibrary Loan Fee	2.00	Library Board
d. Microfiche & Microfilm Reader	0.10 per page	Library Board
e. Photocopies		
i. Black & White – per copy	0.20	Library Board
ii. Color – per copy	0.50	Library Board
f. Postage for Book Club Books	10.00	Library Board
g. Printer		
i. Black & White – per page	0.20	Library Board
ii. Color – per page	0.50	Library Board
h. Replacement Library Card	1.00	Library Board
<b>LXVII. Fines (per day)</b>		
a. Periodical & Paperback Books (max. \$1.00)	\$ 0.10	Library Board
b. iPads (max. \$100.00)	10.00	Library Board
c. Videos/DVD's (max. \$5.00)	0.50	Library Board

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Description	Fee	Last Change (Approval Date)
<b>K. Water Works</b>		
LXVIII. Water Rate Schedule (per thousand gallons)		
a. Non-Irrigation Rate	\$ <del>4.55</del> 4.73	Resolution (11/16/2015)
b. Irrigation Rate	<del>4.85</del> 5.04	Resolution (11/16/2015)
LXIX. Service Availability Charge (based on meter size)		
a. 5/8" and 3/4"	\$ <del>3.90</del> 4.06	Resolution (11/16/2015)
b. 1"	<del>4.20</del> 4.37	Resolution (11/16/2015)
c. 1.5"	<del>8.10</del> 8.42	Resolution (11/16/2015)
d. 2"	<del>9.60</del> 9.98	Resolution (11/16/2015)
e. 3"	<del>15.60</del> 16.22	Resolution (11/16/2015)
f. 4"	<del>29.70</del> 30.89	Resolution (11/16/2015)
g. 6"	<del>62.10</del> 64.58	Resolution (11/16/2015)
h. 8"	<del>201.00</del> 209.04	Resolution (11/16/2015)
i. 10"	<del>360.00</del> 374.40	Resolution (11/16/2015)
LXX. Bulk Water Rate (per 1,000 gallons)	\$ <del>9.10</del> 9.46	Resolution (11/16/2015)

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Resolution Approving Offer of Settlement with the US Securities and Exchange Commission (SEC)

**DATE:** June 27, 2016

**FINANCIAL IMPACT:** None

**BACKGROUND:** The City routinely sells bonds as part of its ongoing operations. The sale of these bonds is governed by the Securities Exchange Act of 1934 (the "Act"), which prohibits any underwriter from purchasing or selling municipal securities unless it has reasonably determined that the municipal issuer has provided timely annual financial information in the form of continuing disclosures and publication of reports, and if not, has included a statement in the bond statement identifying any deficiencies.

Several high-profile fraud issues involving failures of other business and governmental agencies to comply with the act, caused the SEC in 2014 to initiate an effort called the Municipal Continuing Disclosures Cooperation (MCDC), which allowed entities to self-report any violations of the act. At that time, staff with the assistance of its financial advisory firm Public Financial Management (PFM), researched the City's reporting and disclosure history and found that from 2006-2010, the City consistently failed to file its annual financial reports in a timely manner. As a result, after consultation with Bond Counsel and the City Council, the City self-reported these violations to the SEC.

The SEC reviewed the violations and at this time has offered a settlement. The Offer of Settlement directs among other things that the City will cease and desist the practice, it will establish appropriate procedures and training related to compliance in this area, and it will disclose the terms of settlement for five years in bond documents and financial reports.

Since the 2014 self-reported findings, the City has already engaged PFM to facilitate all future disclosures, has disclosed these findings to Council, and has included discussion of the violations in all bond issuances and financial reports. Staff has taken appropriate internal procedures and been trained in these areas, and have engaged Bond Counsel to monitor the activities surrounding financial reporting. Because of these steps, and because the City has complied with the Act since 2011, staff believes the procedures currently in place are sufficient to ensure compliance. Staff believes it to be in the best interest of the City to accept the terms of the settlement agreement at this time.

**RECOMMENDATION:** Approve the Offer of Settlement and authorize the Mayor to execute the document on behalf of the City.

**Lead Staff Member:** Tim Stiles, Finance Director 

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTG</i>

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Finance & Administration		
Date Reviewed	June 15, 2016		
Recommendation	Yes	No	Split



## RESOLUTION

**WHEREAS** sale of City Bonds is governed by the Securities Act of 1934, which requires continuing disclosures and timely filing of all financial reports to public reporting agencies, and

**WHEREAS** In 2014 the US Securities and Exchange Commission issued the Municipalities Continuing Disclosure Cooperative (MCDC) which allowed Municipalities to self-report any violations of the reporting requirements, and

**WHEREAS** the City and its advisors and counsel researched its history and found violations resulting from untimely filing of financial reports 2006 to 2010, and

**WHEREAS**, in 2014 the City self-reported these violations, and

**WHEREAS**, at this time the SEC has examined the self-reported violations and has offered terms a settlement, and

**WHEREAS**, staff and bond counsel believes it is in the best interests of the City to accept the terms of the settlement, now

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA** that the staff recommendation is hereby approved and the Mayor is hereby authorized to execute Settlement Agreement on behalf of the City.

PASSED AND APPROVED this 27<sup>th</sup> day of June, 2016

ATTEST:

\_\_\_\_\_  
Steven K. Gaer, Mayor

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**ADMINISTRATIVE PROCEEDING**  
**File No.**

**In the Matter of**

**CITY OF WEST DES  
MOINES, IOWA,**

**Respondent.**

**OFFER OF SETTLEMENT**

**I.**

City of West Des Moines, Iowa ("Respondent"), pursuant to Rule 240(a) of the Rules of Practice of the Securities and Exchange Commission ("Commission") [17 C.F.R. § 201.240(a)], submits this Offer of Settlement ("Offer") in anticipation of cease-and-desist proceedings to be instituted against it by the Commission, pursuant to Section 8A of the Securities Act of 1933 ("Securities Act").

**II.**

This Offer is submitted solely for the purpose of settling these proceedings, with the express understanding that it will not be used in any way in these or any other proceedings, unless the Offer is accepted by the Commission. If the Offer is not accepted by the Commission, the Offer is withdrawn without prejudice to Respondent and shall not become a part of the record in these or any other proceedings, except that rejection of the Offer does not affect the continued validity of the waivers pursuant to Rule 240(c)(5) of the Commission's Rules of Practice [17 C.F.R. § 201.240(c)(5)] with respect to any discussions concerning the rejection of the Offer.

**III.**

On the basis of the foregoing, Respondent hereby:

- A. Admits the jurisdiction of the Commission over it and over the matters set forth in the Order Instituting Cease-and-Desist Proceedings Pursuant to Section 8A of the Securities Act of 1933, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order ("Order");
- B. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission or in which the Commission is a party, prior to a hearing pursuant to the Commission's Rules of Practice, 17 C.F.R. § 201.100 et seq., and without admitting or denying

the findings contained in the Order, except as to the Commission's jurisdiction over it and the subject matter of these proceedings, which are admitted, consents to the entry of an Order by the Commission containing the following findings<sup>1</sup> set forth below:

### Summary

1. This matter involves material misstatements by Respondent in the sale of municipal securities. Specifically, in certain official statements for municipal securities, Respondent affirmatively misstated that it had materially complied with a prior agreement to provide continuing disclosure. Respondent was an issuer responsible for making the continuing disclosure and for the material misstatements in the official statements. As a result of the conduct described herein, Respondent violated Section 17(a)(2) of the Securities Act.

2. The violations discussed in this Order were self-reported by Respondent to the Commission pursuant to the Division of Enforcement's (the "Division") Municipalities Continuing Disclosure Cooperation Initiative.<sup>2</sup> Accordingly, this Order and Respondent's Offer are based on information self-reported by the Respondent.

### Respondent

3. Respondent, located in the State of Iowa, is governed under a mayor-council form of government which provides, by ordinance, for a city manager to be appointed by the council.

### Prior Continuing Disclosure Agreements

4. Rule 15c2-12 of the Securities Exchange Act of 1934 ("Exchange Act") generally prohibits any underwriter from purchasing or selling municipal securities unless it has reasonably determined that the municipal issuer or other obligated person<sup>3</sup> has undertaken in a written agreement to provide annual financial information and, if not included in the annual financial information, audited financial statements when and if available, to the Municipal Securities Rulemaking Board's ("MSRB") Electronic Municipal Market Access system ("EMMA").<sup>4</sup> In addition, the agreement, sometimes referred to as a continuing disclosure agreement, must include an undertaking by the municipal issuer or obligated person to provide timely notice of

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<sup>1</sup> The findings herein are made pursuant to Respondent's Offer of Settlement and are not binding on any other person or entity in this or any other proceeding.

<sup>2</sup> See Div. of Enforcement, U.S. Sec. & Exch. Comm'n, Municipalities Continuing Disclosure Cooperation Initiative, <http://www.sec.gov/divisions/enforce/municipalities-continuing-disclosure-cooperation-initiative.shtml> (last modified Nov. 13, 2014).

<sup>3</sup> An "obligated person" generally means any person or entity that is committed by contract or other arrangement to support payment of all or part of the obligations on the municipal securities being offered. See 17 C.F.R. § 240.15c2-12(f)(10).

<sup>4</sup> Previously, Rule 15c2-12 required such information to be provided to the appropriate nationally recognized municipal securities information repositories. In December 2008, Rule 15c2-12 was amended to designate EMMA as the central repository for ongoing disclosures by municipal issuers and obligated persons, effective July 1, 2009.

certain specified events pertaining to the municipal securities being offered and timely notice of any failure to submit annual financial information on or before the date specified in the continuing disclosure agreement.

5. In securities offerings which preceded the offerings at issue in this matter, Respondent executed continuing disclosure agreements, for the benefit of investors in those earlier offerings. In those agreements, Respondent agreed to, among other things, submit annual financial information to the appropriate repositories within certain timeframes, as well as timely notices of certain specified events pertaining to the municipal securities being offered. Respondent agreed to submit notices in the event it was unable to provide the contractually required annual reports. Respondent also agreed to provide audited annual financial statements within certain timeframes.

6. Despite executing these continuing disclosure agreements, Respondent failed to comply in all material respects with its commitment to provide certain types of continuing disclosure within the timeframes set forth in the continuing disclosure agreements.

**Misstatements About Compliance with Continuing Disclosure Agreements in Subsequent Municipal Securities Offerings**

7. After these material failures to comply with prior continuing disclosure agreements, Respondent issued new municipal securities. As part of those new issuances, Respondent again undertook to make continuing disclosure for the benefit of investors and disseminated final official statements in connection with the new offerings.

8. In the official statements for the new municipal securities, Respondent made materially false and/or misleading statements about its prior compliance with its earlier continuing disclosure agreements, as follows:

- A 2011 competitive offering in which the final official statement read, in relevant part: “[t]he City inadvertently failed to comply with a previous continuing disclosure undertaking in accordance with the reporting requirements of paragraph (f)(3) of [Rule 15c2-12]. While the required tables were provided in accordance to [Rule 15c2-12] (within 210 days after the end of the fiscal year 2010), the audited financial statements for the year ending June 30, 2009 and 2010 were not timely filed. On June 4, 2010 the City’s audited financial statements for the year ending June 30, 2009 were posted to EMMA as Appendix B of the Official Statement for the City’s \$7,000,000 General Obligation Bonds, Series 2010C. On July 28, 2011, the City filed the audited financial statements for the year ending June 30, 2009 as a separate continuing disclosure document. On June 15, 2011, the City filed the outstanding audited financial statements for the year ending June 30, 2010 in accordance with [Rule 15c2-12]. The City is now compliant and has taken steps to assure future compliance with its Disclosure Covenants.” This was false and/or misleading because Respondent filed its audited financial statements for fiscal years 2006 - 2008 late by approximately

four months, three months, and two months, respectively. Respondent also failed to timely file required notices of late filings in each case;

- A 2012 competitive offering in which the final official statement read, in relevant part: “[t]he City inadvertently failed to comply with a previous continuing disclosure undertaking in accordance with the reporting requirements of paragraph (f)(3) of [Rule 15c2-12]. While the required tables were provided in accordance to [Rule 15c2-12] (within 210 days after the end of the fiscal year 2010), the audited financial statements for the year ending June 30, 2010 were not timely filed. On June 15, 2011, the City filed the outstanding audited financial statements for the year ending June 30, 2010 in accordance with [Rule 15c2-12] and is now compliant.” This was false and/or misleading because Respondent filed its audited financial statements for fiscal years 2007 - 2009 late by approximately three months, two months, and 18 months, respectively. Respondent also failed to timely file required notices of late filings in each case;
- A second competitive offering in 2012 in which the final official statement read, in relevant part: “[t]he City inadvertently failed to comply with a previous continuing disclosure undertaking in accordance with the reporting requirements of paragraph (f)(3) of [Rule 15c2-12]. While the required tables were provided in accordance to [Rule 15c2-12] (within 210 days after the end of the fiscal year), the audited financial statements for the year ending June 30, 2009 and June 30, 2010 were not timely filed. On June 4, 2010, the outstanding audited financial statements for the year ending June 30, 2009 were filed in the final official statement for the \$7,000,000 General Obligation Bonds, Series 2010C, dated June 4, 2010; and on June 15, 2011, the City filed the outstanding audited financial statements for the year ending June 30, 2010, in accordance with [Rule 15c2-12] and is now compliant.” This was false and/or misleading because Respondent filed its audited financial statements for fiscal years 2007 and 2008 late by approximately three months and two months, respectively. Respondent also failed to provide within EMMA a cross-reference to the previously filed final official statement for its \$7,000,000 General Obligation Bonds, Series 2010C, dated June 4, 2010, containing the audited financial statements for the fiscal year ending June 30, 2009, and Respondent did not file such audited financial statements as a separate continuing disclosure document until July 28, 2011, approximately 18 months after the statements were due. Respondent also failed to timely file required notices of late filings in each case; and
- A 2013 competitive offering in which the final official statement read, in relevant part: “[t]he City inadvertently failed to comply with a previous continuing disclosure undertaking in accordance with the reporting requirements of paragraph (f)(3) of [Rule 15c2-12]. While the required tables were provided in accordance to [Rule 15c2-12] (within 210 days after the end of the fiscal year), the audited financial statements for the year ending June 30, 2009 and June 30, 2010 were not timely filed. On June 15, 2011, the City filed the outstanding audited financial statements for the year ending June 30, 2010 in accordance with

[Rule 15c2-12] and is now compliant.” This was false and/or misleading because Respondent filed its audited financial statements for fiscal year 2008 late by approximately two months. Respondent also failed to timely file a required notice of late filing.

9. Respondent knew or should have known that these statements were untrue.

### Legal Discussion

10. Section 17(a)(2) of the Securities Act makes it unlawful “in the offer or sale of any securities . . . directly or indirectly . . . to obtain money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.” 15 U.S.C. § 77q(a)(2) (2012). Negligence is sufficient to establish a violation of Section 17(a)(2). See Aaron v. SEC, 446 U.S. 680, 696-97 (1980). A misrepresentation or omission is material if there is a substantial likelihood that a reasonable investor would consider it important in making an investment decision. See Basic Inc. v. Levinson, 485 U.S. 224, 231-32 (1988).

11. Rule 15c2-12 was adopted in an effort to improve the quality and timeliness of disclosures to investors in municipal securities. In recognition of the fact that the disclosure of sound financial information is critical to the integrity of not just the primary market, but also the secondary markets for municipal securities, Rule 15c2-12 requires an underwriter to obtain a written agreement, for the benefit of the holders of the securities, in which the issuer or obligated person undertakes, among other things, to annually submit certain financial information. See 17 C.F.R. § 240.15c2-12(b)(5)(i); Municipal Securities Disclosure, Exchange Act Release No. 34961, 59 Fed. Reg. 59590, 59592 (Nov. 17, 1994).

12. In addition, it is important for investors and the market to know the scope of any ongoing disclosure undertakings, and the type of information provided. See id. at 59594. Rule 15c2-12 therefore requires that undertakings provided pursuant to Rule 15c2-12 be described in the final official statement. Moreover, critical to any evaluation of an undertaking to make disclosures is the likelihood that the issuer or obligated person will abide by the undertaking. See id. Therefore, Rule 15c2-12(f)(3) requires that a final official statement set forth any instances in the previous five years in which an issuer of municipal securities, or obligated person, failed to comply in all material respects with any previous continuing disclosure undertakings. The requirements of Rule 15c2-12 allow underwriters, investors, and others to assess the reliability of the disclosure representations. See id. at 59595.

13. As a result of the conduct described above, Respondent violated Section 17(a)(2) of the Securities Act.

### Cooperation

14. In determining to accept Respondent’s offer, the Commission considered the cooperation of Respondent in self-reporting the violations.

## Undertakings

15. Respondent has undertaken to:

a. Within 180 days of the entry of this Order, establish appropriate written policies and procedures and periodic training regarding continuing disclosure obligations to effect compliance with the federal securities laws, including the designation of an individual or officer at Respondent responsible for ensuring compliance by Respondent with such policies and procedures and responsible for implementing and maintaining a record (including attendance) of such training.

b. Within 180 days of the entry of this Order, comply with existing continuing disclosure undertakings, including updating past delinquent filings if Respondent is not currently in compliance with its continuing disclosure obligations.

c. For good cause shown, the Commission staff may extend any of the procedural dates relating to these undertakings. Deadlines for procedural dates shall be counted in calendar days, except that if the last day falls on a weekend or federal holiday, the next business day shall be considered the last day.

d. Disclose in a clear and conspicuous fashion the terms of this settlement in any final official statement for an offering by Respondent within five years of the institution of these proceedings.

e. Certify, in writing, compliance with the undertakings set forth above. The certification shall identify the undertakings, provide written evidence of compliance in the form of a narrative, and be supported by exhibits sufficient to demonstrate compliance. The Commission staff may make reasonable requests for further evidence of compliance, and Respondent agrees to provide such evidence. The certification and supporting material shall be submitted to LeeAnn Ghazil Gaunt, Chief, Municipal Securities and Public Pensions Unit, Securities and Exchange Commission, 33 Arch Street, 23rd Floor, Boston, MA 02110-1424, with a copy to the Office of Chief Counsel of the Division, no later than the one-year anniversary of the institution of these proceedings.

f. Cooperate with any subsequent investigation by the Division regarding the false statement(s) and/or material omission(s), including the roles of individuals and/or other parties involved.

## IV.

On the basis of the foregoing, Respondent hereby consents to the entry of an Order by the Commission that:

A. Pursuant to Section 8A of the Securities Act, Respondent cease and desist from committing or causing any violations and any future violations of Section 17(a)(2) of the Securities Act.

B. Respondent shall comply with the undertakings enumerated in paragraphs 15(a)-(e) of Section III, above.

## V.

By submitting this Offer, Respondent hereby waives, subject to the acceptance of the offer, the rights specified in Rule 240(c)(4) [17 C.F.R. § 201.240(c)(4)] of the Commission's Rules of Practice. Specifically, Respondent waives:

- (1) All hearings pursuant to the statutory provisions under which the proceeding is to be or has been instituted;
- (2) The filing of proposed findings of fact and conclusions of law;
- (3) Proceedings before, and an initial decision by, a hearing officer;
- (4) All post-hearing procedures; and
- (5) Judicial Review by any court.

In addition, by submitting this offer, Respondent waives the rights specified in Rule 240(c)(5) [17 C.F.R. § 201.240(c)(5)] of the Commission's Rules of Practice. Specifically, Respondent waives:

- (1) Any and all provisions of the Commission's Rules of Practice or other requirements of law that may be construed to prevent or disqualify any member of the Commission's staff from participating in the preparation of, or advising the Commission as to, any order, opinion, finding of fact, or conclusion of law that may be entered pursuant to this Offer; and
- (2) Any right to claim bias or prejudice by the Commission based on the consideration of or discussions concerning settlement of all or any part of this proceeding.

Respondent also hereby waives service of the Order.

## VI.

Respondent understands and agrees to comply with the terms of 17 C.F.R. § 202.5(e), which provides in part that it is the Commission's policy "not to permit a defendant or respondent to consent to a judgment or order that imposes a sanction while denying the allegations in the complaint or order for proceedings," and "a refusal to admit the allegations is



equivalent to a denial, unless the defendant or respondent states that he neither admits nor denies the allegations.” As part of Respondent’s agreement to comply with the terms of Section 202.5(e), Respondent: (i) will not take any action or make or permit to be made any public statement denying, directly or indirectly, any finding in the Order or creating the impression that the Order is without factual basis; (ii) will not make or permit to be made any public statement to the effect that Respondent does not admit the findings of the Order, or that the Offer contains no admission of the findings, without also stating that the Respondent does not deny the findings; and (iii) upon the filing of this Offer of Settlement, Respondent hereby withdraws any papers previously filed in this proceeding to the extent that they deny, directly or indirectly, any finding in the Order. If Respondent breaches this agreement, the Division may petition the Commission to vacate the Order and restore this proceeding to its active docket. Nothing in this provision affects Respondent’s: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which the Commission is not a party.

## VII.

Consistent with the provisions of 17 C.F.R. § 202.5(f), Respondent waives any claim of Double Jeopardy based upon the settlement of this proceeding, including the imposition of any remedy or civil penalty herein.

## VIII.

Respondent hereby waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney’s fees or other fees, expenses, or costs expended by Respondent to defend against this action. For these purposes, Respondent agrees that Respondent is not the prevailing party in this action since the parties have reached a good faith settlement.

IX.

Respondent states that it has read and understands the foregoing Offer, that this Offer is made voluntarily, and that no promises, offers, threats, or inducements of any kind or nature whatsoever have been made by the Commission or any member, officer, employee, agent, or representative of the Commission in consideration of this Offer or otherwise to induce it to submit to this Offer.

\_\_\_\_ Day of \_\_\_\_\_, 2016

\_\_\_\_\_  
[Name]  
[Title]  
City of West Des Moines, Iowa

STATE OF \_\_\_\_\_ }  
  } SS:  
COUNTY OF \_\_\_\_\_ }

The foregoing instrument was acknowledged before me this \_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_, who \_\_\_ is personally known to me or \_\_\_ who has produced a \_\_\_\_\_ driver's license as identification and who did take an oath.

\_\_\_\_\_  
Notary Public  
State of \_\_\_\_\_  
Commission Number :  
Commission Expiration :

CERTIFICATE OF RESOLUTION

I, \_\_\_\_\_, do hereby certify that I am the duly elected, qualified and acting [Mayor/Chief Executive/President] of \_\_\_\_\_ (“\_\_\_\_\_”), a \_\_\_\_\_ [municipality], and that the following is a complete and accurate copy of a resolution adopted by the [Board of Directors/Board of Trustees/Board of Education/City Council] of \_\_\_\_\_ at a meeting held on \_\_\_\_\_, 2016 at which a quorum was present and resolved as follows:

**RESOLVED:** That \_\_\_\_\_, a [Mayor/Chief Executive/President] of this [municipality], be and hereby is authorized to act on behalf of the [municipality], and in his sole discretion, to negotiate, approve, and make the offer of settlement of \_\_\_\_\_, attached hereto, to the United States Securities and Exchange Commission (“Commission”) in connection with the investigation conducted by the Commission; in this connection, the aforementioned [Mayor/Chief Executive/President] be and hereby is authorized to undertake such actions as he may deem necessary and advisable, including the execution of such documentation as may be required by the Commission, in order to carry out the foregoing.

I further certify that the aforesaid resolution has not been amended or revoked in any respect and remains in full force and effect.

IN WITNESS WHEREOF, I have executed this Certificate as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
[Name]  
[Title]  
City of West Des Moines, Iowa

Notary

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**4(n)**

**ITEM:** Resolution to Approve Compensation  
- City Manager

**DATE:** June 27, 2016

**FINANCIAL IMPACT:** Funds have been included in the current budget to cover the cost of this pay increase.

**BACKGROUND:**

An evaluation form was distributed to the Mayor and City Council and the results clearly indicate a strong degree of confidence in the City Manager. In addition, a salary survey of comparable cities was also obtained and evaluated. The City has been very well served by the capable and dedicated efforts of the City Manager, Tom Hadden.

Based on a current salary of \$183,200/year, this resolution authorizes a new salary of \$188,825/year and an additional contribution of \$5,625 (total of \$42,625) to deferred compensation. This represents a total cash compensation increase of 5.0%. (Note that the City does not make any contributions to IPERS.) In addition, this resolution amends Section 2, D of the City Manager Employment Agreement to extend the employment agreement for three years (to May, 2019). These changes are effective on the review date of May 1, 2016.

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** City Council Adopt the Resolution approving the increase in compensation for the City Manager

**Lead Staff Member:** Jane Pauba Dodge, Human Resources Director

**STAFF REVIEWS**

Department Director	Jane Pauba Dodge, Human Resources Director	<i>JPDodge</i>
Appropriations/Finance	<i>JN</i>	
Legal		
Agenda Acceptance	<i>RTJ</i>	

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Yes		
Date Reviewed	F&A		
Recommendation	Yes	No	Split

## RESOLUTION

WHEREAS, on May 1, 2014 the City Manager began employment with the City of West Des Moines, and

WHEREAS, an annual performance evaluation is to occur on or about the anniversary of the City Manager's hire date, and

WHEREAS, in conjunction with the annual evaluation a compensation adjustment may be made; and,

WHEREAS, the annual performance evaluation of the City Manager has been completed and a compensation increase has been recommended;

WHEREAS, pursuant to West Des Moines City Code, Title 7, Article B-2, the City Council is to establish by resolution the compensation of the City Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to West Des Moines City Code Title 7, Article B-2 the annual compensation of the City Manager shall be increased from \$183,200/year to \$188,825/year; that an additional \$5,625 /year be contributed to the City Manager's deferred compensation pension plan.
2. The effective date of the compensation increases shall be May 1, 2015.
3. Pursuant to the City Manager Employment Agreement, Section 2, D be amended that the employee agrees to remain in the exclusive employ of the City until the 1<sup>st</sup> day of May, 2019.

PASSED AND APPROVED this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan Jacobson, City Clerk

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**DATE: June 27, 2016**

**ITEM:** Authorization for Mayor to sign 28E Agreement on behalf of the City of West Des Moines with the Neighborhood Finance Corporation

**RESOLUTION:** Approval of 28E Agreement

**FINANCIAL IMPACT:** The City of West Des Moines budgeted \$200,000 of 2016-17 fiscal year general fund money toward offering the Neighborhood Finance Corporation program again in West Des Moines. The City's entire contribution to this program is coming from the 2016-17 fiscal year budget.

**SYNOPSIS:** The City of West Des Moines offered the NFC Programs in 2000-2001 and 2008-2011. The programs were very successful. The programs ended because of lack of funding. \$200,000 was budgeted from the 2016-17 fiscal year budget for offering the NFC Programs again. The City's money through NFC will be leveraged on a 5:1 to 7:1 basis. The program is for housing rehabilitation for homeowners as well as purchase/rehabilitation. The program is based on neighborhoods and does not have any income criteria. The program will be made available to the neighborhoods of Valley Junction, Commerce, and Fair Meadows. See Attachment C.

In regards to how the program would operate, attached is the proposed 28E Agreement for the program. Under the proposed agreement, the Neighborhood Finance Corporation will administer the program entirely. The following is specifics of the program:

- Up to \$10,000 in forgivable funds for home improvements
- Rehab funds & closing cost assistance is a 5 year forgivable mortgage
- Rehab funds for major repairs and health and safety items, such as:
  - New roof
  - Furnace and AC
  - Electrical and Plumbing updates
  - Repair or build garage (24 x 24 max)
  - Windows
- Bids for home improvements to be obtained by home owner
- A portion of the home improvement costs will be repaid (based on household income), and the other portion will be forgiven (25%, 33% or 50%)
- 5% equity required
- Competitive Fixed Interest Rate
- Terms of 5, 10, 15, 20 or 30 years
- 1 year ownership in property required
- NFC now accepts Master Card, Visa and Discover for the application fee
- The maximum NFC 1st mortgage is \$180,000 (up to 80% LTV). The maximum NFC 2nd mortgage, accompanying the 1st mortgage, is \$45,000 (up to 15% LTV). NFC's maximum borrowed amount, not including the forgivable loan, is \$225,000.

**RECOMMENDATION:** Staff is recommending that the City Council authorize the Mayor to sign the 28E Agreement for the NFC Program.

**Attachments:**

Attachment A	-	Resolution
Attachment B	-	28E Agreement
Attachment C	-	Neighborhood Boundaries
Attachment D	-	Program Information – Purchase Program and Home Improvement Program

Lead Staff Member Christine Gordon, Housing Planner

**STAFF REVIEWS**

Department Director		
Appropriations/Finance	<i>MS</i>	<i>CEE</i>
Legal	<i>MS</i>	
Agenda Acceptance	<i>MS</i>	<i>RTJ</i>

**PUBLICATION(S) (if applicable)**

Published In	Noticing not required
Date(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee			
Date Reviewed			
Recommendation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA AUTHORIZING THE MAYOR TO SIGN THE 28E AGREEMENT WITH THE NEIGHBORHOOD FINANCE CORPORATION

WHEREAS, the City Council of the City of West Des Moines on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 authorized the Mayor to sign the 28E Agreement with the Neighborhood Finance Corporation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES AS FOLLOWS:

SECTION 1: The City Council authorizes the Mayor to sign the 28E Agreement with the Neighborhood Finance Corporation and any grant agreements/contracts.

SECTION 2: The City Council authorizes the City of West Des Moines to contribute \$200,000 toward the program.

\_\_\_\_\_  
Steven Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan Jacobson, City Clerk

Passed and approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.



**28E AGREEMENT  
BY AND BETWEEN NEIGHBORHOOD FINANCE CORPORATION AND  
THE CITY OF WEST DES MOINES**

THIS 28E AGREEMENT (“AGREEMENT”) BY AND BETWEEN NEIGHBORHOOD FINANCE CORPORATION AND CITY OF WEST DES MOINES, is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the City of West Des Moines, Iowa a municipal corporation (hereinafter referred to as “City”), and Neighborhood Finance Corporation (hereinafter referred to as “NFC”) under and in accordance with Iowa Code Chapter 28E.

WHEREAS, the City of West Des Moines is a municipal corporation established under the laws of the State of Iowa; and

WHEREAS, Neighborhood Finance Corporation is a nonprofit corporation subject to the Revised Iowa Nonprofit Corporation Act, Iowa Code Chapter 504; and

WHEREAS, neighborhood residents, City government, and the private sector in West Des Moines, Iowa, have and are working together to address the housing and neighborhood revitalization needs of West Des Moines, Iowa; and

WHEREAS, as part of said joint effort, the NFC was incorporated on May 4, 1990 for the primary purpose of promoting and assisting neighborhood revitalization in Polk County, Iowa; and

WHEREAS, the City may issue essential purpose general obligation bonds pursuant to their authority under Sections 331.442 and 384.25 respectively of the Code of Iowa for the purpose of funding neighborhood revitalization and housing programs administered by the NFC and referenced herein; and

WHEREAS, no legal or administrative entity is being created by this Agreement and NFC will administer the program being created.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants herein, agree as follows:

1. That upon execution of this Agreement the City of West Des Moines shall remit \$200,000 to the NFC for the express purpose of funding neighborhood housing revitalization programs which will aid selected neighborhoods in the City of West Des Moines. The \$200,000 contributed by the City to the NFC, and all other funding contributed by the City to the NFC pursuant to this Agreement, is hereinafter referred to as “government source funding” and/or “government source monies”.
2. That the City may from time to time contribute additional government source funding in the future to the Neighborhood Finance Corporation for the purpose of funding neighborhood housing revitalization programs in the City of West Des Moines.
3. That the NFC covenants that it will use its best efforts to take no action to cause bonds issued by the City to be classified as Private Activity bonds under Section 141 of the Internal Revenue Code and regulations issued thereunder.

4. That the NFC further covenants as follows:
  - a. If the City determines to issue tax exempt bonds and if the NFC determines that the appropriate Tax Exemption Certificate does not impair the NFC's ability to support the programs referred to in paragraph 7 herein, then the NFC will conform its operations and policies with respect to government source monies to the use limitations contained in any Tax Exemption Certificate issued with respect to bonds issued by the City so long as any of the bonds remain outstanding.
  - b. If the City determines to issue tax exempt bonds, the NFC will also abide by any advice of Amendment to the City Tax Exemption Certificate as communicated from time to time by the Corporation Counsel of the City, as may be necessary to maintain the tax exempt status of the bonds.
  - c. It will maintain accurate records of all the monies received from the City including the types, amounts and yields of all investments of unexpended government source monies and earnings thereon to permit the City, if necessary, to confirm ultimate use and to calculate the yields and earnings thereon.
  - d. It will permit access to all investment information required or requested by the City.
5. That NFC shall place all government source monies contributed by the City to the NFC for the purpose of funding neighborhood revitalization programs in the City of West Des Moines, and all income or interest earned thereon, in segregated accounts. The NFC further agrees that all of the NFC's investments of government source monies shall be consistent with NFC's Investment Policy as adopted on September 18, 1997, and as amended on February 17, 2000, and January 18, 2001. Any further amendments to the current NFC Investment Policy must be communicated by the NFC to the City.
6. That the NFC agrees that all actions taken by the NFC related in any way to the government source monies contributed by the City to NFC shall be consistent with the NFC's conflict of interest policies to ensure that no NFC employee, volunteer, officer or director (or any of their family members or persons in relationships similar to family) receives any improper personal gain or benefit with respect to any agreement or activity funded in whole or in part with government source monies contributed by the City to the NFC. Any amendments to the current NFC conflict of interest policies must be communicated by the NFC to the City.
7. That NFC agrees to expend the government source monies contributed by the City to the NFC to support neighborhood revitalization housing financing programs developed by NFC to aid selected neighborhoods in the City of West Des Moines as disclosed in the private placement offerings of NFC including, but not limited to:
  - a. Housing programs that use government source monies to provide principal or interest reduction payments that reduce the cost of:
    - i. Rehabilitation financing for owner-occupied, single-family structures;

- ii. Acquisition and rehabilitation financing for owner-occupied, single-family structures to first-time home buyers;
    - iii. New construction financing on County “tax-title” land by neighborhood-based housing corporation for sale to low-income owner-occupants;
    - iv. Rehabilitation financing of existing investor-owned property;
    - v. Acquisition and rehabilitation financing of deferred maintenance single-family properties by NFC or other neighborhood-based housing corporation to low-income owners under a lease purchase arrangement or to low-income rental households; and
    - vi. Acquisition and rehabilitation financing of existing absentee-owned multi-family property by NFC or other neighborhood-based housing corporation for occupancy and rental by low-income tenants.
  - b. The establishment of a loan guarantee fund or funds with flexible underwriting standards to support housing programs in which NFC is providing a loan at a greater risk than would be provided under normal underwriting standards.
- 8. That NFC covenants that the government source monies remitted by the City to the NFC pursuant to this Agreement shall be used to fund NFC housing programs which assist projects in designated neighborhoods in the City of West Des Moines approved by the West Des Moines City Council. The NFC further covenants that during all time periods during which the NFC is using government source monies remitted by the City to the NFC to support NFC housing programs:
  - a. NFC will submit NFC’s annual operating budget, as well as all amendments thereto, to the City within 30 days after adoption by the NFC’s Board of Directors.
  - b. NFC will submit NFC’s annual audited financial report, which will include an audit in accordance with OMB Circular A-133 when applicable, with any additional audit communications addressed to NFC’s management or NFC’s Board of Directors, to the City within 30 days after their issuance by the NFC’s auditing firm.
  - c. NFC will submit quarterly reports of the NFC’s programs and activities funded using funds contributed by the City pursuant to this Agreement to the City within forty-five (45) days following the end of each three month period ending March 31, June 30, September 30, and December 31 during the term of this Agreement.
  - d. NFC will submit, upon request, such evidence of NFC’s management and other policies, procedures and practices to the City as the City may reasonably request from time to time to document that NFC’s management and other policies, procedures and practices comply with protocols established by the City for entities entering into 28E agreements with the City.

- e. NFC may not assign its interest in this Agreement to another party without first obtaining written consent of the City.
  - f. All documents and information to be submitted by the NFC to the City pursuant to this Agreement will be submitted to the City Manager's Office.
9. That the NFC covenants that no recovery of government source monies shall be used for the payment of administrative or operating expenses of the corporation unless approved by the City Council.
  10. That should any part of any provision contained in this Agreement be rendered or declared invalid by reason of any existing or subsequently enacted legislation or by any decree of a court of competent jurisdiction, the remaining provisions shall nevertheless remain in full force and effect to the maximum extent permitted by law.
  11. That this Agreement may be terminated in part or in whole by either of the parties with thirty days notice and that any and all government source monies which have not been expended by the date of such termination shall be returned by the NFC to the City.
  12. That this Agreement shall in all respects be construed in accordance with and governed by all applicable laws and regulations of the Federal and State government.
  13. The term of this Agreement shall be for the period from July 1, 2016, through June 30, 2020, unless extended for a term certain by all parties.
  14. That this Agreement constitutes the entire agreement among the parties and supersedes any and all prior agreements among them relating to the subject matter hereof and may not be amended except in writing signed by the parties and recorded as set out below.
  15. That this Agreement shall be in full force and effect upon the occurrence of all of the following:
    - a. Its execution by the parties to this Agreement after acceptance and approval by the West Des Moines City Council.
    - b. An executed counterpart or photocopy of this Agreement is filed with the Iowa Secretary of State.

IN WITNESS WHEREOF, the parties have executed this Amendment on the \_\_\_\_ day of \_\_\_\_\_, 2016.

NEIGHBORHOOD FINANCE CORPORATION

By: \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

STATE OF IOWA    )  
                          ) ss:  
COUNTY OF POLK )

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me, a Notary Public in and for the State of Iowa, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me personally known, who being by me duly sworn, did say that they are the \_\_\_\_\_ and \_\_\_\_\_, respectively, of Neighborhood Finance Corporation, the corporation executing the within and foregoing instrument; that the seal affixed to the foregoing instrument is the seal of the corporation (or no seal has been procured by the corporation); that the instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and that \_\_\_\_\_ and \_\_\_\_\_, acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public for the State of Iowa

CITY OF WEST DES MOINES, IOWA

By: \_\_\_\_\_  
\_\_\_\_\_, Mayor

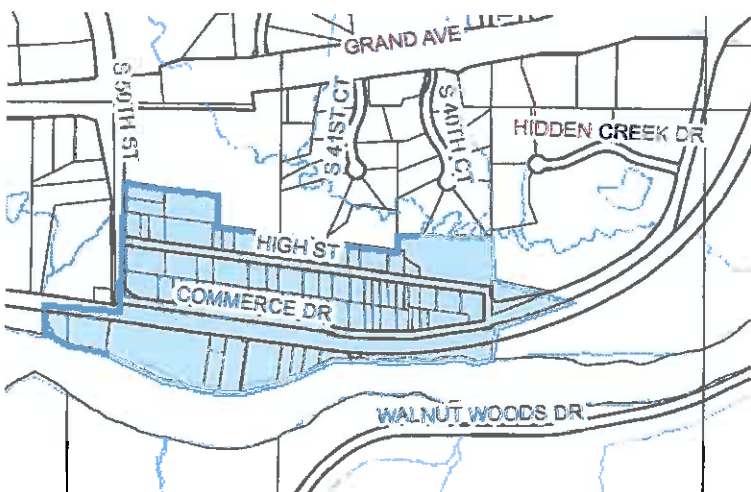
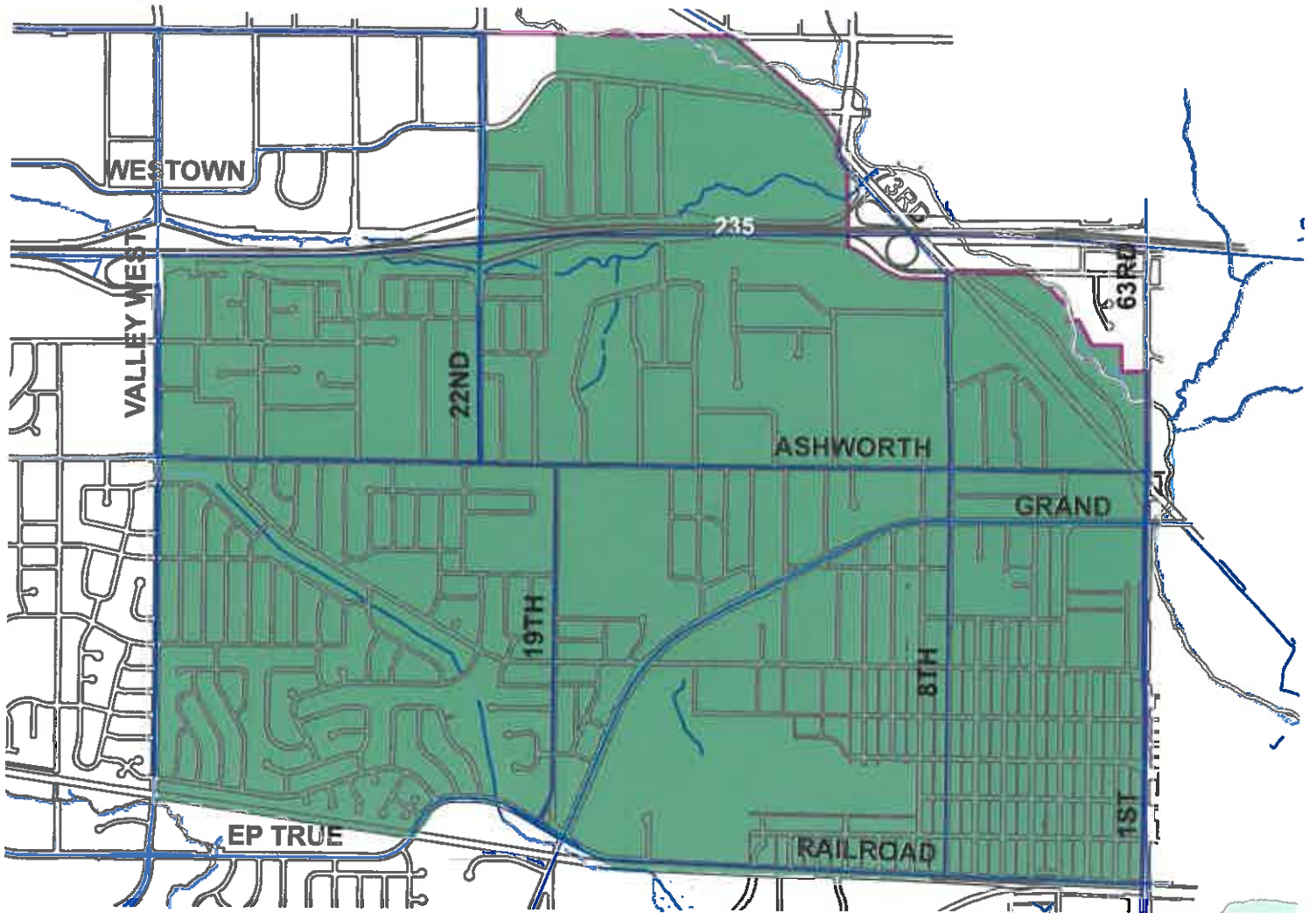
ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

STATE OF IOWA    )  
                                  ) ss:  
COUNTY OF POLK )

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me personally known, who, being by me duly sworn, did state that they are the Mayor and the City Clerk, respectively, of the City of West Des Moines, Iowa; that the seal affixed to the foregoing instrument is the seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution adopted by the City Council under Roll Call No. \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2016, and that \_\_\_\_\_ and \_\_\_\_\_ acknowledged the execution of the instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in the State of Iowa



Nighborhood Boundaries  
Neighborhood Finance Corporation  
July 2016

## Purchase Programs

### Home Purchase

Below is information related to NFC's loan program.

#### THE NFC ADVANTAGE

- Up to \$10,000 in forgivable funds for home improvements
- Possible closing cost assistance of up to \$2,000 or \$2,500 available in most of lending areas (determination of whether or not a closing cost is received and if so, the amount, cannot be made until after a complete application and supporting documentation has been reviewed by NFC)
- Maximum 1st mortgage loan amount \$180,000 (up to 80% LTV)
- Maximum 2nd mortgage loan amount \$45,000 (up to 15% LTV)
- Rehab funds & closing cost assistance is a 5 year forgivable mortgage
- Rehab funds for major repairs and health and safety items, such as:
  - New roof
  - Furnace and AC
  - Electrical and Plumbing updates
  - Repair or build garage (24 x 24)
  - Windows
- Bids for home improvements to be obtained by home owner
- 5% down payment
- No private mortgage insurance
- Competitive Fixed Interest Rate
- NFC now accepts Master Card, Visa and Discover for the application fee

**Note:** The home must be in one of the **NFC Lending** areas.

NFC must be used to finance your home purchase to receive up to \$10,000 for home improvements.

**Property repairs and improvements can NOT be completed prior to closing on the NFC loan. NFC will NOT reimburse for work completed prior to the NFC loan closing.**

Our program is intended to improve neighborhoods and increase owner occupied home ownership; therefore, you must occupy the property and cannot own any other residential property within Polk County or the surrounding counties.

Please contact our Loan Originators for details.

- Joni Norman, Loan Originator, NMLS #26251, 273-1368 | [jnorman@neighborhoodfinance.org](mailto:jnorman@neighborhoodfinance.org)
- Richie Allen, Loan Originator, NMLS #521207, 273-1370 | [rallen@neighborhoodfinance.org](mailto:rallen@neighborhoodfinance.org)
- Carlos Vaquerano, Loan Originator, NMLS #1412981, 273-1361 | [cvaquerano@neighborhoodfinance.org](mailto:cvaquerano@neighborhoodfinance.org)

Our homebuyers will get bids from independent contractors to do the proposed home improvements. The Bid Process provides guidelines for the homebuyer, the realtors and the independent contractors.

Our Rates and Calculators section provides today's interest rates and affordability, mortgage payment and amortization schedule calculators.



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Setting Dates of Consultation Meeting and Public Hearing - Amendment No.2 Fuller Road Urban Renewal Area - City Initiated

**DATE:** June 27, 2016

**RESOLUTION:** Establish Consultation Meeting and Public Hearing —Amendment No. 2 Fuller Road Urban Renewal Plan

**FINANCIAL IMPACT:** Not determined at this time.

**BACKGROUND:** The City Council approved the Fuller Urban Renewal Plan in 2010 and the most recent amendment to the Urban Renewal Plan in November, 2012. This Amendment No. 2 will identify new urban renewal projects; and update the previously identified urban renewal projects and to include the project area for the new I2T project. The Area does have a frozen base value as debt was certified for this Urban Renewal Area in November, 2011.

**OUTSTANDING ISSUES:** There are no outstanding issues regarding this proposed amendment.

**RECOMMENDATION:** Staff recommends the City Council approve a resolution setting July 6, 2016, as the date for consultation meetings for the Amendment No. 2 Fuller Urban Renewal Plan; setting July 25, 2016, as the public hearing date for the Amendment No.2 Fuller Urban Renewal Plan.

Lead Staff Member: Clyde Evans

**STAFF REVIEWS**

Department Director	Clyde Evans, Community and Economic Development Department <i>CEK</i>
Appropriations/Finance	<i>RS</i>
Legal	<i>RTJ</i>
Agenda Acceptance	

**PUBLICATION(S) (if applicable)**

Published In	NA
Date(s) Published	NA
Letter sent to surrounding property owners	NA

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	F&A
Date Reviewed	5/18/16
Recommendation	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Split <input type="checkbox"/>

**ATTACHMENTS:**

- Attachment I - Resolution
- Exhibit I - Proposed Fuller Road Urban Renewal Plan Amendment #2

RESOLUTION NO. \_\_\_\_\_

RESOLUTION SETTING DATES OF A CONSULTATION  
AND A PUBLIC HEARING ON A PROPOSED AMENDMENT  
NO. 2 TO THE FULLER ROAD URBAN RENEWAL PLAN IN  
THE CITY OF WEST DES MOINES, STATE OF IOWA

WHEREAS, by Resolution No. 10-03-08-13, adopted March 8, 2010, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Fuller Road Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Fuller Road Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Polk County; and

WHEREAS, by Resolution No. 12-11-12-06, adopted November 12, 2012, this City Council approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

A TRACT OF LAND IN SECTIONS 15, 16, 21 AND 22, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN THE FULLER ROAD URBAN RENEWAL AREA, THIS TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 13, BELLAMY PLAT 1, AN OFFICIAL PLAT NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, LOCATED IN SECTION 15, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 13, BELLAMY PLAT 1, TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF FULLER ROAD, AN OFFICIAL CITY STREET (MAJOR COLLECTOR STREET), LOCATED IN SECTION 16, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTHEASTERLY, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID FULLER ROAD, TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF LINCOLN STREET, AN OFFICIAL CITY STREET (MINOR COLLECTOR STREET), LOCATED IN SECTION 15, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID LINCOLN STREET, TO A POINT 654 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15;

THENCE SOUTH, ALONG A LINE 654 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 15; TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;

THENCE WESTERLY, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, TO THE WEST LINE OF LOT 26, OF SAID BELLAMY PLAT 1;

THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 26, BELLAMY PLAT 1, TO THE EAST RIGHT-OF-WAY LINE OF GRAND AVENUE, AN OFFICIAL STREET (MAJOR ARTERIAL STREET), LOCATED IN SECTION 21, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE NORTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF GRAND AVENUE, TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAID FULLER ROAD;

THENCE EASTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FULLER ROAD, TO THE POINT OF BEGINNING.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 2 to the Plan ("Amendment No. 2" or "Amendment"), a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to remove a voluntary expiration date and add/confirm eligible urban renewal projects; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan, as amended; and

WHEREAS, this proposed Amendment No. 2 to the Urban Renewal Plan adds no new land; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, STATE OF IOWA:

Section 1. That the consultation on the proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 6<sup>th</sup> day of July, 2016, in the Vista Room, Suite 2E, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at 10:30 A.M., and the Director of Community and Economic Development, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN  
THE CITY OF WEST DES MOINES, STATE OF IOWA AND  
ALL AFFECTED TAXING ENTITIES CONCERNING THE  
PROPOSED AMENDMENT NO. 2 TO THE FULLER ROAD  
URBAN RENEWAL PLAN FOR THE CITY OF WEST DES  
MOINES, STATE OF IOWA

The City of West Des Moines, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 10:30 A.M. on July 6, 2016, in the Vista Room, Suite 2E, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa concerning a proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Director of Community and Economic Development, or his delegate, as the designated representative of the City of West Des Moines, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of West Des Moines, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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City Clerk, City of West Des Moines, State of  
Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan before the City Council at its meeting which commences at 5:30 P.M. on July 25, 2016, in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Des Moines Register, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF A PROPOSED AMENDMENT NO. 2 TO THE FULLER  
ROAD URBAN RENEWAL PLAN FOR AN URBAN  
RENEWAL AREA IN THE CITY OF WEST DES MOINES,  
STATE OF IOWA

The City Council of the City of West Des Moines, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:30 P.M. on July 25, 2016 in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, to consider adoption of a proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of West Des Moines, State of Iowa, legally described as follows:

A TRACT OF LAND IN SECTIONS 15, 16, 21 AND 22, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN THE FULLER ROAD URBAN RENEWAL AREA, THIS TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 13, BELLAMY PLAT 1, AN OFFICIAL PLAT NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, LOCATED IN SECTION 15, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 13, BELLAMY PLAT 1, TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF FULLER ROAD, AN OFFICIAL CITY STREET (MAJOR COLLECTOR STREET), LOCATED IN SECTION 16, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTHEASTERLY, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID FULLER ROAD, TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF LINCOLN STREET, AN OFFICIAL CITY STREET (MINOR COLLECTOR STREET), LOCATED IN SECTION 15, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID LINCOLN STREET, TO A POINT 654 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15;

THENCE SOUTH, ALONG A LINE 654 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 15; TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;

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THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 26, BELLAMY PLAT 1, TO THE EAST RIGHT-OF-WAY LINE OF GRAND AVENUE, AN OFFICIAL STREET (MAJOR ARTERIAL STREET), LOCATED IN SECTION 21, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE NORTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF GRAND AVENUE, TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAID FULLER ROAD;

THENCE EASTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FULLER ROAD, TO THE POINT OF BEGINNING.

A copy of the Amendment is on file for public inspection in the office of the City Clerk, City Hall, City of West Des Moines, Iowa.

The City of West Des Moines, State of Iowa is the local public agency which, if such Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Amendment provides that the City may issue bonds or use available funds for purposes allowed by the Plan, as amended, and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Amendment initially proposes specific public infrastructure or site improvements to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 2 would remove voluntary expiration date and add/confirm eligible urban renewal projects. The proposed Amendment adds no new land.



Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of West Des Moines, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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City Clerk, City of West Des Moines, State of  
Iowa

(End of Notice)

Section 5. That the proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 2 to the Fuller Road Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the City Clerk.

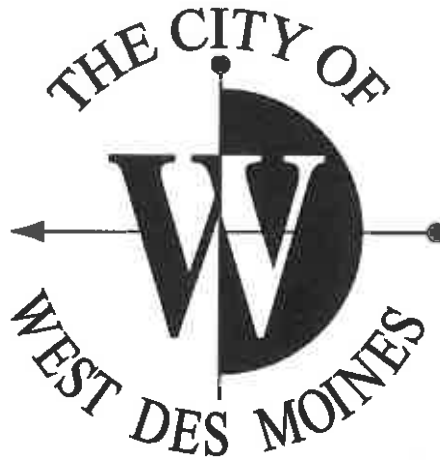
PASSED AND APPROVED this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

*Label the Amendment as Exhibit 1 (with all exhibits) and attach it to this Resolution.*



**AMENDMENT NO. 2  
FULLER ROAD  
URBAN RENEWAL PLAN**

**Community and Economic Development Department  
City of West Des Moines, Iowa**

**Original Area Adopted March, 2010  
Amendment No. 1 November 12, 2012  
Amendment No. 2 July 25, 2016**

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## **I. INTRODUCTION**

The **Fuller Road** Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the **Fuller Road** Urban Renewal Area (“Area” or “Urban Renewal Area”), was originally adopted in 2010, amended by Amendment No. 1 that was approved on November 12, 2012, and is now being amended by this Amendment No. 2 to remove a voluntary expiration date and add/confirm eligible urban renewal projects. No land is being added to the Area by this Amendment. The Area has a frozen base value that has already been established and that is not being changed by this Amendment.

Except as modified by this agreement, the provisions of the original Fuller Road Urban Renewal Plan and Amendment No. 1 are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsection in the original Plan or Amendment No. 1 not mentioned in this Amendment shall continue to apply to the Plan as amended.

## **II. PROJECT AREA**

Even though no land is being added by this Amendment, for convenience the legal description for the Area is legally described in Exhibit “A”, by reference incorporated in and made a part of this Plan, and shown on the Urban Renewal Plan area map Exhibit “B”.

## **III. AREA DESIGNATION**

The City continues to designate the Urban Renewal Area, as amended, as an economic development area that is appropriate for the promotion of new commercial and/or industrial development.

## **IV. PLAN OBJECTIVES**

Generally, the objectives of this Plan are to provide opportunities, incentives, and sites for new and expanded commercial and industrial development. In addition to the objectives set forth in the original Plan, more specific objectives include:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.

4. To encourage commercial and industrial growth and expansion through governmental policies which make it economically feasible to do business.
5. To stimulate, through public action and commitment, private investment in new and existing commercial and/or industrial development.

**V. DESCRIPTION OF THE URBAN RENEWAL ACTIVITIES**

To meet the objectives of this Urban Renewal Plan, as amended, and to encourage orderly development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, Code of Iowa. General development activities in the Urban Renewal Area may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, traffic signalization, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To undertake the demolition and clearance of existing development.
9. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
10. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

**VI. PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS**

Numerous urban renewal projects were authorized prior to the date of this Amendment; and are continuing.

**VII. ELIGIBLE URBAN RENEWAL PROJECT(S)**

Although certain project activities may occur over a period of years, in addition to the projects previously proposed in the Plan, as amended, the Eligible Urban Renewal Projects under this Amendment No. 2 include:

**A. Public Improvements**

- 1) South 18<sup>th</sup> Street Drainage improvements between Fuller Road and All-State Court. Projected completion date is 2024-2025. Estimated cost is \$200,000.
- 2) Storm sewer improvements to South 19<sup>th</sup> Street and Industrial Circle. Projected completion date is 2024-2025. Estimated cost is \$250,000.

The storm drainage improvements identified above are necessary in order to protect commercial and industrial property from potential flooding. In addition to mitigating flooding, the improvements are necessary to prevent street flooding and to make travel on the street segments safer for commercial and industrial traffic using the street.

**B. Development Agreements:**

- 1) I2T Development Agreement. Economic development incentive for a business in West Des Moines. Innovative Injection Technology (I2T) plans to do the following: connect two existing buildings on their site, add additional parking areas, increasing the height of the roof over the manufacturing area to 35 feet, 18,000 square foot office renovation and expansion, and the addition of a 7,735 square foot mezzanine storage area. All of the renovation and expansion is related to the business' main activity of plastic injection molding. They will be creating 36 new jobs which qualify for financial assistance under the High Quality Job Program from the Iowa Economic Development Authority. In order to be eligible for these funds, the City is required to provide a local match. The local incentive to I2T is expected to be in the form of an incremental property tax rebate provided pursuant to a detailed Development Agreement between the City and I2T. The costs of such a Development Agreement is to be funded by tax increment and will not exceed \$142,605. Actual expense could change due to a variety of factors, including but not limited to changes in

tax levies or rates, changes in tax laws, changes in assessed values, and other factors.

- 2) **Future Development Agreements**: The City expects to consider requests for other Development Agreements for projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such Development Agreements will not exceed \$2,000,000.

- C. **Planning, engineering fees (for urban renewal plans), attorney fees, and other related costs** to support urban renewal projects and planning not to exceed \$200,000.

## **VIII. CITY INDEBTEDNESS**

A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No.2) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area, as amended. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately \$2,792,605. This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

Currently, the City of West Des Moines' outstanding general obligation indebtedness is \$111,108,500. Article XI, Section of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five (5) percent of the value (as shown by the last certified state and county tax list) of all taxable property within the City. The City's constitutional debt limit is \$312,458,082 as of July 1, 2015.

## **IX. LAND USES AND DEVELOPMENT PLAN**

The Area is currently planned for the following land use:  
General Industrial (GI)

The Plan, as amended, is in conformity with the existing West Des Moines Comprehensive Plan adopted on September 20, 2010. The West Des Moines Comprehensive Plan is the City's general plan for the development of the City as a whole. In addition, the proposed urban renewal projects as described in this Plan, as



amended, are in conformity with the West Des Moines Comprehensive Plan. This Urban Renewal Plan, as amended, does not change or in any way replace the City's current land use planning or zoning regulation process.

If there is a need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, it would be set forth in the Plan, as amended.

## **X. URBAN RENEWAL FINANCING**

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

### **A. Tax Increment Financing**

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City.

### **B. General Obligation Bonds**

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects for commercial or industrial development or other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects. In any event, the City may

determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

**XI. PROPERTY ACQUISITION/DISPOSITION**

The City will follow any and all applicable requirements for the acquisition and disposition of property upon terms and conditions in the discretion of the City Council.

**XII. RELOCATION**

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

**XIII. URBAN RENEWAL PLAN AMENDMENTS**

The **Fuller Road** Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding or changing urban renewal projects, or to modify goals or types of renewal activities.

The City Council may further amend this Plan in accordance with applicable state law.

**XIV. EFFECTIVE PERIOD**

This Amendment No. 2 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the original Plan and Amendment No. 1, any prior resolution, or document, the Urban Renewal Plan, as amended, shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code. The division of revenues shall continue on the Area for the maximum period allowed by law and any voluntary expiration date included in the original Plan or Amendment No. 1 is hereby rescinded.

**XV. REPEALER**

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

**XVI. SEVERABILITY CLAUSE**

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan or this Amendment not determined to be invalid or unconstitutional.

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**EXHIBIT A**

**LEGAL DESCRIPTION  
OF  
FULLER ROAD URBAN RENEWAL AREA  
CITY OF WEST DES MOINES, IOWA**

The Project Area consists of the land area described as follows:

A TRACT OF LAND IN SECTIONS 15, 16, 21 AND 22, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN THE FULLER ROAD URBAN RENEWAL AREA, THIS TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 13, BELLAMY PLAT 1, AN OFFICIAL PLAT NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, LOCATED IN SECTION 15, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 13, BELLAMY PLAT 1, TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF FULLER ROAD, AN OFFICIAL CITY STREET (MAJOR COLLECTOR STREET), LOCATED IN SECTION 16, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTHEASTERLY, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID FULLER ROAD, TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF LINCOLN STREET, AN OFFICIAL CITY STREET (MINOR COLLECTOR STREET), LOCATED IN SECTION 15, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID LINCOLN STREET, TO A POINT 654 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15;

THENCE SOUTH, ALONG A LINE 654 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 15; TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;

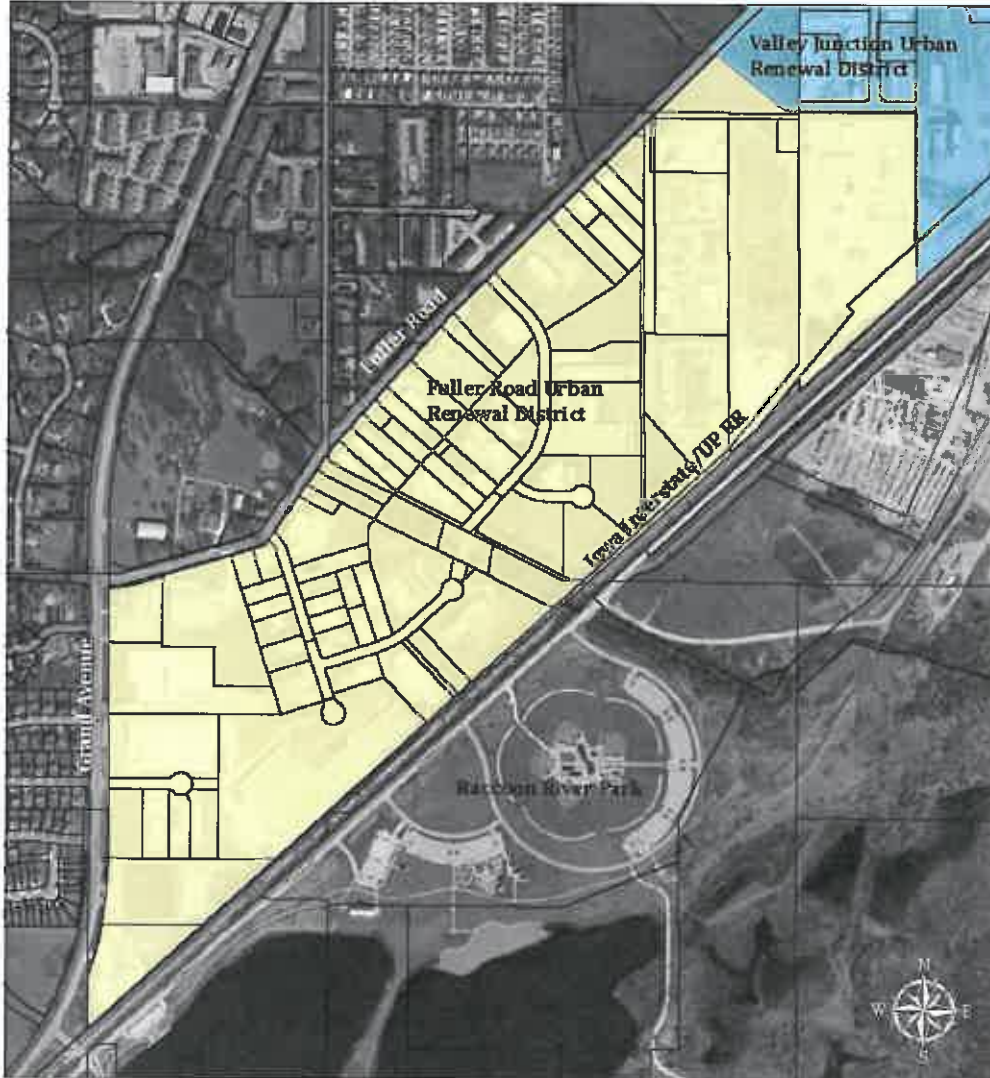
THENCE WESTERLY, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, TO THE WEST LINE OF LOT 26, OF SAID BELLAMY PLAT 1;

THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 26, BELLAMY PLAT 1, TO THE EAST RIGHT-OF-WAY LINE OF GRAND AVENUE, AN OFFICIAL STREET (MAJOR ARTERIAL STREET), LOCATED IN SECTION 21, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE NORTHERLY, ALONG THE EAST RIGHT-OF-WAY LINE OF GRAND AVENUE, TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAID FULLER ROAD;

THENCE EASTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FULLER ROAD, TO THE POINT OF BEGINNING.

**EXHIBIT B**  
**FULLER ROAD URBAN RENEWAL PLAN**  
**AREA BOUNDARY MAP**



**Fuller Road Urban Renewal District**



**No Scale**

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**4(q)1**

**DATE: June 27, 2016**

**ITEM:**

Resolution - Ordering Construction  
Coachlight Drive Improvements – South 88<sup>th</sup> Street to South 91<sup>st</sup> Street

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost for the Coachlight Drive Improvements – South 88<sup>th</sup> Street to South 91<sup>st</sup> Street project is \$612,922.00. Payments will be made from budgeted account no. 4292.75.820.6.7920 with part of the ultimate funding intended to come from Special Assessments. Hidden Creek, L.L.C., has further agreed to reimburse the City for the cost of the water main improvements.

**BACKGROUND:**

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, July 20, 2016, and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, July 25, 2016. The contract would be awarded on Monday, July 25, 2016, and work would begin shortly thereafter.

The City Council adopted a Resolution of Necessity to special assess the costs of paving Coachlight Drive from South 88<sup>th</sup> Street to South 91<sup>st</sup> Street at the regular meeting on September 21, 2015. The project includes construction of PCC street pavement, storm sewer, and water main on Coachlight Drive west of S. 88<sup>th</sup> Street and the intersection with S. 88<sup>th</sup> Street. Work can begin shortly after the award of the contract and will be completed by September 30, 2016.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Ordering Construction of Coachlight Drive Improvement – South 88<sup>th</sup> Street to South 91<sup>st</sup> Street
- Fixing 2:00 p.m. on Wednesday, July 20, 2016, as time and date for project Bid Letting
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

**Lead Staff Member:** Ben McAlister, P.E., Principal Engineer

**STAFF REVIEWS**

Department Director	Duane C. Wittstock, P.E., L.S.
Appropriations/Finance	Tim Stiles, Finance Director <i>MS</i>
Legal	Richard Scieszinski, City Attorney <i>SS</i>
Agenda Acceptance	<i>STJ</i>

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works		
Date Reviewed	June 23, 2016		
Recommendation	Yes	No	Split

**Resolution Ordering Construction and  
Notice of Public Hearing on Plans, Specifications,  
Form of Contract, Estimate of Cost, and  
Directing Advertisement for Bids**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA,** that the following described public improvement:

**Coachlight Drive Improvements – South 88th Street to South 91st Street  
Project No. 0510-024-2008**

is hereby ordered constructed according to the Plans and Specifications prepared by the Engineering Division of the City of West Des Moines and now on file in the office of City Clerk.

**BE IT FURTHER RESOLVED,** that the detailed Plans and Specifications, Form of Contract, Bid Security, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of City Clerk for public inspection.

**BE IT FURTHER RESOLVED,** that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on Monday, July 25, 2016, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

**BE IT FURTHER RESOLVED,** that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than thirteen (13) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 p.m. on Wednesday, July 20, 2016.

**BE IT FURTHER RESOLVED,** that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk or City Clerk designee at 2:00 p.m. on Wednesday, July 20, 2016, and the results of said bids shall be considered at a meeting of this Council on Monday, July 25, 2016, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

**PASSED AND APPROVED** this 27th day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk



**Engineer's Opinion of Probable Construction Costs**  
**Coachlight Drive Improvements**  
**West Des Moines, Iowa**  
**June 21, 2016**

Item No.	Item	Unit	Quantity		Unit Price	Division 1	Price	Division 2	Price
			Division 1	Division 2		Total	Total	Total	Total
1	Clearing and Grubbing	LS	1		\$ 5,000.00		\$ 5,000.00		
2	Topsoil, On-Site	CY	1687		\$ 10.00		\$ 16,870.00		
3	Excavation, Class 10	CY	2815		\$ 10.00		\$ 28,150.00		
4	Subgrade Preparation, 12 in. Depth	SY	4292		\$ 3.50		\$ 15,022.00		
5	Removal of Known Pipe Culvert, PVC, 6in. Dia.	LF	55		\$ 10.00		\$ 550.00		
6	Removal of Known Pipe Culvert, CMP, 18in. Dia.	LF	44		\$ 10.00		\$ 440.00		
7	Filling of Known Pipe Culvert, RCP, 12 in. Dia.	LF	70		\$ 30.00		\$ 2,100.00		
8	Strom Sewer, Trenched, RCP, 15 in. Dia.	LF	347		\$ 70.00		\$ 24,290.00		
9	Strom Sewer, Trenched, RCP, 18 in. Dia.	LF	304		\$ 80.00		\$ 24,320.00		
10	Strom Sewer, Trenched, RCP, 24 in. Dia.	LF	194		\$ 100.00		\$ 19,400.00		
11	Strom Sewer, Trenched, RCP, 30 in. Dia.	LF	100		\$ 120.00		\$ 12,000.00		
12	Pipe Apron, RCP, 24 in. Dia.	EA	1		\$ 1,500.00		\$ 1,500.00		
13	Footing For Concrete Pipe Apron, RCP, 24 in. Dia.	EA	1		\$ 1,500.00		\$ 1,500.00		
14	Pipe Apron Guard	EA	1		\$ 1,500.00		\$ 1,500.00		
15	Water Main, Trenched, PVC, 8 in. Dia.	LF		1091	\$ 50.00				\$ 54,550.00
16	Valve, Gate, 8 in. Dia.	EA		4	\$ 1,500.00				\$ 6,000.00
17	Tapping Valve Assembly, 24 in. Dia. x 8 in. Dia.	EA		1	\$ 8,000.00				\$ 8,000.00
18	Fire Hydrant Assembly	EA		3	\$ 5,500.00				\$ 16,500.00
19	Blow-off Hydrant	EA		3	\$ 5,500.00				\$ 16,500.00
20	Manhole, Type A, 48" Dia.	EA	1		\$ 4,250.00		\$ 4,250.00		
21	Manhole, Type B, 5' x 5'	EA	1		\$ 6,000.00		\$ 6,000.00		
22	Intake, Type M-A	EA	3		\$ 3,600.00		\$ 10,800.00		
23	Intake, Type M-C	EA	3		\$ 6,000.00		\$ 18,000.00		
24	Intake, Type M-D	EA	1		\$ 5,100.00		\$ 5,100.00		
25	Intake, Type M-E	EA	2		\$ 7,000.00		\$ 14,000.00		
26	Pavement, PCC, 6 in., Reinforced	SY	3225		\$ 60.00		\$ 193,500.00		
27	Pavement, PCC, 9 in., Reinforced	SY	639		\$ 80.00		\$ 51,120.00		
28	Sidewalk, PCC, 6 in.	SY	42		\$ 50.00		\$ 2,100.00		
29	Detectable Warning	SF	40		\$ 30.00		\$ 1,200.00		
30	Driveway, Paved, PCC, 6 in.	SY	46		\$ 50.00		\$ 2,300.00		
31	Driveway, Granular, Class A Crushed Stone, 6 in.	TON	323		\$ 20.00		\$ 6,460.00		
32	Pavement Removal	SY	17		\$ 100.00		\$ 1,700.00		
33	Traffic Control	LS	1		\$ 10,000.00		\$ 10,000.00		
34	Permanent Road Closure - Urban Signage (SI-182)	BA	1		\$ 1,000.00		\$ 1,000.00		
35	Conventional Seeding, Seeding, Fertilizing, and Mulching (Temp.)	AC	1.75		\$ 1,500.00		\$ 2,625.00		
36	Conventional Seeding, Seeding, Fertilizing, and Mulching (Per.)	AC	1.75		\$ 5,000.00		\$ 8,750.00		
37	SWPPP Management	LS	1		\$ 3,000.00		\$ 3,000.00		
38	Silt Fence or Silt Fence Ditch Check	LF	1815		\$ 2.00		\$ 3,630.00		
39	Silt Fence or Silt Fence Ditch Check, Removal of Device	LF	1815		\$ 0.50		\$ 907.50		
40	Stabilized Construction Entrance	TON	70		\$ 20.00		\$ 1,400.00		
41	Erosion Control Mulching, Conventional	AC	1.75		\$ 750.00		\$ 1,312.50		
42	Inlet Protection Device, Drop-In, Install Only	EA	9		\$ 100.00		\$ 900.00		
43	Inlet Protection Device, Drop-In, Maintenance and Removal	EA	9		\$ 75.00		\$ 675.00		
44	Construction Survey	LS	1		\$ 4,000.00		\$ 4,000.00		
45	Maintenance of Postal Service	LS	1		\$ 1,000.00		\$ 1,000.00		
46	Maintenance of Solid Waste Collection	LS	1		\$ 1,000.00		\$ 1,000.00		
47	Concrete Washout	LS	1		\$ 2,000.00		\$ 2,000.00		

**Subtotal = \$ 511,372.00 \$ 101,550.00**

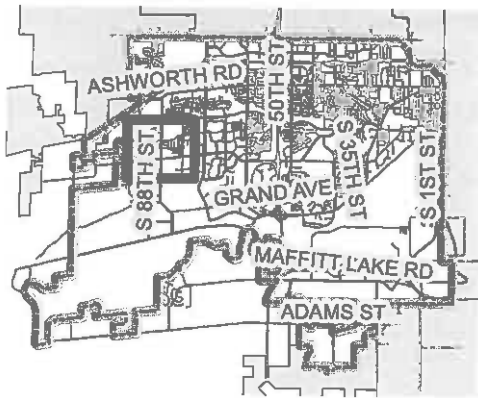
Construction Contingency, 5% = \$ 25,569.00 \$ 5,078.00

Engineering Services = \$ - \$ -

**Total Estimated Cost = \$ 536,941.00 \$ 106,628.00**



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3820 FAX: (515) 273-0602

PROJECT:	<b>COACHLIGHT DRIVE IMPROVEMENTS</b>	
	<b>S. 88TH ST - S. 91ST ST</b>	
	Project No. 0510-024-2008	
LOCATION:	<b>EXHIBIT "A"</b>	
DRAWN BY:	ERP	DATE: 5/5/2016
		SHT. 1 OF 1

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**DATE:** June 27, 2016

**ITEM:** Resolution - Order Construction and Notice of Public Hearing on Plans, Specifications, Form of Contract, Estimate of Cost, and Direct Advertisement of Bids – Woodland Hills Park Site Development

**FINANCIAL IMPACT:** None at this time. The preliminary estimated cost of the project is \$685,102.43. Project expenses will be paid with budgeted funds for the Woodland Hills Park C.I.P. project. There is \$709,000 available in City funds (\$643,500) and IDALS Water Quality Initiative grant funds (\$65,500).



**BACKGROUND:** This Resolution is for the development of Woodland Hills Park located at 1230 S. 95<sup>th</sup> Street. The project includes construction of a shelter, restroom building, playground, and parking lot. Water quality practices are also part of the project and are being partially funded through an IDALS Water Quality Initiative grant. These include the installation of permeable pavers in portions of the parking lot, construction of three bioretention cells with soil amendments and native plantings, and soil restoration on approximately 4 acres of the site.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:** That the Council approve the Resolution.

**Lead Staff Member:** Sally Orgies 

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

**PUBLICATION(S)** (if applicable)

Published In	N/A
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

**Resolution Ordering Construction and  
Notice of Public Hearing on Plans, Specifications,  
Form of Contract, Estimate of Cost and  
Directing Advertisement for Bids**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that the following described public improvement:

**Woodland Hills Park Site Development**

is hereby ordered constructed according to the Plans and Specifications prepared by Civil Design Advantage and now on file in the office of City Clerk.

**BE IT FURTHER RESOLVED**, that the detailed Plans and Specifications, Form of Contract, Bid Security and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of City Clerk for public inspection.

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on **July 25, 2016** with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than four (4) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 o'clock p.m. on **Wednesday, July 20, 2016**.

**BE IT FURTHER RESOLVED**, that bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk or Deputy City Clerk at 2:00 o'clock p.m. on **Wednesday, July 20, 2016** and the results of said bids shall be considered at a meeting of this Council on **July 25, 2016** at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

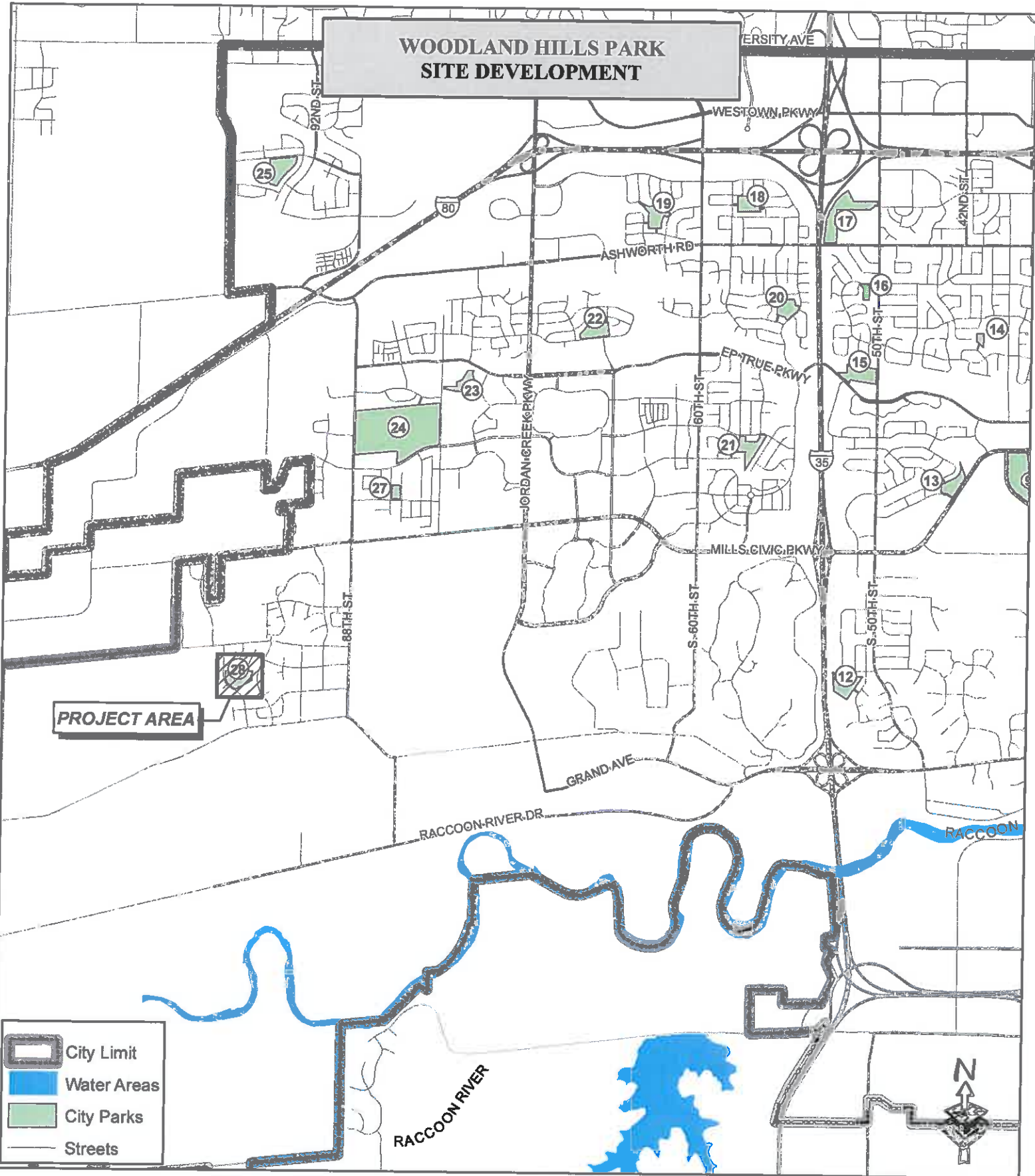
**PASSED AND APPROVED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan Jacobson, City Clerk

# WOODLAND HILLS PARK SITE DEVELOPMENT



-  City Limit
-  Water Areas
-  City Parks
-  Streets

- |                     |                           |                         |                         |
|---------------------|---------------------------|-------------------------|-------------------------|
| 1. Legion Park      | 8. East Jordan Creek Park | 15. Jordan Creek Park   | 22. Wild Rose Park      |
| 2. Wilson Park      | 9. Southwoods Park        | 16. Knolls Park         | 23. Brookview Park      |
| 3. Holiday Park     | 10. Raccoon River Park    | 17. CrossRoads Park     | 24. Valley View Park    |
| 4. Florer Park      | 11. Scenic Valley Park    | 18. Jaycee Park         | 25. Maple Grove Park    |
| 5. Fairmeadows Park | 12. Quail Cove Park       | 19. Peony Park          | 26. Railroad Park       |
| 6. Pearson Park     | 13. Ashawa Park           | 20. Meadowview Park     | 27. Huston Ridge Park   |
| 7. Kiwanis Park     | 14. Western Hills Park    | 21. Willow Springs Park | 28. Woodland Hills Park |



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**DATE: June 27, 2016**

**ITEM:**

Resolution - Accepting Public Improvements  
Clocktower Square  
Sanitary Sewer Manhole

**FINANCIAL IMPACT:**

None at this time. The City will assume ownership of the public improvements, along with associated maintenance.

**BACKGROUND:**

Elder Corporation has substantially completed the installation a public sanitary sewer manhole at Clocktower Square (2800 and 2900 University Avenue) in accordance with the plans prepared by Civil Design Advantage and the specifications of the City. These improvements have been inspected by the City.

**OUTSTANDING ISSUES:**

None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Accepting Public Improvements for Clocktower Square

**Lead Staff Member: Ben McAlister, P.E., Principal Engineer**

**STAFF REVIEWS**

Department Director	Duane C. Wittstock, P.E., L.S., City Engineer <i>new</i>
Appropriations/Finance	Tim Styles, Finance Director
Legal	Richard Scieszinski, City Attorney <i>JS</i>
Agenda Acceptance	<i>RTJ</i>

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works		
Date Reviewed	June 23, 2016		
Recommendation	Yes	No	Split

**RESOLUTION  
ACCEPTING PUBLIC IMPROVEMENTS**

**WHEREAS**, a Final Plat was reviewed and approved by Plan and Zoning Commission of West Des Moines, Iowa, at a meeting held on July 17, 1985 said Final Plat being described as follows:

**Clocktower Square**

**WHEREAS**, a Final Plat for Clocktower Square was submitted for review by the City Council of West Des Moines, Iowa on July 22, 1985.

**WHEREAS**, the West Des Moines City Council adopted a Resolution which approved the Final Plat for Clocktower Square at their meeting on July 22, 1985 and any conditions of approval.

**WHEREAS**, the West Des Moines City Council adopted a Resolution which approved the Major Modification Site Plan (MaM-001874-2013) for Clocktower Square at their meeting on February 23, 2015 and any conditions of approval.

**WHEREAS**, on June 10, 2015 the Construction Plans were approved by the West Des Moines City Engineer.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:**

Section 1: The public improvements for Sanitary Sewer for Clocktower Square are hereby accepted and are hereby dedicated for public purposes for Clocktower Square.

**PASSED AND APPROVED** this 27th day of June, 2016.

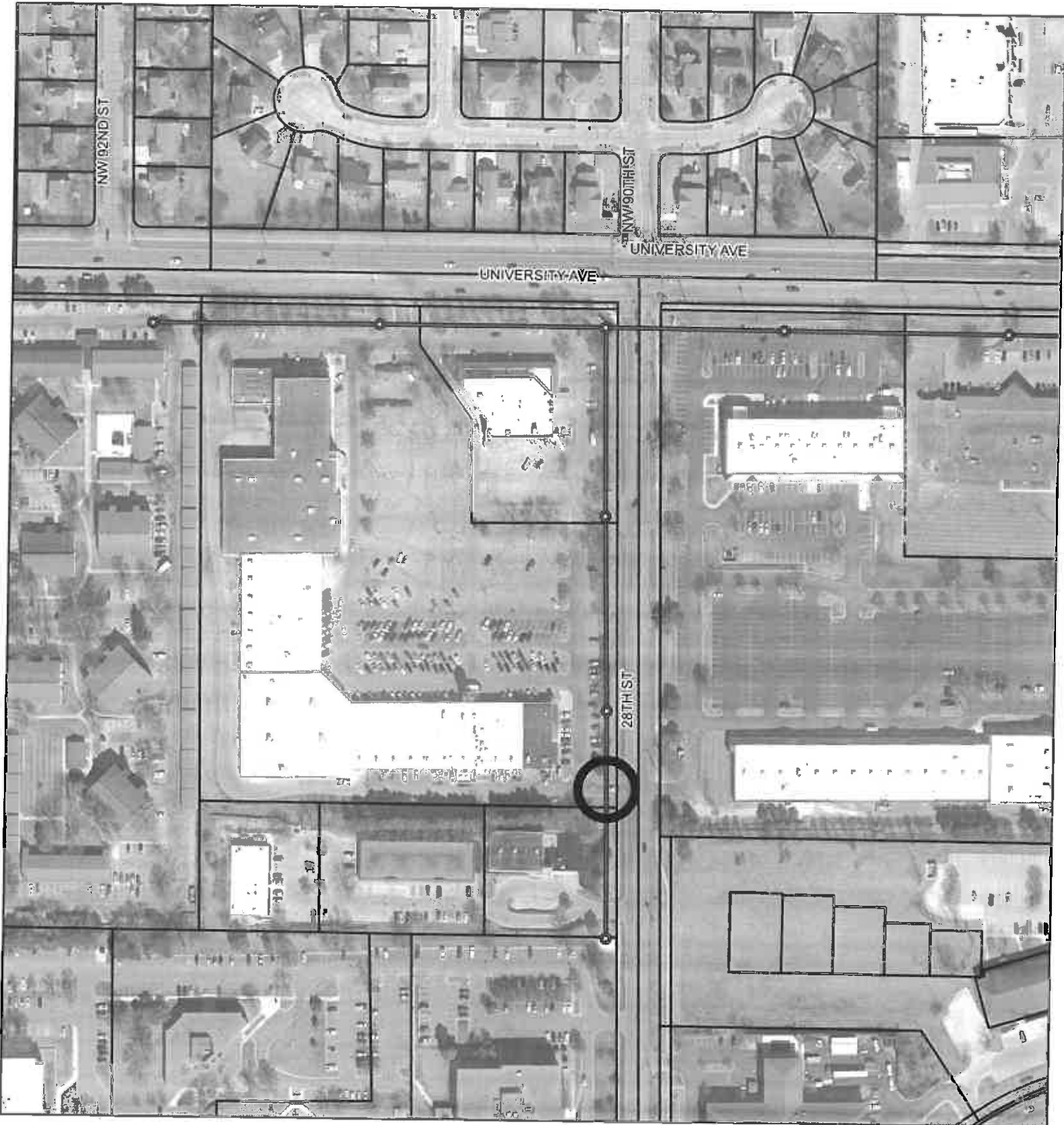
\_\_\_\_\_  
Steven K. Gaer, Mayor

**ATTEST:**

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk



# Location Map



N



## Legend

 Project Location

Resolution - Accepting Public Improvements  
Clocktower Square  
Sanitary Sewer Manhole  
June 27, 2016

0 50 100 200 300 400 Feet



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:**

**DATE: June 27, 2016**

Resolution - Approving Professional Services Agreement  
Construction Testing Services  
TEAM Services, Inc.

**FINANCIAL IMPACT:**

The cost of the Professional Services associated with construction testing services will not exceed \$60,000.00. Billings will be invoiced at the rates shown in the scope of services including expenses for testing services. Costs for these services will be charged to the appropriate capital improvement accounts depending on the project. The accounts and ultimate funding sources will be determined by the Finance Director. Should the cost for the professional services be projected to exceed the amounts set forth in the contract, staff would not authorize such expenditures without further approval by the City Council.

**BACKGROUND:**

Approval of this action authorizes TEAM Services, Inc. to perform the professional services necessary for construction testing on behalf of the City for Capital Improvement Projects. Upon concurrence, the City Clerk is authorized to enter into the contract(s). The period of the contract(s) will not exceed 12 months unless agreed upon by both parties.

The Engineering Services Department retains design consultants based on their past work experience, qualifications of their staff, familiarity with the project, manpower availability, and past consultant evaluation. Once a firm has been selected based on the above criteria, the City staff then negotiates a fee with the consultant for performing the desired scope of services. The City staff attempts, whenever feasible, to distribute professional services work on an equitable basis to qualified firms maintaining local metropolitan area offices who have expressed interest in working for the City of West Des Moines.

**OUTSTANDING ISSUES:** None

**RECOMMENDATION:**

City Council Adopt:  
- Resolution Approving Professional Services Agreement.

**Lead Staff Member:** Ben McAlister, P.E., Principal 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	June 23, 2016		
Recommendation	Yes	No	Split

**Resolution Approving Professional Services Agreement**

**WHEREAS**, funding is available for the following described public project:

**Construction Testing Services  
Project No. 0030-023-2016**

and,

**WHEREAS**, the City from time-to-time has construction testing needs associated with Capital Improvement Projects; and,

**WHEREAS**, Engineering Services Department staff have recommended construction testing services be provided by a certified testing professional, and,

**WHEREAS**, the Engineering Services Department has obtained a written proposal from TEAM Services, Inc., to perform the work requested at an hourly rate not to exceed the amount shown below;

**Basic Services of the Consultant      \$ 60,000.00**

Therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that TEAM Services, Inc. is hereby directed to perform the work for construction testing services on an as-needed basis not to exceed a period of 12 months.

**BE IT FURTHER RESOLVED**, that the City Clerk is authorized and directed to enter into an agreement with TEAM Services, Inc. for the cost indicated above as payment by the City of West Des Moines for the services indicated.

**PASSED AND APPROVED** this 27<sup>th</sup> day of **June, 2016**.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

## AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This Agreement is made and entered into this 27<sup>th</sup> day of JUNE, 2016, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and TEAM Services, Inc. \_\_\_\_\_ (Fed. I.D. #42-1416550), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "Consultant" as follows:

THE CITY HEREBY AGREES TO RETAIN THE CONSULTANT FOR THE PROJECT AS DESCRIBED IN THIS AGREEMENT AND CONSULTANT AGREES TO PERFORM THE PROFESSIONAL SERVICES AND FURNISH THE NECESSARY DOCUMENTATION FOR THE PROJECT AS GENERALLY DESCRIBED IN THIS AGREEMENT.

### 1. SCOPE OF SERVICES

Services provided under this Agreement shall be as further described in Attachment 1, Scope of Services.

### 2. SCHEDULE

The schedule of the professional services to be performed shall conform to the Schedule set forth in Attachment 2. Any deviations from the Schedule shall be approved by the authorized City representative. The City agrees that the Consultant is not responsible for delays arising from a change in the scope of services, a change in the scale of the Project or delays resulting from causes not directly or indirectly related to the actions of the Consultant.

### 3. COMPENSATION

A. In consideration of the professional services provided herein, the City agrees to pay the Consultant the following sum NOT-TO-EXCEED, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in Attachment 3.

I. Basic Services of the Consultant	\$60,000 _____
II. Resident Consultant Services	\$ _____

B. The Consultant shall invoice the City monthly for services, any reimbursable expenses and any approved amendments to this Agreement, based upon services actually completed at the time of the invoice. Final payment shall be due and payable within 30 days of the City's acceptance of Consultant's submission of final deliverables in accordance with the Scope of Services.

C. In consideration of the compensation paid to the Consultant, the Consultant agrees to perform all professional services to the satisfaction of the City by performing the professional services in a manner consistent with that degree of care and skill ordinarily exercised by members of Consultant's profession currently practicing under similar circumstances. If the performance of this Agreement involves the services of others or the furnishing of equipment, supplies, or materials, the Consultant agrees to pay for the same in full.

### 4. INSURANCE

A. Consultant understands and agrees that Consultant shall have no right of coverage under any and all existing or future City comprehensive, self or personal injury policies. Consultant shall provide insurance coverage for and on behalf of Consultant that will sufficiently protect Consultant or Consultant' representative(s) in connection with the professional services which are to be provided by Consultant pursuant to this Agreement, including protection from claims for bodily

injury, death, property damage, and lost income. Consultant shall provide worker's compensation insurance coverage for Consultant and all Consultant's personnel. Consultant shall file applicable insurance certificates with the City, and shall also provide evidence of the following additional coverage.

- B. The Consultant shall provide evidence of comprehensive general liability coverage and contractual liability insurance by an insurance company licensed to do business in the State of Iowa in the limits of at least \$1,000,000 each personal injury accident and/or death; \$1,000,000 general aggregate personal injury and/or death; and \$1,000,000 for each property damage accident. The evidence shall designate the City as an additional insured, and that it cannot be canceled or materially altered without giving the City at least thirty (30) days written notice by registered mail, return receipt requested.
- C. The Consultant shall also provide evidence of automobile liability coverage in the limits of at least \$1,000,000 bodily injury and property damage combined. The evidence shall designate the City as an additional insured, and that it cannot be cancelled or materially altered without giving the City at least thirty (30) days written notice by registered mail, return receipt requested.
- D. The Consultant shall provide evidence of professional liability insurance, by an insurance company licensed to do business in the State of Iowa, in the limit of \$1,000,000 for claims arising out of the professional liability of the Consultant. Consultant shall provide City written notice within five (5) days by registered mail, return receipt requested of the cancellation or material alteration of the professional liability policy.
- E. Failure of Consultant to maintain any of the insurance coverages set forth above shall constitute a material breach of this Agreement.

5. NOTICE

Any notice to the parties required under this agreement shall be in writing, delivered to the person designated below, by United States mail or in hand delivery, at the indicated address unless otherwise designated in writing.

FOR THE CITY:

Name: City of West Des Moines  
Attn: Ryan T. Jacobson, City Clerk  
Address: 4200 Mills Civic Parkway  
City, State: West Des Moines, IA 50265-0320

FOR THE CONSULTANT:

Name: TEAM Services, Inc.  
Attn: Jeffrey Roberts  
Address: 717 SE 6<sup>th</sup> St.  
City, State: Des Moines, IA 50309

6. GENERAL COMPLIANCE

In the conduct of the professional services contemplated hereunder, the Consultant shall comply with applicable state, federal, and local law, rules, and regulations, technical standards, or specifications issued by the City. Consultant must qualify for and obtain any required licenses prior to commencement of work, including any professional licenses necessary to perform work within the State of Iowa.

7. STANDARD OF CARE

Services provided by the Consultant under this Agreement shall be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

8. INDEPENDENT CONTRACTOR

Consultant understands and agrees that the Consultant and Consultant's employees and representatives are not City employees. Consultant shall be solely responsible for payment of salaries, wages, payroll taxes, unemployment benefits, or any other form of compensation or benefit to Consultant or Consultant's employees, representatives or other personnel performing the professional services specified herein, whether it be of a direct or indirect nature. Further, it is expressly understood and agreed that for such purposes neither Consultant nor Consultant's employees, representatives or other personnel shall be entitled to any City payroll, insurance, unemployment, worker's compensation, retirement, or any other benefits whatsoever.

9. NON-DISCRIMINATION

Consultant will not discriminate against any employee of applicant for employment because of race, color, sex, national origin, religion, age, handicap, or veteran status. Consultant will, where appropriate or required, take affirmative action to ensure that applicants are employed, and that employees are treated, during employment, without regard to their race, color, sex, or national origin, religion, age, handicap, or veteran status. Consultant will cooperate with the City in using Consultant's best efforts to ensure that Disadvantaged Business Enterprises are afforded the maximum opportunity to compete for subcontracts of work under this Agreement.

10. HOLD HARMLESS

Consultant agrees to indemnify and hold harmless the City, its officers, agents, and employees from any and all claims, settlements and judgments, to include all reasonable investigative fees, attorney's fees, and court costs for any damage or loss which is due to or arises from a breach of this Agreement, or from negligent acts, errors or omissions in the performance of professional services under this Agreement and those of its sub consultants or anyone for whom Consultant is legally liable.

11. ASSIGNMENT

Consultant shall not assign or otherwise transfer this Agreement or any right or obligations therein without first receiving prior written consent of the City.

12. APPROPRIATION OF FUNDS

The funds appropriated for this Agreement are equal to or exceed the compensation to be paid to Consultant. The City's continuing obligations under this Agreement may be subject to appropriation of funding by the City Council. In the event that sufficient funding is not appropriated in whole or in part for continued performance of the City's obligations under this Agreement, or if appropriated funding is not expended due to City spending limitations, the City may terminate this Agreement without further compensation to the Consultant. To the greatest extent allowed by law, the City shall compensate Consultant as provided in Section 18(B) of this Agreement.

13. AUTHORIZED AMENDMENTS TO AGREEMENT

- A. The Consultant and the City acknowledge and agree that no amendment to this Agreement or other form, order or directive may be issued by the City which requires additional compensable work to be performed if such work causes the aggregate amount payable under the amendment, order or directive to exceed the amount appropriated for this Agreement as listed in Section 3, above, unless the Consultant has been given a written assurance by the City that lawful appropriation to cover the costs of the additional work has been made.
- B. The Consultant and the City further acknowledge and agree that no amendment to this Agreement or other form, order or directive which requires additional compensable work to be performed under this Agreement shall be issued by the City unless funds are available to pay

such additional costs, and the Consultant shall not be entitled to any additional compensation for any additional compensable work performed under this Agreement. The Consultant expressly waives any right to additional compensation, whether in law or equity, unless prior to commencing the additional work the Consultant was given a written amendment, order or directive describing the additional compensable work to be performed and setting forth the amount of compensation to be paid, such amendment, order or directive to be signed by the authorized City representative. It is the Consultant's sole responsibility to know, determine, and ascertain the authority of the City representative signing any amendment, directive or order.

#### **14. OWNERSHIP OF CONSULTING DOCUMENTS**

All sketches, tracings, plans, specifications, reports, and other data prepared under this Agreement shall become the property of the City; a reproducible set shall be delivered to the City at no additional cost to the City upon completion of the plans or termination of the services of the Consultant. All drawings and data shall be transmitted in a durable material, with electronic files provided when feasible to do so. The Consultant's liability for use of the sketches, tracings, plans, specifications, reports, and other data prepared under this Agreement shall be limited to the Project.

#### **15. INTERPRETATION**

No amendment or modification of this Agreement shall be valid unless expressed in writing and executed by the parties hereto in the same manner as the execution of the Agreement. This is a completely integrated Agreement and contains the entire agreement of the parties; any prior written or oral agreements shall be of no force or effect and shall not be binding upon either party. The laws of the State of Iowa shall govern and any judicial action under the terms of this Agreement shall be exclusively within the jurisdiction of the district court for Polk County, Iowa.

#### **16. COMPLIANCE WITH FEDERAL LAW**

To the extent any federal appropriation has or will be provided for the Project, or any federal requirement is imposed on the Project, Consultant agrees that Consultant will comply with all relevant laws, rules and regulations imposed on City and/or Consultant necessary for receipt of the federal appropriation. Consultant shall provide appropriate certification regarding Consultant's compliance.

#### **17. SOLICITATION AND PERFORMANCE**

- A. The Consultant warrants that it has not employed or retained any company or person, other than a bona fide employee working for the Consultant, to solicit or secure this Agreement, and that the Consultant has not paid or agreed to pay any company or person other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift or contingent fee.
- B. The Consultant shall not engage the services of any person or persons in the employ of the City at the time of commencing such services without the written consent of the City.

#### **18. SUSPENSION AND TERMINATION OF AGREEMENT**

- A. The right is reserved by the City to suspend this Agreement at any time. Such suspension may be effected by the City giving written notice to the Consultant, and shall be effective as of the date established in the suspension notice. Payment for Consultant's services shall be made by the City for services performed to the date established in the suspension notice. Should the City reinstate the work after notice of suspension, such reinstatement may be accomplished by thirty (30) days written notice within a period of six (6) months after such suspension, unless this period is extended by written consent of the Consultant.
- B. Upon ten (10) days written notice to the Consultant, the City may terminate the Agreement at any time if it is found that reasons beyond the control of either the City or Consultant make it impossible or against the City's interest to complete the Agreement. In such case, the Consultant

shall have no claims against the City except for the value of the work performed up to the date the Agreement is terminated.

- C. The City may also terminate this Agreement at any time if it is found that the Consultant has violated any material term or condition of this Agreement or that Consultant has failed to maintain workers' compensation insurance or other insurance provided for in this Agreement. In the event of such default by the Consultant, the City may give ten (10) days written notice to the Consultant of the City's intent to terminate the Agreement. Consultant shall have ten (10) days from notification to remedy the conditions constituting the default.
- D. In the event that this Agreement is terminated in accordance with paragraph C of this section, the City may take possession of any work and may complete any work by whatever means the City may select. The cost of completing said work shall be deducted from the balance which would have been due to the Consultant had the Agreement not been terminated and work completed in accordance with contract documents.
- E. The Consultant may terminate this Agreement if it is found that the City has violated any material term or condition of this Agreement. In the event of such default by the City, the Consultant shall give ten (10) days written notice to the City of the Consultant's intent to terminate the Agreement. City shall have ten (10) days from notification to remedy the conditions constituting the default.

#### 19. TAXES

The Consultant shall pay all sales and use taxes required to be paid to the State of Iowa on the work covered by this Agreement. The Consultant shall execute and deliver and shall cause any sub-consultant or subcontractor to execute and deliver to the City certificates as required to permit the City to make application for refunds of said sales and use taxes as applicable. The City is a municipal corporation and not subject to state and local tax, use tax, or federal excise taxes.

#### 20. SEVERABILITY

If any portion of this Agreement is held invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Agreement shall continue in full force and effect.

#### 21. MISCELLANEOUS HEADINGS

Title to articles, paragraphs, and subparagraphs are for information purposes only and shall not be considered a substantive part of this Agreement.

#### 22. FURTHER ASSURANCES

Each party hereby agrees to execute and deliver such additional instruments and documents and to take all such other action as the other party may reasonably request from time to time in order to effect the provisions and purposes of this Agreement.

#### 23. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall constitute an original document, no other counterpart needing to be produced, and all of which when taken together shall constitute the same instrument.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers or agents on the day and year first above written.

CONSULTANT

CITY OF WEST DES MOINES

BY:   
\_\_\_\_\_  
President

BY: \_\_\_\_\_  
Ryan T. Jacobson, City Clerk



ATTACHMENT 1  
SCOPE OF SERVICES

June 06, 2016



*The only ISO 9000 accredited  
testing laboratory in Iowa,  
Illinois & South Dakota*

**TEAM Services**  
Geotechnical and Construction Material Consultants



A2LA Testing Lab Certificate 576.01 (Des Moines)  
Validated by the U.S. Army Corps of Engineers

1. Cover Letter

PROPOSAL FOR

**PROFESSIONAL ENGINEERING SERVICES  
CONSTRUCTION TESTING SERVICES  
CITY OF WEST DES MOINES**

City Clerk  
City of West Des Moines  
4200 Mills Civic Parkway, Suite 2B  
West Des Moines, Iowa 50265

Cc: Ben McAlister, Principal Engineer  
515-222-3475  
ben.mcalister@wdm.iowa.gov

No. of Copies: 1

Jeffrey Roberts  
President  
TEAM Services, Inc.

## 2. Project Staffing and Organization

TEAM Services trains continually, using internal work review policies and a formal training program. Our principal engineers and supervising engineers or architect are often in the field alongside company drillers and field technicians. TEAM Services personnel routinely maintain certification as materials testers with the Iowa Department of Transportation, American Concrete Institute, and International Code Council, along with the appropriate environmental safety training and certification with other state and national agencies.

The heart of any consulting organization is its staff. Our engineering technicians, professional, and support staff possess many years' experience. The high level of education, experience and background of our personnel, coupled with our "Partnering" approach, gives us the edge.

### Project Team

Our team of dedicated and experienced personnel shall include, but not be limited to, the following staff:

**Andy Eisinger, Scheduling contact 515-282-8818 or cell 515-238-4884**

**Construction Services Manager, Project Manager and Coordinator**

IDOT Certified Concrete Technician - Level 1, Certificate No. SE 574

IDOT Certified Soils Technician, Certificate No. SE 574

IDOT Certified Aggregate – Levels 1 and 2, Certificate No. SE 574

ACI Concrete Field Testing Technician – Grade 1, Certificate No.01280390

Radiation Safety and Nuclear Gauge Technology

Colorado Professional Geologist

**Dave Hansel, E.I., CWI**

**Field Engineer**

ICC/IBC Certified Special Inspector

AWS CWI Welding Inspector No. 05030211

Iowa DOT Aggregate Level 1-2, PCC Level 1

E.I.: Engineering and Land Surveying Examining Board, January 24, 1997.

Certified in Radiation Safety and Nuclear Gauges

**Robert Doss, P.E.**

**Principal Engineer**

P.E. Civil Engineering, IA, IL, IN, MI, MO, MN, NE, OH, SD, WI

Iowa Engineering Society

American Society of Civil Engineers

National Society of Professional Engineers

Structural Engineers Association of Iowa

**Stacy Brocka, P.E.**

**Senior Geotechnical Engineer**

P.E. Civil Engineering, IA, IL

American Society of Civil Engineers (ASCE)

National Society of Professional Engineers

Iowa Engineering Society – Central Iowa Chapter

Chi Epsilon – National Civil Engineering Honorary Fraternity - Member

**Clinton Halverson, P.E.**

**Project Manager**

P.E. Civil Engineering, IA

**Jeffrey Roberts, ICC, Assoc. AIA**

**President, Quality Manager, Master of Special Inspection**

Iowa DOT Aggregate Level 1-2

Iowa DOT PCC Level 1-2

Iowa DOT HMA Level 1

The American Institute of Architects

ICC Certified Master of Special Inspection

Certified in Radiation Safety and Nuclear Gauges.

IBM Professional Certification - Certified Solutions Expert

List of field technicians holding current IDOT

Des Moines	Daniel	Cannon
Des Moines	Clint	Carlson
Des Moines	Justin	Dye
Des Moines	Chris	Goodson
Des Moines	Neal	Gould
Des Moines	Shawn	Gymer
Des Moines	Kurt	Johnson
Des Moines	Patricia	Rehard
Des Moines	Corey	Stiles
Des Moines	Cash	Sturgeon

### 3. Related Technical Experience

TEAM Services has provided geotechnical, testing and/or inspection services on numerous similar projects in the Midwest over the past 23 years, including current contracts with the City of West Des Moines, Iowa, City of Johnston, Iowa, and City of Urbandale, Iowa.

### 4. Restrictions and Limitations

None.

### 5. References

John Larson  
City of Urbandale, Iowa  
3600 86th Street  
Urbandale, IA 50322  
515-278-3930  
jlarson@urbandale.org

Dave Cubit  
Johnston, Iowa Public Works Department  
6400 NW Beaver Drive  
Johnston, IA 50131  
515-278-0822  
dcubit@ci.johnston.ia.us

David McGuffin  
City of Des Moines, Iowa  
400 Robert Ray Drive  
Des Moines, IA 50309  
515-283-4028  
dnmcguffin@dmgov.org

**REQUEST FOR PROPOSALS (RFP)  
PROFESSIONAL ENGINEERING SERVICES  
CONSTRUCTION TESTING SERVICES  
CITY OF WEST DES MOINES**

**1. INVITATION**

The City of West Des Moines, Iowa is requesting proposals with costs from firms interested in providing Professional Engineering Services for an indefinite delivery on-call contract relating to construction testing services on various projects throughout the City of West Des Moines. Services are expected to include sampling, testing, analysis, and reporting of results for quality assurance and control for all types of construction within the City. Firms with relevant experience and qualifications are encouraged to submit. Qualified firms will need to show proof of general liability and professional liability insurance. Due to the possible use of Federal funds an Iowa DOT qualified laboratory and certified technicians are required. It is anticipated that there will be approximately 20 active construction projects where testing services are required at any given time during the year. The number of projects can vary significantly during a year and there is no commitment to a minimum or maximum number of projects. The Engineering Services Department will be responsible for scheduling and coordinating testing activities. It is imperative all requested tests are completed and reported in a timely manner. It is the City's intent to issue a contract for a one year period with the ability to extend the contract for three additional one year periods.

**2. PROCESS**

- A. **DISTRIBUTION OF REQUEST FOR PROPOSALS (RFP)** – This RFP document will be made available only to individuals or firms that are licensed to practice engineering in the State of Iowa. The RFP and any supporting documents will be made available via electronic distribution on the City of West Des Moines web site: [www.wdm.iowa.gov](http://www.wdm.iowa.gov).
- B. **PRESUBMITTAL QUESTIONS** – A conference to review the preliminary program requirements is scheduled for June 8, 2016 at 2:30 p.m. in the City Hall Council Chambers located at 4200 Mills Civic Parkway, West Des Moines, IA 50265. This conference is intended to review the project scope and process. Questions on the RFP process and requirements may be forwarded to Ben McAlister, Principal Engineer, at 515-222-3475 or via e-mail at [ben.mcalister@wdm.iowa.gov](mailto:ben.mcalister@wdm.iowa.gov).
- C. **RECEIPT OF THE RFP AND LATE SUBMISSIONS** – All Proposals must be addressed to the City Clerk, City of West Des Moines. Statements will be received by the City Clerk at his office at 4200 Mills Civic Parkway, Suite 2B, West Des Moines, Iowa 50265 until 2:00 p.m., on Wednesday, June 15, 2016. Statements and materials received after the time specified above will not be considered and returned to the sender.
- D. **EVALUATION OF THE PROPOSALS** – The Proposals submitted will be evaluated by City staff for completeness and compliance with all submittal requirements. The City reserves the right to reject any submittal that does not comply with all the submittal requirements. City staff will evaluate the submittals and make recommendations to the City Council regarding the entering into a contract for professional services.
- E. **CONTRACT PERIOD** – It is the intent to enter into a professional services agreement at the June 27, 2016 regular City Council meeting with the contract period beginning on July 1, 2016.

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### 3. SUBMITTAL REQUIREMENTS

- A. **REQUEST FOR PROPOSALS: SPECIFIC REQUIREMENTS** - The City asks that the response to the RFP be one hard copy along with a copy of the submittal in PDF file format contained on a compact disk or USB flash drive. Each Proposal shall be in 8 1/2" x 11", vertical format, consisting of the specified materials requested below. To be responsive, each Proposal must include the following material in the exact order specified. The submittal must be no more than ten (10) single sided pages in total length. Submittals not organized according to this format may be rejected.
1. **COVER LETTER:** The individual submitting the Proposal and/or the designated lead engineer shall sign the cover letter. In case of a joint venture, an individual and/or the lead engineer from each joint venture shall sign the cover letter.
  2. **PROJECT TEAM:** Provide a general introduction on the makeup of the individuals or project team, including each team member's area of expertise, certifications, and note any past experience of team members working together on other projects. For each team member, include the name, address, and telephone number where they may be contacted.
  3. **PROJECT EXPERIENCE:** Relevant project experience of any project team member may be submitted.
  4. **RESTRICTIONS AND LIMITATIONS:** Provide a summary of any restrictions and/or limitations of the project team, if any.
  5. **REFERENCES:** Provide at least three (3) owner/user references. For each reference, list the person's name, address, and current telephone number, and nature of the reference or relationship.
  6. **COSTS:** Provide a summary of costs for the services listed in Attachment A.

### 5. SUPPORTING DOCUMENTS

American Society for Testing Methods (ASTM) and American Association of State Highway and Transportation Officials (AASHTO) standard test methods shall be used as required by the individual project specifications. A copy of these standard(s) is available on the web or through these agencies.

Refer to Iowa DOT Materials Instructional Memorandum 208 and 213 for laboratory qualification requirements. A copy of these standard(s) is available on the web or through the Iowa DOT.

The standard City of West Des Moines Professional Services Agreement is included as Attachment B.

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ATTACHMENT A  
 REQUESTED SERVICES

ITEM	UNIT	UNIT COST
Principal Engineer	HR	\$69.50
Project Engineer	HR	\$43.00
Senior Engineering Technician	HR	\$29.25
Engineering Technician	HR	\$29.25
Clerical	HR	\$0.00
Nuclear Moisture & Density	EA	\$29.25
Modified Proctor	EA	\$43.00
One Point Proctor - Standard	EA	\$9.00
Standard Proctor	EA	\$41.00
Sieve Analysis (Includes #200)	EA	\$30.00
Atterberg Limits	EA	\$19.25
Concrete Slump & Air	EA	\$0.00
Concrete Cores (Cut & 9-Point)	EA	\$23.50
Compressive Strength of Cylinders - 6" x 12"		
Make Test Cylinder (includes mold)	EA	\$0.00
Cure, Prepare & Test Cylinder	EA	\$4.80
4" x 12" Cylinder Molds Only	EA	\$1.00
Flexural Strength of Concrete Beams		
Make Beams	EA	\$0.00
Cure, Prepare & Test Beams	EA	\$8.50
Asphalt Core Density - Field Cut	EA	\$23.50
Cancellation Call for Moisture & Density	EA	\$0.00

NOTES:

1. Concrete core: Includes all equipment, materials, and labor (Cut, Patch, and 9 Point)
2. Nuclear Moisture/Density testing will be paid at rate quoted regardless the level of engineering technician.
3. Holiday and overtime rates will not be permitted.
4. Mileage and other reimbursable expenses shall not be paid separately.
5. All invoices shall include City of West Des Moines:
  - a. Project Number ex: 0510-017-2000
  - b. Project Name ex: 50th Street Reconstruction Project

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April 17, 2014  
Supersedes October 16, 2012

Matls. IM 208  
Appendix B



**MATERIALS LABORATORY QUALIFICATION PROGRAM**  
Laboratory Inspection - per Materials Instructional Memorandum 208

Company Name: Team Services, Inc.  
Laboratory name: Team Services, Inc. - Des Moines  
Laboratory type: Aggregate HMA PCC Ball (Concrete)  
Laboratory location: 717 SE 6th St., Des Moines, IA 50309  
Laboratory contact person: Jeff Roberts  
Laboratory technician: \_\_\_\_\_ Certification number: \_\_\_\_\_ Expires: \_\_\_\_\_

- Attached sheet -

Current manuals and written test procedures available? yes / WLOUWB

Current calibration procedures and records? yes on file

Documentation of correlation results and corrective actions taken for previous construction season? yes

Proper equipment available to perform qualified testing? \* yes

Other remarks: \* Annual review due: 6-11-16

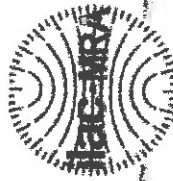
Date of inspection: 6-11-15 Qualification expiration date: 6-11-17

Inspection performed by: Vicky Rink  
Print name: \_\_\_\_\_  
Sign name: Vicky Rink

Inspection received by: Jeff Roberts  
Print name: \_\_\_\_\_  
Sign name: Jeff Roberts

District Number 1


cc: Materials Engineer, Contractor/Producer, Areas, File

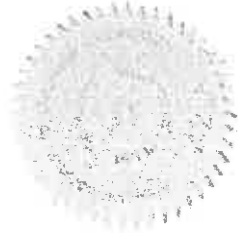
 American Association for Laboratory Accreditation

**Accredited Laboratory**  
AZLA has accredited  
**TEAM SERVICES, INC.**  
Des Moines, IA  
for technical competence in the field of  
**Construction Materials Testing**

This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2005 General Requirements for the Competence of Testing and Calibration Laboratories. This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality management system (refer to joint ISO-ILAC-AF Communiqué dated 8 January 2009).

Presented this 14<sup>th</sup> day of April 2015.

  
President & CEO  
For the Accreditation Council  
Certificate Number 0576.01  
Valid to April 30, 2017



*For the tests to which this accreditation applies, please refer to the laboratory's Construction Materials Scope of Accreditation.*



American Association for Laboratory Accreditation

SCOPE OF ACCREDITATION TO ISO/IEC 17025:2005

TEAM SERVICES, INC.  
717 SE 6<sup>th</sup> Street  
Des Moines, IA 50309  
Jeff Roberts Phone: 515 282 8818

Valid To: April 30, 2017

Certificate Number: 0576.01

In recognition of the successful completion of the A2LA evaluation process, accreditation is granted to this laboratory for:

CONSTRUCTION MATERIALS ENGINEERING

- ASTM: C1077 (Laboratories Testing Concrete and Concrete Aggregates for Use in Construction and Criteria for Laboratory Evaluation);  
D3666 (Agencies Testing and Inspecting Road and Paving Materials);  
D3740 (Agencies Engaged in Testing and/or Inspection of Soil and Rock as Used in Engineering Design and Construction);  
E329 (Agencies Engaged in Construction Inspection and/or Testing);

CONSTRUCTION MATERIALS TESTING

Test Method:	Test Description:
<b>Aggregates:</b>	
ASTM C29	Bulk Density ("Unit Weight") and Voids in Aggregate
ASTM C40	Organic Impurities in Fine Aggregates for Concrete
ASTM C70	Surface Moisture in Fine Aggregate
ASTM C117	Materials Finer than 75µm (No. 200) Sieve in Mineral Aggregates by Washing
ASTM C127	Density, Relative Density (Specific Gravity), and Absorption of Coarse Aggregate
ASTM C128	Density, Relative Density (Specific Gravity), and Absorption of Fine Aggregate
ASTM C131	Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine
ASTM C136	Sieve Analysis of Fine and Coarse Aggregates
ASTM C535	Resistance to Degradation of Large-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine
ASTM C566	Total Evaporable Moisture Content of Aggregate by Drying
ASTM C702	Reducing Samples of Aggregate to Testing Size
ASTM D75*	Sampling Aggregates
ASTM D4791	Flat Particles, Elongated Particles, or Flat and Elongated Particles in Coarse Aggregate
ASTM D5821	Determining the Percentage of Fractured Particles in Coarse Aggregate
AASHTO T304	Uncompacted Void Content of Fine Aggregate
<b>Bituminous:</b>	
ASTM D75	Sampling Aggregates
ASTM D979*	Sampling Bituminous Paving Mixtures

(A2LA Cert. No. 0576.01) 04/14/2015

Page 1 of 3

5202 Presidents Court, Suite 220 | Frederick, MD 21703-8398 | Phone: 301 644 3248 | Fax: 240 454 9449 | www.A2LA.org

Test Method:	Test Description:
<b>Bituminous (continued):</b>	
ASTM D2041	Theoretical Maximum Specific Gravity and Density of Bituminous Paving Mixtures
ASTM D2172 (Method B)	Quantitative Extraction of Bitumen from Bituminous Paving Mixtures
ASTM D2726	Bulk Specific Gravity and Density of Non-Absorptive Compacted Bituminous Mixtures
ASTM D2950*	Density of Bituminous Concrete in Place by Nuclear Methods
ASTM D3203	Percent Air Voids in Compacted Dense and Open Bituminous Paving Mixtures
ASTM D3549*	Thickness or Height of Compacted Bituminous Paving Mixture Specimens
ASTM D3665	Random Sampling of Construction Materials
ASTM D4867/D4867M	Effect of Moisture on Asphalt Concrete Paving Mixtures
ASTM D6307	Asphalt Content of Hot Mix Asphalt by Ignition Method
ASTM D6925	Preparation and Determination of the Relative Density of Hot Mix Asphalt (HMA) Specimens by Means of the Superpave Gyrotory Compactor
ASTM D6926	Preparation of Bituminous Specimens Using Marshall Apparatus
ASTM D6927	Marshall Stability and Flow of Bituminous Mixtures
AASHTO T30	Mechanical Analysis of Extracted Aggregate
AASHTO T245	Resistance to Plastic Flow of Bituminous Mixtures Using Marshall Apparatus
AASHTO TP4	Preparing and Determining the Density of Hot Mix Asphalt (HMA) Specimens by Means of Superpave Gyrotory Compactor
<b>Cement:</b>	
ASTM C109/C109M (Compression only)	Compressive Strength of Hydraulic Cement Mortars (Using 2 in. or [50 mm] Cube Specimens)
<b>Concrete:</b>	
ASTM C31/C31M*	Making and Curing Concrete Test Specimens in the Field
ASTM C39/C39M	Compressive Strength of Cylindrical Concrete Specimens
ASTM C42/C42M	Obtaining and Testing Drilled Cores and Sawed Beams of Concrete
ASTM C78/C78M*	Flexural Strength of Concrete (Using Simple Beam with Third-Point Loading)
ASTM C138/C138M*	Density (Unit Weight), Yield, and Air Content (Gravimetric) of Concrete
ASTM C143/C143M*	Slump of Hydraulic-Cement Concrete
ASTM C172/C172M*	Sampling Freshly Mixed Concrete
ASTM C173*	Air Content of Freshly Mixed Concrete by the Volumetric Method
ASTM C174/C174M	Measuring Thickness of Concrete Elements Using Drilled Concrete Cores
ASTM C192/C192M	Making and Curing Concrete Test Specimens in the Laboratory
ASTM C231/C231M*	Air Content of Freshly Mixed Concrete by the Pressure Method
ASTM C293/C293M	Flexural Strength of Concrete (Using Simple Beam With Center-Point Loading)
ASTM C617	Capping Cylindrical Concrete Specimens
ASTM C805/C805M*	Rebound Number of Hardened Concrete
ASTM C1064/C1064M*	Temperature of Freshly Mixed Hydraulic-Cement Concrete
ASTM C1019	Sampling and Testing Grout
ASTM C1231/C1231M	Unbonded Caps in Determination of Compressive Strength of Hardened Concrete Cylinders
ASTM C1314	Compressive Strength of Masonry Prisms
ASTM E1155	Determining Floor Flatness(F <sub>2</sub> ) and Floor Levelness(F <sub>L</sub> ) Numbers

(A2LA Cert. No. 0576.01) 04/14/2015

*Pete. Alaya*  
Page 2 of 3

Test Method:	Test Description:
<b>Fireproofing:</b>	
ASTM E605	Thickness and Density of Sprayed Fire-Resistive Material (SFRM) Applied to Structural Members
ASTM E736	Cohesion/Adhesion of Sprayed Fire-Resistive Materials Applied to Structural Members
<b>Masonry:</b>	
ASTM C140	Sampling and Testing Concrete Masonry Units and Related Units
ASTM C780* (Annex 1 & 7)	Preconstruction and Construction Evaluation of Mortars for Plain and Reinforced Unit Masonry
ASTM C1019*	Sampling and Testing Grout
ASTM C1314	Standard Test Method for Compressive Strength of Masonry Prisms
<b>Soils:</b>	
ASTM D421	Dry Preparation of Soil Samples for Particle-Size Analysis and Determination of Soil Constants
ASTM D422	Standard Test Method for Particle Size Analysis of Soils
ASTM D698	Laboratory Compaction Characteristics of Soil Using Standard Effort
ASTM D854	Specific Gravity of Soil Solids by Water Pycnometer
ASTM D1140	Amount of Material in Soils Finer than No. 200 (75 µm) Sieve
ASTM D1556*	Density and Unit Weight of Soil in Place by Sand-Cone Method
ASTM D1557	Laboratory Compaction Characteristics of Soil Using Modified Effort
ASTM D1883	CBR (California Bearing Ratio) of Laboratory-Compacted Soils
ASTM D2166	Unconfined Compressive Strength of Cohesive Soil
ASTM D2216	Laboratory Determination of Water (Moisture) Content of Soil and Rock by Mass
ASTM D2419	Sand Equivalent Value of Soils and Fine Aggregate
ASTM D2435	One-Dimensional Consolidation Properties of Soils Using Incremental Loading
ASTM D2487	Classification of Soils for Engineering Purposes (Unified Soil Classification System)
ASTM D2488*	Description and Identification of Soils (Visual-Manual Procedure)
ASTM D3080	Direct Shear Test of Soils Under Consolidated Drained Conditions
ASTM D2850	Unconsolidated-Undrained Triaxial Compression Test on Cohesive Soils
ASTM D4253	Maximum Index Density and Unit Weight of Soils Using a Vibratory Table
ASTM D4254	Minimum Index Density and Unit Weight of Soils and Calculation of Relative Density
ASTM D4318	Standard Test Methods for Liquid Limit, Plastic Limit, and Plasticity Index of Soils
ASTM D4643	Determination of Water (Moisture) Content of Soil by Microwave Oven Heating
ASTM D4718	Unit Weight and Water Content for Soils Containing Oversize Particles
ASTM D4767	Consolidated Undrained Triaxial Compression Test for Cohesive Soils
ASTM D6938*	In-Place Density and Water Content of Soil and Soil Aggregate by Nuclear Methods (Shallow Depth)
<b>Steel (Shop &amp; Field)*:</b>	
AWS D1.1:2008	Fabrication & Erection - Visual Welding
AISC/RCS	Manual of Steel Construction (Fabrication & Erection - Visual & Bolting)

\* This laboratory meets A2LA R104 - General Requirements: Accreditation of Field Testing and Field Calibration Laboratories for these tests.

*Pete. Noyce*



DEPARTMENT OF THE ARMY  
ENGINEER RESEARCH AND DEVELOPMENT CENTER, CORPS OF ENGINEERS  
GEOTECHNICAL AND STRUCTURES LABORATORY  
WATERWAYS EXPERIMENT STATION, 9909 HALLS FERRY ROAD  
VICKSBURG, MISSISSIPPI 39180-6199

May 12, 2015

Reply to the Attention of:  
Concrete and Materials Branch

Shelley Curtis  
TEAM Services, Inc.  
717 SE 6<sup>th</sup> Street  
Des Moines, IA 50309

Dear Ms. Curtis:

An inspection of your materials testing laboratory was performed on April 22, 2015. You provided deficiency corrections to the Materials Testing Center (MTC) on May 12, 2015. These deficiency corrections were compared to the ASTM Standards for compliance and found to be satisfactory.

Your Quality System meets the requirements of the U.S. Army Corps of Engineers. The material test methods that you are validated to perform for the U.S. Army Corps of Engineers are:

**Aggregate Tests:** ASTM C40, C117, C127, C128, C136, C131, C227, C535, C566, C702, and D75.

**Bituminous Tests:** ASTM D140, D2041, D2726, D2950, D3203, D3686, D3686, D5444, D8926, D8927, E329, and CRD-C650.

**Concrete Tests:** ASTM C31, C39, C198, C143, C172, C231, C1084, C470, C511, C817, C1077, C1281, and E329.

**Masonry, Mortar, & Grout Tests:** ASTM C780 and C1019.

**Soil Tests:** ASTM D421, D422, D698, D864, D1140, D1656, D1557, D1883, D2168, D2216, D2434, D2487, D3080, D3740, D4253, D4254, D4318, D4643, D5084, D6698, and E328.

We will add your laboratory to the list of commercial laboratories qualified to conduct material tests for the U.S. Army Corps of Engineers; see the MTC page at [www.ercp.usace.army.mil/Media/FactSheets/FactSheetArticleView/tabid/3264/Article/476561/materials-testing-center.aspx](http://www.ercp.usace.army.mil/Media/FactSheets/FactSheetArticleView/tabid/3264/Article/476561/materials-testing-center.aspx). All Corps offices will be notified of this decision and will have the opportunity to use your services. TEAM Services, Inc., Des Moines, IA will remain on our list of laboratories qualified to conduct material tests until April 22, 2018 three (3) years from the date of the inspection.

Sincerely,

Alfred B. Crawley, PE  
Director  
Materials Testing Center

Copy Furnished:  
Doug Comer / Louisville District

# End of Proposal

ATTACHMENT 2  
PROJECT SCHEDULE



ATTACHMENT 3  
SCHEDULE OF FEES

**ATTACHMENT A  
REQUESTED SERVICES**

ITEM	UNIT	UNIT COST
Principal Engineer	HR	\$69.50
Project Engineer	HR	\$43.00
Senior Engineering Technician	HR	\$29.25
Engineering Technician	HR	\$29.25
Clerical	HR	\$0.00
Nuclear Moisture & Density	EA	\$29.25
Modified Proctor	EA	\$43.00
One Point Proctor – Standard	EA	\$9.00
Standard Proctor	EA	\$41.00
Sieve Analysis (Includes #200)	EA	\$30.00
Atterberg Limits	EA	\$19.25
Concrete Slump & Air	EA	\$0.00
Concrete Cores (Cut & 9-Point)	EA	\$23.50
Compressive Strength of Cylinders – 6"x 12"		
Make Test Cylinder (includes mold)	EA	\$0.00
Cure, Prepare & Test Cylinder	EA	\$4.80
4"x 12" Cylinder Molds Only	EA	\$1.00
Flexural Strength of Concrete Beams		
Make Beams	EA	\$0.00
Cure, Prepare & Test Beams	EA	\$8.50
Asphalt Core Density – Field Cut	EA	\$23.50
Cancellation Call for Moisture & Density	EA	\$0.00

**NOTES:**

1. Concrete core: Includes all equipment, materials, and labor (Cut, Patch, and 9 Point)
2. Nuclear Moisture/Density testing will be paid at rate quoted regardless the level of engineering technician.
3. Holiday and overtime rates will not be permitted.
4. Mileage and other reimbursable expenses shall not be paid separately.
5. All invoices shall include City of West Des Moines:
  - a. Project Number ex: 0510-017-2000
  - b. Project Name ex: 50th Street Reconstruction Project

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**4(t)**

DATE: June 27, 2016

**ITEM:** Approval of Addressing, Various locations within City limits – Address assignment and readdressing of properties to resolve conflicts - City Initiated (MI-003094-2016)

**RESOLUTION:** Approve Addresses

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** On May 31, the City Council approved the assignment of addresses for properties within the City. Upon approval and recordation of the resolution for addresses within Dallas County, it was realized that the addresses for the multi-tenant commercial building within the Jordan Creek Business Park was listed wrong, as was the site address for the apartment project in the Jordan West development. Both of these situations appear to be staff error in dragging excel rows to achieve duplication. Exhibit A of the resolution incorrectly indicated the building number as 6150-6156 Village View Drive when in fact, the entire building uses a site address of 6150 Village View Drive plus suite numbers. The same issue impacted the addresses for Jordan West Apartments. The entire apartment complex uses a site address of 360 Bridgewood Drive plus apartment unit numbers (see Attachment A – incorrect addresses indicated in bold). Staff request City Council approval of the attached resolution and exhibit correcting the building addresses of 6150 Village View Drive and 360 Bridgewood Drive and their associated suite/apartment numbers.

The addresses are correct within the City’s Addressing Database therefore, there is no issue with emergency response requests to the Jordan Creek Business Park building (apartments not occupied: buildings under construction). This resolution will be recorded and copies thereof provided to the United States Postal Service District office and the respective County Departments notifying them of the corrections.

**RECOMMENDATION:** Addressing Administrator recommends the adoption of the resolution approving the addresses indicated in Exhibit 'A', including the correction for 6150 Village View Drive and 360 Bridgewood Drive.

Lead Staff Member: Lynne Twedt, Addressing Administrator

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

**PUBLICATION(S) (if applicable)**

Published In	Noticing not required
Date(s) Published	n/a
Letter sent to surrounding property owners	n/a

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	n/a
Date Reviewed	n/a
Recommendation	Yes <input type="checkbox"/> No <input type="checkbox"/> Split <input type="checkbox"/>

**Attachments:**

- Exhibit I - Resolution – Dallas County
- Exhibit A Properties to be addressed

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, APPROVING THE AMENDED AND SUBSTITUTED ADDRESSING AND READDRESSING OF PROPERTY**

**WHEREAS**, per City policy, the West Des Moines City Council shall approve all addressing and readdressing requests; and

**WHEREAS**, addressing and readdressing changes for several parcels of property located in Dallas County as shown on the attached Exhibit "A" were deemed appropriate and necessary by the Addressing Administrator;

**WHEREAS**, on May 31, 2016, the West Des Moines City Council approved a resolution authorizing the addressing and readdressing of the parcels; and

**WHEREAS**, readdressing changes for a portion of the parcels approved by the West Des Moines City Council on May 31, 2016 contained errors; and

**WHEREAS**, the attached Exhibit "A" corrects the errors contained in the previously approved Exhibit; and

**WHEREAS**, the approval of the attached Exhibit "A" and its substitution for the addressing and readdressing information approved by the City Council on May 31, 2016 is appropriate.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City West Des Moines as follows:**

**SECTION 1.** The addressing and readdressing of the properties shown on Exhibit "A" of Resolution 16-05-31-13 approved by the West Des Moines City Council on May 31, 2016 is withdrawn and shall be of no further force or effect whatsoever.

**SECTION 2.** The addressing and readdressing of the properties shown on the attached Exhibit "A or as amended orally at the City Council meeting of June 27, 2016 is approved and shall be deemed official and become effective immediately.

**SECTION 3.** Officers of the City are hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this Resolution.

**SECTION 4.** All Resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**PASSED AND ADOPTED on June 27, 2016.**

\_\_\_\_\_  
Steve Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on June 27, 2016, by the following vote:

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

Exhibit A  
Addressed & Readdressed Parcels

DALLAS COUNTY

<u>Parcel # or Legal</u>	<u>Existing Address</u>	<u>New Address</u>	<u>Comment</u>
parcel id = 1603281018	8874 Silver Street	1339 89th Street	corner lot: resident using 89th St address: 1339 89th previously not in database
parcel id = 1610481001	229 Overlook Ave	retired	corner lot: resident using 9138 Wellington St
parcel id = 1609400002	n/a	398 Grand Prairie Parkway	IA DOT camera
parcel id = 1613279000	n/a	6150 Village View Drive, Ste 100	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 101</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 102</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 103</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 104</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 105</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 106</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 107</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 108</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 109</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 110</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 111</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 112</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 113</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 114</b>	not in database
parcel id = 1613279000	n/a	<b>6150 Village View Drive, Ste 115</b>	not in database
parcel id = 1602477015	n/a	7545 Ashworth Rd, Ste 100	not in database
parcel id = 1602477015	n/a	7545 Ashworth Rd, Ste 140	not in database
parcel id = 1602477015	n/a	7545 Ashworth Rd, Ste 150	not in database

parcel id = 1602477015	n/a	7545 Ashworth Rd, Ste 160	not in database
parcel id n/a	10350 I-80	retired	rest area removed due to Grand Prairie Interchange
parcel id = 1603326001	n/a	9775 Wilson Street	South Maple Grove Plat 16 Lot 1
parcel id = 1603328001	n/a	9770 Wilson Street	South Maple Grove Plat 16 Lot 2
parcel id = 1603328001	n/a	1350 97th Street	South Maple Grove Plat 16 Lot 2
parcel id = 1603328001	n/a	1344 97th Street	South Maple Grove Plat 16 Lot 3
parcel id = 1603328001	n/a	1338 97th Street	South Maple Grove Plat 16 Lot 4
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parcel id = 1603328001	n/a	1326 97th Street	South Maple Grove Plat 16 Lot 6
parcel id = 1603328001	n/a	9704 Davis Drive	South Maple Grove Plat 16 Lot 7
parcel id = 1603328001	n/a	9678 Davis Drive	South Maple Grove Plat 16 Lot 8
parcel id = 1601104001	n/a	1805 Jordan Creek Pkwy	utility - Tesla charging electric meter
parcel id = 1611428009	n/a	296 Jordan Creek Pkwy	traffic signal cabinet
parcel id = 1611428002	n/a	360 Bridgewood Drive	Jordan West Apartments (site address)
parcel id = 1611428002	n/a	360 Bridgewood Drive, Building 1000	Jordan West Apartments (Clubhouse)
parcel id = 1611428002	n/a	360 Bridgewood Drive, Apt 2201	Jordan West Apartments (Building 2000)
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parcel id = 1612228014	n/a	6154 Aspen Drive	Pemberley Hills Plat 2, Lot 2
parcel id = 1612228014	n/a	6122 Aspen Drive	Pemberley Hills Plat 2, Lot 3
parcel id = 1612228014	n/a	6141 Aspen Drive	Pemberley Hills Plat 2, Lot 10
parcel id = 1612228014	n/a	6167 Aspen Drive	Pemberley Hills Plat 2, Lot 11
parcel id = 1612228014	n/a	855 62nd Street	Pemberley Hills Plat 2, Lot 11
parcel id = 1612228007	n/a	6106 Aspen Drive	Pemberley Hills Plat 2, Lot 4
parcel id = 1612228007	n/a	6070 Aspen Drive	Pemberley Hills Plat 2, Lot 5
parcel id = 1612228007	n/a	6048 Aspen Drive	Pemberley Hills Plat 2, Lot 6
parcel id = 1612228007	n/a	6063 Aspen Drive	Pemberley Hills Plat 2, Lot 7
parcel id = 1612228007	n/a	6077 Aspen Drive	Pemberley Hills Plat 2, Lot 8
parcel id = 1612228007	n/a	6115 Aspen Drive	Pemberley Hills Plat 2, Lot 9
parcel id = 1612228007	804 60th Street	retired	property replatted
parcel id = 1623200005	1200 S. Jordan Creek Pkwy	retired	former temporary batch plant

CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION

DATE: June 27, 2016

ITEM:

Resolution - Approving Fiber Optic Reimbursement Agreement  
South 88<sup>th</sup> Street Improvements Project  
AT&T Corporation

FINANCIAL IMPACT:

The Reimbursement Agreement associated with the AT&T Corporation fiber optic relocation is not to exceed \$38,975.80. Payments will be paid from budgeted account no. 4247.75.820.6.7910 with the ultimate funding intended to come from General Obligation Bonds and TIF.

BACKGROUND:

The design of the S. 88<sup>th</sup> Street Improvements Project from Sugar Creek Drive to Booneville Road includes relocation of a stream along the east side of South 88<sup>th</sup> Street. This stream relocation crosses an existing AT&T fiber optic cable located within a private easement. The private easement gives AT&T rights to install, operate, and maintain the cable on private property. As a result of these rights AT&T is entitled to compensation for relocation due to the project

The attached agreement authorizes AT&T to complete the relocation work at the not-to-exceed quoted cost.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Approving Fiber Optic Reimbursement Agreement.

Lead Staff Member: Ben McAlister, P.E., Principal Engineer *BCW*

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>JBW</i>
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	June 23, 2016		
Recommendation	Yes	No	Split



**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING A FIBER OPTIC REIMBURSEMENT AGREEMENT**

**South 88th Street Improvements Project  
AT&T Corporation  
0510-020-2014**

**WHEREAS**, on November 25, 2013 the City of West Des Moines entered into an agreement for the design of the S. 88<sup>th</sup> Street Improvements project; and,

**WHEREAS**, the proposed improvements conflict with an existing fiber optic cable owned by AT&T Corporation and is located within a private easement; and,

**WHEREAS**, AT&T Corporation has provided a proposal setting forth the terms and conditions of relocating the fiber optic cable; and,

**WHEREAS**, approval of the Fiber Optic Reimbursement Agreement is in the best interest of the City of West Des Moines.

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, THAT:**

1. The Fiber Optic Reimbursement Agreement with AT&T Corporation is approved.
2. The Mayor is authorized to sign the Fiber Optic Reimbursement Agreement and the City Clerk is directed to attest the Mayor's signature.

**PASSED AND APPROVED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson, CMC  
City Clerk

## REIMBURSEMENT AGREEMENT

This AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between AT&T Corp., on behalf of itself and its affiliated companies, which has a place of business at 3450 Riverwood Parkway, SE, Atlanta, GA 30339 ("AT&T") and City of West Des Moines, whose mailing address is 4200 Mills Civic Parkway, West Des Moines, IA 50265 ("CITY").

### WITNESSETH:

**WHEREAS**, AT&T is a grantee of an easement, 16.5 feet in width, granted by Farmingham, Inc., an Iowa Corporation, on March 4<sup>th</sup>, 1987, and recorded in the Official Records of Dallas County, Iowa (the "Easement"); and

**WHEREAS**, the Easement and the AT&T buried cable that have been placed within the Easement will be adversely impacted by the CITY's proposed construction and widening of S. 88<sup>th</sup> Street, that includes the Easement area; and

**WHEREAS**, CITY will reimburse AT&T for AT&T's cost of protecting, relocating and/or lowering a section of the **AT&T Des Moines to Council Bluffs Fiber Optic Cable**, located between station numbers 62+990 and 63+355 (the "Cable");

**NOW THEREFORE**, the parties agree as follows:

1. AT&T will provide engineering, plant protection, labor, materials, and supervision necessary to protect and lower existing Cable, as deemed necessary in AT&T's sole judgment (the "Work"). The Work is more particularly described in attached Exhibit A. The starting date will be set by the parties so that the Work can be completed as expeditiously as practicable.
2. CITY shall pay AT&T the actual cost of the Work, which is estimated to be **Thirty Eight Thousand Nine Hundred Seventy Five Dollars and Eighty Cents** (\$38,975.80) as shown in the attached Exhibit B, the cost estimate summary. CITY acknowledges that the estimated cost does not include rock removal or frost removal cost if it is required, the actual cost may greatly exceed the estimated cost. Upon completion of the AT&T will send an invoice to CITY for the actual cost of the Work and the CITY agrees to pay AT&T within thirty (30) days from the invoice date.
3. CITY agrees to exercise all due caution while working near the Cable, in order to prevent damage to the Cable. CITY agrees:
  - (a) to notify AT&T by telephone at 1-800 252-1133 at least forty-eight (48) hours prior to performing any construction, demolition or repairs at the Cable location;
  - (b) to perform construction, demolition, repair, modifications, additions and any other activities in compliance with all applicable laws and regulations and in a manner that does not interfere with the operations of AT&T; and

(c) not to work at the Cable location without AT&T's prior authorization and AT&T's On-Site Work Force personnel being present during the work.

4. CITY (the "Indemnifying Party") shall indemnify, defend and hold harmless AT&T (the "Indemnified Party") from and against any and all claims, demands, actions, losses, damages, assessments, charges, judgments, liabilities, costs and expenses (including reasonable attorneys' fees and disbursements) that may from time to time be asserted by third parties against the Indemnified Party because of any personal injury, including death, to any person or loss of, physical damage to or loss of use of real or tangible personal property, to the extent caused by the negligence or misconduct of the Indemnifying Party, its agents, employees or contractors. For purposes of indemnifications set forth in this Agreement, "Indemnified Party" means AT&T, its affiliates, subsidiaries, parent, successors and assigns and its and their employees, directors, officers, agents, contractors and subcontractors. The Indemnified Party:

4.1 shall notify the Indemnifying Party in writing promptly upon learning of any claim or suit for which indemnification may be sought, provided that failure to do so shall have no effect except to the extent the Indemnifying Party is prejudiced thereby;

4.2 shall have the right to participate in such defense or settlement with its own counsel and at its own expense, but the Indemnifying Party shall have control of this defense or settlement; and

4.3 shall reasonably cooperate with the defense.

5. AT&T MAKES NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES AS TO MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

6. NOTWITHSTANDING ANY PROVISION OF THIS AGREEMENT TO THE CONTRARY, EXCEPT AS PROVIDED IN SECTION 4, IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, RELIANCE OR CONSEQUENTIAL DAMAGES, WHETHER FORESEEABLE OR NOT, INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFITS OR REVENUE, COST OF CAPITAL, COST OF REPLACEMENT SERVICES, OR CLAIMS OF CUSTOMERS OR OF OTHER THIRD PARTIES, OCCASIONED BY ANY CAUSE WHATSOEVER, INCLUDING, WITHOUT LIMITATION, BREACH OF CONTRACT, BREACH OF WARRANTY, NEGLIGENCE OR STRICT LIABILITY.

7. CITY shall keep the Cable and other property of AT&T free from all mechanic's, artisan's, materialman's, architect's, or similar services' liens which arise in any way from or as a result of its activities and cause any such liens which may arise to be discharged or released.

8. Except for payment of the cost of the Work, neither party shall have any liability for its delays or its failure in performance due to: fire, explosion, pest damage, power failures, strikes or labor disputes, acts of God, the Elements, war, civil disturbances, acts of civil or military authorities or the public enemy, inability to secure raw materials, transportation facilities, fuel or energy shortages, or other causes beyond its control, whether or not similar to the foregoing.

9. A party shall be in default if it fails to perform or observe any material term or condition of this Agreement and the failure continues unremedied for thirty (30) days after receipt of written notice (fourteen (14) days in the case of CITY's failure to pay AT&T the estimated and/or actual cost of the Work); provided, however, that when such default (excluding CITY's non-payment) cannot reasonably be cured within such thirty (30) day period, this period will be extended if that party promptly commences to cure the same and prosecutes such curing with due diligence. Upon the default by a party, the other party may terminate this Agreement and pursue any legal remedies it may have under applicable law or principles of equity.

10. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors or assigns. CITY shall not assign, transfer, or dispose of this Agreement or any of its rights or obligations hereunder without prior written consent of AT&T; provided, however, that CITY may assign or transfer this Agreement to a controlling or controlled affiliate or to a successor in the event of reorganization, including a merger or sale of substantially all of its assets, without the consent of AT&T. An assignment, transfer or disposition of this Agreement by CITY shall not relieve CITY of any of its obligations under this Agreement. AT&T shall have the right to assign this Agreement and to assign its rights and delegate its obligations and liabilities under this Agreement, either in whole or in part, to any party. An assignment, transfer or disposition of this Agreement by AT&T shall not relieve AT&T of any of its obligations under this Agreement. Neither this Agreement, nor any term or provision hereof, nor any inclusion by reference shall be construed as being for the benefit of any person or entity not a signatory hereto.

11. Any demand, notice or other communication to be given to a party in connection with this Agreement shall be given in writing and shall be given by personal delivery, by registered or certified mail, return receipt requested, or by commercial overnight delivery service addressed to the recipient as set forth below or to such other address or individual, as may be designated by notice given by the party to the other:

**AT&T:**

AT&T CORP.  
3450 Riverwood Parkway SE  
Atlanta, GA 30339  
Room 162  
Attention: Right of Way Dept.

With a copy to:

AT&T Corp.  
One AT&T Way  
Room 3A118A  
Bedminster, NJ 07921  
Attention: Legal Department – Network Services

**CITY:**  
**City of West Des Moines**  
**4200 Mills Civic Parkway**  
**West Des Moines, IA 50265**  
**Attn: Brian Hemesath**  
**Ph: 515-273-0642**

Any demand, notice or other communication given by personal delivery shall be conclusively deemed to have been given on the day of actual delivery thereof and if given by registered or certified mail, return receipt requested or by commercial overnight delivery service on the date of receipt thereof.

12. The failure of either party hereto to enforce any of the provisions of this Agreement, or the waiver thereof in any instance, shall not be construed as a general waiver or relinquishment on its part of any such provision, and said provision shall nevertheless be and remain in full force and effect.

13. This Agreement shall be governed by and construed in accordance with the domestic laws of the State of **Iowa** without reference to its choice of law principles.

14. Each party represents and warrants that:

- (a) It has full right and CITY to enter into, execute, deliver and perform its obligations under this Agreement;
- (b) It has taken all requisite corporate action to approve the execution, delivery and performance of this Agreement;
- (c) This Agreement constitutes a legal, valid and binding obligation enforceable against such party in accordance with its terms, subject to bankruptcy, insolvency, creditors' rights and general equitable principles; and
- (d) Its execution of and performance under this Agreement shall not violate any applicable existing regulations, rules, statutes, or court orders of any local, state or federal government agency, court or body.

15. This Agreement constitutes the entire and final agreement and understanding between the parties with respect to the subject matter hereof and supersedes all prior oral and written communications, understandings and agreements relating to the subject matter hereof, which are of no further force or effect. This Agreement may only be modified or supplemented by an instrument in writing executed by a duly authorized representative of each party.

16. Each action or claim against any party arising under or relating to this Agreement shall be made only against such party as a corporate, and any liability relating thereto shall be enforceable only against the corporate assets of such party. No party shall seek to pierce the corporate veil or otherwise seek to impose any liability relating to, or arising from, this Agreement against any shareholder, employee, officer or director of the other party. Each of such persons is an intended beneficiary of the mutual promises set forth in this Section 16 and shall be entitled to enforce the obligations of this Section 16.

17. The relationship between the parties shall not be that of partners, agents or joint ventures for one another, and nothing contained in this Agreement shall be deemed to constitute a partnership or agency agreement between them for any purposes, including, but not limited to federal income tax purposes. The parties, in performing any of their obligations hereunder, shall be independent contractors or independent parties and shall discharge their contractual obligations at their own risk.

18. This Agreement and each of the parties' respective rights and obligations under this Agreement shall be binding upon and shall inure to benefit of the parties and each of their respective permitted successors and assigns.

19. No provision of this Agreement shall be interpreted to require any unlawful action by either party. If any section or clause of this Agreement is held to be invalid or unenforceable, then the meaning of that section or clause shall be construed so as to render it enforceable to the extent feasible. If no feasible interpretation would save the section or clause, it shall be severed from this Agreement with respect to the matter in question, and the remainder of the Agreement shall remain in full force and effect. However, in the event such a section or clause is an essential element of the Agreement, the parties shall promptly negotiate a replacement that will achieve the intent of such unenforceable section or clause to the extent permitted by law.

20. This Agreement may be executed in one or more counterparts, all of which taken together shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their authorized representatives as of the date first above set forth.

**CITY OF WEST DES MOINES**

**AT&T CORP.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Alvin S. Richardson  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Sr. Technical Project Manager  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**TAX ID:**

**EXHIBIT A**

**THE WORK**

**Des Moines-Council Bluffs FT "A" Cable**

**South 88th Street Cable Relocation**

**West Des Moines, IA**

**May 16, 2016**

<b>Scope of Work</b>		
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**Location of Work**

**City of West Des Moines, IA**

**THE WORK**

The Work involves:

Stage II & III have been eliminated due to the route being deactivated.

**Stage I**

1. Expose duct
2. Open Duct, Place Handholes (36" x 60" x 24"), Splice Markers and Ground Grids at Sta 62+990 and Sta 63+355. Place Split 1.25" HDPE on fiber if needed to get fiber into handholes.
3. Excavate Splice pit @ 63+168
4. Relocate Slack coils from both sides of the Splice at 63+168 to handholes at Sta 62+990 and Sta 63+355.
5. Backfill the Splice box at Sta 63+168 with sand, Place lid on box and backfill the HH.
6. Backfill splice handholes at Sta 62+990 and Sta 63+355.

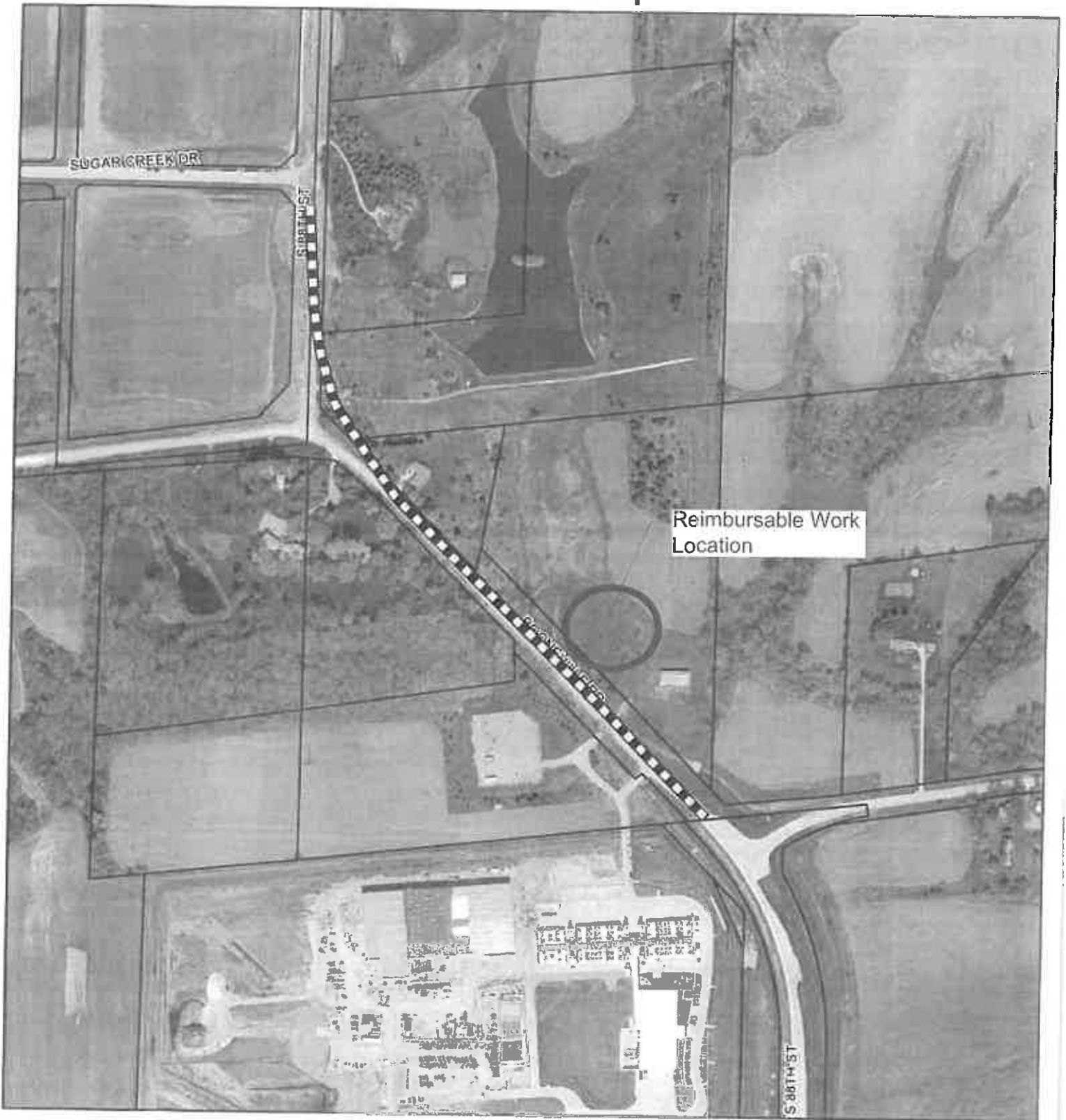


**EXHIBIT B**  
**COST SUMMARY**

**South 88th Street Cable Relocation  
West Des Moines, IA  
May 16, 2016**

<b>Cost Summary</b>	
<b>Engineering Consultant</b>	<b>\$ 15,503.30</b>
<b>Engineering &amp; Labor - AT&amp;T</b>	<b>\$ 0000.00</b>
<b>Construction Costs</b>	<b>\$ 23,472.50</b>
<b>Project Total</b>	<b>\$ 38,975.80</b>

# Location Map



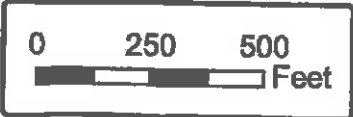
Reimbursable Work Location

**S 88th Street  
Sugar Creek Drive to Booneville (south)  
Engineering Services Agreement  
0510-020-2014**



To the best of our knowledge the information included in this document is correct. The City of West Des Moines makes no warranty as to the accuracy of the information.

**Legend**  
--- Project Location



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

DATE: June 27, 2016

**ITEM:** Delavan Plat 1, generally located at the Southeast corner of EP True Parkway and S 26th Street – Vacate a 20 foot public sanitary sewer easement within the proposed Delavan development – Capital Homes of Iowa – VAC-003095-2016

**RESOLUTION:** Approval of Vacation Request

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** The applicant, Capital Homes of Iowa, represented by Ed Arp of Civil Engineering Consultants Inc., is requesting approval of the vacation of a 20 foot public sanitary sewer easement within the proposed Delavan development. The vacation requests are being made as a result of layout changes between that proposed in the Delavan Townhome development and that intended when the BEH II PUD was originally planned.

**CITY COUNCIL SUBCOMMITTEE:** This item was presented to the Development and Planning City Council Subcommittee on May 31, 2016. Councilmembers had no comments and expressed support of the proposal.

**OUTSTANDING ISSUES:** There are no outstanding issues.

**RECOMMENDATION:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, Staff recommends the City Council approve the Vacation Request to vacate a 20 foot public sanitary sewer easement within the proposed Delavan development.

Lead Staff Member: J. Bradley Munford

**STAFF REVIEWS**

Department Director	<i>JBM</i>
Appropriations/Finance	<i>LS</i>
Legal	<i>X</i>
Agenda Acceptance	<i>RJS RTJ</i>

**PUBLICATION(S) (if applicable)**

Published In	Des Moines Register
Date(s) Published	June 10, 2016
Letter sent to surrounding property owners	N/A

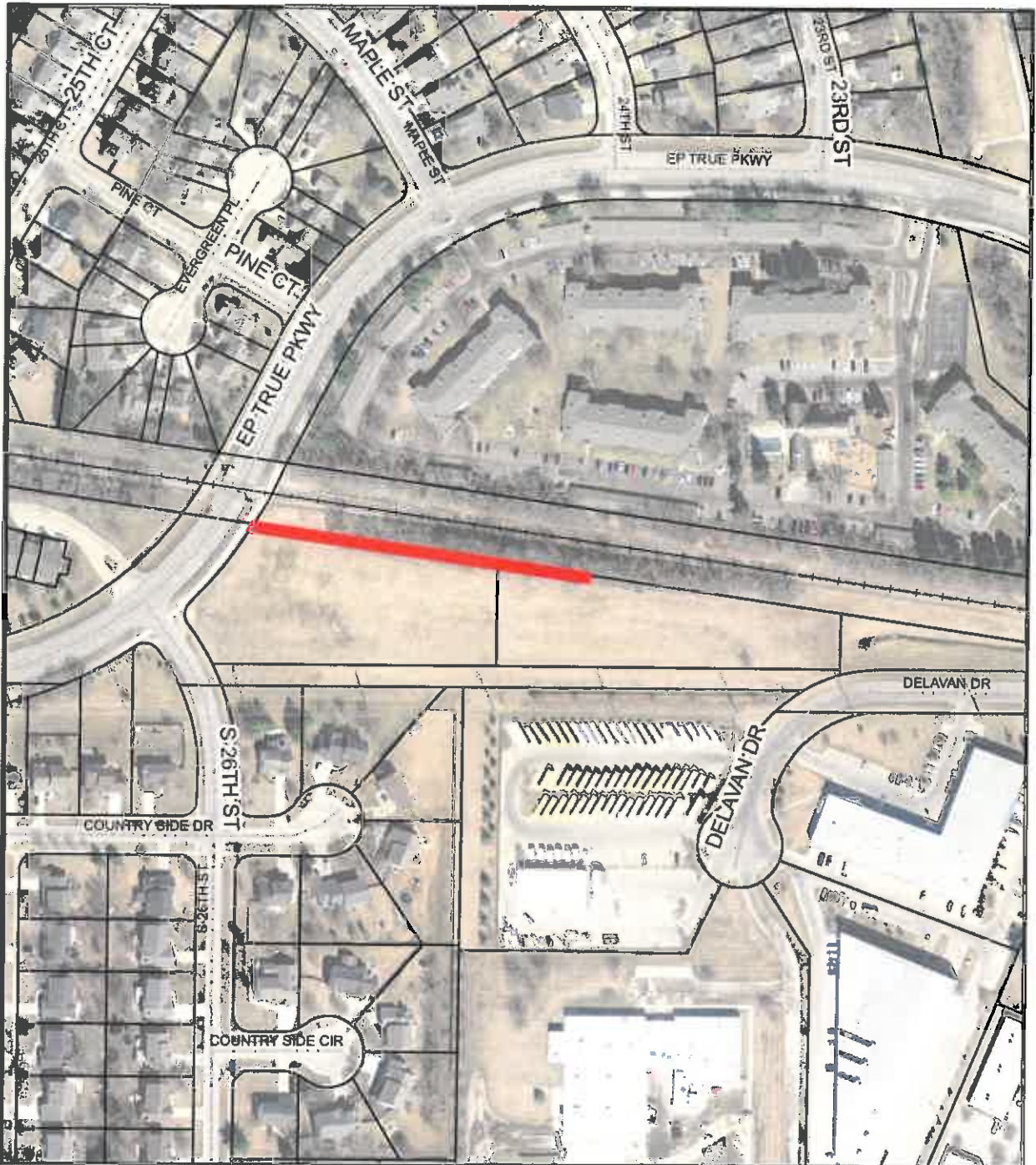
**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning		
Date Reviewed	May 31, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

**ATTACHMENTS:**

- Exhibit I- - Vicinity Map
- Exhibit II - City Council Resolution
- Exhibit A - Legal Description
- Exhibit B - Vacation Exhibit

EXHIBIT I



**Delavan Plat 1  
20' Sanitary Sewer  
Easement Vacation**



NOT TO SCALE

## EXHIBIT II

Prepared by: J.B. Munford, Development Services, P.O. Box 65320 West Des Moines, IA 50265-0320, (515)222-3620  
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

### RESOLUTION

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING THE VACATION REQUEST (VAC-003095-2016) FOR THE PURPOSE OF VACATING A 20 FOOT PUBLIC SANITARY SEWER EASEMENTS WITHIN PROPOSED DELAVAN DEVELOPMENT**

**WHEREAS**, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Capital Homes of Iowa have requested approval for a Vacation Request (VAC-003095-2016) for an existing public sanitary sewer easements located across Lots 1 and 2, Delavan Plat 1 and as illustrated on the attached exhibits;

**WHEREAS**, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

**WHEREAS**, on June 27, 2016 this City Council held a duly-noticed public meeting to consider the application for Vacation Request (VAC-003095-2016);

**NOW, THEREFORE**, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated June 27, 2016, or as amended orally at the City Council hearing of June 27, 2016, are adopted.

SECTION 2. VACATION REQUEST (VAC-003095-2016) for those easements as previously stated here within, is approved, subject to compliance with all the conditions in the staff report, dated June 27, 2016, including conditions added at the Hearing. Violation of any such conditions shall be grounds for any remedy, legal or equitable, which is available to the City.

SECTION 3. City of West Des Moines interest as shown in the Public Sanitary Sewer Easement recorded in Polk County, Book 7139, Page 502 and Book 6214, Page 787, is hereby terminated.

The legal description of the easement to be vacated is as follows:

"A SANITARY SEWER EASEMENT ACROSS, OVER, UNDER AND THROUGH THE NORTHERN 20.00 FEET OF LOT 1 AND THE NORTHERN 20.00 FEET OF THE WESTERN 140.00 FEET OF LOT 2 OF DELAVAN PLAT 1, BEING MEASURED PERPENDICULAR TO THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY RAILROAD RIGHT-OF-WAY, DELAVAN PLAT 1, BEING AN OFFICIAL PLAT IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA."

PASSED AND ADOPTED on June 27, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on June 27, 2016 by the following vote:

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk



# EXHIBIT A

Q:\A-FILES\A-1700\A1726\_CJD Drawings\Plan\A1726 EASE EXHIBIT-EX SAN VACATE.dwg, 6/3/2016 4:37:47 PM, jgaddis, 1:1

## PREPARED FOR:

CAPITAL HOMES LLC  
ATTN: PETER CUTLER  
475 SE ALICES ROAD, SUITE D  
WAUKEE, IA 50263

## PROPERTY OWNERS:

CAPITAL HOMES LLC  
ATTN: PETER CUTLER  
475 SE ALICES ROAD, SUITE D  
WAUKEE, IA 50263

## EXHIBIT 'A'

# PUBLIC SANITARY SEWER EASEMENT TO BE VACATED

2101 DELAVAN DRIVE &  
2500 EP TRUE PARKWAY  
WEST DES MOINES, IA 50265

## LEGAL DESCRIPTION - PROPERTY

LOTS 1 & 2, DELAVAN PLAT I, AN OFFICIAL PLAT RECORDED IN BOOK 6214, PAGE 772, AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF WEST DES MOINES, POLK COUNTY, IOWA

## LEGAL DESCRIPTION - SANITARY SEWER EASEMENT VACATION

A 20.00 FOOT WIDE PUBLIC SANITARY SEWER EASEMENT AS RECORDED IN BOOK 7139, PAGE 502 & BOOK 6214, PAGE 787 AND SHOWN ON THE FINAL PLAT OF DELAVAN PLAT I, AN OFFICIAL PLAT RECORDED IN BOOK 6214, PAGE 772 AT THE POLK COUNTY RECORDER'S OFFICE, IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A SANITARY SEWER EASEMENT ACROSS, OVER, UNDER AND THROUGH THE NORTHERN 20.00 FEET OF LOT 1 AND THE NORTHERN 20.00 FEET OF THE WESTERN 140.00 FEET OF LOT 2 OF DELAVAN PLAT I, BEING MEASURED PERPENDICULAR TO THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY RAILROAD RIGHT-OF-WAY, DELAVAN PLAT I, BEING AN OFFICIAL PLAT IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

## NOTES

1. THIS PARCEL MAY BE SUBJECT TO EASEMENTS OF RECORD. NO TITLE WORK WAS PERFORMED BY THIS SURVEYOR.

## LEGEND

— — — — —	PLAT BOUNDARY LINES
— — — — —	LOT LINES
- - - - -	EASEMENT LINES
●	FOUND PROPERTY CORNER
○	SET 5/8" I.R. WBLUE CAP #10381
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT



Civil Engineering Consultants, Inc.

2400 86th Street . Unit 12 . Des Moines, Iowa 50322  
515.276.4884 . Fax: 515.276.7084 . mail@ceclac.com

NORTH SHEET

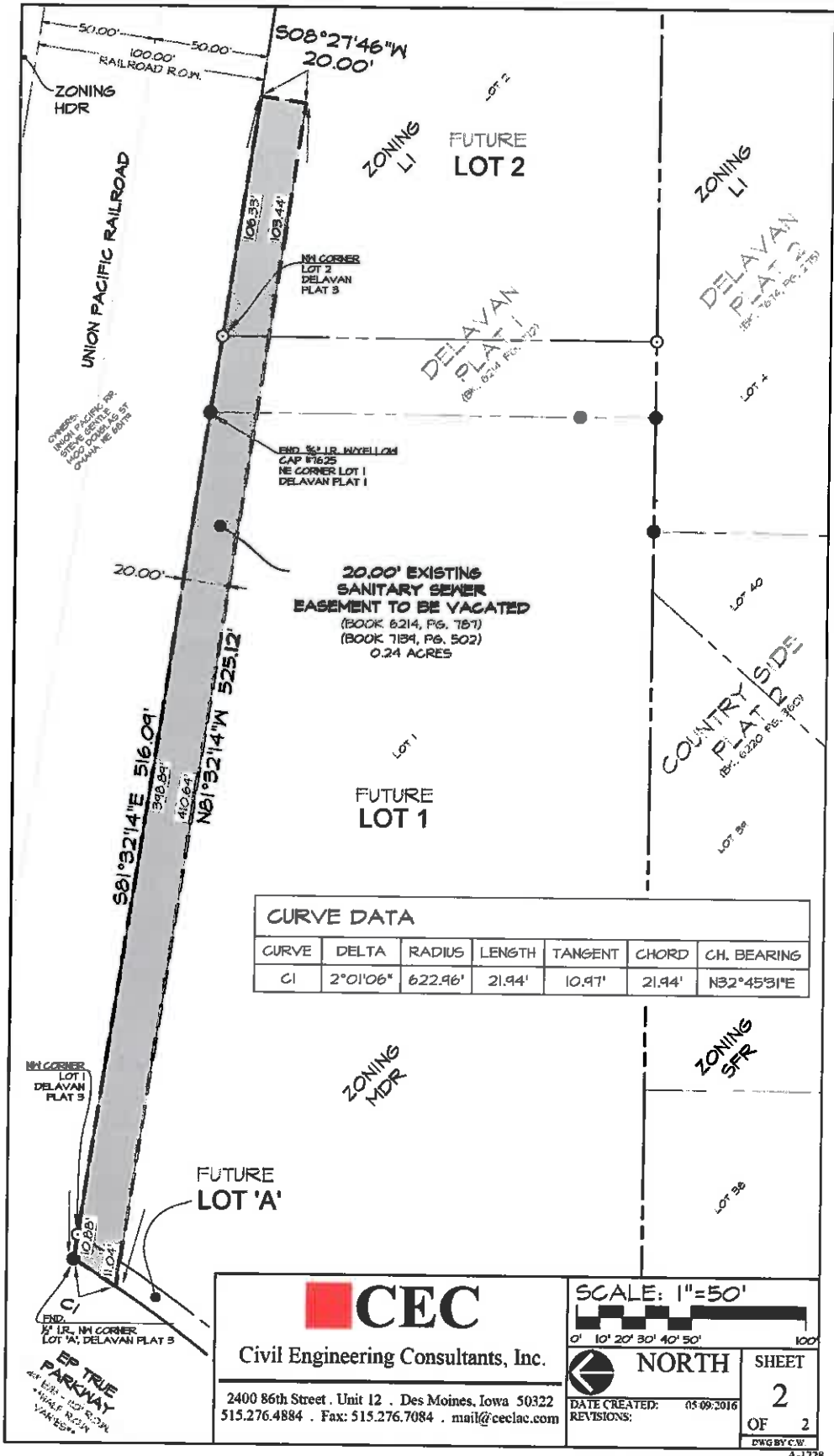
1

OF 2

DWG BY C.W.

DATE CREATED: 03/09/2016  
REVISIONS:

A-1746



**CURVE DATA**

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C1	2°01'06"	622.96'	21.94'	10.97'	21.94'	N32°45'31"E

**CEC**  
Civil Engineering Consultants, Inc.

2400 86th Street . Unit 12 . Des Moines, Iowa 50322  
515.276.4884 . Fax: 515.276.7084 . mail@ceclac.com

SCALE: 1"=50'

0' 10' 20' 30' 40' 50' 100'

**NORTH**

DATE CREATED: 05/09/2016  
REVISIONS:

SHEET 2 OF 2  
DWG BY: CW  
A-1728



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**4(w)**

**DATE: June 27, 2016**

**ITEM:**

Resolution – Authorizing the Construction of Improvements (pavement) within the Public Street ROW of 31<sup>st</sup> Street and approving a transit stop for public transit buses on 31<sup>st</sup> Street adjacent to Valley West Mall – DART & Valley West Mall

**FINANCIAL IMPACT:** None at this time. Maintenance of the paved area within the right-of-way will be the responsibility of DART and/or the adjoining property owner.

**BACKGROUND:** A DART transit stop is planned for 31<sup>st</sup> Street adjacent to Valley West Mall. As part of the relocation of the shelter, DART in cooperation with Valley West Mall is requesting permission to install pavement between the curb of 31<sup>st</sup> Street and the adjacent public sidewalk in order to facilitate patrons access from the DART shelter to the buses. The applicant has provided the appropriate engineering details to demonstrate compliance with Public ROW Accessibility Guidelines (PROWAG).



**CITY COUNCIL SUBCOMMITTEE:** This item was mentioned at the May 31, 2016 Development and Planning City Council Subcommittee as an informational item. No discussion was had.

**OUTSTANDING ISSUES:** There are no outstanding issues. The relocation of the DART stop to this 31<sup>st</sup> Street location was determined in cooperation between Valley West Mall and DART. A Minor Modification for sidewalk and shelter improvements within the private mall property was approved by staff on June 2<sup>nd</sup>. With the exception of pavement crosswalk markings on 31<sup>st</sup> Street, construction of the necessary sidewalk, shelter, bus loading paving improvements and future improvements are the responsibility of the mall and/or DART.

**RECOMMENDATION:** City Council Adopt a Resolution Authorizing the placement of paving between the curb of 31<sup>st</sup> Street and public sidewalk and approve a transit stop for DART buses.

**Lead Staff Member:** Lynne Twedt, Development Services Director 

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning		
Date Reviewed	May 31, 2016		
Recommendation	Yes	No	Split

**RESOLUTION AUTHORIZING THE CONSTRUCTION OF PRIVATE IMPROVEMENTS ON PUBLIC RIGHT-OF-WAY AND APPROVING A TRANSIT STOP FOR PUBLIC BUSES**

**WHEREAS**, Des Moines Area Regional Transit Authority (“DART” ) provides transit services to residents of the Greater Des Moines Area, including the City of West Des Moines; and

**WHEREAS**, in furtherance of its transit service, DART has requested authorization to construct a transit stop on public right-of-way owned by the City of West Des Moines; and

**WHEREAS**, construction of private improvements on public right-of-way without authorization from the City is prohibited; and

**WHEREAS**, the improvements include the installation of pavement between the curb of 31<sup>st</sup> Street and the adjacent public sidewalk in order to facilitate patron access from a proposed DART shelter located on private property to the public street; and

**WHEREAS**, on June 2, 2016 the City of West Des Moines approved a Minor Modification submitted by DART for the construction of the shelter and a sidewalk on private property; and

**WHEREAS**, in conjunction with the request to construct private improvements on public right-of-way, DART has provided appropriate engineering details which demonstrate compliance with Public Right-of-Way Accessibility Guidelines (PROWAG) as required by the City; and

**WHEREAS**, approval of the request for the construction of the improvements will facilitate access and be of benefit to DART patrons; and

**WHEREAS**, authorization by the City for the installation of private improvements by DART and/or other entities necessary to facilitate access by DART patrons to the adjacent public sidewalk and private DART shelter is appropriate.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA DOES HEREBY RESOLVE AS FOLLOWS:**

1. The construction of private improvements on public right of way at the location shown in the documentation submitted by the Des Moines Regional Transit Authority, subject to compliance with all City requirements, is approved.

**PASSED AND APPROVED** this 27th day of June, 2016.

ATTEST:

\_\_\_\_\_  
Steven K. Gaer, Mayor

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM: Revisions to Ordinance 1187  
Human Services Advisory Board**

**DATE: June 27, 2016**

**FINANCIAL IMPACT: None**

**BACKGROUND:**

**Amend the composition of the board from twelve (12) to thirteen (13) members from the public and private sectors of the community and change the number of board members representing the service population from three (3) to two.(2).**

**2-5-3: BOARD ESTABLISHED; MEMBERSHIP:**

**B. Membership: The West Des Moines human services advisory board shall consist of fifteen (15) members, appointed in a manner as described in this subsection.**

**1. Composition Of Board: Board composition shall consist of the following:**

- a. ~~Twelve~~ Thirteen (13) members of the board shall be appointed by the mayor with confirmation of the city council from the public and private sectors of the community.
- b. ~~Three~~ Two (2) members of the board shall be appointed from the service population of the community using procedures as may be established by the council.

**Amend the number of terms of office a member may serve from no limit to two (2) consecutive terms.**

**2-5-4: TERM OF OFFICE; VACANCIES:**

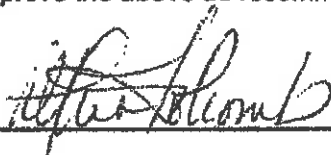
B. Board members may serve a maximum of two (2) terms absent a compelling reason to make an exception as approved by the mayor. Those members filling a seat that has been vacated mid-term may complete that term then serve two consecutive terms.

**B-C. Vacancies: If a vacancy shall exist on said board, caused by resignation or otherwise, said vacancy shall be filled in the same manner as original appointments. Successors shall reign for the residue of said original term.**

**OUTSTANDING ISSUES (if any): None**

**RECOMMENDATION: Approve the above as recommended by an unanimous vote of the Human Services Advisory Board**

**Lead Staff Member:** \_\_\_\_\_



**STAFF REVIEWS**

Department Director	<i>[Signature]</i>
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTG</i>

**PUBLICATION(S) (if applicable)**

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 2, "BOARDS AND COMMISSIONS", CHAPTER 5, "HUMAN SERVICES ADVISORY BOARD", SECTION 3 "BOARD ESTABLISHED; MEMBERSHIP" AND SECTION 4 "TERM OF OFFICE; VACANCIES"**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:**

**SECTION 1:** Title 2, Chapter 5, Sections 3 and 4 are hereby amended by deleting ~~strike-through~~ text and adding underline text.

**2-5-3: BOARD ESTABLISHED; MEMBERSHIP:**

A. **Establishment:** The human services advisory board is hereby established for the purpose of advising the city council, performing the duties of the board, as stated herein, and as the council shall direct, formulating, initiating, facilitating, administering and guiding services to be provided for the disadvantaged in the city. Subject to council approval, the board shall establish rules, regulations, operating procedures and policies designed to effectively carry out the above purpose as stated in the purpose of this chapter. All persons and/or organizations establishing, conducting and operating human service programs and other similar services for the benefit of the disadvantaged citizens of the city shall coordinate and cooperate with the city. Nothing in this chapter shall be intended to interfere with or preclude the provision of services to families and individuals as set forth by state or federal statute and as administered by any branch or political subdivision of said state or federal government.

B. **Membership:** The West Des Moines human services advisory board shall consist of fifteen (15) members, appointed in a manner as described in this subsection.

1. **Composition Of Board:** Board composition shall consist of the following:

- a. ~~Twelve-Thirteen~~ (4-13) members of the board shall be appointed by the mayor with confirmation of the city council from the public and private sectors of the community.
- b. ~~Three-Two~~ (3-2) members of the board shall be appointed from the service population of the community using procedures as may be established by the council.
- c. Two (2) alternate members of the board may be appointed by the mayor with confirmation of the city council. Said alternate members shall exercise the same powers as regular board members with the exception of voting. Said alternate members shall have voting powers only in the occasion that a regular board member or members are absent or a vacancy or vacancies exists in the regular board membership.

2. **Qualifications:** All members of the board shall be eighteen (18) years of age or older. Human services advisory board membership shall be extended to individuals who:

- a. Are residents of the city; or
- b. By virtue of their profession, education or experience, and their employment within the service area, can offer substantial contributions to the achievement of goals and objectives as defined in this chapter.

C. **Compensation:** All members of the board shall serve without compensation.

**2-5-4: TERM OF OFFICE; VACANCIES:**

A. **Term Of Office:** Terms of office shall be three (3) years expiring June 30, except in the case of the initial board seating where terms shall be staggered on a one, two (2), or three (3) year basis with approximately one-third ( $\frac{1}{3}$ ) of the board assigned to each term through either the election or appointment process. The term of office for alternate board members shall be three (3) years expiring

on June 30 except that the initial alternate board members' terms shall run from the date of their appointment through the third June 30 after their initial appointment.

B. Board members may serve a maximum of two (2) terms absent a compelling reason to make an exception as approved by the mayor. Those members filling a seat that has been vacated mid-term may complete that term then serve two consecutive terms.

B.-C. Vacancies: If a vacancy shall exist on said board, caused by resignation or otherwise, said vacancy shall be filled in the same manner as original appointments. Successors shall reign for the residue of said original term.

**SECTION 2. REPEALER.** All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

**SECTION 3. SAVINGS CLAUSE.** If any section, provision, sentence, clause, phrase, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase, or part hereof not adjudged invalid or unconstitutional.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**Date: June 27, 2016**

**ITEM:** Pheasant Ridge Consistency Zoning, generally located at the northwest corner of S. 60<sup>th</sup> Street and Booneville Road and on the north side of Booneville Road from S. 60<sup>th</sup> Street to S. Jordan Creek Parkway – Zone property consistent with the Comprehensive Plan Land Use Map – City Initiated – ZC-002994-2016

**ORDINANCE: Approval of First Reading of Ordinance**

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** The City of West Des Moines is seeking approval to consistency zone the property within and around the Pheasant Ridge development from “unzoned” to Residential Estate (RE-1A) and Residential Single Family (RS-20) (see Exhibit I -Attachment B – Current Zoning Map, Attachment C – Land Use Map, Attachment D – Proposed Zoning Map).

**Plan and Zoning Commission Action:**

Vote: 5-0 approval, Commissioners Brown and Costa absent

Date: June 20, 2016

Motion: Adopt a resolution recommending the City Council approve the Rezoning Request

The Plan & Zoning Commission communication included zoning alternatives requests for the Hill and Torstenson property, and discussions on the alternatives occurred during the public hearing, however the Commission ultimately recommended that no change be made to Staff's recommended zoning for the area.

**OUTSTANDING ISSUES:** There are no outstanding issues. The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee - *Development & Planning: February 8, 2016*
- Staff Review and Comment
  - *Intent*
  - *Hill Request*
  - *Torstenson Request*
- Comprehensive Plan Consistency
- Noticing Information
- Staff Recommendations and Conditions of Approval
- Property Owner Information

**RECOMMENDATION:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approve the changes in zoning for property in the area called Pheasant Ridge from Unzoned to Residential Estate (RE-1A) and Residential RS-20) as illustrated in Exhibit II, subject to the applicant meeting all City Code requirements.

Lead Planner: Kara Tragesser, AICP

**Staff Reviews:**

Department Director	LD
Appropriations/Finance	
Legal	
Agenda Acceptance	RTG

**PUBLICATION(S) (if applicable)**

Published In	Des Moines Register Community Section	
Date(s) Published	June 10, 2016	
Letter sent to surrounding property owners	June 7, 2016	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning		
Date Reviewed	February 8, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

**ATTACHMENTS:**

- Exhibit I - Plan and Zoning Commission Communication
  - Attachment A - Plan and Zoning Commission Resolution
    - Exhibit A - Conditions of Approval
    - Exhibit B - Property List
  - Attachment B - Current Zoning Map
  - Attachment C - Land Use Map
  - Attachment D - Proposed Zoning Map
  - Attachment E - Hill Property Correspondence
  - Attachment F - Torstenson Request
  - Attachment G - Proposed Zoning Ordinance
- Exhibit II - Ordinance for Rezoning



**CITY OF WEST DES MOINES  
PLAN AND ZONING COMMISSION COMMUNICATION**

**Meeting Date:** June 20, 2016

**Item:** Pheasant Ridge Consistency Zoning, generally located at the northwest corner of S. 60<sup>th</sup> Street and Booneville Road and on the north side of Booneville Road from S. 60<sup>th</sup> Street to S. Jordan Creek Parkway – Zone property consistent with the Comprehensive Plan Land Use Map – City Initiated – ZC-002994-2016

Resolution: Approval of Rezoning Request

**Requested Action:** Approval of Rezoning

**Case Advisor:** Kara Tragesser, AICP *KAT*

**Applicant's Request:** The City of West Des Moines is seeking approval to consistency zone the property within and around the Pheasant Ridge development from “unzoned” to Residential Estate (RE-1A) and Residential Single Family (RS-20) (see Attachment B – Current Zoning Map, Attachment C – Land Use Map, Attachment D – Proposed Zoning Map).

**History:** These properties were annexed into the City in 2003 with the Mills Civic Parkway annexation. Lakeview Heights, otherwise known as Pheasant Ridge, was developed in the early 1970s, while other residential property existed prior to that, except for part of the Sherzan property along Booneville Road which was built upon in the 2000s. Some property remains undeveloped. Since the annexation, the property has remained unzoned. The annexation occurred during the beginning stages of the update to the comprehensive plan and no consistency zoning was initiated.

**City Council Subcommittee:** This item was presented to the Development and Planning City Council Subcommittee on February 8, 2016. Councilmembers had no comments and expressed no disagreement with the proposal.

**Staff Review and Comment:** This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff notes the following:

**Intent:** The City of West Des Moines is undertaking a rezoning of property illustrated on the enclosed area map (see Attachment B - Current Zoning Map). The rezoning is called the Pheasant Ridge Consisting Rezoning and includes parcels in and around the Pheasant Ridge development. Currently, the property in this area is designated as “unzoned”, meaning a zoning classification was not applied upon approval of the 2010 Comprehensive Plan (the City’s long-range planning document). Since 2010 the subject area has not changed its development pattern and is not anticipated to do so in the future.

This rezoning of the Pheasant Ridge area is being undertaken as there have been inquiries from property owners about the zoning classification of their property and inquiries from real estate agents, appraisers, and contractors about zoning and regulations. The properties in the subject area will be zoned consistent with the land use designation adopted in the 2010 Comprehensive Plan.

The Comprehensive Plan land use designation of the area outlined in black is Low Density Residential (see Attachment C - Land Use Map). It is the lowest density residential land use classification and is consistent with the development pattern of the Pheasant Ridge area. The zoning classification of Residential Estate (RE-1A) will be designated for this area (see Attachment D – Proposed Zoning). This designation means one dwelling unit is allowed per acre and lots must be a minimum of 40,000 sq. ft. in size (one acre equals 43,560 sq. ft.). All residential lots in the area outlined in black appear to meet this minimum lot size.

The properties outlined in red will be zoned consistent with the land use designation of Single Family Residential (see Attachment C – Land Use map), the next lowest density residential land use classification. The zoning classification of Residential Single Family (RS-20) will be designated for these parcels (see Attachment D – Proposed Zoning). This designation means that should the parcels be subdivided in the future, the lots must be a minimum of 20,000 sq. ft. in size.

The rezoning of the property generally does not affect valuation and taxes. Valuation and taxes are determined, in part, on the use of the property, not its zoning.

**Hill Request:** Staff has received a request from Lloyd and Trudy Hill, 1045 S. 60<sup>th</sup> Street (see Attachment E – Hill Property Correspondence), to change the zoning of their property from the proposed Residential Estate (RE-1A) to Residential Medium Density. The property is the northern most property along South 60<sup>th</sup> Street in the black outlined area. The property is adjacent to existing Pheasant Ridge to the west, MidAmerican Energy substation [MEC] to the north, and large lots with single family homes to the south and east.

The MEC property and former Carroll property mentioned in Mr. Hill's letter both have a Comprehensive Plan land use designation of Medium Density Residential (as does Calvary Baptist Church) but they have not been rezoned to be consistent with the Comprehensive Plan Land Use Map. The MEC property was zoned to RE-1A and R-1 in 2001 as part of the West Side Visioning Study. It is also located within the Town Center Overlay District. MEC, former Carroll property and Calvary Baptist Church have not been consistency zoned with the Medium Density Residential designated on the current Comprehensive Plan since at time of development, they will need to prepare Town Center Overlay District Specific Plan Ordinances to regulate development.

Staff recommends that the Hill property not be zoned Residential Medium Density as we feel that the Residential Medium Density designation should stay north of the future extension of Galleria Drive. Galleria Drive will be a good buffer for the Residential Single Family designation property south of Galleria Drive and the Residential Medium Density designated property on the north side of Galleria Drive.

The Hills also have requested that if the City does not approve their request for Residential Medium Density zoning that the property remained as is, with no zoning designation applied to the property. Staff recommends applying zoning to the property. The Comprehensive Plan land use designation of the property is Residential Low Density, therefore staff will be applying the regulations of Residential Low Density zoning to future development of the property. Staff feels that to allow the property to remain unzoned perpetuates the inquiries and confusion with regard to the zoning of the property.

As an alternate to the entire property being designated as RE-1A, staff would support the designation of larger lot single-family (RS-20) along the west and south boundaries of Mr. Hill's property and the two parcels to the south and then transition into smaller residential lots as move east (RS-10). A Comprehensive Plan Amendment would be necessary prior to zoning the property with a mix of RS-20 and RS-10 zoning.

**Torstenson Request:** Staff has received a request from Toby Torstenson to zone property east of Jordan Creek Parkway and south of Eldorado Point (see Attachment F – Torstenson Request) to Residential Medium Density to enable a potential development of the property for townhomes. As shown on Attachment F, the subject property is outlined in yellow, the remaining property to the south is owned by Robert Etzel. The Etzel property is proposed to be zoned Residential Single Family (RS-20).

Staff feels that medium density land use and zoning may be appropriate for this property due to the topography (steep and terraced), but this also could be true of single family development. Also, the subject property should be master planned with the Etzel's property to the south to ensure access between the parcels and compatibility of land uses. Staff's recommendation is to zone the property as proposed, Residential Single Family (RS-20), until actual development and master planning is proposed.

**Comprehensive Plan Consistency:** The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

**Noticing Information:** On June 10, 2016, notice for the June 20, 2016, Plan and Zoning Commission and June 27<sup>th</sup> City Council public hearings on this project was published in the Des Moines Register Community Section. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on June 7, 2016.

**Staff Recommendation and Conditions of Approval:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of the consistency zoning of the property from unzoned to Residential Estate (R-1E) and from unzoned to Residential Single Family (RS-20) as illustrated in staff report Attachment D.

**ATTACHMENTS:**

- Attachment A - Plan and Zoning Commission Resolution
- Exhibit A - Conditions of Approval
- Exhibit B - Property List
- Attachment B - Current Zoning Map
- Attachment C - Land Use Map
- Attachment D - Proposed Zoning Map
- Attachment E - Hill Property Correspondence
- Attachment F - Torstenson Request
- Attachment G - Proposed Zoning Ordinance

RESOLUTION NO. PZC-16-038

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE REZONING REQUEST (ZC-002944-2016) FOR THE PURPOSE OF CONSISTENCY ZONING THE PROPERTY LOCATED IN AN AREA TO BE KNOWN AS THE PHEASANT RIDGE REZONING AREA

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the Development Services Department for the City of West Des Moines has requested approval of a Rezoning Request for that property legally described in Exhibit B – Property List;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on June 20, 2016, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-002944-2016);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated June 20, 2016, or as amended orally at the Plan and Zoning Commission hearing of June 20, 2016, are adopted.

SECTION 2. REZONING REQUEST (ZC-002994-2016) to zone those properties as specified in Exhibit B is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated June 20, 2016, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on June 20, 2016.

  
Craig Erickson, Chairperson  
Plan and Zoning Commission


ATTEST:

  
Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on June 20, 2016, by the following vote:

AYES: Andersen, Crowley, Erickson, Hatfield, Southworth  
NAYS: -0-  
ABSTENTIONS: -0-  
ABSENT: Brown, Costa

ATTEST:

  
Recording Secretary

**Exhibit A**  
**Conditions of Approval**

1. No conditions of approval.

Pheasant Ridge Consistency Zoning  
 ZC-002004-2016

Legal Descriptions of Property Subject to Zoning

Property ID #	Property Address	Legal Description	Current Zoning	Proposed Zoning
1624401004	1550 S DEER RD	LAKEVIEW HEIGHTS ADD LOTS 22 & 23 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOTS 22	Unzoned	Residential Estate RE-1A
16244428001		24-78-26 E1/2 SE E & N OF RD Book 2001 Page 10848	Unzoned	Residential Estate RE-1A
1624177005	1530 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 6 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 6	Unzoned	Residential Estate RE-1A
1624276003	1375 S SKY RIDGE DR	LAKEVIEW HEIGHTS ADD LOT 57 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 57	Unzoned	Residential Estate RE-1A
		BEG 1244 S OF NW CORNER W 1/2 SW FRL 1/4 SEC 19 THN E 37.32F TO NW CORNER PARCEL Q		
		BK 10719 PAGE 399 SW 1/4 SEC 19 THN S TO N ROW LN OF BOONEVILLE RD W ALONG RD TO W		
		LINE SEC 19 N TO POB W 1/2 SW FRL 1/4 SEC 19-78-25		
32000332002003		LAKEVIEW HEIGHTS LOT 66 (PHASE-IN) LAKEVIEW HEIGHTS LOT 66	Unzoned	Residential Estate RE-1A
1624251005	6501 OAKWOOD DR	LAKEVIEW HEIGHTS PLAT II LOT 6 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624202003	1130 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 9 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624202006	1025 S WILLOW CIR	24-78-26 PARCEL B NE SW LYG N OF HWY Book 2005 Page 22103	Unzoned	Residential Estate RE-1A
1624326005	1355 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 65 (PHASE-IN) LAKEVIEW HEIGHTS LOT 65	Unzoned	Residential Single Family RS-20
1624251006	6256 PHEASANT RUN DR	LAKEVIEW HEIGHTS LOT 35 LAKEVIEW HEIGHTS LOT 35	Unzoned	Residential Estate RE-1A
1624427002		LAKEVIEW HEIGHTS PLAT II LOTS A&B (STREETS)	Unzoned	Residential Estate RE-1A
1624201005		LAKEVIEW HEIGHTS PLAT II LOTS A&B (STREETS)	Unzoned	Residential Estate RE-1A
1624201005		LAKEVIEW HEIGHTS PLAT II LOTS A&B (STREETS)	Unzoned	Residential Estate RE-1A
1624202002	1050 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 5 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624177008	6710 DEER CREEK RD	LAKEVIEW HEIGHTS ADD LOT 16 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 16	Unzoned	Residential Estate RE-1A
1624255002	1450 S WILLOW DR	LAKEVIEW HEIGHTS LOT 55 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 55	Unzoned	Residential Estate RE-1A
1624177010	1375 S DEER RD	LAKEVIEW HEIGHTS LOT 38 (PHASE-IN) LAKEVIEW HEIGHTS LOT 38	Unzoned	Residential Estate RE-1A
1624276004	1453 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 54 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 54	Unzoned	Residential Estate RE-1A
1624276006	1533 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 46 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 46	Unzoned	Residential Estate RE-1A
1624427007	6150 PHEASANT RIDGE DR	LAKEVIEW HEIGHTS LOT 43 (PHASE-IN) LAKEVIEW HEIGHTS OT 43	Unzoned	Residential Estate RE-1A
1624203002	1110 S WILLOW CIR	LAKEVIEW HEIGHTS PLAT II LOT 11 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624177002	1330 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 12 (PHASE-IN) LAKEVIEW HEIGHTS LOT 12	Unzoned	Residential Estate RE-1A
1624402004	1655 S WILLOW DR	LAKEVIEW HEIGHTS LOT 33 LAKEVIEW HEIGHTS LOT 33	Unzoned	Residential Estate RE-1A
1624177012	1370 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOTS 8 & 10 (PHASE-IN) LAKEVIEW HEIGHTS LOT 8 & 10	Unzoned	Residential Estate RE-1A
1624251002	1270 S DEER RD	LAKEVIEW HEIGHTS LOT 69 (PHASE-IN) LAKEVIEW HEIGHTS LOT 69	Unzoned	Residential Estate RE-1A
1624277006	1490 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 50 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 50	Unzoned	Residential Estate RE-1A
1624277004	6305 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 63 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 63	Unzoned	Residential Estate RE-1A
1624251001	1350 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 58 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 58	Unzoned	Residential Estate RE-1A
1624426005	1310 S DEER RD	LAKEVIEW HEIGHTS LOT 68 (PHASE-IN) LAKEVIEW HEIGHTS LOT 68	Unzoned	Residential Estate RE-1A
1624177011	6251 PHEASANT RUN DR	LAKEVIEW HEIGHTS LOT 38 (PHASE-IN) LAKEVIEW HEIGHTS LOT 38	Unzoned	Residential Estate RE-1A
1624253002	1405 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 19 (PHASE-IN) LAKEVIEW HEIGHTS LOT 19	Unzoned	Residential Estate RE-1A
1624276002	1525 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 21 (PHASE-IN) LAKEVIEW HEIGHTS LOT 21	Unzoned	Residential Estate RE-1A
1624427005	1530 S WILLOW DR	LAKEVIEW HEIGHTS LOT 47 (PHASE-IN) LAKEVIEW HEIGHTS LOT 47	Unzoned	Residential Estate RE-1A
1624203005	1650 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 36 LAKEVIEW HEIGHTS LOT 36	Unzoned	Residential Estate RE-1A
1624202008	1250 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 71 (PHASE-IN) LAKEVIEW HEIGHTS LOT 71	Unzoned	Residential Estate RE-1A
1624226001	1155 S WILLOW CIR	LAKEVIEW HEIGHTS PLAT II LOT 7 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624177007	1045 S 60TH ST	LAKEVIEW HEIGHTS LOT 87 (EX RD/ (PHASE-IN) LAKEVIEW HEIGHTS LOT 87	Unzoned	Residential Estate RE-1A
1624177007		LAKEVIEW HEIGHTS LOT A B C & E ACCESS RDS SERVICE RD & DAM	Unzoned	Residential Estate RE-1A
1624177007		LAKEVIEW HEIGHTS LOT A B C & E ACCESS RDS SERVICE RD & DAM	Unzoned	Residential Estate RE-1A
1624177007		LAKEVIEW HEIGHTS LOT A B C & E ACCESS RDS SERVICE RD & DAM	Unzoned	Residential Estate RE-1A
1624328001		LAKEVIEW HEIGHTS LOT A B C & E ACCESS RDS SERVICE RD & DAM	Unzoned	Residential Estate RE-1A
1624328001		LAKEVIEW HEIGHTS LOT G (WATERWORKS)	Unzoned	Residential Estate RE-1A

Pheasant Ridge Consistency Zoning  
 ZC-002004-2016

Legal Descriptions of Property Subject to Zoning

Property ID #	Property Address	Legal Description	Current Zoning	Proposed Zoning
1624401003		LAKEVIEW HEIGHTS LOT D (LAKE)	Unzoned	Residential Estate RE-1A
1624403001		LAKEVIEW HEIGHTS LOT H-J-L-M& N (STREET'S) LOT F(LAGOON)	Unzoned	Residential Estate RE-1A
1624426002	1580 S WILLOW DR	LAKEVIEW HEIGHTS LOT 40 (PHASE-IN) LAKEVIEW HEIGHTS LOT 40	Unzoned	Residential Estate RE-1A
1624176002	1315 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 13 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 13	Unzoned	Residential Estate RE-1A
1624277011	1501 S 60TH ST	LAKEVIEW HEIGHTS LOT 51 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 51	Unzoned	Residential Estate RE-1A
1624254001	1410 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 26 (PHASE-IN) LAKEVIEW HEIGHTS LOT 26	Unzoned	Residential Estate RE-1A
1624251004	6575 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 67 (PHASE-IN) LAKEVIEW HEIGHTS LOT 67	Unzoned	Residential Estate RE-1A
1624277007	6155 PHEASANT RIDGE DR	LAKEVIEW HEIGHTS LOT 45 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 45	Unzoned	Residential Estate RE-1A
1624277010	1415 S 60TH ST	LAKEVIEW HEIGHTS ADD LOT 17 (PHASE-IN) LAKEVIEW HEIGHTS LOT 17	Unzoned	Residential Estate RE-1A
1624177009	1295 S DEER RD	LAKEVIEW HEIGHTS LOT 60 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 60	Unzoned	Residential Estate RE-1A
1624277008	1215 S 60TH ST	LAKEVIEW HEIGHTS LOT 74 (PHASE-IN) LAKEVIEW HEIGHTS LOT 32	Unzoned	Residential Estate RE-1A
1624402003	1625 S WILLOW DR	LAKEVIEW HEIGHTS LOT 32 LAKEVIEW HEIGHTS LOT 74	Unzoned	Residential Estate RE-1A
1624201004	1225 S DEER RD	LAKEVIEW HEIGHTS LOT 34 LAKEVIEW HEIGHTS LOT 34	Unzoned	Residential Estate RE-1A
1624427001	6302 PHEASANT RUN DR	LAKEVIEW HEIGHTS ADD LOT 15 (PHASE-IN) LAKEVIEW HEIGHTS LOT 15	Unzoned	Residential Estate RE-1A
1624176001	1275 S LAKEVIEW DR	LAKEVIEW HEIGHTS LOT 37 (PHASE-IN) LAKEVIEW HEIGHTS LOT 37	Unzoned	Residential Estate RE-1A
1624427006	1610 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 79 (PHASE-IN) LAKEVIEW HEIGHTS LOT 79	Unzoned	Residential Estate RE-1A
1624203003	1180 S WILLOW CIR	LAKEVIEW HEIGHTS ADD LOT 3 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 3	Unzoned	Residential Estate RE-1A
1624326002	1585 S LAKEVIEW DR	LAKEVIEW HEIGHTS PLAT II LOT 1 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II	Unzoned	Residential Estate RE-1A
1624201003	1175 S DEER RD	LAKEVIEW HEIGHTS LOT 49 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 49	Unzoned	Residential Estate RE-1A
1624276005	1501 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 89	Unzoned	Residential Estate RE-1A
1624427011		LAKEVIEW HEIGHTS LOT 90	Unzoned	Residential Estate RE-1A
1624427012		LAKEVIEW HEIGHTS ADD LOT 24 (PHASE-IN) LAKEVIEW HEIGHTS LOT 24	Unzoned	Residential Estate RE-1A
1624254003	1530 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 39 (PHASE-IN) LAKEVIEW HEIGHTS LOT 39	Unzoned	Residential Estate RE-1A
1624426003	1610 S WILLOW DR	LAKEVIEW HEIGHTS LOT 76 (PHASE-IN) LAKEVIEW HEIGHTS LOT 86	Unzoned	Residential Estate RE-1A
1624202004	1190 S DEER RD	LAKEVIEW HEIGHTS LOT 91 (PHASE-IN) LAKEVIEW HEIGHTS LOT 91	Unzoned	Residential Estate RE-1A
1624427004	1695 S 60TH ST	LAKEVIEW HEIGHTS PLAT II LOT 4 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624202001	1030 S DEER RD	LAKEVIEW HEIGHTS LOT 72 (PHASE-IN) LAKEVIEW HEIGHTS LOT 72	Unzoned	Residential Estate RE-1A
1624202010	1245 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 48 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 48	Unzoned	Residential Estate RE-1A
1624276001	1510 S WILLOW DR	LAKEVIEW HEIGHTS LOT 53 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 53	Unzoned	Residential Estate RE-1A
1624277005	1420 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 77 (PHASE-IN) LAKEVIEW HEIGHTS LOT 77	Unzoned	Residential Estate RE-1A
1624202009	1195 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 29 LAKEVIEW HEIGHTS LOT 29	Unzoned	Residential Estate RE-1A
1624254006	1535 S WILLOW DR	LAKEVIEW HEIGHTS ADD LOT 4 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 4	Unzoned	Residential Estate RE-1A
1624326001	1555 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 25 (PHASE-IN) LAKEVIEW HEIGHTS LOT 25	Unzoned	Residential Estate RE-1A
1624254002	1490 S DEER RD	LAKEVIEW HEIGHTS LOT 78 (PHASE-IN) LAKEVIEW HEIGHTS LOT 78	Unzoned	Residential Estate RE-1A
1624203004	1190 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 73 (PHASE-IN) LAKEVIEW HEIGHTS LOT 73	Unzoned	Residential Estate RE-1A
1624202005	1220 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 2 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 2	Unzoned	Residential Estate RE-1A
1624327001	1590 S LAKEVIEW DR	LAKEVIEW HEIGHTS LOT 27 LAKEVIEW HEIGHTS LOT 27	Unzoned	Residential Estate RE-1A
1624254004	6450 OAKWOOD DR	LAKEVIEW HEIGHTS ADD LOT 1 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 1	Unzoned	Residential Estate RE-1A
1624327002	1630 S LAKEVIEW DR	LAKEVIEW HEIGHTS LOT 42 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 42	Unzoned	Residential Estate RE-1A
1624426004	1553 S SKY RIDGE DR	LAKEVIEW HEIGHTS ADD LOT 20 (PHASE-IN) LAKEVIEW HEIGHTS LOT 20	Unzoned	Residential Estate RE-1A
1624259001	1495 S DEER RD	LAKEVIEW HEIGHTS LOT 61 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 61	Unzoned	Residential Estate RE-1A
1624277003	6201 OAKWOOD DR	LAKEVIEW HEIGHTS PLAT II LOT 10 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624203001	1030 S WILLOW CIR	LAKEVIEW HEIGHTS ADD LOT 9 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 9	Unzoned	Residential Estate RE-1A
1624176004	1475 S LAKEVIEW DR		Unzoned	Residential Estate RE-1A

Pheasant Ridge Consistency Zoning

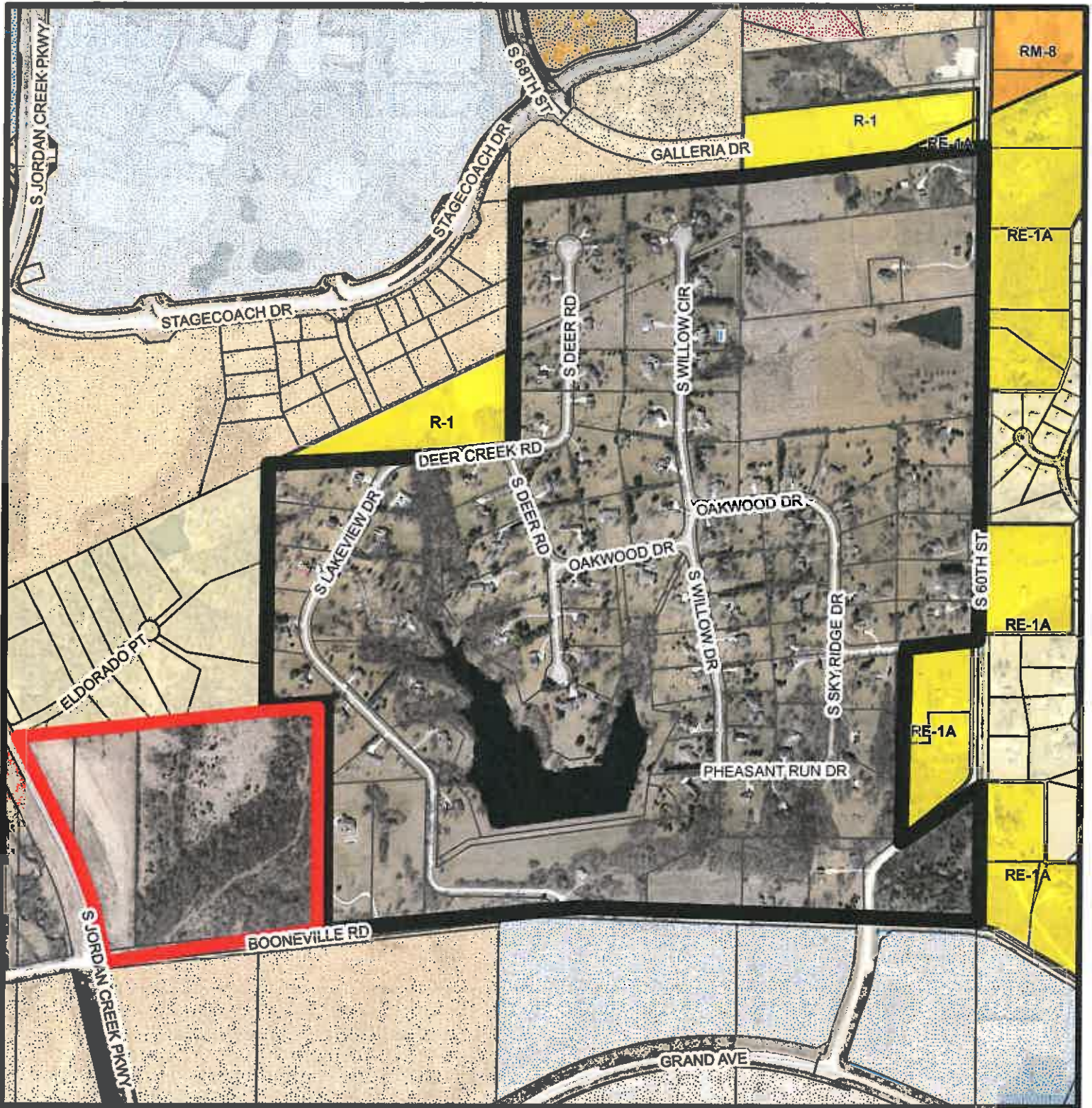
ZC-002004-2016

Legal Descriptions of Property Subject to Zoning

Property ID #	Property Address	Legal Description	Current Zoning	Proposed Zoning
1624226005	1105 S 60TH ST	24-78-26 PARCEL A NE1/4 NE1/4 Book 2006 Page 17614	Unzoned	Residential Estate RE-1A
1624277002	6255 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 62 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 62	Unzoned	Residential Estate RE-1A
1624326004	6775 BOONEVILLE RD	24-78-26 PARCEL A NE 1/4 SW 1/4 LYG N OF HWY Book 2005 Page 22100	Unzoned	Residential Single Family RS-20
1624402002	1585 S WILLOW DR	LAKEVIEW HEIGHTS LOT 31 LAKEVIEW HEIGHTS LOT 31	Unzoned	Residential Estate RE-1A
1624426001	1550 S WILLOW DR	LAKEVIEW HEIGHTS LOT 41 (PHASE-IN) LAKEVIEW HEIGHTS LOT 41	Unzoned	Residential Estate RE-1A
1624255001	6360 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 56 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 56	Unzoned	Residential Estate RE-1A
1624277012	1505 S 60TH ST	LAKEVIEW HEIGHTS LOT 44 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 44	Unzoned	Residential Estate RE-1A
1624277009	1345 S 60TH ST	LAKEVIEW HEIGHTS LOT 59 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 59	Unzoned	Residential Estate RE-1A
1624176003	1375 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 11 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 11	Unzoned	Residential Estate RE-1A
1624176005	1515 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 7 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 7	Unzoned	Residential Estate RE-1A
1624177006	1570 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 5 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 5	Unzoned	Residential Estate RE-1A
1624402001	1555 S WILLOW DR	LAKEVIEW HEIGHTS LOT 30 LAKEVIEW HEIGHTS LOT 30	Unzoned	Residential Estate RE-1A
1624252001	6355 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 64 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 64	Unzoned	Residential Estate RE-1A
1624202007	1055 S WILLOW CIR	LAKEVIEW HEIGHTS PLAT II LOT 8 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624251003	1295 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 70 (PHASE-IN) LAKEVIEW HEIGHTS LOT 70	Unzoned	Residential Estate RE-1A
1624254005	1485 S WILLOW DR	LAKEVIEW HEIGHTS LOT 28 (PHASE-IN) LAKEVIEW HEIGHTS LOT 28	Unzoned	Residential Estate RE-1A
1624201001	1035 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 3 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624177001	1290 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 14 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 14	Unzoned	Residential Estate RE-1A
1624201002	1095 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 2 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624226003	1205 S 60TH ST	24-78-26 NE1/4 Book 2011 Page 1430	Unzoned	Residential Estate RE-1A
1624226004		24-78-26 PARCEL B NE 1/4 Book 2006 Page 17614	Unzoned	Residential Estate RE-1A
1624301001		24-78-26 W9 AC N1/2 Book 2004 Page 294	Unzoned	Residential Estate RE-1A
1624301002		24-78-26 E5.22 CH W9.71 CH NW SW Book 2004 Page 12338	Unzoned	Residential Single Family RS-20
1624301003		24-78-26 W1/2 E30 CH N1/2 SW N OF ROAD Book 2013 Page 18592	Unzoned	Residential Single Family RS-20



# Current Zoning Pheasant Ridge Consistency Rezoning



**Legend**

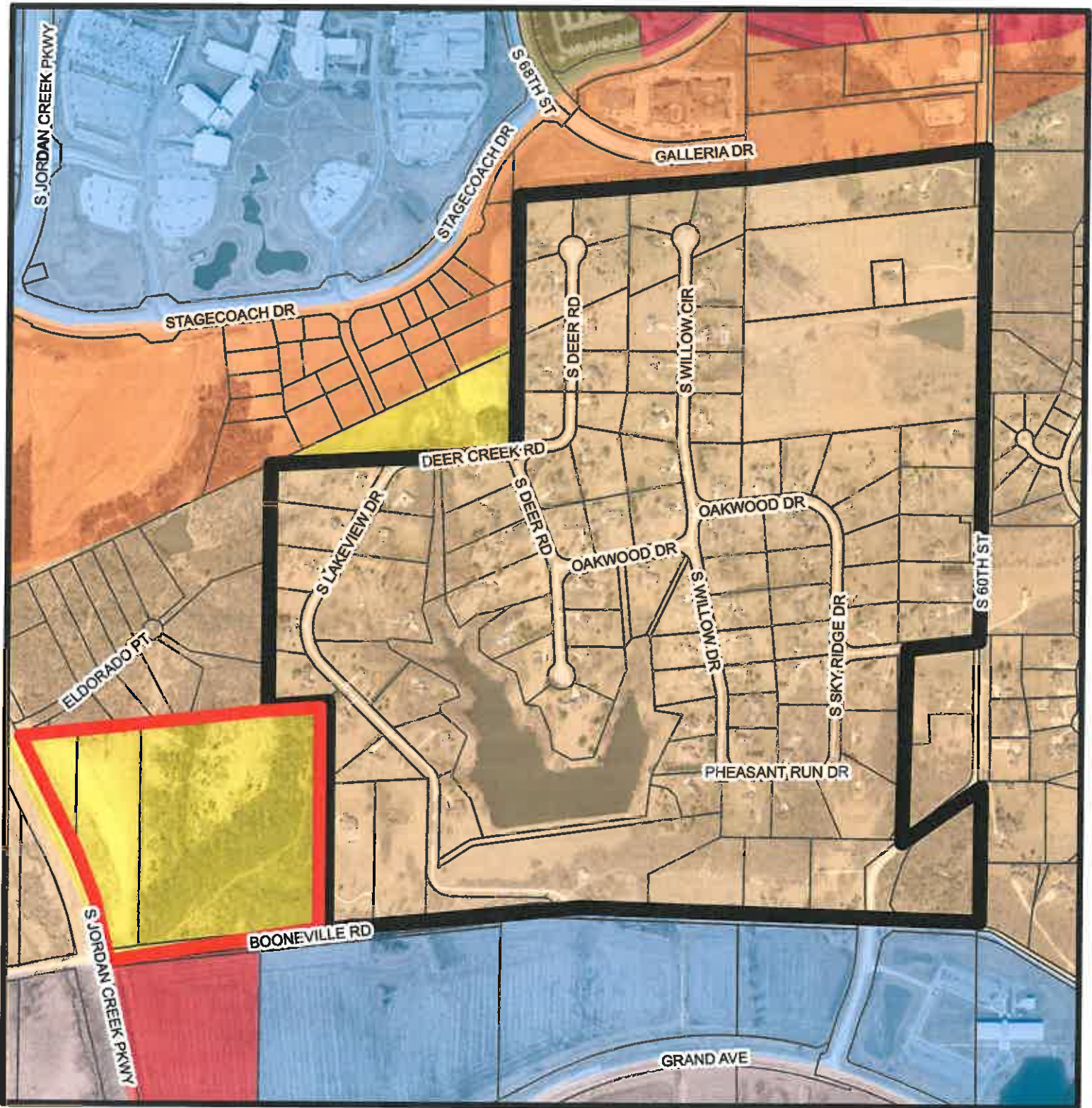
- |                                 |                                 |                                  |                  |
|---------------------------------|---------------------------------|----------------------------------|------------------|
| Unzoned                         | Residential Medium-Density (RM) | PUD - Medium Density Residential | PUD - Office     |
| Residential Estate (RE)         | Office (OF)                     | PUD - High Density Residential   | PUD - Industrial |
| Single-Family Residential (R-1) | PUD - Single Family Residential | PUD - Business and Commercial    |                  |










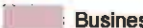


# Land Use Map

## Pheasant Ridge Consistency Rezoning



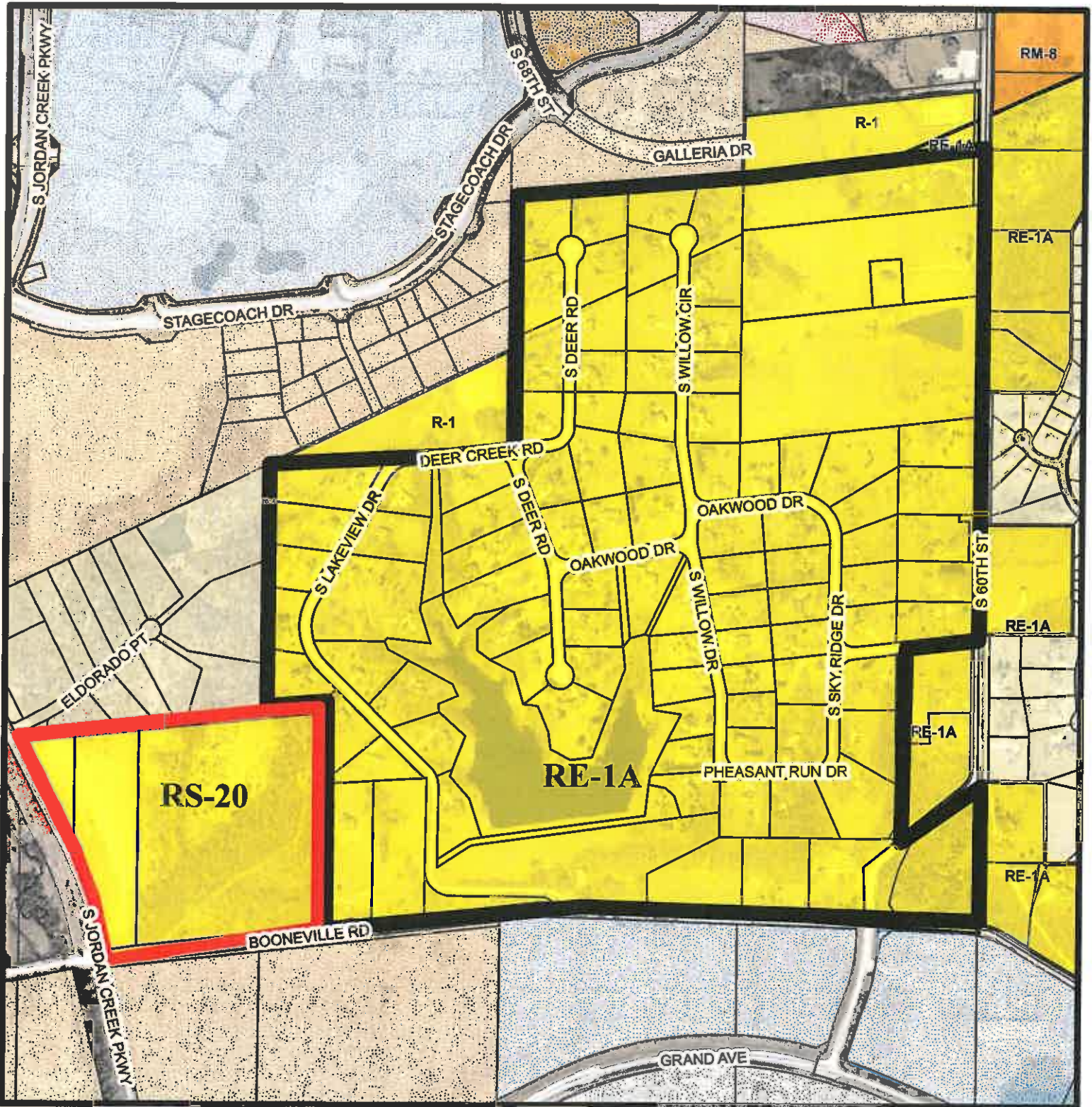
**Legend**

- |   |   |  |  |
|---|---|--|--|
|  Low Density Resid (LD)   |  Medium Density Resid (MD) |  Regional Commercial (RC) |  Office (OF)        |
|  Single Family Resid (SF) |  High Density Resid (HD)   |  Support Commercial (SC)  |  Business Park (BP) |





# Proposed Zoning Pheasant Ridge Consistency Rezoning



**Legend**

- Unzoned
- Residential Estate (RE)
- Single-Family Residential (R-1)
- Residential Medium-Density (RM)
- Office (OF)
- PUD - Single Family Residential
- PUD - Medium Density Residential
- PUD - High Density Residential
- PUD - Business and Commercial
- PUD - Office
- PUD - Industrial



**Tragesser, Kara**

---

**From:** Lloyd R. Hill <lrhill@american-equity.com>  
**Sent:** Tuesday, June 14, 2016 10:52 AM  
**To:** Tragesser, Kara  
**Subject:** Rezoning

Plan and Zoning Commission and the City Council, City of West Des Moines

In response to the mailing with regard proposed rezoning of property in and around the Pheasant Ridge Development, I would like to ask for a different zoning for my property, rather than the proposed RE-1A..

My wife, Trudy and I own the property at 1045 South 60<sup>th</sup> St. We are the last property northeast of the proposed change. As stated, we are currently unzoned. The new zoning would be RE-1A.

The northwest corner of my property abuts the property zoned medium density. To the north of my property is the Mid-American substation that is RE-1. North of that property is the former Carroll property proposed to continue as unzoned.

We have had inquiries as to what might be built on my property and I would request Medium Density Residential zoning.

If that is not allowed, we would request to remain unzoned.

Thank you for your consideration.

Lloyd and Trudy Hill  
1045 South 60<sup>th</sup> St.  
West Des Moines, Iowa 50266

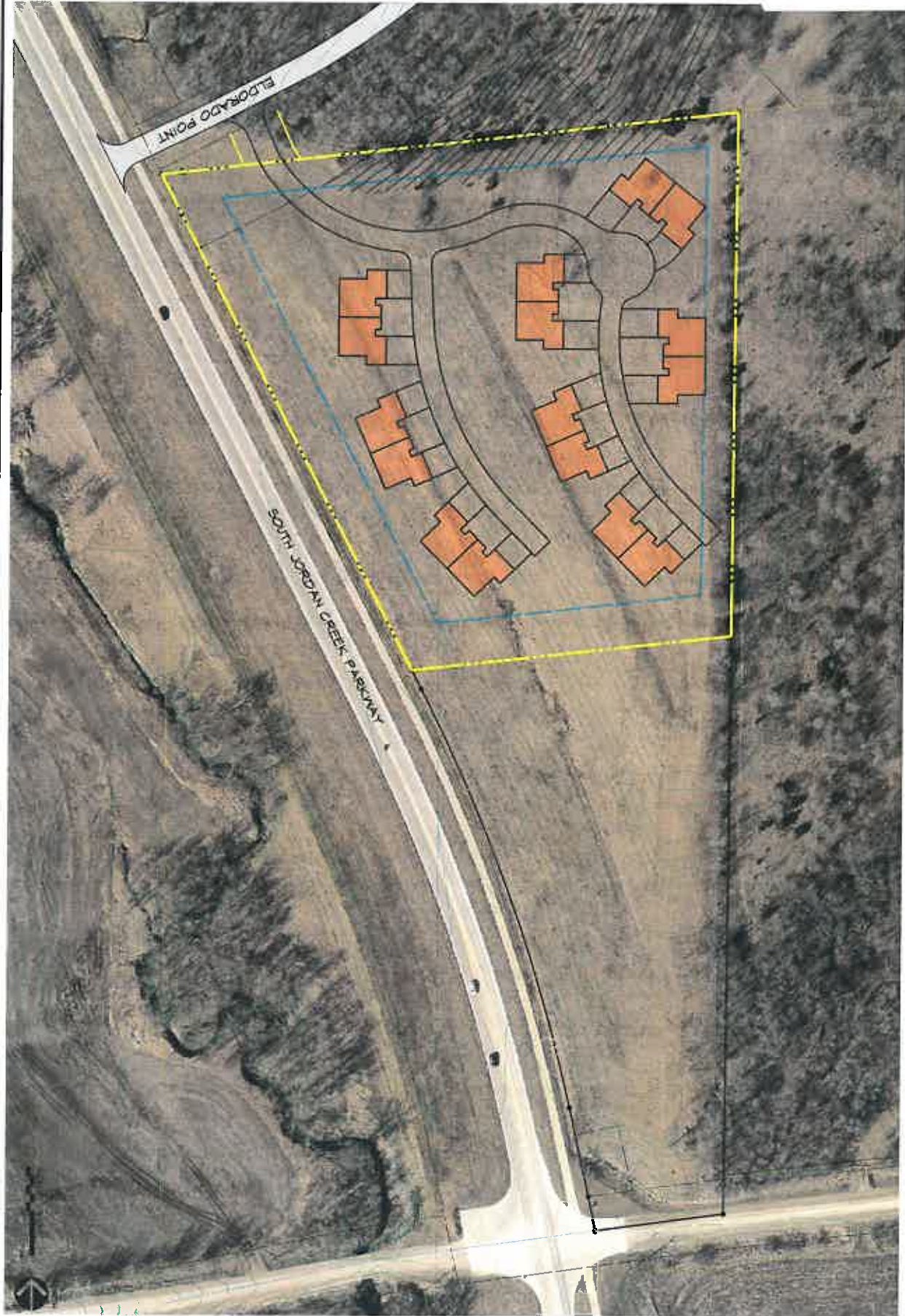
This e-mail, including attachments, is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521, is confidential, and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, and then please delete it. Thank You.



# Hill Request/Alternative Pheasant Ridge Consistency Rezoning





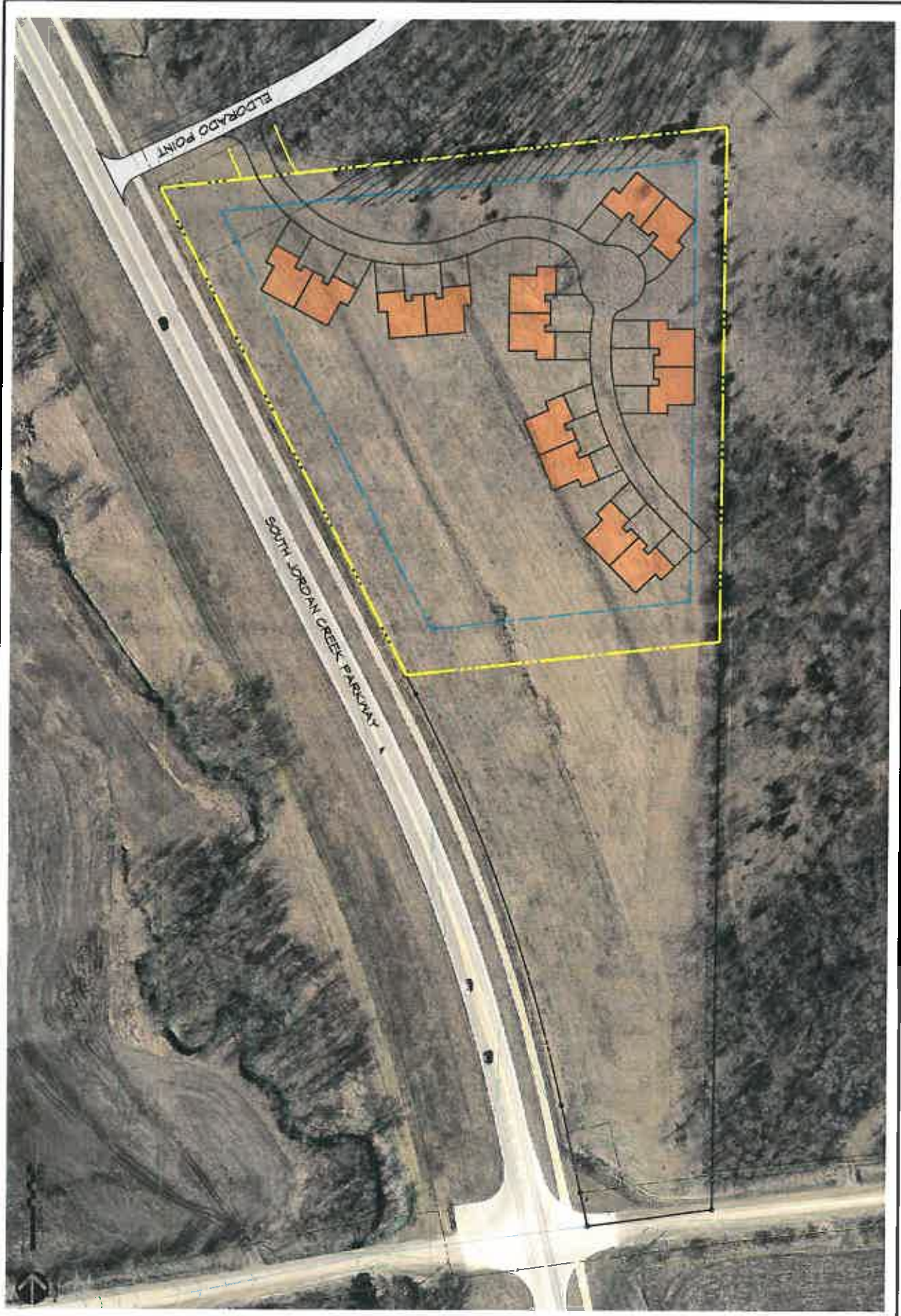


**EL DORADO TOWNHOMES**  
 WEST DES MOINES, IOWA  
 SKETCH

DATE	REVISIONS	COMMENTS
	1	a
	2	
	3	
	4	
DATE OF SURVEY	5	
DESIGNED BY: CEC	6	
DRAWN BY: JAG	7	


**Civil Engineering Consultants, Inc.**  
 2400 86th Street, Unit 12 - Des Moines, Iowa 50322  
 515.276.4884 - Fax: 515.276.7084 - email@cecinc.com





**ELDRADO TOWNHOMES**  
 WEST DES MOINES, IOWA

DATE: 08/08/10  
 DATE OF SURVEY: 08/08/10  
 DESIGNED BY: CBG  
 DRAWN BY: JND

NO.	DATE	REVISIONS	COMMENTS
1		P	
2			
3			
4			
5			
6			

**CEC** Civil Engineering Consultants, Inc.  
 2400 86th Street, Unit 12 - Des Moines, Iowa 50322  
 515.276.4884 - Fax: 515.276.7084 - mail@cecinc.com

SCALE  
 1" = 40'

SKETCH

Prepared by: K Tragesser, Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, (515)222-3620  
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 9: ZONING, CHAPTER 4: ZONING DISTRICTS AND MAP**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:**

**SECTION 1. AMENDMENT:** The Zoning Map of the City of West Des Moines, Iowa, is hereby amended by zoning the property general north of Booneville Road and west of South 60<sup>th</sup> Street, known as the Pheasant Ridge Consistency Zoning, and outlined in Exhibit A – Current Zoning Map from “Unzoned” to Residential Estate (RE-1A) and Residential Single Family (RS-20) consistent with the adopted City of West Des Moines Comprehensive Land Use Plan.

**Legal Description**

**SEE EXHIBIT B**

**SECTION 2. SAVINGS CLAUSE.** If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 3. VIOLATIONS AND PENALTIES.** Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in title 1, Chapter 4, Section 1 and Section 2 of the City Code of the City of West Des Moines, Iowa.

**SECTION 4. OTHER REMEDIES.** In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm, or corporation for violation of any section or subsection of this Ordinance.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Approved and passed by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Steven K. Gaer, Mayor



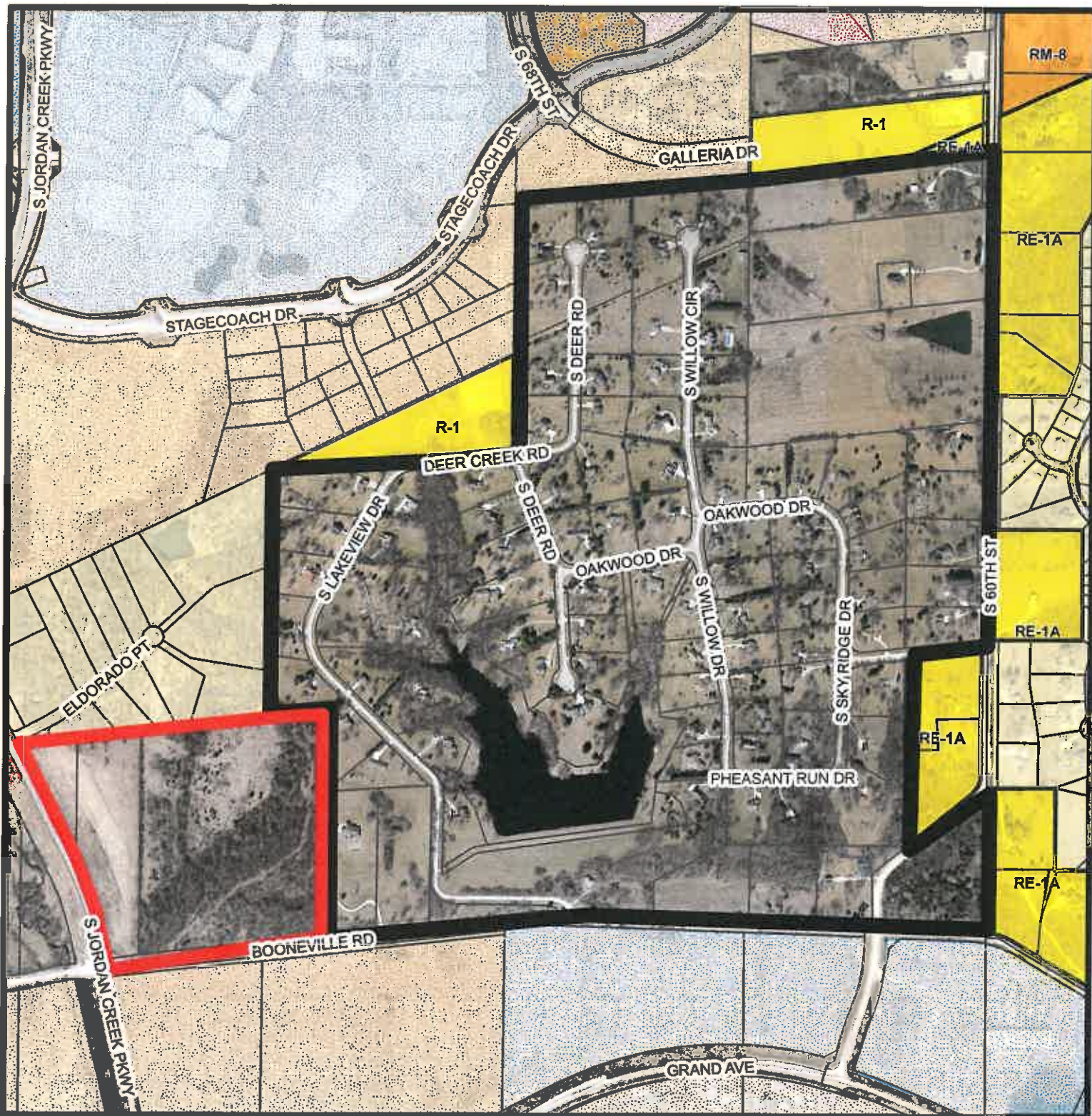
**ATTEST:**

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

I certify that he foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2016.

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

# Current Zoning Pheasant Ridge Consistency Rezoning



**Legend**

- |                                 |                                 |                                  |                  |
|---------------------------------|---------------------------------|----------------------------------|------------------|
| Unzoned                         | Residential Medium-Density (RM) | PUD - Medium Density Residential | PUD - Office     |
| Residential Estate (RE)         | Office (OF)                     | PUD - High Density Residential   | PUD - Industrial |
| Single-Family Residential (R-1) | PUD - Single Family Residential | PUD - Business and Commercial    |                  |



Pheasant Ridge Consistency Zoning  
 ZC-002004-2016

Legal Descriptions of Property Subject to Zoning

Property ID #	Property Address	Legal Description	Current Zoning	Proposed Zoning
1624401004	1550 S DEER RD	LAKEVIEW HEIGHTS ADD LOTS 22 & 23 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOTS 22	Unzoned	Residential Estate RE-1A
1624428001		24-78-26 E1/2 SE E & N OF RD Book 2001 Page 10848	Unzoned	Residential Estate RE-1A
1624177005	1530 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 6 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 6	Unzoned	Residential Estate RE-1A
1624276003	1375 S SKY RIDGE DR	LAKEVIEW HEIGHTS ADD LOT 57 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 57	Unzoned	Residential Estate RE-1A
		BEG 1244 S OF NW CORNER W 1/4 SW FRL 1/4 SEC 19 THIN E 37.32F TO NW CORNER PARCEL Q		
		BK 10719 PAGE 399 SW 1/4 SEC 19 THIN S TO N ROW LN OF BOONEVILLE RD W ALONG RD TO W		
		LINE SEC 19 N TO POB W 1/2 SW FRL 1/4 SEC 19-78-25		
32000332002003			Unzoned	Residential Estate RE-1A
1624251005	6501 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 66 (PHASE-IN) LAKEVIEW HEIGHTS LOT 66	Unzoned	Residential Estate RE-1A
1624202003	1130 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 6 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624202006	1025 S WILLOW CIR	LAKEVIEW HEIGHTS PLAT II LOT 9 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624326005		24-78-26 PARCEL B NE SW LYG N OF HWY Book 2005 Page 22103	Unzoned	Residential Single Family RS-20
1624251006	1355 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 65 (PHASE-IN) LAKEVIEW HEIGHTS LOT 65	Unzoned	Residential Estate RE-1A
1624427002	6256 PHEASANT RUN DR	LAKEVIEW HEIGHTS LOT 35 LAKEVIEW HEIGHTS LOT 35	Unzoned	Residential Estate RE-1A
1624201005		LAKEVIEW HEIGHTS PLAT II LOTS A&B (STREETS)	Unzoned	Residential Estate RE-1A
1624201005		LAKEVIEW HEIGHTS PLAT II LOTS A&B (STREETS)	Unzoned	Residential Estate RE-1A
1624202002	1050 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 5 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624177008	6710 DEER CREEK RD	LAKEVIEW HEIGHTS ADD LOT 16 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 16	Unzoned	Residential Estate RE-1A
1624255002	1450 S WILLOW DR	LAKEVIEW HEIGHTS LOT 55 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 55	Unzoned	Residential Estate RE-1A
1624177010	1375 S DEER RD	LAKEVIEW HEIGHTS LOT 18 (PHASE-IN) LAKEVIEW HEIGHTS LOT 18	Unzoned	Residential Estate RE-1A
1624276004	1453 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 54 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 54	Unzoned	Residential Estate RE-1A
1624276006	1533 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 46 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 46	Unzoned	Residential Estate RE-1A
1624427007	6150 PHEASANT RIDGE DR	LAKEVIEW HEIGHTS LOT 43 (PHASE-IN) LAKEVIEW HEIGHTS OT 43	Unzoned	Residential Estate RE-1A
1624203002	1110 S WILLOW CIR	LAKEVIEW HEIGHTS PLAT II LOT 11 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624177002	1330 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 12 (PHASE-IN) LAKEVIEW HEIGHTS LOT 12	Unzoned	Residential Estate RE-1A
1624402004	1655 S WILLOW DR	LAKEVIEW HEIGHTS LOT 33 LAKEVIEW HEIGHTS LOT 33	Unzoned	Residential Estate RE-1A
1624177012	1370 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOTS 8 & 10 (PHASE-IN) LAKEVIEW HEIGHTS LOT 8 & 10	Unzoned	Residential Estate RE-1A
1624251002	1270 S DEER RD	LAKEVIEW HEIGHTS LOT 69 (PHASE-IN) LAKEVIEW HEIGHTS LOT 69	Unzoned	Residential Estate RE-1A
1624277006	1490 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 50 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 50	Unzoned	Residential Estate RE-1A
1624277001	6305 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 63 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 63	Unzoned	Residential Estate RE-1A
1624277004	1350 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 58 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 58	Unzoned	Residential Estate RE-1A
1624251001	1310 S DEER RD	LAKEVIEW HEIGHTS LOT 68 (PHASE-IN) LAKEVIEW HEIGHTS LOT 68	Unzoned	Residential Estate RE-1A
1624426005	6251 PHEASANT RUN DR	LAKEVIEW HEIGHTS LOT 38 (PHASE-IN) LAKEVIEW HEIGHTS LOT 38	Unzoned	Residential Estate RE-1A
1624177011	1405 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 19 (PHASE-IN) LAKEVIEW HEIGHTS LOT 19	Unzoned	Residential Estate RE-1A
1624253002	1525 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 21 (PHASE-IN) LAKEVIEW HEIGHTS LOT 21	Unzoned	Residential Estate RE-1A
1624276002	1530 S WILLOW DR	LAKEVIEW HEIGHTS LOT 47 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 47	Unzoned	Residential Estate RE-1A
1624427005	1650 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 36 LAKEVIEW HEIGHTS LOT 36	Unzoned	Residential Estate RE-1A
1624203005	1250 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 71 (PHASE-IN) LAKEVIEW HEIGHTS LOT 71	Unzoned	Residential Estate RE-1A
1624202008	1155 S WILLOW CIR	LAKEVIEW HEIGHTS PLAT II LOT 7 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624226001	1045 S 60TH ST	LAKEVIEW HEIGHTS LOT 87 /EX RD/ (PHASE-IN) LAKEVIEW HEIGHTS LOT 87	Unzoned	Residential Estate RE-1A
1624177007		LAKEVIEW HEIGHTS LOT A B C & E ACCESS RDS SERVICE RD & DAM	Unzoned	Residential Estate RE-1A
1624177007		LAKEVIEW HEIGHTS LOT A B C & E ACCESS RDS SERVICE RD & DAM	Unzoned	Residential Estate RE-1A
1624177007		LAKEVIEW HEIGHTS LOT A B C & E ACCESS RDS SERVICE RD & DAM	Unzoned	Residential Estate RE-1A
1624177007		LAKEVIEW HEIGHTS LOT A B C & E ACCESS RDS SERVICE RD & DAM	Unzoned	Residential Estate RE-1A
1624328001		LAKEVIEW HEIGHTS LOT G (WATERWORKS)	Unzoned	Residential Estate RE-1A



Pheasant Ridge Consistency Zoning  
 ZC-002004-2016

Legal Descriptions of Property Subject to Zoning

Property ID #	Property Address	Legal Description	Current Zoning	Proposed Zoning
1624401003		LAKEVIEW HEIGHTS LOT D (LAKE)	Unzoned	Residential Estate RE-1A
1624403001		LAKEVIEW HEIGHTS LOT H-J-L-M&N (STREETS) LOT F(LAGOON)	Unzoned	Residential Estate RE-1A
1624432002	1580 S WILLOW DR	LAKEVIEW HEIGHTS LOT 40 (PHASE-IN) LAKEVIEW HEIGHTS LOT 40	Unzoned	Residential Estate RE-1A
1624176002	1315 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 13 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 13	Unzoned	Residential Estate RE-1A
1624277011	1501 S 60TH ST	LAKEVIEW HEIGHTS LOT 51 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 51	Unzoned	Residential Estate RE-1A
1624254001	1410 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 26 (PHASE-IN) LAKEVIEW HEIGHTS LOT 26	Unzoned	Residential Estate RE-1A
1624251004	6575 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 67 (PHASE-IN) LAKEVIEW HEIGHTS LOT 67	Unzoned	Residential Estate RE-1A
1624277007	6155 PHEASANT RIDGE DR	LAKEVIEW HEIGHTS LOT 45 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 45	Unzoned	Residential Estate RE-1A
1624277010	1415 S 60TH ST	LAKEVIEW HEIGHTS LOT 52 /EX RD/ (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 52	Unzoned	Residential Estate RE-1A
1624177009	1295 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 17 (PHASE-IN) LAKEVIEW HEIGHTS LOT 17	Unzoned	Residential Estate RE-1A
1624277008	1215 S 60TH ST	LAKEVIEW HEIGHTS LOT 60 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 60	Unzoned	Residential Estate RE-1A
1624402003	1625 S WILLOW DR	LAKEVIEW HEIGHTS LOT 32 LAKEVIEW HEIGHTS LOT 32	Unzoned	Residential Estate RE-1A
1624201004	1225 S DEER RD	LAKEVIEW HEIGHTS LOT 74 (PHASE-IN) LAKEVIEW HEIGHTS LOT 74	Unzoned	Residential Estate RE-1A
1624427001	6302 PHEASANT RUN DR	LAKEVIEW HEIGHTS LOT 34 LAKEVIEW HEIGHTS LOT 34	Unzoned	Residential Estate RE-1A
1624176001	1275 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 15 (PHASE-IN) LAKEVIEW HEIGHTS LOT 15	Unzoned	Residential Estate RE-1A
1624427006	1610 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 37 (PHASE-IN) LAKEVIEW HEIGHTS LOT 37	Unzoned	Residential Estate RE-1A
1624203003	1180 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 79 (PHASE-IN) LAKEVIEW HEIGHTS LOT 79	Unzoned	Residential Estate RE-1A
1624326002	1585 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 3 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 3	Unzoned	Residential Estate RE-1A
1624201003	1175 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 1 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II	Unzoned	Residential Estate RE-1A
1624276005	1501 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 49 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 49	Unzoned	Residential Estate RE-1A
1624427011		LAKEVIEW HEIGHTS LOT 89	Unzoned	Residential Estate RE-1A
1624427012		LAKEVIEW HEIGHTS LOT 90	Unzoned	Residential Estate RE-1A
1624254003	1530 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 24 (PHASE-IN) LAKEVIEW HEIGHTS LOT 24	Unzoned	Residential Estate RE-1A
1624426003	1610 S WILLOW DR	LAKEVIEW HEIGHTS LOT 39 (PHASE-IN) LAKEVIEW HEIGHTS LOT 39	Unzoned	Residential Estate RE-1A
1624202004	1190 S DEER RD	LAKEVIEW HEIGHTS LOT 76 (PHASE-IN) LAKEVIEW HEIGHTS LOT 86	Unzoned	Residential Estate RE-1A
1624427004	1695 S 60TH ST	LAKEVIEW HEIGHTS LOT 91 (PHASE-IN) LAKEVIEW HEIGHTS LOT 91	Unzoned	Residential Estate RE-1A
1624202001	1030 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 4 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624202010	1245 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 72 (PHASE-IN) LAKEVIEW HEIGHTS LOT 72	Unzoned	Residential Estate RE-1A
1624276001	1510 S WILLOW DR	LAKEVIEW HEIGHTS LOT 48 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 48	Unzoned	Residential Estate RE-1A
1624277005	1420 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 53 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 53	Unzoned	Residential Estate RE-1A
1624202009	1195 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 77 (PHASE-IN) LAKEVIEW HEIGHTS LOT 77	Unzoned	Residential Estate RE-1A
1624254006	1535 S WILLOW DR	LAKEVIEW HEIGHTS LOT 29 LAKEVIEW HEIGHTS LOT 29	Unzoned	Residential Estate RE-1A
1624326001	1555 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 4 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 4	Unzoned	Residential Estate RE-1A
1624254002	1490 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 25 (PHASE-IN) LAKEVIEW HEIGHTS LOT 25	Unzoned	Residential Estate RE-1A
1624203004	1190 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 78 (PHASE-IN) LAKEVIEW HEIGHTS LOT 78	Unzoned	Residential Estate RE-1A
1624202005	1220 S DEER RD	LAKEVIEW HEIGHTS LOT 73 (PHASE-IN) LAKEVIEW HEIGHTS LOT 73	Unzoned	Residential Estate RE-1A
1624327001	1590 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 2 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 2	Unzoned	Residential Estate RE-1A
1624254004	6450 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 27 LAKEVIEW HEIGHTS LOT 27	Unzoned	Residential Estate RE-1A
1624327002	1630 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 1 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 1	Unzoned	Residential Estate RE-1A
1624426004	1553 S SKY RIDGE DR	LAKEVIEW HEIGHTS LOT 42 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 42	Unzoned	Residential Estate RE-1A
1624253001	1495 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 20 (PHASE-IN) LAKEVIEW HEIGHTS LOT 20	Unzoned	Residential Estate RE-1A
1624277003	6201 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 61 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 61	Unzoned	Residential Estate RE-1A
1624203001	1030 S WILLOW CIR	LAKEVIEW HEIGHTS PLAT II LOT 10 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624176004	1475 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 9 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 9	Unzoned	Residential Estate RE-1A

Pheasant Ridge Consistency Zoning  
 ZC-002004-2016

Legal Descriptions of Property Subject to Zoning

Property ID #	Property Address	Legal Description	Current Zoning	Proposed Zoning
1624226005	1105 S 60TH ST	24-78-26 PARCEL A NE1/4 NE1/4 Book 2006 Page 17614	Unzoned	Residential Estate RE-1A
1624277002	6255 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 62 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 62	Unzoned	Residential Estate RE-1A
1624326004	6775 BOONEVILLE RD	24-78-26 PARCEL A NE 1/4 SW 1/4 LYG N OF HWY Book 2005 Page 22100	Unzoned	Residential Single Family RS-20
1624402002	1585 S WILLOW DR	LAKEVIEW HEIGHTS LOT 31 LAKEVIEW HEIGHTS LOT 31	Unzoned	Residential Estate RE-1A
1624426001	1550 S WILLOW DR	LAKEVIEW HEIGHTS LOT 41 (PHASE-IN) LAKEVIEW HEIGHTS LOT 41	Unzoned	Residential Estate RE-1A
1624255001	6360 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 56 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 56	Unzoned	Residential Estate RE-1A
1624277012	1505 S 60TH ST	LAKEVIEW HEIGHTS LOT 44 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 44	Unzoned	Residential Estate RE-1A
1624277009	1345 S 60TH ST	LAKEVIEW HEIGHTS LOT 59 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 59	Unzoned	Residential Estate RE-1A
1624176003	1375 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 11 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 11	Unzoned	Residential Estate RE-1A
1624176005	1515 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 7 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 7	Unzoned	Residential Estate RE-1A
1624177006	1570 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 5 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 5	Unzoned	Residential Estate RE-1A
1624402001	1555 S WILLOW DR	LAKEVIEW HEIGHTS LOT 30 LAKEVIEW HEIGHTS LOT 30	Unzoned	Residential Estate RE-1A
1624252001	6355 OAKWOOD DR	LAKEVIEW HEIGHTS LOT 64 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 64	Unzoned	Residential Estate RE-1A
1624202007	1055 S WILLOW CIR	LAKEVIEW HEIGHTS PLAT II LOT 8 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624251003	1295 S WILLOW CIR	LAKEVIEW HEIGHTS LOT 70 (PHASE-IN) LAKEVIEW HEIGHTS LOT 70	Unzoned	Residential Estate RE-1A
1624254005	1485 S WILLOW DR	LAKEVIEW HEIGHTS LOT 28 (PHASE-IN) LAKEVIEW HEIGHTS LOT 28	Unzoned	Residential Estate RE-1A
1624201001	1035 S DEER RD	LAKEVIEW HEIGHTS PLAT II LOT 3 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624177001	1290 S LAKEVIEW DR	LAKEVIEW HEIGHTS ADD LOT 14 (PHASE-IN) LAKEVIEW HEIGHTS ADD LOT 14	Unzoned	Residential Estate RE-1A
1624201002	1095 S DEER RD	LAKEVIEW HEIGHTS ADD LOT 2 (PHASE-IN) LAKEVIEW HEIGHTS PLAT II LOT	Unzoned	Residential Estate RE-1A
1624226003	1205 S 60TH ST	24-78-26 NE1/4 Book 2011 Pge 1430	Unzoned	Residential Estate RE-1A
1624226004		24-78-26 PARCEL B NE 1/4 Book 2006 Page 17614	Unzoned	Residential Estate RE-1A
1624301001		24-78-26 W9 AC N1/2 Book 2004 Page 294	Unzoned	Residential Estate RE-1A
1624301002		24-78-26 ES.22 CH W9.71 CH NW SW Book 2004 Page 12338	Unzoned	Residential Single Family RS-20
1624301003		24-78-26 W1/2 E30 CH N1/2 SW N OF ROAD Book 2013 Pge 18592	Unzoned	Residential Single Family RS-20

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**6(b)**

**DATE: June 27, 2016**

**ITEM:**

- Public Hearing (5:35 p.m.)  
Public Services Facility Grading

**FINANCIAL IMPACT:**

The Engineering Estimate of construction cost for the Public Services Facility Grading was estimated to be \$890,240.00. There were three (3) bids submitted with the low bid of \$641,210.52 being submitted by McAninch Corporation of Des Moines, Iowa. Payments will be made from budgeted account no. 4128.75.820.6.7910 with the ultimate funding intended to come from Road Use Tax Revenues.

**BACKGROUND:**

This is the first of a series of potential projects to begin site development of the Public Services Facility. Work included in this contract includes rough grading of the site. This project is anticipated to be completed by September 30, 2016.

**OUTSTANDING ISSUES:**

None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Adopting Plans, Specifications, Form of Contract, and Estimate of Costs;
- Motion receiving and filing Report of Bids;
- Resolution Awarding the Construction Contract to McAninch Corporation of Des Moines, Iowa

**Lead Staff Member: Ben McAlister, P.E., Principal Engineer**

**STAFF REVIEWS**

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

**PUBLICATION(S) (if applicable)**

Published In	Des Moines Register
Dates(s) Published	June 17, 2016

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works		
Date Reviewed	June 23, 2016		
Recommendation	Yes	No	Split

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Adopting Plans, Specifications, Form of Contract, and Estimate of Cost**

**WHEREAS**, on June 13, 2016, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Public Services Facility Grading  
Project No. 0510-019-2015**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements was published as required by law;

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that the Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvement are hereby approved.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Awarding Contract**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Public Services Facility Grading  
Project No. 0510-019-2015**

and,

**WHEREAS**, bids have been received and opened by the City Clerk and placed on file by the City Council.

and,

**WHEREAS**, the bid of McAninch Corporation in the amount of \$641,210.52 is the lowest responsive, responsible bid received for said public improvement,

therefore;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that a contract for the Public Services Facility Grading is hereby awarded to McAninch Corporation in the amount of \$641,210.52 and the bond of said bidder for the project is hereby fixed in the same amount.

**BE IT FURTHER RESOLVED** that the City Engineer is authorized and directed to return bid bond(s) and/or check(s) to any unsuccessful bidder.

**BE IT FURTHER RESOLVED** that work on said project may commence as soon as the final contract and bond have been approved by the City Engineer and have been signed by the City Manager or Deputy City Manager after the contractor is given a written notice to proceed by the City Engineer.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk



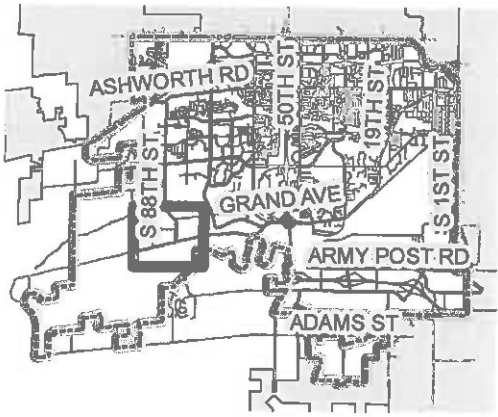
**BID TABULATION**  
**WEST DES MOINES PUBLIC SERVICES SITE ROUGH GRADING IMPROVEMENTS**  
**WEST DES MOINES, IOWA**  
**BID DATE: JUNE 22, 2016**  
**PROJECT NO.: 115.0474.01**

ITEM	DESCRIPTION	QUANTITY	UNIT	ENGINEERS ESTIMATE SNYDER & ASSOCIATES		MCANINCH CORPORATION DES MOINES, IA		LEGACY CORP OF IL EAST MOLINE, IL		ELDER CORPORATION DES MOINES, IA	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
2.1	Cleaning and Grubbing	1	LS	\$3,000.00	\$3,000.00	\$3,018.00	\$3,018.00	\$17,005.00	\$17,005.00	\$8,000.00	\$8,000.00
2.2	Excavation, Class 10, Roadway and Borrow	150,000	CY	\$5.00	\$750,000.00	\$3.87	\$580,500.00	\$5.00	\$750,000.00	\$5.40	\$810,000.00
4.1	Storm Sewer, HDPE, 6"	98	LF	\$45.00	\$4,320.00	\$31.51	\$3,024.96	\$35.00	\$3,360.00	\$60.00	\$5,760.00
4.2	Storm Sewer, HDPE, 18"	87	LF	\$80.00	\$5,220.00	\$52.58	\$4,574.46	\$50.00	\$4,350.00	\$100.00	\$6,700.00
4.3	Apron, 6" CMP with Apron Guard	1	EA	\$1,000.00	\$1,000.00	\$650.00	\$650.00	\$400.00	\$400.00	\$450.00	\$450.00
4.4	Apron, 18" CMP with Apron Guard	1	EA	\$1,500.00	\$1,500.00	\$925.00	\$925.00	\$750.00	\$750.00	\$650.00	\$650.00
4.5	Temporary Sediment Basin Outlet Structure	2	EA	\$2,500.00	\$5,000.00	\$1,950.00	\$3,900.00	\$2,000.00	\$4,000.00	\$650.00	\$1,100.00
8.1	Traffic Control	1	LS	\$4,000.00	\$4,000.00	\$1,530.00	\$1,530.00	\$1,500.00	\$1,500.00	\$5,215.00	\$5,215.00
9.1	Urban Temporary Erosion Control Seeding	36	AC	\$2,200.00	\$79,200.00	\$540.60	\$19,461.60	\$570.00	\$20,520.00	\$700.00	\$25,200.00
9.2	Silt Fence	4,650	LF	\$4.00	\$18,600.00	\$1.53	\$7,114.50	\$1.50	\$6,975.00	\$2.00	\$9,300.00
9.3	Silt Fence Removal	4,650	LF	\$1.00	\$4,650.00	\$0.20	\$930.00	\$0.20	\$930.00	\$0.50	\$2,325.00
9.4	SWPPP Management	1	LS	\$3,000.00	\$3,000.00	\$1,020.00	\$1,020.00	\$1,000.00	\$1,000.00	\$600.00	\$600.00
9.5	Erosion and Sediment Control Inspection	1	EA	\$2,000.00	\$2,000.00	\$1,020.00	\$1,020.00	\$1,000.00	\$1,000.00	\$3,500.00	\$3,500.00
9.6	Stabilized Construction Entrance	1	LS	\$2,500.00	\$2,500.00	\$9,054.00	\$9,054.00	\$1,000.00	\$1,000.00	\$2,500.00	\$2,500.00
9.7	Turf Reinforcement Mats	1	LS	\$1,000.00	\$1,000.00	\$306.00	\$306.00	\$1,000.00	\$1,000.00	\$150.00	\$150.00
9.8	Flow Transition Mats	1	LS	\$250.00	\$250.00	\$812.00	\$812.00	\$1,000.00	\$1,000.00	\$550.00	\$550.00
11.1	Construction Survey	1	LS	\$5,000.00	\$5,000.00	\$3,570.00	\$3,570.00	\$4,000.00	\$4,000.00	\$5,000.00	\$5,000.00
<b>TOTALS</b>					<b>\$890,240.00</b>		<b>\$641,210.52</b>		<b>\$818,790.00 *</b>		<b>\$689,000.00</b>

\* Amount corrected using unit price



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT:	<b>PUBLIC SERVICES FACILITY MASTER PLAN</b>	
	Project No. 0510-019-2015	
LOCATION:	<b>EXHIBIT "A"</b>	
DRAWN BY: BJM	DATE: 5/14/2015	SHT. 1 OF 1

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**6(c)**

**DATE: June 27, 2016**

**ITEM:**

- Public Hearing (5:35 p.m.)  
Intersection Improvements – 50th Street & University Avenue and 50th Street & Corporate Drive

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost for the improvements at these intersections was \$448,341.30. There were three (3) bids submitted with the low bid of \$448,136.75 being submitted by Absolute Concrete of Slater, Iowa. Payments will be made from budgeted account no. 4051.75.820.6.7910 with the ultimate funding intended to come from General Obligation Bonds.

**BACKGROUND:**

Improvements include a northbound right-turn lane at 50th Street & University and a westbound left-turn lane at 50th Street & Corporate Drive to improve traffic flow and safety at the intersections. The entire project is anticipated to be completed this fall.

This Public Hearing is on the matter of adoption of Plans, Specifications, Form of Contract, and Estimate of Cost for Intersection Improvements – 50<sup>th</sup> Street and University Avenue and 50<sup>th</sup> Street and Corporate Drive. Upon completion of the Public Hearing, a Resolution should be passed adopting the Plans and Specifications, Form of Contract, Estimate of Cost, Waving Irregularities, and Awarding the Contract to Absolute Concrete. The bids received contained one irregularity which was noted in the bid tabulation.

**OUTSTANDING ISSUES:**

None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Adopting Plans, Specifications, Form of Contract, and Estimate of Costs;
- Motion receiving and filing Report of Bids;
- Resolution waiving bid irregularities and awarding the construction contract to Absolute Concrete of Slater, Iowa

**Lead Staff Member: Ben McAlister, P.E., Principal 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	Des Moines Register
Dates(s) Published	June 17, 2016

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works		
Date Reviewed	June 23, 2016		
Recommendation	Yes	No	Split

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Adopting Plans, Specifications, Form of Contract, and Estimate of Cost**

**WHEREAS**, on June 13, 2016, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Intersection Improvements – 50th St. & University Ave. and 50th St. & Corporate Dr.  
Project No. 0510-042-2014**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements was published as required by law;

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that the Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvement are hereby approved.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING  
Awarding Contract**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Intersection Improvements – 50th St. & University Ave. and 50th St. & Corporate Dr.  
Project No. 0510-042-2014**

and,

**WHEREAS**, bids have been received and opened by the City Clerk and placed on file by the City Council.

and,

**WHEREAS**, irregularities were noted on one of the bids that was received,

and,

**WHEREAS**, the irregularities noted were not substantive in nature,

and,

**WHEREAS**, the bid of Absolute Concrete in the amount of \$448,136.75 is the lowest responsive, responsible bid received for said public improvement,

therefore;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, waives the irregularities in the bids that were received.

**BE IT FURTHER RESOLVED**, that a contract for the Intersection Improvements – 50th Street & University Avenue and 50th Street & Corporate Drive is hereby awarded to Absolute Concrete in the amount of \$448,136.75 and the bond of said bidder for the project is hereby fixed in the same amount.

**BE IT FURTHER RESOLVED** that the City Engineer is authorized and directed to return bid bond(s) and/or check(s) to any unsuccessful bidder.

**BE IT FURTHER RESOLVED** that work on said project may commence as soon as the final contract and bond have been approved by the City Engineer and have been signed by the City Manager or Deputy City Manager after the contractor is given a written notice to proceed by the City Engineer.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk



**Tabulation of Bids**  
 City of West Des Moines  
 Intersection Improvements:  
 50th & University and 50th & Corporate  
 OS10-042-2014



Item	Unit	Quantity	Engineers Opinion of Cost		Absolute Concrete		Synergy Contracting LLC		Hawkeye Paving Corp.	
			Unit Price	Subtotal	Unit Price	Subtotal	Unit Price	Subtotal	Unit Price	Total Cost
<b>Bid Date: Wednesday, July 22, 2016 at 2:00 pm</b>										
<b>DIVISION 1 - GENERAL</b>										
NOT USED										
<b>DIVISION 2 - EARTHWORK, SUBGRADE, AND SUBBASE</b>										
2.1 CLEARING-AND GRUBBING	LS	1								
2.2 TOPSOIL, ON-SITE	CY	227	\$7,500.00	\$7,500.00	\$8,500.00	\$8,500.00	\$22,400.00	\$22,400.00	\$10,000.00	\$10,000.00
2.3 EXCAVATION, CLASS 10	CY	1905	\$20.00	\$4,500.00	\$27.00	\$4,994.00	\$16.80	\$3,813.60	\$50.00	\$11,350.00
2.4 MODIFIED SUBBASE	TON	243	\$29.36	\$7,134.00	\$36.50	\$8,869.50	\$77.00	\$18,711.00	\$65.00	\$15,795.00
<b>DIVISION 4 - SEWERS</b>										
4.1 STORM SEWER, TRENCHED, RCP, 15"	LF	12	\$300.00	\$3,600.00	\$100.00	\$1,200.00	\$189.00	\$2,268.00	\$330.00	\$3,960.00
4.2 STORM SEWER, TRENCHED, RCP, 18"	LF	6	\$300.00	\$1,800.00	\$150.00	\$900.00	\$193.20	\$1,159.20	\$340.00	\$2,040.00
4.3 SUBDRAIN, LONGITUDINAL, 6 IN.	LF	853			\$26.50	\$22,604.50	\$33.60	\$28,660.80	\$20.00	\$17,060.00
<b>DIVISION 5 - WATERMAIN</b>										
5.1 FIRE HYDRANT ADJUSTMENT	EA	1	\$1,500.00	\$1,500.00	\$7,000.00	\$7,000.00	\$4,480.00	\$4,480.00	\$8,000.00	\$8,000.00
<b>DIVISION 6 - STORM/SANITARY STRUCTURES</b>										
6.1 INTAKE, SW-505	EA	2.00	\$4,400.00	\$8,800.00	\$5,500.00	\$11,000.00	\$4,900.00	\$9,800.00	\$7,000.00	\$14,000.00
6.2 INTAKE, SW-505, MODIFIED TOP ONLY	EA	1	\$3,000.00	\$3,000.00	\$3,250.00	\$3,250.00	\$1,750.00	\$1,750.00	\$3,500.00	\$3,500.00
6.3 MANHOLE ADJUSTMENT, MINOR	EA	2	\$1,500.00	\$3,000.00	\$1,000.00	\$2,000.00	\$1,260.00	\$2,520.00	\$1,500.00	\$3,000.00
6.4 MANHOLE ADJUSTMENT, MAJOR	EA	1	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	\$2,100.00	\$2,100.00	\$2,400.00	\$2,400.00
<b>DIVISION 7 - STREETS AND RELATED WORK</b>										
7.1 PAVEMENT, PCC, CLASS C, 8"	SY	376	\$95.00	\$35,720.00	\$105.00	\$39,480.00	\$91.00	\$34,216.00	\$110.00	\$41,360.00
7.2 PAVEMENT, PCC, CLASS C, 9.5"	SY	501	\$105.00	\$52,605.00	\$115.00	\$57,615.00	\$105.00	\$52,605.00	\$120.00	\$60,120.00
7.3 PAVEMENT REMOVAL	SY	362.00	\$35.00	\$12,670.00	\$15.50	\$5,611.00	\$11.20	\$4,054.40	\$20.00	\$7,240.00
7.4 SIDEWALK REMOVAL	SY	243	\$25.00	\$6,075.00	\$19.50	\$4,738.50	\$11.20	\$2,721.60	\$10.00	\$2,430.00
7.5 SIDEWALK, PCC, 4"	SY	212	\$40.00	\$8,480.00	\$60.00	\$12,720.00	\$70.00	\$14,840.00	\$65.00	\$13,780.00
7.6 SIDEWALK, PCC, 6"	SY	46.00	\$45.00	\$2,070.00	\$100.00	\$4,600.00	\$77.00	\$3,542.00	\$85.00	\$3,910.00
7.7 DETECTABLE WARNING, 2'x4' PANEL	EA	10.00	\$40.00	\$400.00	\$250.00	\$2,500.00	\$175.00	\$1,750.00	\$300.00	\$3,000.00
<b>DIVISION 8 - TRAFFIC SIGNALS AND TRAFFIC CONTROL</b>										
8.1 TRAFFIC SIGNALIZATION	LS	1.00	\$141,107.30	\$141,107.30	\$150,000.00	\$150,000.00	\$191,900.28	\$191,900.28	\$150,000.00	\$150,000.00
8.2 TRAFFIC CONTROL	LS	1.00	\$35,000.00	\$35,000.00	\$20,000.00	\$20,000.00	\$56,000.00	\$56,000.00	\$30,000.00	\$30,000.00
<b>DIVISION 9 - SITE WORK AND LANDSCAPING</b>										
9.1 SODDING	SQ	131.50	\$190.00	\$24,985.00	\$125.00	\$16,437.50	\$168.00	\$22,092.00	\$115.00	\$15,122.50
9.2 FILTER SOCK, 12"	LF	640.00	\$3.00	\$1,920.00	\$4.00	\$2,560.00	\$4.20	\$2,688.00	\$3.00	\$1,920.00
9.3 FILTER SOCKS, REMOVAL	LF	640.00	\$1.50	\$960.00	\$1.00	\$640.00	\$1.40	\$896.00	\$1.00	\$640.00
9.4 INLET PROTECTION DEVICE	EA	3.00	\$200.00	\$600.00	\$250.00	\$750.00	\$210.00	\$630.00	\$150.00	\$450.00
9.5 SILT FENCE	LF	190.00	\$2.00	\$380.00	\$4.00	\$760.00	\$4.20	\$798.00	\$3.00	\$570.00
9.6 REMOVAL OF SILT FENCE	LF	190.00	\$1.50	\$285.00	\$1.00	\$190.00	\$1.40	\$266.00	\$1.00	\$190.00
9.7 TEMPORARY SEEDING, FERTILIZING AND MULCHING	ACRE	0.3	\$4,500.00	\$1,350.00	\$7,500.00	\$2,250.00	\$2,800.00	\$840.00	\$2,000.00	\$600.00
<b>DIVISION 10 - DEMOLITION</b>										
NOT USED										
<b>DIVISION 11 - MISCELLANEOUS</b>										
11.1 CONSTRUCTION SURVEY	LS	1.00	\$2,000.00	\$2,000.00	\$3,500.00	\$3,500.00	\$10,500.00	\$10,500.00	\$2,500.00	\$2,500.00
11.2 PAINTED PAVEMENT MARKINGS, WATERBORNE/SOLVENT	STA	8.65	\$300	\$2,595.00	\$120.00	\$1,038.00	\$168.00	\$1,453.20	\$120.00	\$1,038.00
11.3 PAINTED SYMBOLS AND LEGENDS, DURABLE	EA	6.00	\$350	\$2,100.00	\$250.00	\$1,500.00	\$350.00	\$2,100.00	\$250.00	\$1,500.00
<b>DIVISION 12 - RETAINING WALL</b>										
12.1 STRUCTURAL CONCRETE	CY	26.90	\$650.00	\$17,485.00	\$875.00	\$23,537.50	\$1,400.00	\$37,660.00	\$800.00	\$21,520.00
12.2 REINFORCING STEEL	LB	2290.00	\$2.00	\$4,580.00	\$2.00	\$4,580.00	\$4.20	\$9,618.00	\$2.00	\$4,580.00



**Tabulation of Bids**  
 City of West Des Moines  
 Intersection Improvements:  
 50th & University and 50th & Corporate  
 0510-042-2014



Bid Date: Wednesday, July 22, 2016 at 2:00 pm	Engineers Opinion of Cost	Absolute Concrete Slater, IA	Synergy Contracting LLC Bondurant, IA	Hawleys Paving Corp. Betterdort, IA
<b>TOTAL BASE BID (Items 2.1 through 12.2)</b>	\$448,341.30	\$448,136.75	\$606,653.08	\$501,675.50
		X	X	X
		Note 1		

Note 1: Absolute Concrete's Bid Bond designated 5% of Amount Bid

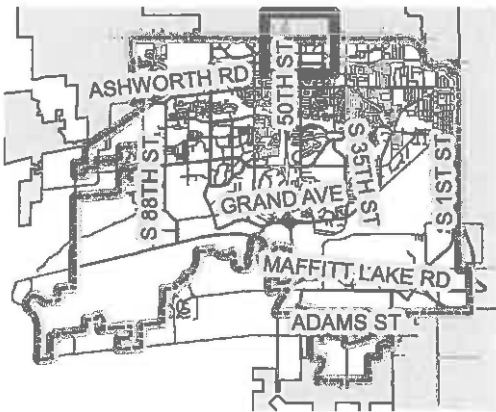
I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

*Gregory D. Cabalka*      6-22-16

GREGORY D. CABALKA, P.E.      19411  
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2017.  
 LICENSE NO. 21393  
 PAPERS OR SHEETS COVERED BY THIS SEAL:  
**BID TABULATION**



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT: **50TH & UNIVERSITY AND 50TH & CORPORATE INTERSECTION IMPROVEMENTS** Project No. 0510-042-2014

LOCATION: **EXHIBIT "A"**

DRAWN BY: ERP

DATE: 6/8/2016

SHT. 1 OF 1



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**6(d)**

**DATE: June 27, 2016**

**ITEM:**

- Public Hearing (5:35 p.m.)  
Law Enforcement Center Lower Level Remodeling Phase 2

**FINANCIAL IMPACT:**

The Engineering Estimate of construction cost for the Law Enforcement Center Lower Level Remodeling Phase 2 base bid was \$402,823.27. There were three (3) bids submitted with the low base bid of \$442,850.00 being submitted by Lang Construction of West Des Moines. There were three (3) bid alternates associated with this project. Staff recommends Alternates 1 and 3 be included in the project. The total of the Base Bid including Alternates 1 and 3 is \$454,050.00.

Payments will be made from budgeted account no. 3047.75.810.6.7910 with the ultimate funding intended to come from the General Fund. As part of FY15-16 Budget Amendment #1 the available funding for this project was increased to \$487,750.00.

**BACKGROUND:**

The project will provide an armory, officers' work area, and complete improvements to the locker room at the West Des Moines Law Enforcement Center. Work includes selective demolition, concrete, masonry, metals, carpentry, insulation, doors, windows, finishes, mechanical, electrical, and limited site work

Staff is recommending acceptance of Alternates 1 and 3. Alternate 1 provides rough-in plumbing for future toilets required by building code when the next modification is made to the building. Staff believes there will be a cost savings and less disruptive to complete this work now rather than in the future. Alternate 3 is a reduction in cost to provide an alternate brand of locker acceptable to the West Des Moines Police Department.

The completion date for the project is December 10, 2016.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Adopting Plans, Specifications, Form of Contract, and Estimate of Costs;
- Motion receiving and filing Report of Bids;
- Resolution Awarding the Construction Contract including Alternates 1 and 3 to Lang Construction.

**Lead Staff Member: Ben McAlister, P.E., Principal 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	Des Moines Register
Dates(s) Published	June 17, 2016

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works			
Date Reviewed	June 23, 2016			
Recommendation	<table border="1"> <tr> <td>Yes</td> <td>No</td> <td>Split</td> </tr> </table>	Yes	No	Split
Yes	No	Split		

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Adopting Plans, Specifications, Form of Contract, and Estimate of Cost**

**WHEREAS**, on June 13, 2016, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Law Enforcement Center Lower Level Remodeling Phase 2  
Project No. 0510-052-2015**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements was published as required by law;

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
IOWA**, that the Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvement are hereby approved.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of **June, 2016**.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Awarding Contract**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Law Enforcement Center Lower Level Remodeling Phase 2  
Project No. 0510-052-2015**

and,

**WHEREAS**, bids have been received and opened by the City Clerk and placed on file by the City Council.

and,

**WHEREAS**, the bid of Lang Construction in the amount of \$454,050.00 is the lowest responsive, responsible bid received for said public improvement,

therefore;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that a contract for the Law Enforcement Center Lower Level Remodeling Phase 2 is hereby awarded to Lang Construction for the base bid and alternates #1 and #3 in the amount of \$454,050.00 and the bond of said bidder for the project is hereby fixed in the same amount.

**BE IT FURTHER RESOLVED** that the City Engineer is authorized and directed to return bid bond(s) and/or check(s) to any unsuccessful bidder.

**BE IT FURTHER RESOLVED** that work on said project may commence as soon as the final contract and bond have been approved by the City Engineer and have been signed by the City Manager or Deputy City Manager after the contractor is given a written notice to proceed by the City Engineer.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

**CERTIFIED BID TABULATION SHEET**  
**Law Enforcement Center - Lower Floor Remodeling Phase 2**  
**West Des Moines, Iowa - Project No. 0510-052-2015**



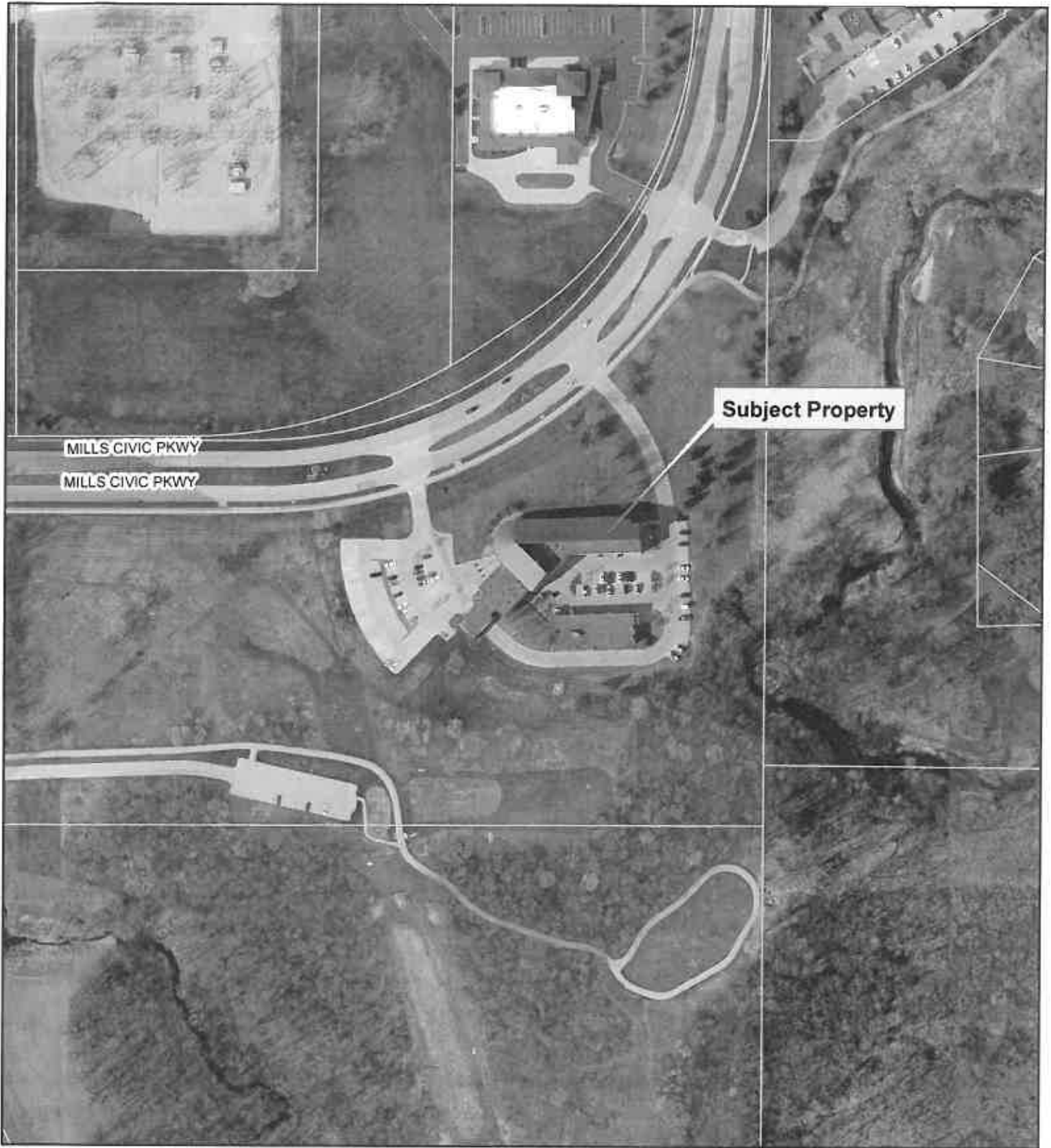
Wednesday, June 22, 2016 @ 2:00 p.m.

	Bid	Add.	Add.	Base Bid	Alternate No. 1	Alternate No. 2	Alternate No. 3
GENERAL CONTRACTOR	Sec.				Rough In for Future Toilets	Door 26B and Related Work	Use Alternate Brand of Locker Proposed under Alternate
	10%	1	2				
Bergstrom Construction Des Moines	X	X	X	\$488,000.00	\$22,000.00	\$6,000.00	(\$3,000.00)
Lang Construction West Des Moines	X	X	X	\$442,850.00	\$20,000.00	\$4,260.00	(\$8,800.00)
Tbb & M Indianola	X	X	X	\$460,000.00	\$22,000.00	\$4,000.00	\$11,500.00



I hereby certify that this is a true tabulation of bids received on June 22, 2016 by the City of West Des Moines, Iowa, and that I am a duly licenced professional architect under the laws of the State of Iowa.

*David J. Harrison*  
 \_\_\_\_\_  
**David J. Harrison**  
 Iowa Registration No. 2287  
 Registration Expires: 06.30.2018  
 Pages Covered by this Seal: All



# Law Enforcement Center - 250 Mills Civic Parkway Location Map

0 75 150 300 450 600 Feet



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**6(e)**

**DATE: June 27, 2016**

**ITEM:**

- Public Hearing (5:35 p.m.)  
Sugar Creek Trunk Sewer Extension

**FINANCIAL IMPACT:**

The Engineering Estimate of construction cost for the Sugar Creek Trunk Sewer Extension was estimated to be \$173,961.00. There were seven (7) bids submitted with the low bid of \$168,688.00 being submitted by Rognes Corporation of Ankeny, Iowa. Payments will be made from budgeted account no. 5085.80.820.6.7910 with the ultimate funding intended to come from Sewer Fee Revenues.

**BACKGROUND:**

This project includes extension of approximately 547 feet of 12-inch trunk sewer south of the Tiburon development to serve Majestic Oaks. This project is anticipated to be completed by March 1, 2017.

**OUTSTANDING ISSUES:**

None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Adopting Plans, Specifications, Form of Contract, and Estimate of Costs;
- Motion receiving and filing Report of Bids;
- Resolution Awarding the Construction Contract to Rognes Corporation.

**Lead Staff Member: Ben McAlister, P.E., Principal Engineer**

**STAFF REVIEWS**

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

**PUBLICATION(S) (if applicable)**

Published In	Des Moines Register
Dates(s) Published	June 17, 2016

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works		
Date Reviewed	June 23, 2016		
Recommendation	Yes	No	Split

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Adopting Plans, Specifications, Form of Contract, and Estimate of Cost**

**WHEREAS**, on June 13, 2016, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Sugar Creek Trunk Sewer Extension  
Project No. 0510-020-2013**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements was published as required by law;

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that the Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvement are hereby approved.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of **June, 2016**.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Awarding Contract**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Sugar Creek Trunk Sewer Extension  
Project No. 0510-020-2013**

and,

**WHEREAS**, bids have been received and opened by the City Clerk and placed on file by the City Council.

and,

**WHEREAS**, the bid of Rognes Corporation in the amount of \$168,688.00 is the lowest responsive, responsible bid received for said public improvement,

therefore;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that a contract for the Public Services Facility Grading is hereby awarded to Rognes Corporation in the amount of \$168,688.00 and the bond of said bidder for the project is hereby fixed in the same amount.

**BE IT FURTHER RESOLVED** that the City Engineer is authorized and directed to return bid bond(s) and/or check(s) to any unsuccessful bidder.

**BE IT FURTHER RESOLVED** that work on said project may commence as soon as the final contract and bond have been approved by the City Engineer and have been signed by the City Manager or Deputy City Manager after the contractor is given a written notice to proceed by the City Engineer.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of **June, 2016**.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk



**BID TABULATION**  
**WEST DES MOINES IOWA**  
**SUGAR CREEK SEWER EXTENSION**  
**PROJECT NO. 0510-020-2013**

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	Rognes Corp 720 SW Goodwin Street Ankeny, IA 50023		J&K Contracting, LLC 1307 E. Lincoln Way Ames, IA 50010		Vanderpool Construction, Inc. 1100 N. 14th Street Indianola, IA 50125		Priority Excavating LLC 9550 Hickman Rd; Ste 101 Clive, IA 50325	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1.1	12" Sanitary Sewer	LF	547	\$ 112.00	\$ 61,264.00	\$ 160.00	\$ 87,520.00	\$ 165.00	\$ 89,161.00	\$ 125.00	\$ 68,375.00
1.2	Manhole Type SW-301 - 48" Dia.	Ea.	4	5,000.00	20,000.00	7,000.00	28,000.00	6,772.50	27,090.00	8,000.00	32,000.00
1.3	Connection to Existing Manhole	Ea.	1	1,500.00	1,500.00	8,387.00	8,387.00	7,500.00	7,500.00	45,000.00	45,000.00
1.4	Rip-Rap	TONS	120	55.00	6,600.00	75.00	9,000.00	85.00	7,800.00	80.00	9,600.00
1.5	Seeding	ACRE	2.0	1,650.00	3,300.00	3,800.00	7,600.00	2,970.00	5,940.00	1,500.00	3,000.00
1.6	Temporary Access Road Construction and Removal	LS	1	2,500.00	2,500.00	8,500.00	8,500.00	10,470.00	10,470.00	3,000.00	3,000.00
1.7	Video Inspection	LF	462	2.00	924.00	2.00	924.00	4.00	1,848.00	6.00	2,772.00
1.8	Steel Sheeting	SF	1,500	30.00	45,000.00	23.00	34,500.00	30.00	45,000.00	40.00	60,000.00
1.9	Erosion Control	LS	1	5,000.00	5,000.00	7,000.00	7,000.00	10,450.00	10,450.00	9,000.00	9,000.00
1.10	Construction Staking	LS	1	22,100.00	22,100.00	2,500.00	2,500.00	2,500.00	2,500.00	5,000.00	5,000.00
<b>TOTAL BID (Items 1.1 - 1.10)</b>					<b>\$188,188.00</b>		<b>\$193,991.00</b>		<b>\$207,759.00</b>		<b>\$237,747.00</b>

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	Raccoon Valley Contractors, LLC 520 SE Prairie Park Ln Waukee, IA 50263		Synergy Contracting, LLC 1120 2nd Street NE Bondurant, IA 50035		Elder Corporation 5088 E. University Avenue Des Moines, IA 50327	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1.1	12" Sanitary Sewer	LF	547	\$ 380.00	\$ 207,860.00	\$ 235.20	\$ 128,654.40	\$ 380.00	\$ 207,860.00
1.2	Manhole Type SW-301 - 48" Dia.	Ea.	4	9,250.00	37,000.00	7,840.00	31,360.00	7,700.00	30,800.00
1.3	Connection to Existing Manhole	Ea.	1	10,000.00	10,000.00	3,500.00	3,500.00	25,000.00	25,000.00
1.4	Rip-Rap	TONS	120	86.00	10,320.00	140.00	16,800.00	80.00	9,600.00
1.5	Seeding	ACRE	2.0	2,700.00	5,400.00	5,600.00	11,200.00	3,200.00	6,400.00
1.6	Temporary Access Road Construction and Removal	LS	1	2,000.00	2,000.00	21,000.00	21,000.00	3,700.00	3,700.00
1.7	Video Inspection	LF	462	2.00	924.00	5.60	2,587.20	6.75	3,118.50
1.8	Steel Sheeting	SF	1,500	8.00	12,000.00	42.00	63,000.00	50.00	75,000.00
1.9	Erosion Control	LS	1	9,500.00	9,500.00	4,200.00	4,200.00	7,400.00	7,400.00
1.10	Construction Staking	LS	1	4,000.00	4,000.00	54,600.00	54,600.00	4,200.00	4,200.00
<b>TOTAL BID (Items 1.1 - 1.10)</b>					<b>\$299,004.00</b>		<b>\$396,901.60</b>		<b>\$373,079.50</b>

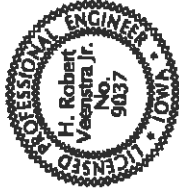
**BID TABULATION  
WEST DES MOINES IOWA  
SUGAR CREEK SEWER EXTENSION  
PROJECT NO. 0510-020-2013**

I hereby certify that this is a true tabulation of bids received on June 22, 2016 by the City of West Des Moines, Iowa.

  
\_\_\_\_\_  
H. Robert Veenstra Jr., P.E.

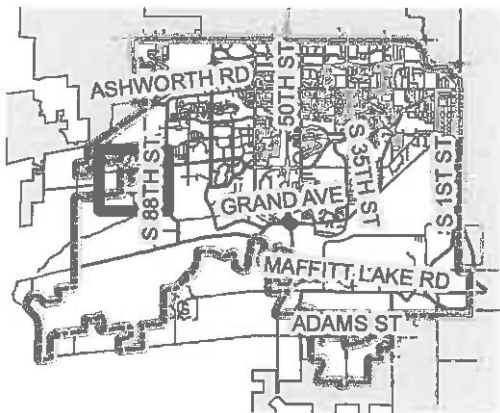
Iowa License No. 9037

My license renewal date is December 31, 2016





**VICINITY MAP**



**LEGEND**

**PROJECT LOCATION** ———



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0802

PROJECT: **SUGAR CREEK TRUNK SEWER EXTENSION**

Project No. 0510-020-2013

LOCATION:

**EXHIBIT "A"**

DRAWN BY: BJM

DATE: 6/7/2016

SHT. 1 OF 1

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**6(f)**

**DATE: June 27, 2016**

**ITEM:**

- Public Hearing (5:35 p.m.)  
Jordan Creek Parkway & University Avenue Intersection Improvements Phase 1

**FINANCIAL IMPACT:**

The Engineering Estimate of construction cost for the Sugar Creek Trunk Sewer Extension was estimated to be \$112,987.00. There were four (4) bids submitted with the low bid of \$110,265.00 being submitted by Hendrickson Contracting of Grimes, Iowa. Payments will be made from budgeted account no. 4030.75.820.6.7920 with the ultimate funding intended to come from General Obligation Bonds.

**BACKGROUND:**

This project is the first of two possible projects to improve traffic congestion at the intersection of Jordan Creek Parkway and University Avenue. Work under this contract will include median and curb modifications to reallocate the existing left turn lanes. This project is anticipated to be completed by September 15, 2016.

**OUTSTANDING ISSUES:**

None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Adopting Plans, Specifications, Form of Contract, and Estimate of Costs;
- Motion receiving and filing Report of Bids;
- Resolution Awarding the Construction Contract to Henrickson Contracting.

**Lead Staff Member: Ben McAlister, P.E., Principal Engineer**

**STAFF REVIEWS**

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>RTG</i>

**PUBLICATION(S) (if applicable)**

Published In	Des Moines Register
Dates(s) Published	June 17, 2016

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works		
Date Reviewed	June 23, 2016		
Recommendation	Yes	No	Split

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Adopting Plans, Specifications, Form of Contract, and Estimate of Cost**

**WHEREAS**, on June 13, 2016, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Jordan Creek Parkway & University Avenue Intersection Improvements Phase 1  
Project No. 0510-035-2016**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements was published as required by law;

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that the Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvement are hereby approved.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,  
APPROVING Awarding Contract**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Jordan Creek Parkway & University Avenue Intersection Improvements Phase 1  
Project No. 0510-035-2016**

and,

**WHEREAS**, bids have been received and opened by the City Clerk and placed on file by the City Council.

and,

**WHEREAS**, the bid of Henrickson Contracting in the amount of \$110,265.00 is the lowest responsive, responsible bid received for said public improvement,

therefore;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that a contract for the Public Services Facility Grading is hereby awarded to Henrickson Contracting in the amount of \$110,265.00 and the bond of said bidder for the project is hereby fixed in the same amount.

**BE IT FURTHER RESOLVED** that the City Engineer is authorized and directed to return bid bond(s) and/or check(s) to any unsuccessful bidder.

**BE IT FURTHER RESOLVED** that work on said project may commence as soon as the final contract and bond have been approved by the City Engineer and have been signed by the City Manager or Deputy City Manager after the contractor is given a written notice to proceed by the City Engineer.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

H. R. GREEN, INC.  
 5525 MERLE HAY RD., STE. 200  
 JOHNSTON, IOWA 50131  
 PH: 515-278-2913  
 FAX: 515-278-1846



BID TABULATION  
 JORDAN CREEK PARKWAY & UNIVERSITY AVENUE  
 INTERSECTION IMPROVEMENTS - PHASE 1  
 CITY OF WEST DES MOINES, IOWA  
 PROJECT NO. 0510-035-2016

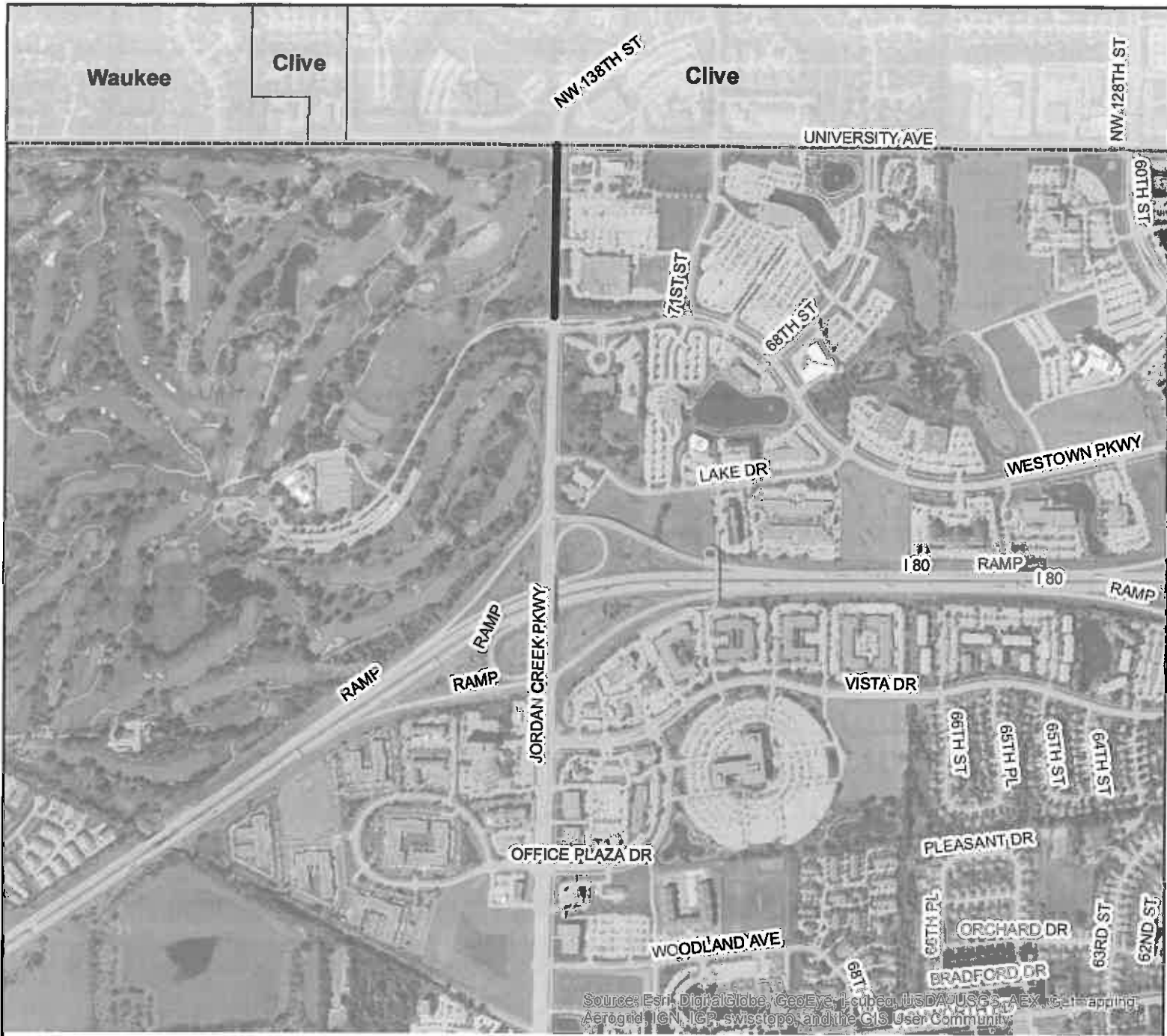


Bid Date: 06/22/2016  
 West Des Moines No.0510-035-2016 HR Green Project No. 40160023

ITEM	DESCRIPTION	UNIT	QUANTITY	Engineer's Opinion of Probable Cost		Henriksen Contracting, LLC		The Concrete Contracting Company, Inc.		Absolute Concrete		Hawkeye Paving Corp	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	TRAFFIC CONTROL	LS	1	9,000.00	9,000.00	25,000.00	25,000.00	6,500.00	6,500.00	20,000.00	20,000.00	20,000.00	20,000.00
2	INTAKE TYPE SW-503, MODIFIED	EA	1	5,000.00	5,000.00	7,500.00	7,500.00	14,640.00	14,640.00	7,650.00	7,650.00	10,000.00	10,000.00
3	CURB AND GUTTER, 2 5' WIDTH, 9" DEPTH	LF	235	60.00	14,100.00	45.00	10,575.00	45.00	10,575.00	60.00	14,100.00	65.00	15,275.00
4	CONCRETE MEDIAN, 9"	SY	320	120.00	38,400.00	80.00	25,600.00	105.00	33,600.00	90.00	28,800.00	110.00	35,200.00
5	DRIVEWAY, PAVED, PCC, 7"	SY	99	60.00	5,940.00	50.00	4,950.00	80.00	7,920.00	100.00	9,900.00	85.00	8,415.00
6	FULL DEPTH PATCHES	SY	100	150.00	15,000.00	90.00	9,000.00	185.00	18,500.00	220.00	22,000.00	200.00	20,000.00
7	PAVEMENT REMOVAL	SY	273	25.00	6,825.00	25.00	6,825.00	20.00	5,460.00	30.00	8,190.00	20.00	5,460.00
8	REMOVAL OF CONCRETE MEDIAN	SY	167	25.00	4,175.00	21.00	3,507.00	20.00	3,340.00	30.00	5,010.00	20.00	3,340.00
9	SURFACE RESTORATION WITH SOD	LS	1	5,000.00	5,000.00	2,500.00	2,500.00	9,780.00	9,780.00	11,000.00	11,000.00	10,000.00	10,000.00
10	FILTER SOCKS, 8" DIAMETER	LF	300	3.00	900.00	7.00	2,100.00	3.00	900.00	5.00	1,500.00	3.00	900.00
11	FILTER SOCKS, 8" REMOVAL	LF	300	0.50	150.00	10.00	3,000.00	2.00	600.00	2.00	600.00	0.50	150.00
12	INLET PROTECTION DEVICE	EA	2	150.00	300.00	250.00	500.00	500.00	1,000.00	250.00	500.00	200.00	400.00
13	CONSTRUCTION SURVEY	LS	1	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00	2,500.00	2,500.00	3,000.00	3,000.00
14	PAINTED PAVEMENT MARKINGS, DURABLE	STA	4.57	250.00	1,142.50	440.00	2,010.80	500.00	2,285.00	400.00	1,828.00	400.00	1,828.00
15	PAINTED SYMBOLS & LEGENDS, DURABLE	EA	6	250.00	1,500.00	275.00	1,650.00	300.00	1,800.00	200.00	1,200.00	250.00	1,500.00
16	PAVEMENT MARKINGS REMOVED	STA	5.74	175.00	1,004.50	200.00	1,148.00	250.00	1,435.00	250.00	1,435.00	200.00	1,148.00
17	SYMBOLS AND LEGENDS REMOVED	EA	6	175.00	1,050.00	150.00	900.00	100.00	600.00	100.00	600.00	100.00	600.00
<b>TOTAL AMOUNT</b>					\$ 112,987.00		\$ 110,285.80		\$ 122,435.00		\$ 136,813.00		\$ 137,216.00

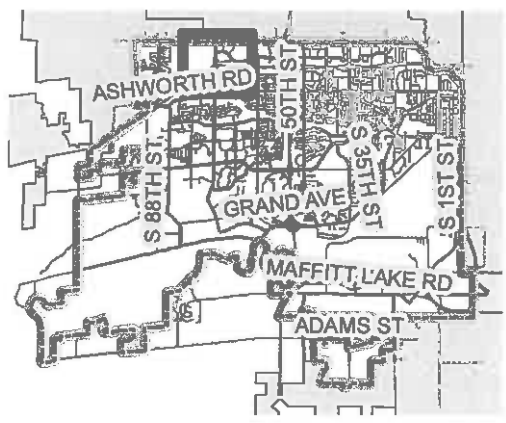
I hereby certify that this is a true and correct tabulation of bids received June 22, 2016 for JORDAN CREEK PARKWAY & UNIVERSITY AVENUE - INTERSECTION IMPROVEMENTS - PHASE 1

*David J. Moenmond*  
 David J. Moenmond, P.E., License No. 12261  
 June 22, 2016  
 Date



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA/USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**VICINITY MAP**



**LEGEND**

PROJECT LOCATION ———



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0802

PROJECT: <b>JORDAN CREEK PARKWAY &amp; UNIVERSITY AVENUE INTERSECTION IMPROVEMENTS PHASE 1</b> Project No. 0510-035-2016		
LOCATION:		<b>EXHIBIT "A"</b>
DRAWN BY: BJM	DATE: 4/27/2016	SHT. 1 OF 1



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**DATE: June 27, 2016**

**ITEM:**

Motion - Approval of Traffic Code Amendments  
Through Streets Stop Required  
South 81<sup>st</sup> Street – Mills Civic Parkway to South Terminus of South 81<sup>st</sup> Street  
SE Maffitt Lake Road – SE Soteria Avenue to Veterans Parkway  
First Reading

**FINANCIAL IMPACT:**

None.

**BACKGROUND:**

This ordinance will designate South 81<sup>st</sup> Street as a through street stops required between Mills Civic Parkway and the southern terminus of South 81<sup>st</sup> Street. It will also designate SE Maffitt Lake Road as a through street stops required between SE Soteria Avenue and Veterans Parkway. This designation is to reflect the traffic flows on these existing and new streets.

**RECOMMENDATION:**

City Council Adopt:

Motion approving First Reading

**Lead Staff Member: Jim Dickinson, P.E.** 

**STAFF REVIEWS**

Department Director	Bret Hodne <i>RBL</i>
Appropriations/Finance	Tim Stiles
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)		SUBCOMMITTEE REVIEW (if applicable)			
Published In	Des Moines Register	Committee	Public Works		
Dates(s) Published		Date Reviewed			
		Recommendation	Yes	No	Split

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2009, BY AMENDING PROVISION PERTAINING TO THE TRAFFIC CODE RELATING TO OFFICIAL TRAFFIC CONTROLS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA,**

**SECTION 1. TITLE 6: (MOTOR VEHICLE AND TRAFFIC), CHAPTER 9: SECTION 6-9-2: THROUGH STREETS STOP REQUIRED:** is hereby amended by revising the following paragraph:

**Add:**

<u>Street</u>	<u>From</u>	<u>To</u>
Eighty First (South) Street	Mills Civic Parkway	South terminus of Eighty First (South) Street
Maffitt Lake (SE) Road	Soteria (SE) Avenue	Veterans Parkway

**SECTION 2. REPEALER.** All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY.** If any section, provisions, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 4. VIOLATION.** Any person who violates the provisions of this Ordinance, upon conviction, shall be punished with a fine not to exceed \$100.00 plus applicable surcharge and court costs.

**SECTION 5. WHEN EFFECTIVE.** This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

**PASSED AND APPROVED** this 27th day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

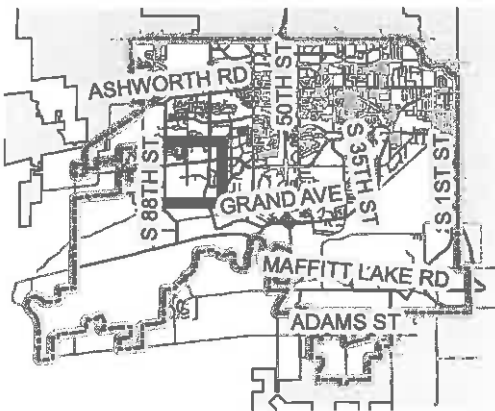
ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

Published in the Des Moines Register this \_\_\_\_ day of \_\_\_\_\_, 2016.



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0602

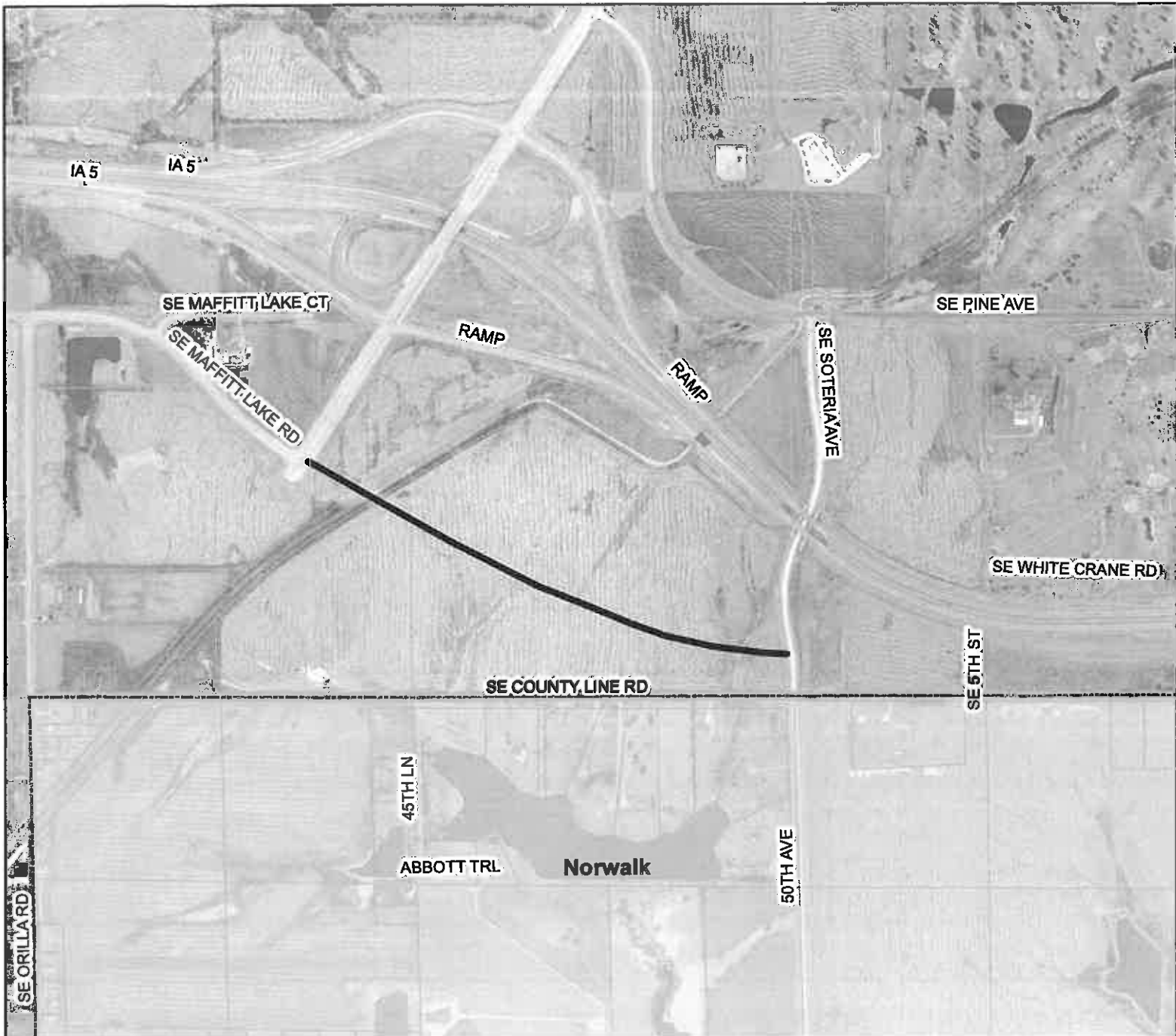
PROJECT: **Approval of Traffic Code Amendment  
Through Streets Stop Required**

LOCATION: **South 81st Street**

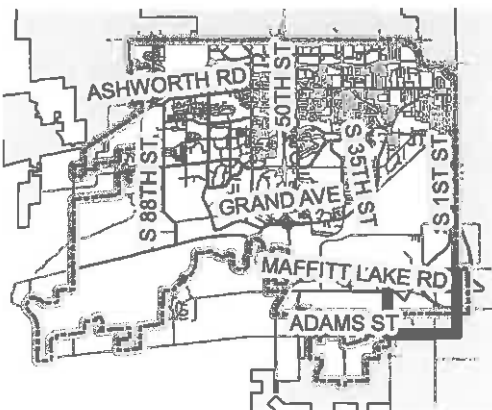
DRAWN BY: ERP

DATE: 8/22/2016

SHT. 2 OF 2



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT: **Approval of Traffic Code Amendment  
Through Streets Stop Required**

LOCATION: **SE Maffitt Lake Rd**

DRAWN BY: ERP

DATE: 6/22/2016

SHT. 1 OF 2

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**DATE: June 27, 2016**

**ITEM:**

Motion - Approval of Traffic Code Amendments  
Special Yield Required  
92<sup>nd</sup> Street and Westown Parkway  
First Reading

**FINANCIAL IMPACT:**

None.

**BACKGROUND:**

This ordinance will require traffic on 92<sup>nd</sup> Street at the intersection with Westown Parkway to yield to traffic on Westown Parkway. In the future as 92<sup>nd</sup> Street is extended to the south and Westown Parkway is extended to the west, it is anticipated that the traffic control at the intersection will be changed from yield signs to stop signs.

**RECOMMENDATION:**

City Council Adopt:

Motion approving First Reading

**Lead Staff Member: Jim Dickinson, P.E.** 

**STAFF REVIEWS**

Department Director	Bret Hodne 
Appropriations/Finance	Tim Stiles
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)		SUBCOMMITTEE REVIEW (if applicable)			
Published In	Des Moines Register	Committee	Public Works		
Dates(s) Published		Date Reviewed			
		Recommendation	Yes	No	Split

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING PROVISION PERTAINING TO THE TRAFFIC CODE RELATING TO OFFICIAL TRAFFIC CONTROLS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA,**

**SECTION 1. TITLE 6: (MOTOR VEHICLE AND TRAFFIC), CHAPTER 9: SECTION 6-9-3-4: SPECIAL YIELD REQUIRED:** is hereby amended by revising the following paragraph:

**Add:**

<u>Street</u>	<u>Vehicle Traveling</u>	<u>Shall Yield At</u>
Ninety Second Street	North-South	Westtown Parkway

**SECTION 2. REPEALER.** All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY.** If any section, provisions, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 4. VIOLATION.** Any person who violates the provisions of this Ordinance, upon conviction, shall be punished with a fine not to exceed \$100.00 plus applicable surcharge and court costs.

**SECTION 5. WHEN EFFECTIVE.** This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

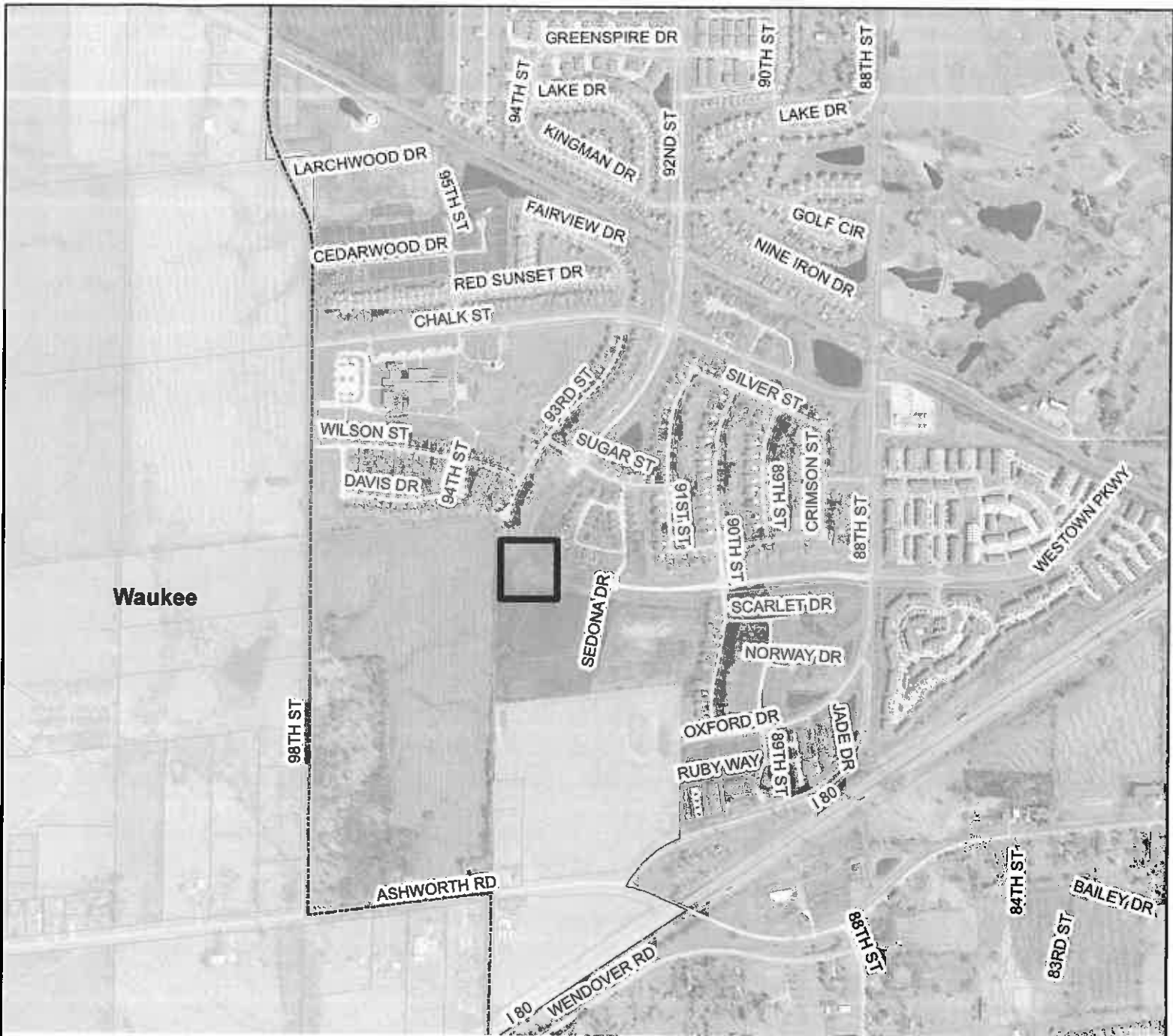
**PASSED AND APPROVED** this 27th day of **June, 2016.**

\_\_\_\_\_  
Steven K. Gaer, Mayor

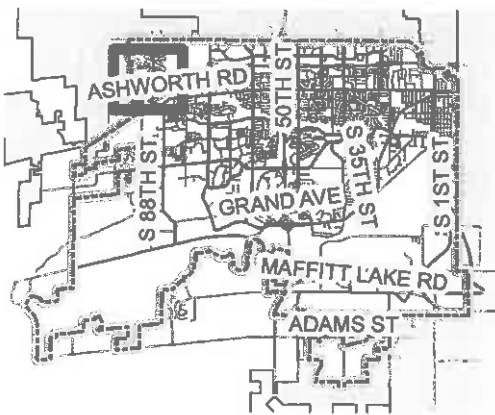
ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

Published in the Des Moines Register this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



**CITY OF WEST DES MOINES**  
**ENGINEERING SERVICES**  
 4200 MILLS CIVIC PARKWAY  
 WEST DES MOINES, IOWA 50265  
 PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT: **Approval of Traffic Code Amendment  
 Special Yield Required**

LOCATION: **92nd Street & Westtown Parkway**

DRAWN BY: ERP

DATE: 6/22/2016

SHT. 1 OF 1



**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**DATE: June 27, 2016**

**ITEM:**

Motion - Approval of Traffic Code Amendment  
 No Parking Zones  
 SE White Crane Road – SE Soteria Avenue to Eastern Terminus SE White Crane Road  
 SE Soteria Avenue – SE Willow Creek Drive to SE County Line Road  
 SE Maffitt Lake Road – East Corporate Limits to West Corporate Limits  
 First Reading

**FINANCIAL IMPACT:** None.

**BACKGROUND:**

This ordinance will provide for no parking on either side of the streets.


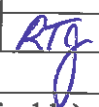
**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:  
 - Motion approving First Reading

**Lead Staff Member:** Jim Dickinson, P.E. 

**STAFF REVIEWS**

Department Director	Bret Hodne 
Appropriations/Finance	Tim Stiles
Legal	
Agenda Acceptance	
<b>PUBLICATION(S) (if applicable)</b>	
Published In	Des Moines Register
Dates(s) Published	
<b>SUBCOMMITTEE REVIEW (if applicable)</b>	
Committee	Public Works
Date Reviewed	
Recommendation	Yes    No    Split



**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING PROVISION PERTAINING TO THE TRAFFIC CODE RELATING TO OFFICIAL TRAFFIC CONTROLS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.**

**SECTION 1: TITLE 6 (MOTOR VEHICLES AND TRAFFIC), CHAPTER 9, SECTION 6-9-5-1: NO PARKING ZONES: is hereby amended by the following changes:**

**Delete:**

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>
Eighth (South) Street	Pine Avenue	County Line (South) Road	West
Maffitt Lake Road	Southwest Connector	West Corporate Limits	South

**Add:**

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>
White Crane (SE) Road	Soteria (SE) Avenue	Eastern Terminus	South
Soteria (SE) Avenue	Willow Creek (SE) Drive	County Line (SE) Road	West
Maffitt Lake (SE) Road	East Corporate Limits	West Corporate Limits	South

**SECTION 2. REPEALER.** All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY.** If any section, provisions, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 4. VIOLATION.** Any person who violates the provisions of this Ordinance, upon conviction, shall be punished with a fine not to exceed \$100.00 plus applicable surcharge and court costs.

**SECTION 5. WHEN EFFECTIVE.** This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

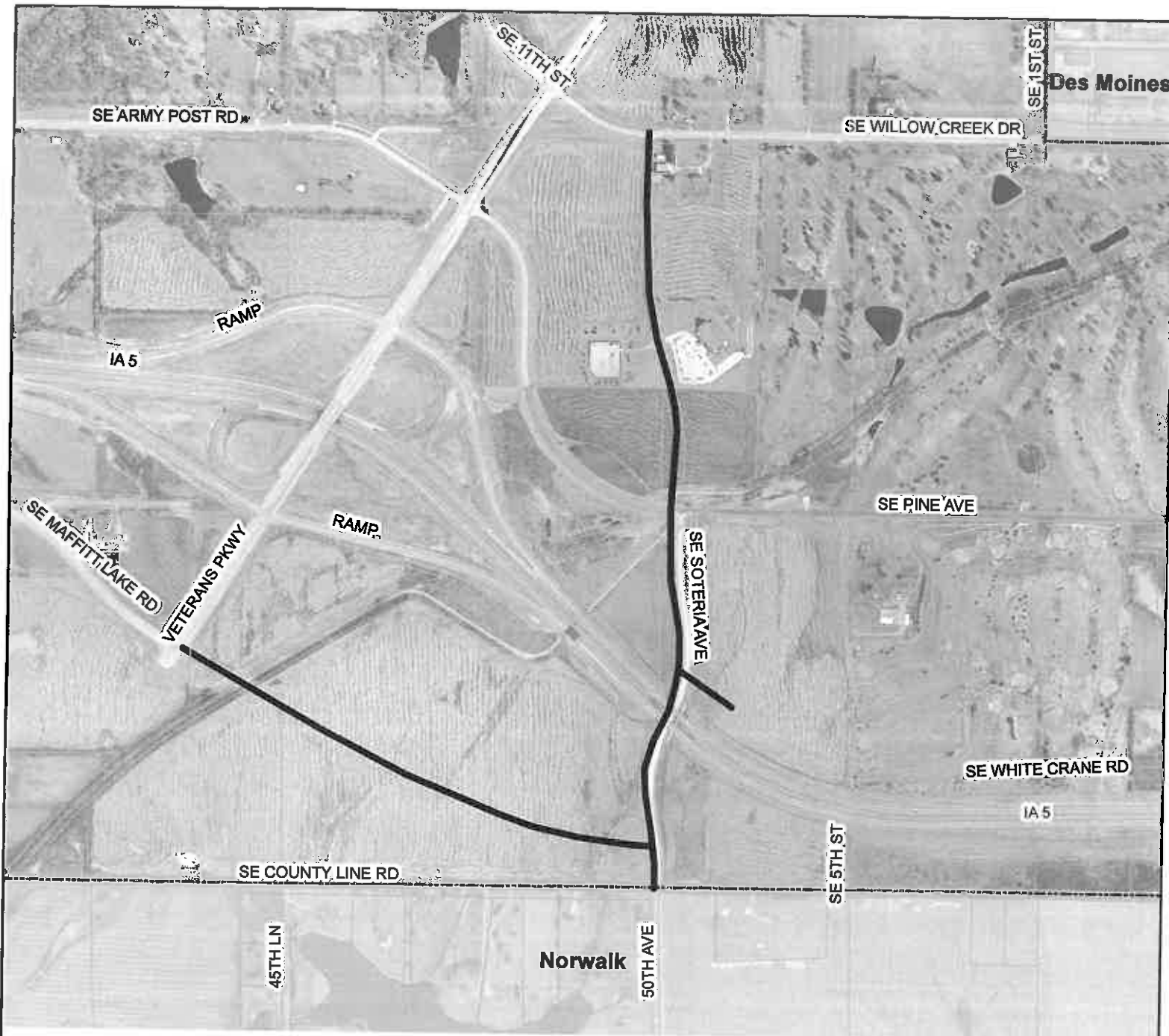
**PASSED AND APPROVED** this 27<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Steven K. Gaer, Mayor

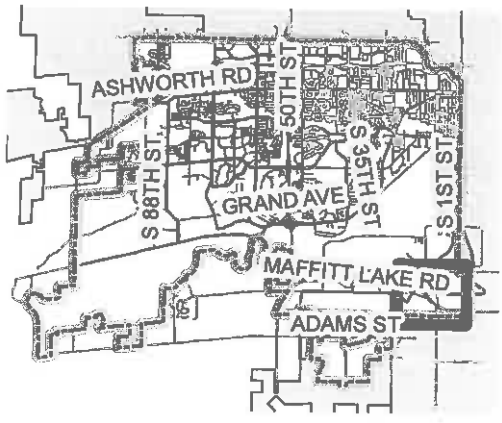
ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

Published in the Des Moines Register this \_\_\_\_\_ day of \_\_\_\_\_, 2016



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0802

PROJECT: **Approval of Traffic Code Amendment  
No Parking Zones**

LOCATION: **SE White Crane Rd, SE Soteria Ave and SE Maffitt Lake Rd**

DRAWN BY: ERP

DATE: 6/22/2016

SHT. 1 OF 1

**CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION**

**7(d)**

**DATE: June 27, 2016**

**ITEM:**

Motion - Approval of Traffic Code Amendments  
 Special Speed Zones  
 SE White Crane Road – SE Soteria Avenue to Eastern Terminus of SE White Crane Road  
 SE Soteria Avenue – SE Willow Creek Drive to SE County Line Road  
 SE Maffitt Lake Road – SE Soteria Avenue to SE 35<sup>th</sup> Street  
 First Reading

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

Approval of the ordinance will assign a 35 mph speed limit to the newly constructed streets of SE White Crane Road, SE Soteria Avenue and SE Maffitt Lake Road.

**RECOMMENDATION:**

City Council Adopt:

Motion approving First Reading

**Lead Staff Member: Jim Dickinson, P.E.** *J.D.*

**STAFF REVIEWS**

Department Director	Bret Hodne, Public Works Director <i>BH</i>
Appropriations/Finance	Tim Stiles, Finance Director
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)		SUBCOMMITTEE REVIEW (if applicable)		
Published In	Des Moines Register	Committee	Public Works	
Dates(s) Published		Date Reviewed		
		Recommendation	Yes	No
				Split

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING PROVISION PERTAINING TO THE TRAFFIC CODE RELATING TO OFFICIAL TRAFFIC CONTROLS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA.**

**SECTION 1: TITLE 6 (MOTOR VEHICLE AND TRAFFIC), CHAPTER 9, SECTION 6-9-10: SPECIAL SPEED ZONES: is hereby amended by adding the following paragraphs:**

**Delete:**

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Speed</u>
Eighth (South) Street	Pine Avenue	County Line (South) Road South Corporate Limits	35 mph
Maffitt Lake Road	Southwest Connector	Thirty Fifth (South) Street	35 mph

**Add:**

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Speed</u>
White Crane (SE) Road	Soteria (SE) Avenue	Eastern terminus Soteria (SE) Avenue	35 mph
Soteria (SE) Avenue	Willow Creek (SE) Drive	County Line (SE) Road	35 mph
Maffitt Lake (SE) Road	Soteria (SE) Avenue	Thirty Fifth (SE) Street	35 mph

**SECTION 2. REPEALER.** All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY.** If any section, provisions, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

**SECTION 4. VIOLATION.** Any person who violates the provisions of this Ordinance, upon conviction, shall be punished with a fine not to exceed \$100.00 plus applicable surcharge and court costs.

**SECTION 5. WHEN EFFECTIVE.** This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

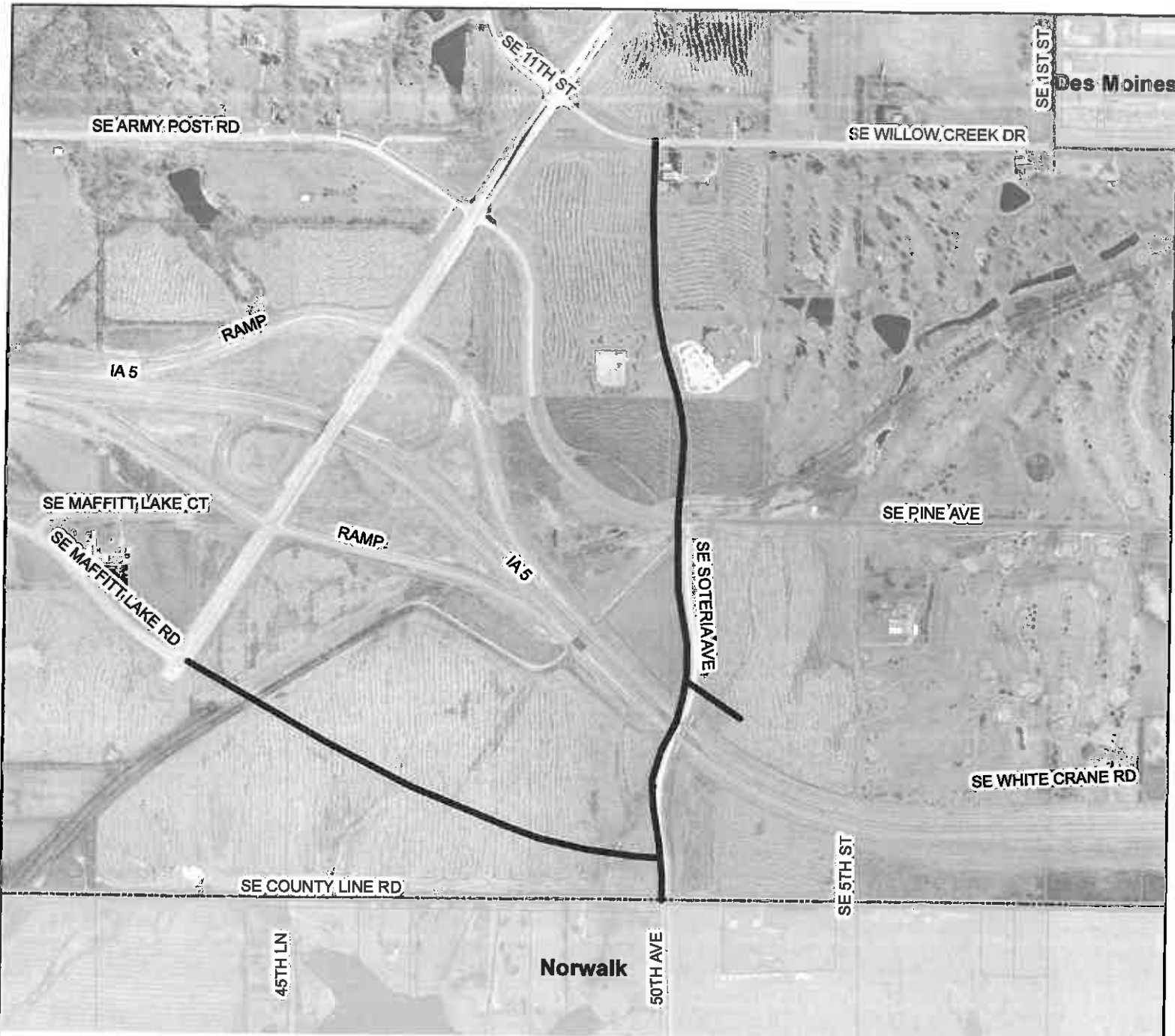
**PASSED AND APPROVED** this **27th** day of **June 2016**.

\_\_\_\_\_  
Steven K. Gaer, Mayor

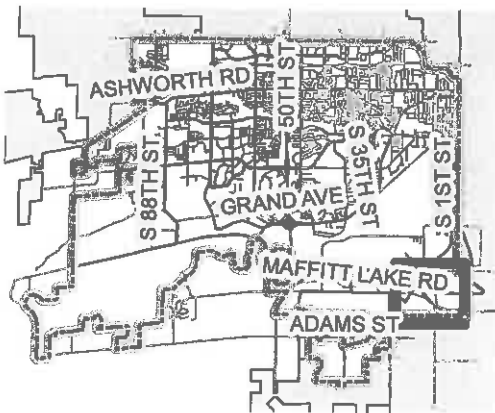
ATTEST:

\_\_\_\_\_  
Ryan T. Jacobson  
City Clerk

Published in the Des Moines Register this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



**CITY OF WEST DES MOINES  
ENGINEERING SERVICES**  
4200 MILLS CIVIC PARKWAY  
WEST DES MOINES, IOWA 50265  
PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT: **Approval of Traffic Code Amendment  
Special Speed Zones**

LOCATION: **SE White Crane Rd, SE Soteria Ave and SE Maffitt Lake Rd**

DRAWN BY: ERP

DATE: 6/22/2016

SHT. 1 OF 1