

# CITY OF WEST DES MOINES

## COUNCIL AGENDA

**date:** Tuesday, February 19, 2019

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

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MAYOR ..... STEVEN K. GAER  
COUNCILMEMBER AT LARGE ..... RENEE HARDMAN  
COUNCILMEMBER AT LARGE ..... JIM SANDAGER  
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

CITY MANAGER.....TOM HADDEN  
CITY ATTORNEY.....RICHARD SCIESZINSKI  
CITY CLERK.....RYAN JACOBSON

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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**
4. **Consent Agenda**
  - a. Motion - Approval of Minutes of February 4, 2019 Meeting
  - b. Motion - Approval of Bill Lists
  - c. Motion - Approval of Liquor Licenses:
    1. Famous Dave's Ribs, Inc. d/b/a Famous Dave's, 1720 22<sup>nd</sup> Street - Class LC Liquor License with Sunday Sales - Renewal
    2. FormaroStuffed.com, LLC d/b/a Formaro's Stuffed, 2500 Grand Avenue (softball complex) - Class BB Beer Permit with Sunday Sales and Outdoor Service - New
    3. Git N Go Convenience Stores, Inc. d/b/a Git N Go Convenience Store #4, 1325 Grand Avenue - Class BC Beer Permit with Sunday Sales - Renewal
    4. C.C.W., LLC d/b/a Huhot Mongolian Grill, 4100 University Avenue, Suite 101 - Class BW Permit with Sunday Sales - Renewal
    5. Hy-Vee, Inc. d/b/a Hy-Vee Fast & Fresh, 425 South Jordan Creek Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - New
    6. Hy-Vee, Inc. d/b/a Hy-Vee West Des Moines Health Market, 375 South Jordan Creek Parkway - Class LE Liquor License with Carryout Wine and Sunday Sales - New
    7. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - March 27-28, 2019

8. Kum & Go LC d/b/a Kum & Go #66, 5308 University Avenue - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
  9. Sri Ganesh, LLC d/b/a Paradise Biryani Pointe, 6630 Mills Civic Parkway, Suite 3102 - Class BW Permit with Native Wine and Sunday Sales - Renewal
  10. Samurai Sushi & Hibachi Restaurant, Inc. d/b/a Samurai Sushi & Hibachi Restaurant, 7125 Mills Civic Parkway, Suite 110 - Class LC Liquor License with Sunday Sales - Renewal
  11. Punyesh, LLC d/b/a Vine Food & Liquor, 2704 Vine Street - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
  12. Indianola Hotel, LLC d/b/a West Des Moines IA Sleep Inn & Suites, 885 51<sup>st</sup> Street - Class LB Liquor License with Carryout Wine and Sunday Sales - Renewal
  13. Cost Plus, Inc. d/b/a World Market, 4100 University Avenue, Suite 210 - Class BC Beer Permit with Carryout Wine and Sunday Sales - Renewal
- d. Motion - Approval of Extended Sound Permits:
1. Glen Oaks Country Club, 1401 Glen Oaks Drive
  2. Sully's Irish Pub, 860 1<sup>st</sup> Street
  3. Wellman's Pub & Rooftop, 597 Market Street
- e. Motion - Approval of Reappointments - Sister Cities Commission
- f. Motion - Approval of Payment for Microsoft Enterprise Agreement True-Up
- g. Motion - Approval of Renewal Contract - Landscape Maintenance
- h. Motion - Approval of Professional Service Agreements:
1. Raccoon River Park Lighting Upgrade Study
  2. Holiday Park Signage Construction Documents
- i. Motion - Approval of Artist Agreement - Water Quality Temporary Artwork
- j. Resolution - Approval of Special Assessments - Nuisance Abatements
- k. Resolution - Approval of Financing Agreement - Project Osmium Infrastructure - West Des Moines Water Works
- l. Resolution - Order Construction:
1. Ashworth Road Reconstruction, I-80 Bridge to 98<sup>th</sup> Street
  2. SW 60<sup>th</sup> Street Phase 1, Veterans Parkway South
  3. 2018 Stormwater Intake Repair Program
  4. Hidden Point Park Improvements
- m. Resolution - Accept Work - Miscellaneous Repairs at Parks Restrooms/Shelters
- n. Resolution - Approval of Professional Services Agreement - 2018 FEMA Repairs
- o. Resolution - Approval of Agreement with Waukee Community School District for HAWK Beacon - EP True Parkway Widening, Jordan Creek Parkway to 81<sup>st</sup> Street
- p. Resolution - Approval and Acceptance of Purchase Agreements and Property Interests:
1. Ashworth Road Reconstruction, I-80 Bridge to 98<sup>th</sup> Street
  2. Cedar Ridge Sewer Extension Project
  3. EP True Parkway Extension Project, west of 88<sup>th</sup> Street
- q. Proclamation - Iowa Honey Bee Day, February 27, 2019

**5. Old Business**

- a. Amendment to City Code - Title 9 (Zoning), Chapter 5 (Agricultural/Open Space and Residential Zoning District) and Chapter 10 (Performance Standards) - Eliminate Garage Requirement for Multi-Family Condominium Regime Developments - City Initiated
  - 1. Ordinance - Approval of Third Reading and Final Adoption
- b. Continental Plaza, 7300 Westown Parkway - Rezone approx. 1.08 acres from Professional Commerce Park to Support Commercial - Penta Partners, LLC
  - 1. Ordinance - Approval of Second, Third Readings and Final Adoption
- c. Kivell Property, 655 South 88<sup>th</sup> Street - Consistency Zone approx. 8.37 acres from 'Unzoned' to High Density Residential - City Initiated
  - 1. Ordinance - Approval of Second, Third Readings and Final Adoption
- d. Grand Valley, generally located at the northeast corner of South 35<sup>th</sup> Street and Grand Avenue - Amend the Planned Unit Development (PUD) to Modify Miscellaneous Residential Bulk Area Standards - Russell Ver Ploeg (CRVP, LLC)
  - 1. Ordinance - Approval of Second, Third Readings and Final Adoption
- e. Amendment #3 to Coachlight Drive Urban Renewal Area - City Initiated
  - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

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

- a. Whisper Rock at Quail Cove, north of Cherrywood Drive at Whisper Rock Court - Change Zoning from Single Family Residential to Medium Density Residential - Quail Cove, LLC (Continued from January 21, 2019)
  - 1. Motion - Accept Withdrawal of Rezoning Request
- b. Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District) - Modify the Permitted Uses and Permitted Conditional Uses in the Professional Commerce Park and Office Zoning Districts - City Initiated
  - 1. Ordinance - Approval of First Reading
- c. Amendment to City Code - Title 9 (Zoning), Chapter 15 (Off-Street Parking and Loading) - Modify Certain Parking and Loading Regulations - City Initiated
  - 1. Ordinance - Approval of First Reading
- d. 1525 Grand Urban Renewal Area - City Initiated
  - 1. Motion - Continue Public Hearing to March 18, 2019

- e. 2019-20 FY Operating and Capital Budget - City Initiated
  - 1. Motion - Continue Approval of Resolution to March 13, 2019
- f. Issuance of Not to Exceed \$7,700,000 Essential Corporate Purpose General Obligation Bonds (ECP) - City Initiated
- g. Issuance of Not to Exceed \$700,000 General Corporate Purpose General Obligation Bonds (GCP-1) - City Initiated
- h. Issuance of Not to Exceed \$700,000 General Corporate Purpose General Obligation Bonds (GCP-2) - City Initiated
- i. Issuance of Not to Exceed \$685,000 General Corporate Purpose General Obligation Bonds (GCP-3) - City Initiated
- j. Issuance of Not to Exceed \$655,000 General Corporate Purpose General Obligation Bonds (GCP-4) - City Initiated
  - 1. Resolution - Instituting Proceedings to Take Additional Action and Authorizing the Issuance and Levying a Tax for Items 6(f) through 6(j)
- k. West Public Services Facility - Building and Site Improvements (Phase 2) - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Defer Award of Contract to March 4, 2019
- l. Valley Junction Alley Improvements, Phase 5B - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract
- m. 2018 Sewer Rehabilitation Program - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract
- n. Grand Avenue Stormwater Pumps - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract
- o. Assignment of Permanent Easement for Road Right-of-Way - Northeast Corner of Iowa Highway 28 and SW McKinley Avenue - City of Des Moines
  - 1. Motion - Continue Public Hearing to March 4, 2019

**7. New Business**

- a. Willow Creek Villas, west side of Veterans Parkway north of SE Willow Creek Drive - Subdivide Property into 64 Single Family Lots, One Lot for Future Multi-Family Development, One Lot for Detention, Six Public Street Lots, and One Lot for a Future Park - Jerry's Homes, Inc.
  - 1. Resolution - Approval of Preliminary Plat
- b. Grand Living at West Des Moines, 540 South 51<sup>st</sup> Street - Approval of Site Plan to Construct a Five-Story, 180 Unit Senior Living Facility - Ryan Companies
  - 1. Resolution - Approval of Site Plan
- c. South 33<sup>rd</sup> Street and Fuller Road Retaining Wall Improvements - Approval of Fuller Road Wall Agreement - Benton A. Yost and Heather N. Yost
  - 1. Resolution - Approval of Agreement
- d. South 33<sup>rd</sup> Street and Fuller Road Retaining Wall Improvements - Approval of Amendment No. 1 to Professional Services Agreement - City Initiated
  - 1. Motion - Approval of Amendment No. 1 to Professional Services Agreement
- e. American Federation of State, County and Municipal Employees (AFSCME) Union Local #3861 and City of West Des Moines - July 1, 2019 to June 30, 2022 Contract Period - AFSCME and City of West Des Moines
  - 1. Resolution - Approval of Contract
- f. 2019-20 FY Hotel/Motel Tax Allocations - City Initiated
  - 1. Motion - Approval of Subcommittee Recommendation

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

**9. Other Matters**

- a. Legislative Updates

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.

February 4, 2019

West Des Moines City Council Proceedings  
Monday, February 4, 2019

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, February 4, 2019 at 5:30 PM. Council members present were: R. Hardman, J. Mickelson, K. Trevillyan, and R. Trimble.

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

Vote 19-033: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

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

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

Council member Trimble reported the Finance and Administration Subcommittee met and discussed a proposed financing agreement with West Des Moines Water Works regarding Project Osmium infrastructure as well as recommendations for hotel/motel tax funding. He also reported the proposed budget for the Des Moines Area Regional Transit Authority (DART) would maintain existing service levels but require a 1.35 cent levy increase. He stated the DART Commission will vote on the proposed budget at its upcoming meeting.

Council member Mickelson reported he attended the BRAVO Awards Gala on Saturday, February 2<sup>nd</sup>, and Council member Sandager served as the emcee of the event. He also reported he attended a meeting of the Development and Planning Subcommittee, where discussion was held on the garage ordinance for single-family residential.

Council member Hardman reported she represented the City of West Des Moines as a keynote speaker at several Martin Luther King Jr. Day celebrations, and she is also scheduled to speak to students at Valley Southwoods Freshman High School for black history month. She also attended a meeting of the Library Board of Trustees. She reported she recently returned from a Sister Cities trip to Match Asher, Israel, and a full report of that trip will be forthcoming. She also congratulated Council member Kevin Trevillyan on his retirement after working for West Des Moines Water Works for 31 years.

On Item 4. Consent Agenda.

Council members pulled Item 4(a) for discussion. It was moved by Trimble, second by Trevillyan to approve the consent agenda as amended.

February 4, 2019

- a. Approval of Minutes of January 21, 2019 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
  - 1. Revenge Is a Dish, LLC d/b/a Blue Moon Dueling Piano Bar and Restaurant, 5485 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  - 2. WRLP West Des Moines, LLC d/b/a Hampton Inn, 7060 Lake Drive - Class BW Permit with Sunday Sales and Living Quarters - New
  - 3. Great Plain's Lodging VI, LLC, d/b/a Hilton Garden Inn West Des Moines, 205 South 64th Street - Class LB Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
  - 4. Hy-Vee, Inc. d/b/a Hy-Vee #4, 555 South 51st Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
  - 5. Riley Drive Entertainment 21, LLC d/b/a Union 29, 101 Jordan Creek Parkway, Suite 12520 - Class LC Liquor License with Sunday Sales and Outdoor Service - New
  - 6. W2005/Fargo Hotels (Pool C) Realty, LP d/b/a West Des Moines Residence Inn, 160 South Jordan Creek Parkway - Special Class C Liquor License - Renewal
  - 7. Muldoon Enterprises LIC d/b/a WineStyles, 5515 Mills Civic Parkway, Suite 120 - Class BW Permit with Carryout Wine, Sunday Sales, and Outdoor Service - Renewal
- d. Approval of Reappointments:
  - 1. Bicycle Advisory Commission
  - 2. Board of Adjustment
  - 3. Civil Service Commission
  - 4. Plan and Zoning Commission
  - 5. Public Art Advisory Commission
- e. Approval of Fiber Optic Cable Facilities Agreement - West Des Moines Community School District
- f. Approval of Professional Services Agreements:
  - 1. Legion Park Tennis Court Lighting Improvements
  - 2. Valley View Park Central Site Grading, Utilities, and North Roadway
- g. Approval of Agreement - Park Security Services
- h. Approval of Concession Agreement - Raccoon River Park Softball Complex, Valley View Aquatic Center and Holiday Park Aquatic Center
- i. Approval of Grant Agreement - Iowa Department of Natural Resources Wildlife Diversity Small Management Grant
- j. Approval of Amended Accounting Policy - Revenue Availability Period
- k. Establish Public Hearings - Issuance of Not to Exceed \$10,510,000 General Obligation Bonds, Series 2019A
- l. Order Construction:
  - 1. EP True Parkway Widening - Jordan Creek Parkway to 81st Street
  - 2. 2019 PCC Reconstruction Program

February 4, 2019

3. Public Safety Station #21 Flat Roof Replacement
4. 27th and Vine Culvert
- m. Accept Work - Intersection Improvements - Intersection of 1st Street and Ashworth Road and Intersection of 1st Street and Railroad Avenue
- n. Approval of Proposal from MidAmerican Energy Company to Relocate Electrical Transmission Poles
- o. Establish Public Hearing - 8300 Mills Civic Parkway Urban Renewal Area
- p. Approval and Acceptance of Easement - Veterans Parkway Enhancements, Folded Flags
- q. Approval to Allow Penta Partners, LLC to Pull Necessary Building Permits Prior to Execution of Development Agreement
- r. Approval and Acceptance of Purchase Agreements and Property Interests - Booneville Road Reconstruction

Vote 19-034: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 4(a) Approval of Minutes of January 21, 2019 Meeting

It was moved by Hardman, second by Mickelson to approve Item 4(a) Approval of Minutes of January 21, 2019 Meeting, with an amendment to include the following comments under Item 5(a) Amendment to City Code - Garage Requirements.

Council member Hardman expressed a desire for the City to promote affordable housing initiatives and provide opportunities for residents of all income levels to attain home ownership, and she believes removing the garage requirement would help move the needle on this very important issue facing West Des Moines. As leaders, we need to think outside the box and consider the needs of our diverse population.

Vote 19-035: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 5(a) Amendment to City Code - Title 9 (Zoning), Chapter 5 (Agricultural/Open Space and Residential Zoning District) and Chapter 10 (Performance Standards) - Eliminate Garage Requirement for Multi-Family Condominium Regime Developments, initiated by the City of West Des Moines (Continued from December 10, 2018, December 26, 2018, and January 21, 2019)

It was moved by Trimble, second by Hardman to consider the second reading of the ordinance.

Vote 19-036: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

February 4, 2019

It was moved by Trimble, second by Hardman to approve the second reading of the ordinance.

Vote 19-037: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 5(b) 5940 PUD, southeast corner of University Avenue and 60th Street - Amend Planned Unit Development (PUD) to Allow Additional Building Height on Parcel D within the PUD, initiated by Iowa Clinic West Lakes 1, LLC

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

Vote 19-038: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 19-039: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

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

Vote 19-040: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 5(c) Amendment to City Code - Title 2 (Boards and Commissions), Chapter 12 (Bicycle Advisory Commission), Section 2 (Membership, Appointment, Term) - Decrease the Number of Commission Members from Nine to Seven, initiated by the City of West Des Moines

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

Council member Hardman inquired if the reason for this change is to make the Bicycle Advisory Commission consistent with the City's other boards and commissions.

Mayor Gaer responded yes, as most other boards and commissions have either five or seven members.

Council member Hardman expressed a desire for the City to provide as many opportunities as possible for citizens to serve on boards and commissions.

February 4, 2019

Sally Ortgies, Parks and Recreation Director, reported the Bicycle Advisory Commission was initially established with nine members, because at the time there had been a large committee and many of the members were interested in serving on the Commission. She also noted two of the original members have terms expiring on March 31, 2019, so this would be good timing to eliminate those two seats.

Vote 19-041: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 19-042: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

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

Vote 19-043: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 5(d) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - 94th Street, University Avenue to Bishop Drive (west side) and 96th Street, University Avenue to Bishop Drive (west side), initiated by the City of West Des Moines

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

Vote 19-044: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 19-045: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

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

February 4, 2019

Vote 19-046: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Continental Plaza, 7300 Westown Parkway - Rezone approx. 1.08 acres from Professional Commerce Park to Support Commercial, initiated by Penta Partners, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on January 18, 2019 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the rezoning request, and one correspondence was received today, copies of which have been placed on the dais.

Mayor Gaer inquired if Chris Costa, who wrote the correspondence on behalf of Knapp Properties, had raised any concerns about this rezoning request at the Plan and Zoning Commission meeting.

Linda Schemmel, Development Coordinator, responded Mr. Costa did ask a question at the meeting about this project, and staff provided documentation after the meeting in response to his question. She responded to further questions from the Council, stating that Knapp Properties had previously been made aware by staff of the requirement for a cross access connection with this property.

Council member Trevillyan suggested the Council should continue this item to allow time for staff to look into the concerns raised in the correspondence.

It was moved by Trevillyan, second by Trimble to adopt Motion - Continue Public Hearing to February 19, 2019.

Mayor Gaer requested that staff reach out to Penta Partners and Knapp Properties to resolve the issues prior to the February 19<sup>th</sup> meeting.

Mayor Gaer asked if there were any public comments.

Erin Ollendike, Civil Design Advantage, 3405 SE Crossroads Drive, Grimes, stated the applicant had not received any correspondence from Knapp Properties, so tonight is the first they are hearing of these concerns.

Travis Sisson, Penta Partners, 5700 University Avenue, stated a two-week delay for continuation of the first reading would be problematic to the timing of this project.

City Attorney Dick Scieszinski suggested the Council could approve the first reading tonight, with the understanding that staff will work with the two parties to address the issues prior to the second reading at the next meeting.

February 4, 2019

Mayor Gaer agreed with the City Attorney's suggestion, and he stated he will continue the public hearing at the February 19<sup>th</sup> meeting.

Council member Trevillyan rescinded his original motion, and Council member Trimble rescinded his second to the original motion.

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

Vote 19-047: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 19-048: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Kivell Property, 655 South 88th Street - Consistency Zone approx. 8.37 acres from 'Unzoned' to High Density Residential, 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 January 18, 2019 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the rezoning request.

Mayor Gaer asked if there were any public comments.

Marilyn Mueller, 8820 Mills Civic Parkway, requested that, as this proposed development moves forward, the City take her concerns regarding light pollution, buffering, and separation into consideration.

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

Mayor Gaer requested that staff look into the possibility of having consistency zoning done as soon as possible after a land use designation has been assigned by the comprehensive plan.

It was moved by Trimble, second by Hardman to consider the first reading of the ordinance.

Vote 19-049: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

February 4, 2019

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Hardman to approve the first reading of the ordinance.

Vote 19-050: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Grand Valley, generally located at the northeast corner of South 35th Street and Grand Avenue - Amend the Planned Unit Development (PUD) to Modify Miscellaneous Residential Bulk Area Standards, initiated by Russell Ver Ploeg (CRVP, LLC). He asked for the date the notice was published and the City Clerk indicated the notice was published on January 18, 2019 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the PUD amendment.

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

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

Council member Trimble requested clarification on what is changing with this PUD amendment.

Linda Schemmel, Development Coordinator, responded the developer is requesting to adjust the setback requirements, allowing the homes to slide closer to the street and one side of the lot in order to create larger, more usable side and rear yards. In addition, the applicant is requesting to reduce the rear yard setback for those areas of Parcel D that abut the open space amenity in Parcel E.

Vote 19-051: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 19-052: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(d) Amendment to City Code - Title 9 (Zoning), Chapter 1 (Entitlements - Process and Procedures), Chapter 2 (Zoning Rules and Definitions), Chapter 4 (Zoning Districts and Maps), Chapter 5 (Agricultural/Open Space and Residential Zoning District), Chapter 7 (Setback and Bulk Density Regulations), Chapter 10 (Performance Standards), and Chapter 19 (Landscaping)

February 4, 2019

- Update Regulations Pertaining to Building Setback and Separation Requirements and Bulk Density Regulations, initiated by the City of West Des Moines.

It was moved by Trevillyan, second by Trimble to adopt Motion - Continue Public Hearing to March 4, 2019.

Vote 19-053: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(e) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment #6 to Jordan Creek Urban Renewal Area, 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 January 25, 2019 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 Trimble, second by Hardman to adopt Resolution - Approval of Urban Renewal Plan Amendment.

Vote 19-054: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(f) Mayor Gaer indicated this was the time and place for a public hearing to consider Agreement for Private Development, initiated by Gilbert and Cook, Inc. He asked for the date the notice was published and the City Clerk indicated the notice was published on January 25, 2019 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 Trevillyan, second by Trimble to adopt Resolution - Approval of Agreement.

Vote 19-055: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(g) Mayor Gaer indicated this was the time and place for a public hearing to consider 2018-19 FY Operating and Capital Budget - Amendment #3, 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 January 25, 2019 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

February 4, 2019

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

It was moved by Trimble, second by Mickelson to adopt Resolution - Approval of Budget Amendment #3.

Vote 19-056: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(h) Mayor Gaer indicated this was the time and place for a public hearing to consider South Grand Prairie Parkway, Stagecoach Drive to Mills Civic Parkway, 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 January 25, 2019 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 Trevillyan, second by Trimble to adopt Resolution - Approval of Acquisition of Agricultural Property.

Vote 19-057: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 6(i) Mayor Gaer indicated this was the time and place for a public hearing to consider Grand Avenue, South Jordan Creek Parkway to South 88th Street, 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 January 25, 2019 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 Trevillyan, second by Trimble to adopt Resolution - Approval of Acquisition of Agricultural Property.

Vote 19-058: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 7(a) Microsoft DSM09-10, southwest corner of the future extension of Veterans Parkway and Interstate-35 - Subdivide Property into Two Lots, Two Street Lots, and One Outlot for Construction of a Datacenter and Electrical Substation, initiated by Microsoft Corporation

February 4, 2019

It was moved by Trimble, second by Hardman to adopt Resolution - Approval of Preliminary Plat, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 19-059: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 7(b) Iowa Clinic Phase 3, 5950 University Avenue - Approval of Three-Story Medical Clinic Addition and Four-Tier Parking Deck Addition, initiated by Iowa Clinic West Lakes 1, LLC

It was moved by Trevillyan, second by Trimble to adopt Resolution - Approval of Major Modification, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 19-060: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 7(c) Mill Ridge Plat of Survey, 1144 and 1158 Radley Street - Adjust Property Line Between Two Existing Lots by Two Feet, initiated by Mill Ridge Homes, LLC

It was moved by Trimble, second by Trevillyan to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements.

Vote 19-061: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 7(d) Han Severance, located at SE 35th Street and North Fernwood Drive (Cumming) - Request for Voluntary Severance from Corporate Limits, initiated by Big Otter Creek, LLC

It was moved by Trimble, second by Trevillyan to adopt Resolution - Approval of Voluntary Severance.

Vote 19-062: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 7(e) Amendment #3 to Coachlight Drive Urban Renewal Area, initiated by the City of West Des Moines

It was moved by Trimble, second by Trevillyan to adopt Resolution - Approval of Urban Renewal Plan Amendment.

February 4, 2019

Vote 19-063: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

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

Vote 19-064: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 19-065: Hardman, Mickelson, Trevillyan, Trimble...4 yes  
Motion carried.

On Item 8 - Receive, File and/or Refer: no items

On Item 9(a) Legislative Updates

Jamie Letzring, Deputy City Manager, reported on the following bills:

- HSB 3 regarding the removal of utility board members: This bill has passed out of subcommittee, and the City is registered as opposed.
- HSB38 regarding stand-up scooters: The City will register as undecided and participate in the discussion process.
- HSB 2 regarding alternative project delivery methods: The City is registered in favor.
- There are several bills regarding automated traffic enforcement: The City is closely monitoring these, as it has an interest in maintaining its current camera system, which is used for monitoring traffic flow.
- SF 49 regarding the election of County Assessors: This bill did not pass out of subcommittee, so it is dead.

Council member Trimble requested feedback from the Council on DART's proposed budget and levy increase.

Council member Mickelson expressed opposition to the proposed levy increase, while Council member Hardman expressed support.

February 4, 2019

Council member Trevillyan also expressed support, stating he does not like the proposed levy increase, but he understands it's needed to offset the Medicaid reimbursement shortfall. He also suggested that the City should make it a priority to seek legislation at the Federal level to get that issue corrected.

The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC  
City Clerk

ATTEST:

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Steven K. Gaer, Mayor

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

**ITEM:** Motion – Approval of Bill Lists

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** Section 1-10-3(b) of the West Des Moines City Code provides that no disbursement shall be made from a fund unless such disbursement is authorized by law, ordinance or resolution, was properly budgeted, and supported by a claim approved by the City Council. 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 staff, are, with this agenda item, being submitted to the City Council for approval:

Regular Bi-Weekly Claims	02/19/19	\$ 2,988,233.77
EFT Claims	02/19/19	\$ 718,424.15
Control Pay	02/19/19	\$ 348,220.74
End of Month & Off-Cycle	01/22/19 to 03/03/19	\$ 191,689.41

**RECOMMENDATION:** Move to approve Bill Lists as presented.

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

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	(h)

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	
Date Reviewed	
Recommendation	

**City of West Des Moines**  
**City Council Report**  
**Bank Account: WB VENDOR DISB - WB Vendor Disbursement**  
**Batch Date:**

Type	Date	Number	Source	Payee Name	Transaction Amount
<b>Bank Account: WB VENDOR DISB - WB Vendor Disbursement</b>					
Check	02/19/2019	311348	Accounts Payable	ABACI CONSULTING INC	250.00
Check	02/19/2019	311349	Accounts Payable	ALL AUTO GLASS	240.00
Check	02/19/2019	311350	Accounts Payable	ALLEN-DAVIS , ADARYLL	78.00
Check	02/19/2019	311351	Accounts Payable	ALLENDAN SEED COMPANY INC	290.50
Check	02/19/2019	311352	Accounts Payable	ALLIANCE CONSTRUCTION GROUP LLC	5,390.89
Check	02/19/2019	311353	Accounts Payable	AMERICAN SECURITY LLC	1,048.11
Check	02/19/2019	311354	Accounts Payable	ARROW INTERNATIONAL INC	2,425.00
Check	02/19/2019	311355	Accounts Payable	AT&T MOBILITY	2,253.59
Check	02/19/2019	311356	Accounts Payable	ATW TRAINING & CONSULTING INC	1,050.00
Check	02/19/2019	311357	Accounts Payable	AUREON NETWORK SERVICES	6,050.04
Check	02/19/2019	311358	Accounts Payable	BASICLEIGH COMMUNICATIONS LLC	9,877.50
Check	02/19/2019	311359	Accounts Payable	BELLER DISTRIBUTING, LLC	736.65
Check	02/19/2019	311360	Accounts Payable	BENJAMIN DESIGN COLLABORATIVE	10,785.00
Check	02/19/2019	311361	Accounts Payable	BERGSTROM CONSTRUCTION INC	41,499.38
Check	02/19/2019	311362	Accounts Payable	BJ STORAGE	690.95
Check	02/19/2019	311363	Accounts Payable	BOLTON & MENK INC	43,800.50
Check	02/19/2019	311364	Accounts Payable	BOLTON TREE MEDICAL LLC	4,499.34
Check	02/19/2019	311365	Accounts Payable	BRICK GENTRY BOWERS SWARTZ & LEVIS PC	500.00
Check	02/19/2019	311366	Accounts Payable	BROCKWAY MECHANICAL & ROOFING	1,087.99
Check	02/19/2019	311367	Accounts Payable	BUELOW , LISA	184.00
Check	02/19/2019	311368	Accounts Payable	CALHOUN-BURNS & ASSOCIATES INC	12,381.00
Check	02/19/2019	311369	Accounts Payable	CENTURYLINK	955.29
Check	02/19/2019	311370	Accounts Payable	CERTIFIED POWER INC	176.15
Check	02/19/2019	311371	Accounts Payable	CHIAFOS , BRAD	138.00
Check	02/19/2019	311372	Accounts Payable	CIMAGLIA , NICHOLAS	120.00
Check	02/19/2019	311373	Accounts Payable	CINTAS CORP FIRST AID & SAFETY	201.97
Check	02/19/2019	311374	Accounts Payable	CITY OF DES MOINES	532,317.42
Check	02/19/2019	311375	Accounts Payable	CONLEY GROUP INC	9,450.00
Check	02/19/2019	311376	Accounts Payable	CONSTRUCTION & AGGREGATE PRODUCTS INC	913.96
Check	02/19/2019	311377	Accounts Payable	CONTROLLED ACCESS CORP	338.65
Check	02/19/2019	311378	Accounts Payable	COURAGE LEAGUE SPORTS	50.00
Check	02/19/2019	311379	Accounts Payable	CUMMINS SALES AND SERVICE	337.71

**City of West Des Moines**  
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 Batch Date:

Type	Date	Number	Source	Payee Name	Transaction Amount
Check	02/19/2019	311380	Accounts Payable	CUSTOM AWARDS	44.50
Check	02/19/2019	311381	Accounts Payable	DE LAGE LANDEN	2,795.00
Check	02/19/2019	311382	Accounts Payable	DES MOINES GOLF & COUNTRY CLUB	1.82
Check	02/19/2019	311383	Accounts Payable	DMACC	30.00
Check	02/19/2019	311384	Accounts Payable	DOUGLAS, LENA	92.00
Check	02/19/2019	311385	Accounts Payable	DOWLING, CONNIE	387.00
Check	02/19/2019	311386	Accounts Payable	EARL MAY SEED AND NURSERY	417.62
Check	02/19/2019	311387	Accounts Payable	ELDER CORPORATION	30,230.88
Check	02/19/2019	311388	Accounts Payable	ELECTRICAL ENGINEERING & EQUIPMENT CO	581.04
Check	02/19/2019	311389	Accounts Payable	EMERGENCY SERVICES MARKETING	305.00
Check	02/19/2019	311390	Accounts Payable	EMS TECHNOLOGY SOLUTIONS	459.00
Check	02/19/2019	311391	Accounts Payable	EMSLRC	20.00
Check	02/19/2019	311392	Accounts Payable	FASTENAL COMPANY	84.48
Check	02/19/2019	311393	Accounts Payable	FEH ASSOCIATES INC	64,460.70
Check	02/19/2019	311394	Accounts Payable	FERGUSON, JULIE	184.00
Check	02/19/2019	311395	Accounts Payable	GATOR EXCAVATING INC	11,954.80
Check	02/19/2019	311396	Accounts Payable	GBA SYSTEMS INTEGRATORS LLC	11,691.00
Check	02/19/2019	311397	Accounts Payable	GENESER, MARGARETTA	1,241.85
Check	02/19/2019	311398	Accounts Payable	GEORGE BUTLER ASSOCIATES INC	880.00
Check	02/19/2019	311399	Accounts Payable	GRAINGER INC	158.82
Check	02/19/2019	311400	Accounts Payable	HAHN, JENNIFER	4,553.50
Check	02/19/2019	311401	Accounts Payable	HAMILTON MEDICAL INC	1,230.20
Check	02/19/2019	311402	Accounts Payable	HAWKEYE TRUCK EQUIPMENT	11.90
Check	02/19/2019	311403	Accounts Payable	HDR ENGINEERING INC	5,289.15
Check	02/19/2019	311404	Accounts Payable	HEARTLAND BUSINESS SYSTEMS	48,655.73
Check	02/19/2019	311405	Accounts Payable	HERITAGE BUILDING MAINTENANCE	700.00
Check	02/19/2019	311406	Accounts Payable	HOLMES MURPHY AND ASSOCIATES LLC	10,000.00
Check	02/19/2019	311407	Accounts Payable	HOME DEPOT CREDIT SERVICES	105.74
Check	02/19/2019	311408	Accounts Payable	HUBBELL REALTY	2,249.18
Check	02/19/2019	311409	Accounts Payable	HY VEE INC	142.81
Check	02/19/2019	311410	Accounts Payable	INCENTIVE SERVICES INC	1,028.50
Check	02/19/2019	311411	Accounts Payable	INVISION ARCHITECTURE LTD	9,035.00
Check	02/19/2019	311412	Accounts Payable	IOWA ASSOCIATION OF WOMEN POLICE	170.00

**City of West Des Moines**  
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Type	Date	Number	Source	Payee Name	Transaction Amount
Check	02/19/2019	311413	Accounts Payable	IOWA MUNICIPAL FINANCE OFFICERS ASSOCIATION	90.00
Check	02/19/2019	311414	Accounts Payable	IOWA SAFE SCHOOLS	880.00
Check	02/19/2019	311415	Accounts Payable	IOWA SIGNAL INC	458.67
Check	02/19/2019	311416	Accounts Payable	IOWA SPORTS FOUNDATION	594.00
Check	02/19/2019	311417	Accounts Payable	IOWA WORKFORCE DEVELOPMENT-ELEVATOR SAFETY	175.00
Check	02/19/2019	311418	Accounts Payable	IRON MOUNTAIN	205.52
Check	02/19/2019	311419	Accounts Payable	ITERIS INC	965.00
Check	02/19/2019	311420	Accounts Payable	JACOBSEN AUTO BODY	377.00
Check	02/19/2019	311421	Accounts Payable	JEFFREY L BRUCE & COMPANY LLC	149.80
Check	02/19/2019	311422	Accounts Payable	JOHNSON CONTROLS LP- IL	77.24
Check	02/19/2019	311423	Accounts Payable	JORDAN CREEK EXECUTIVE CAR WASH	48.00
Check	02/19/2019	311424	Accounts Payable	KABEL BUSINESS SERVICES	1,089.00
Check	02/19/2019	311425	Accounts Payable	KALDENBERG'S PBS LANDSCAPING	435.00
Check	02/19/2019	311426	Accounts Payable	KEYSTONE TRUCKING	4,968.81
Check	02/19/2019	311427	Accounts Payable	KLAHN , RICHARD	69.00
Check	02/19/2019	311428	Accounts Payable	KLOCKE'S EMERGENCY VEHICLES	631.84
Check	02/19/2019	311429	Accounts Payable	LACINA , WENDY	207.00
Check	02/19/2019	311430	Accounts Payable	LANG CONTRUCTION GROUP INC	562,612.87
Check	02/19/2019	311431	Accounts Payable	LASER RESOURCES	1,070.00
Check	02/19/2019	311432	Accounts Payable	LOWE'S HOME CENTER INC	1,076.48
Check	02/19/2019	311433	Accounts Payable	MACDONALD LETTER SERVICE	656.40
Check	02/19/2019	311434	Accounts Payable	MAILFINANCE	236.58
Check	02/19/2019	311435	Accounts Payable	MARTIN'S FLAG COMPANY LLC	402.00
Check	02/19/2019	311436	Accounts Payable	MCFADDEN , HAROLD	115.00
Check	02/19/2019	311437	Accounts Payable	MCGREGER CORPORATION	14,350.35
Check	02/19/2019	311438	Accounts Payable	MENKE , JOE	105.15
Check	02/19/2019	311439	Accounts Payable	MERCY WEST PHARMACY	2,394.87
Check	02/19/2019	311440	Accounts Payable	MIDAMERICAN ENERGY	25,495.84
Check	02/19/2019	311441	Accounts Payable	MIDAMERICAN ENERGY	1.29
Check	02/19/2019	311442	Accounts Payable	MIDAMERICAN ENERGY	5,282.13
Check	02/19/2019	311443	Accounts Payable	MIDAMERICAN ENERGY	58,051.22
Check	02/19/2019	311444	Accounts Payable	MIDAMERICAN ENERGY	1,500.29
Check	02/19/2019	311445	Accounts Payable	MIDAMERICAN ENERGY	3,309.24

**City of West Des Moines**  
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Type	Date	Number	Source	Payee Name	Transaction Amount
Check	02/19/2019	311446	Accounts Payable	MIDAMERICAN ENERGY	2.67
Check	02/19/2019	311447	Accounts Payable	MIDAMERICAN-WDM-WAUKEE TL	191.56
Check	02/19/2019	311448	Accounts Payable	MIDWEST TAPE LLC	638.81
Check	02/19/2019	311449	Accounts Payable	MOHR CONSTRUCTION SERVICES LLC	7,054.01
Check	02/19/2019	311450	Accounts Payable	MOON , VICTORIA	110.50
Check	02/19/2019	311451	Accounts Payable	MOTOROLA	3,548.50
Check	02/19/2019	311452	Accounts Payable	MUNICIPAL COLLECTIONS OF AMERICA INC	4.30
Check	02/19/2019	311453	Accounts Payable	NESTINGEN INC	11,050.00
Check	02/19/2019	311454	Accounts Payable	NORTHERN ESCROW INC FBO SYNERGY CONTRACTING LLC	384,937.71
Check	02/19/2019	311455	Accounts Payable	O'HALLORAN INTERNATIONAL INC	361.77
Check	02/19/2019	311456	Accounts Payable	ONE IOWA	1,800.00
Check	02/19/2019	311457	Accounts Payable	OSIS INC	675.00
Check	02/19/2019	311458	Accounts Payable	OSTRANDER , DOUGLAS J	11,830.00
Check	02/19/2019	311459	Accounts Payable	OTANEZ , EVA DER ROCIO ORTIZ	581.25
Check	02/19/2019	311460	Accounts Payable	PALMER GROUP	4,680.58
Check	02/19/2019	311461	Accounts Payable	PLEXA	20.00
Check	02/19/2019	311462	Accounts Payable	POLK COUNTY FIRE CHIEFS ASSOCIATION	25.00
Check	02/19/2019	311463	Accounts Payable	POWERPLAN	677.16
Check	02/19/2019	311464	Accounts Payable	PROVANTAGE LLC	1,230.15
Check	02/19/2019	311465	Accounts Payable	RAD SYSTEMS	3,120.12
Check	02/19/2019	311466	Accounts Payable	RAHE , ALAN	78.00
Check	02/19/2019	311467	Accounts Payable	RAPIDS REPRODUCTIONS, INC.	100.76
Check	02/19/2019	311468	Accounts Payable	RELIANT FIRE APPARATUS INC	396.70
Check	02/19/2019	311469	Accounts Payable	REPEATER STORE	3,870.00
Check	02/19/2019	311470	Accounts Payable	ROBERT HALF TECHNOLOGY	2,880.00
Check	02/19/2019	311471	Accounts Payable	ROSS CHEMICAL SYSTEMS INC	247.90
Check	02/19/2019	311472	Accounts Payable	ROTO-ROOTER CORP	291.50
Check	02/19/2019	311473	Accounts Payable	ROUNDED MINDS INC	1,090.00
Check	02/19/2019	311474	Accounts Payable	SHANK CONSTRUCTORS INC	370,248.72
Check	02/19/2019	311475	Accounts Payable	SHIELD TECHNOLOGY CORPORATION	500.00
Check	02/19/2019	311476	Accounts Payable	SHOWTIME ENTERTAINMENT	100.00
Check	02/19/2019	311477	Accounts Payable	SIXTA , ANDREW	69.00
Check	02/19/2019	311478	Accounts Payable	SKOLD DOOR & FLOOR CO	1,268.80

**City of West Des Moines**  
**City Council Report**  
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Type	Date	Number	Source	Payee Name	Transaction Amount
Check	02/19/2019	311479	Accounts Payable	SNAP-ON TOOLS- MARK STUCHEL	24.10
Check	02/19/2019	311480	Accounts Payable	SNI SOLUTIONS INC	8,550.00
Check	02/19/2019	311481	Accounts Payable	STEW HANSEN DODGE CITY JEEP	120.75
Check	02/19/2019	311482	Accounts Payable	STITCHED CRAFTS	250.00
Check	02/19/2019	311483	Accounts Payable	STIVERS FORD	217,922.22
Check	02/19/2019	311484	Accounts Payable	STORAGE MART 1052	491.97
Check	02/19/2019	311485	Accounts Payable	STUDIO MELEE	14,790.00
Check	02/19/2019	311486	Accounts Payable	SUBDON , MALISA	57.00
Check	02/19/2019	311487	Accounts Payable	SUNSET FOODS LTD	287.00
Check	02/19/2019	311488	Accounts Payable	SYNERGY CONTRACTING LLC	199,684.77
Check	02/19/2019	311489	Accounts Payable	TAXPAYERS ASSN OF CENTRAL IOWA	1,900.00
Check	02/19/2019	311490	Accounts Payable	TENCO INC	4,856.19
Check	02/19/2019	311491	Accounts Payable	THOMAS , MELVIN	514.00
Check	02/19/2019	311492	Accounts Payable	TORRES , FELIX	78.00
Check	02/19/2019	311493	Accounts Payable	TRITECH SOFTWARE SYSTEMS	3,192.00
Check	02/19/2019	311494	Accounts Payable	TRIZETTO PROVIDER SOLUTIONS	572.35
Check	02/19/2019	311495	Accounts Payable	TRUCK EQUIPMENT INC	728.78
Check	02/19/2019	311496	Accounts Payable	TRUE VALUE & V&S VARIETY STORE	270.03
Check	02/19/2019	311497	Accounts Payable	UI OCCUPATIONAL HEALTH NORTH LIBERTY	180.00
Check	02/19/2019	311498	Accounts Payable	UNITYPOINT CLINIC	168.00
Check	02/19/2019	311499	Accounts Payable	UNITYPOINT HEALTH	16.38
Check	02/19/2019	311500	Accounts Payable	UNPLUGGED WIRELESS COMMUNICATIONS LLC	245.00
Check	02/19/2019	311501	Accounts Payable	VANWALL EQUIPMENT	516.56
Check	02/19/2019	311502	Accounts Payable	VEENSTRA & KIMM INC	89,813.14
Check	02/19/2019	311503	Accounts Payable	VERTV SERVICES INC	9,750.00
Check	02/19/2019	311504	Accounts Payable	VISION MARKETING	83.90
Check	02/19/2019	311505	Accounts Payable	VISION SERVICE PLAN	1,757.23
Check	02/19/2019	311506	Accounts Payable	WEX BANK	1,097.73
Check	02/19/2019	311507	Accounts Payable	WIN WATCH LLC	117.80
Check	02/19/2019	311508	Accounts Payable	WINCAN LLC	8,738.00
Check	02/19/2019	311509	Accounts Payable	WURTH DMB SUPPLY	173.83
Check	02/19/2019	311510	Accounts Payable	ZIEGLER INC	53.13
Check	02/19/2019	311511	Accounts Payable	IOWA ASSN OF PROFESSIONAL FIRE	200.00
Check	02/19/2019	311512	Accounts Payable	DALLAS COUNTY TREASURER	16.00

**City of West Des Moines**  
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Type	Date	Number	Source	Payee Name	Transaction Amount
Check	02/19/2019	311513	Accounts Payable	DON OR ELLEN ROOSE	18,984.00
Check	02/19/2019	311514	Accounts Payable	POLK COUNTY CLERK OF COURT	60.00
Check	02/19/2019	311515	Accounts Payable	AMERICAN REPUBLIC INSURANCE	57.60
Check	02/19/2019	311516	Accounts Payable	UNITED HEALTHCARE	610.16
Check	02/19/2019	311517	Accounts Payable	UNITED HEALTHCARE	226.28
EFT	02/19/2019	2763	Accounts Payable	ARNOLD MOTOR SUPPLY LLP	1,339.30
EFT	02/19/2019	2764	Accounts Payable	BAUER BUILT	285.76
EFT	02/19/2019	2765	Accounts Payable	BREWICK , MARK	121.22
EFT	02/19/2019	2766	Accounts Payable	CDW GOVERNMENT INC	156.89
EFT	02/19/2019	2767	Accounts Payable	EMC RISK SERVICES	15,827.26
EFT	02/19/2019	2768	Accounts Payable	EXCEL MECHANICAL INC	3,866.76
EFT	02/19/2019	2769	Accounts Payable	FARRAND , GLENN	78.00
EFT	02/19/2019	2770	Accounts Payable	FBG SERVICE CORPORATION	5,788.00
EFT	02/19/2019	2771	Accounts Payable	FOTH INFRASTRUCTURE & ENVIRONMENT LLC	176,032.78
EFT	02/19/2019	2772	Accounts Payable	HENNING , CLAUDIA	6,685.00
EFT	02/19/2019	2773	Accounts Payable	HOME INC	12,647.00
EFT	02/19/2019	2774	Accounts Payable	HR GREEN CO	1,556.25
EFT	02/19/2019	2775	Accounts Payable	HYDRO KLEAN LLC	56,853.17
EFT	02/19/2019	2776	Accounts Payable	IOWA COMMUNITIES ASSURANCE POOL	3,283.44
EFT	02/19/2019	2777	Accounts Payable	IOWA INTERSTATE RAILROAD LTD	422.07
EFT	02/19/2019	2778	Accounts Payable	KECK ENERGY	14,606.36
EFT	02/19/2019	2779	Accounts Payable	KELTEK INC	180,794.46
EFT	02/19/2019	2780	Accounts Payable	LAIDLAW JR , WILLIAM	694.88
EFT	02/19/2019	2781	Accounts Payable	LYNCH , CHRIS	91.00
EFT	02/19/2019	2782	Accounts Payable	MCANINCH CORPORATION	7,585.27
EFT	02/19/2019	2783	Accounts Payable	MCCLURE ENGINEERING COMPANY	15,967.25
EFT	02/19/2019	2784	Accounts Payable	MCCUBBIN , COURTNEY	184.00
EFT	02/19/2019	2785	Accounts Payable	MIDWEST WHEEL	993.87
EFT	02/19/2019	2786	Accounts Payable	MIRACLE REC EQUIPMENT	703.98
EFT	02/19/2019	2787	Accounts Payable	MOBOTREX INC	2,881.14
EFT	02/19/2019	2788	Accounts Payable	MSTS RED WING BUSINESS ADVANTAGE ACCOUNT- WDM	401.62
EFT	02/19/2019	2789	Accounts Payable	ONENECK IT SOLUTIONS LLC	138,035.00
EFT	02/19/2019	2790	Accounts Payable	PARKER , SATONIUS	78.00

City of West Des Moines  
**City Council Report**  
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement  
 Batch Date:

Type	Date	Number Source	Payee Name	Transaction Amount
EFT	02/19/2019	2791	PFM FINANCIAL ADVISORS LLC	2,000.00
EFT	02/19/2019	2792	PLAYPOWER LT FARMINGTON INC	1,118.01
EFT	02/19/2019	2793	RELIABLE MAINTENANCE	7,805.00
EFT	02/19/2019	2794	REMOTE ADMIN INC	6,500.00
EFT	02/19/2019	2795	SHIELDS , CHARLES	69.00
EFT	02/19/2019	2796	SHIVE-HATTERY INC	49,485.59
EFT	02/19/2019	2797	SWINTON , ASHLEE	1,235.00
EFT	02/19/2019	2798	THE UPS STORE	27.88
EFT	02/19/2019	2799	YEAGER , LEMAR	1,870.00
EFT	02/19/2019	2800	VAUGHAN , DANELL	10.79
EFT	02/19/2019	2801	WAYTEK INC	343.15
WB VENDOR DISB WB Vendor Disbursement Totals:				\$3,706,657.92

Checks: 170 \$2,988,233.77  
 EFTs: 39 \$718,424.15

**City of West Des Moines**  
**City Council Report**  
 Bank Account: WB CONTROLPAY - WB ControlPay  
 Batch Date:

Type	Date	Number	Source	Payee Name	Transaction Amount
<b>Bank Account: WB CONTROLPAY - WB ControlPay</b>					
EFT	02/19/2019	3636	Accounts Payable	ABC ELECTRICAL SERVICES LLC	52,367.35
EFT	02/19/2019	3637	Accounts Payable	ADVENTURE LIGHTING	62.40
EFT	02/19/2019	3638	Accounts Payable	ALL MAKES OFFICE INTERIORS	170,474.54
EFT	02/19/2019	3639	Accounts Payable	ARAMARK UNIFORM SERVICES	1,461.45
EFT	02/19/2019	3640	Accounts Payable	CALL ONE INC	117.00
EFT	02/19/2019	3641	Accounts Payable	CAPITAL SANITARY SUPPLY CO INC	1,040.53
EFT	02/19/2019	3642	Accounts Payable	CLIVE POWER EQUIPMENT	674.63
EFT	02/19/2019	3643	Accounts Payable	CONVERGENT TECHNOLOGIES LLC	3,740.37
EFT	02/19/2019	3644	Accounts Payable	CORN STATES METAL	960.00
EFT	02/19/2019	3645	Accounts Payable	DES MOINES STAMP MFG CO	18.00
EFT	02/19/2019	3646	Accounts Payable	ELECTRIC PUMP INC	329.70
EFT	02/19/2019	3647	Accounts Payable	ELECTRONIC ENGINEERING	1,710.00
EFT	02/19/2019	3648	Accounts Payable	FORECAST PUBLIC ART	487.50
EFT	02/19/2019	3649	Accounts Payable	G&L CLOTHING	566.44
EFT	02/19/2019	3650	Accounts Payable	GALLS LLC	4,535.41
EFT	02/19/2019	3651	Accounts Payable	GOODWIN TUCKER GROUP	160.00
EFT	02/19/2019	3652	Accounts Payable	HOTSY CLEANING SYSTEMS INC	762.86
EFT	02/19/2019	3653	Accounts Payable	IMAGETEK INC	7,711.25
EFT	02/19/2019	3654	Accounts Payable	INTERFLEET INC	7,690.02
EFT	02/19/2019	3655	Accounts Payable	IOWA WATER MANAGEMENT CORP	573.07
EFT	02/19/2019	3656	Accounts Payable	JOHNSTONE SUPPLY	28.10
EFT	02/19/2019	3657	Accounts Payable	LEXISNEXIS RISK SOLUTIONS	252.50
EFT	02/19/2019	3658	Accounts Payable	MENARDS	553.34
EFT	02/19/2019	3659	Accounts Payable	METHODIST OCCUPATIONAL HEALTH	2,268.00
EFT	02/19/2019	3660	Accounts Payable	METRO WASTE AUTHORITY	37,564.26
EFT	02/19/2019	3661	Accounts Payable	MOORE MEDICAL LLC	145.60
EFT	02/19/2019	3662	Accounts Payable	NINTH BRAIN SUITE LLC	543.00
EFT	02/19/2019	3663	Accounts Payable	NORTHLAND PRODUCTS	449.85
EFT	02/19/2019	3664	Accounts Payable	O'REILLY AUTOMOTIVE INC	339.90
EFT	02/19/2019	3665	Accounts Payable	PAY-LESS OFFICE PRODUCTS INC	3,833.78
EFT	02/19/2019	3666	Accounts Payable	PRAXAIR	3,031.92
EFT	02/19/2019	3667	Accounts Payable	PROCTOR MECHANICAL CORP	542.96
EFT	02/19/2019	3668	Accounts Payable	ROCKMOUNT RESEARCH ALLOYS INC	575.55
EFT	02/19/2019	3669	Accounts Payable	SECURITY EQUIPMENT INC	222.00

City of West Des Moines  
**City Council Report**  
 Bank Account: WB CONTROLPAY - WB ControlPay  
 Batch Date:

Type	Date	Number	Source	Payee Name	Transaction Amount
EFT	02/19/2019	3670	Accounts Payable	SHERWIN WILLIAMS	31.37
EFT	02/19/2019	3671	Accounts Payable	SNYDER & ASSOCIATES	25,132.91
EFT	02/19/2019	3672	Accounts Payable	SPECIALTY GRAPHICS INC	793.88
EFT	02/19/2019	3673	Accounts Payable	SPINDUSTRY SYSTEMS INC	1,202.50
EFT	02/19/2019	3674	Accounts Payable	STIVERS FORD (CONTROL PAY)	1,682.06
EFT	02/19/2019	3675	Accounts Payable	STRAUSS SAFE AND LOCK CO	305.00
EFT	02/19/2019	3676	Accounts Payable	STREICHERS	5,565.00
EFT	02/19/2019	3677	Accounts Payable	TEAM SERVICES	177.69
EFT	02/19/2019	3678	Accounts Payable	THOMSON REUTERS-WEST PAYMENT	290.23
EFT	02/19/2019	3679	Accounts Payable	THOMSON REUTERS-WEST PAYMENT	464.10
EFT	02/19/2019	3680	Accounts Payable	UNITED RENTALS	774.32
EFT	02/19/2019	3681	Accounts Payable	VAISALA INC	1,980.00
EFT	02/19/2019	3682	Accounts Payable	WALNUT CREEK PROMOTIONS INC	461.50
EFT	02/19/2019	3683	Accounts Payable	WASTE MANAGEMENT OF IOWA	72.38
EFT	02/19/2019	3684	Accounts Payable	WORLDPOINT ECC INC	1,002.81
EFT	02/19/2019	3685	Accounts Payable	ZOLL MEDICAL	2,491.71
WB CONTROLPAY WB ControlPay Totals:					\$348,220.74

EFTs: 50 \$348,220.74

# Payment Register

From Payment Date: 01/22/19 - To Payment Date: 03/03/2019

Number	Date	Payee Name	Transaction Amount
68	02/06/2019	WORLDPAY (FORMERLY VANTIV)	\$860.52
137	02/01/2019	KABEL BUSINESS SERVICES	\$3,507.22
138	02/08/2019	KABEL BUSINESS SERVICES	\$3,973.15
2758	02/11/2019	DELTA DENTAL OF IOWA	\$3,788.92
2759	02/05/2019	WELLMARK BLUE CROSS	\$79,867.06
2760	02/12/2019	WELLMARK BLUE CROSS	\$96,477.26
11657	02/19/2019	TIMBERLAND PARTNERS	\$250.00
11658	02/19/2019	MANNING REAL ESTATE LLC	\$249.00
11659	02/19/2019	OAK CREEK RESIDENTIAL HOUSING COOPERATIVE	\$275.00
11660	02/19/2019	OAK CREEK RESIDENTIAL HOUSING COOPERATIVE	\$725.00
11661	02/19/2019	SUN PRAIRIE APARTMENTS	\$250.00
11662	02/19/2019	FLATS AT VALLEY LLC	\$250.00
11663	02/19/2019	SUN PRAIRIE APARTMENTS	\$250.00
11664	02/19/2019	BOHALL, ALICE	\$250.00
11665	02/19/2019	COUNTRY CLUB INVESTMENTS CO	\$107.28
11666	02/19/2019	NORMANDY TERRACE	\$250.00
11667	02/19/2019	WHISPER RIDGE APARTMENTS	\$159.00
11668	02/19/2019	WEST DES MOINES WATER WORKS	\$250.00
11669	02/19/2019	BEAVERDALE HOUSING	\$500.00
11670	02/19/2019	MIDAMERICAN ENERGY	\$250.00
311328	02/06/2019	HOSTETTER, TIMOTHY	\$200.00
			<hr/>
			\$191,689.41

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

**ITEM:** Approval of Liquor Licenses

**DATE:** February 19, 2019

**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. Famous Dave's Ribs, Inc. d/b/a Famous Dave's, 1720 22nd Street - Class LC Liquor License with Sunday Sales - Renewal
2. FormaroStuffed.com, LLC d/b/a Formaro's Stuffed, 2500 Grand Avenue (softball complex) - Class BB Beer Permit with Sunday Sales and Outdoor Service - New
3. Git N Go Convenience Stores, Inc. d/b/a Git N Go Convenience Store #4, 1325 Grand Avenue - Class BC Beer Permit with Sunday Sales - Renewal
4. C.C.W., LLC d/b/a Huhot Mongolian Grill, 4100 University Avenue, Suite 101 - Class BW Permit with Sunday Sales - Renewal
5. Hy-Vee, Inc. d/b/a Hy-Vee Fast & Fresh, 425 South Jordan Creek Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - New
6. Hy-Vee, Inc. d/b/a Hy-Vee West Des Moines Health Market, 375 South Jordan Creek Parkway - Class LE Liquor License with Carryout Wine and Sunday Sales - New
7. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - March 27-28, 2019
8. Kum & Go LC d/b/a Kum & Go #66, 5308 University Avenue - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
9. Sri Ganesh, LLC d/b/a Paradise Biryani Pointe, 6630 Mills Civic Parkway, Suite 3102 - Class BW Permit with Native Wine and Sunday Sales - Renewal
10. Samurai Sushi & Hibachi Restaurant, Inc. d/b/a Samurai Sushi & Hibachi Restaurant, 7125 Mills Civic Parkway, Suite 110 - Class LC Liquor License with Sunday Sales - Renewal
11. Punyesh, LLC d/b/a Vine Food & Liquor, 2704 Vine Street - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
12. Indianola Hotel, LLC d/b/a West Des Moines IA Sleep Inn & Suites, 885 51st Street - Class LB Liquor License with Carryout Wine and Sunday Sales - Renewal
13. Cost Plus, Inc. d/b/a World Market, 4100 University Avenue, Suite 210 - Class BC Beer Permit with 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:** Approval of Extended Sound Permit  
Glen Oaks Country Club  
Various Outdoor Events for 2019

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** None

**BACKGROUND:**

On June 28, 2010, the City Council approved several amendments to the Noise Control Ordinance including the provision that City Council approval is required for any sound permit issued for an event going past 10:00 P.M.

Glen Oaks Country Club has submitted a sound permit application to cover their various outdoor events during 2019, of which many are scheduled until midnight.

This sound permit request was forwarded to the West Des Moines Police Department for their review and they have no objections to this request. As this request is being proposed to end at midnight, City staff is forwarding this to the City Council for review and approval. Glen Oaks Country Club has been issued sound permits of this same nature since 2011.

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

**RECOMMENDATION:** Motion - Approval of Extended Sound Permit Request made by Glen Oaks Country Club

**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	

**SOUND PERMIT FEES**  
 ❖ 1-48 hrs event = \$22.00  
 ❖ 2-7 days event = \$44.00  
 ❖ Multiple events in one calendar year = \$82.50

**The City Council MUST approve any sound permit request that extends past ten o'clock (10:00) P.M.**

**Permit. Applications received less than two (2) weeks before the event MAY NOT be processed by the City in time for the event**

**CITY OF WEST DES MOINES  
 SOUND PERMIT  
 For the Amplification of a Live Performance**

\*Denotes required field

Today's Date 1/29/19 Fee Received: \$82.50 Permit No. \_\_\_\_\_

\*Applicant's Name: Glen Oaks Country Club \*Phone No. 515-850-1989

\*Applicant's **Complete** Address (include city/state/zip): 1401 Glen Oaks Dr. West Des Moines, IA 50266

\*Applicant's E-mail Address: Emily.Fairbairn@glenoakscc.com

Have you, the applicant, ever been cited for a violation of the West Des Moines Noise Ordinance? Y/N

If yes, explain: \_\_\_\_\_

\*Property owner name: GOCC Investments LLC

\*Property owner address: 1401 Glen Oaks Dr. West Des Moines, IA 50266

I, the undersigned, hereby acknowledge and certify that I am the record fee title holder of the property for which this sound permit is requested, and I hereby consent to this application for a sound permit, for the amplification of a live performance, as described on this application.

[Signature] 2/5/19  
 \*Property Owner Signature Date

Address of proposed activity: 1401 Glen Oaks Dr., West Des Moines, IA 50266  
 (If located in a City park, please include the name of the park)

\*Describe proposed activity, including EVENT AND MUSIC START AND ENDING TIME(S) AND DATE(S) and number of people attending: please see attached list. Music provided by various bands & DJ's.

\*How will the parking for this event be handled? onsite parking lot

\*Please refer to Page 2, Paragraph J of this application form regarding wattage requirements for the proposed sound equipment as a sound permit may not be deemed necessary.\*

**\*Attach an 8½" x 11½" sketch plan of the proposed layout of the sound amplification equipment, including the orientation to and approximate distances from the adjoining properties.**

\*Have the adjoining property owners/residents been notified of the event for which this permit is requested? Y/N  
 If so, please list addresses notified (attach additional sheets if necessary): \_\_\_\_\_

\*Describe what measures will be taken, if any, to minimize the effects of this performance on surrounding property owners. DJ/bands face clubhouse not residential community.

Provide any additional information that pertains to this application for a Sound Permit.

**APPLICANT'S CERTIFICATION** - I hereby certify under penalty of perjury that the statements furnished including the drawing, present all information required for this application, and that the facts, statements and information presented are true and correct, and based upon my personal knowledge. I hereby acknowledge my obligation to comply with the West Des Moines Municipal Code as it pertains to this activity and to obtain any and all necessary City, County, State and Federal permits, approvals and/or clearances, if applicable. Further, I hereby certify that I have read, understand and have received a copy of the conditions for the operation of the Sound Permit, and hereby agree to comply with such conditions. I also understand that should I fail to comply with the agreed upon conditions, my permit may be immediately revoked and that all other applicable penalties, including criminal prosecution may be pursued.

  
\*Applicant's Signature

2/5/18  
Date

**FOR STAFF USE ONLY**

**APPROVAL OF SOUND PERMIT**

Approved by: \_\_\_\_\_

Date:

City Council Approval Date:

This sound permit is approved subject to the following exhibits and conditions.

Exhibits:

Conditions:

Expiration Date:

**DENIAL OF SOUND PERMIT**

Denied by: \_\_\_\_\_

Date:

This sound permit is denied based upon the following findings.

Findings:

Copies of this permit have been distributed to the following departments:

- Development Services Department
- City Clerk's Office

- Police Department
- Parks and Recreation Department

Glen Oaks 2019 Weddings & Events

January	N/A
February	N/A
March	N/A
April	6 <sup>th</sup> 5:00PM-12AM Wedding 13 <sup>th</sup> 4:30PM-12AM Wedding 27 <sup>th</sup> 4:30PM-12AM Wedding
May	4 <sup>th</sup> 3:00PM-12AM Wedding 18 <sup>th</sup> 4:00PM-12AM Wedding 24 <sup>th</sup> 11:00AM-3PM Club Event 4:00PM-12AM Wedding 25 <sup>th</sup> 4:00PM-12AM Wedding 27 <sup>th</sup> 11:00AM-3PM Club Event
June	1 <sup>st</sup> 6:00PM-12AM Wedding 8 <sup>th</sup> 4:00PM-12AM Wedding 14 <sup>th</sup> 4:00PM-12AM Wedding 15 <sup>th</sup> 5:00PM-12AM Wedding 22 <sup>nd</sup> 4:30PM-12AM Wedding 29 <sup>th</sup> 4:30PM-12AM Wedding
July	3 <sup>rd</sup> 4:00PM-12AM Club Event 4 <sup>th</sup> 11:00AM-3PM Club Event 6 <sup>th</sup> 4:00PM-12AM Wedding 20 <sup>th</sup> 4:00PM-12AM Wedding 27 <sup>th</sup> 4:00PM-12AM Wedding
August	3 <sup>rd</sup> 4:00PM-12AM Wedding 10 <sup>th</sup> 5:00PM-12AM Wedding 16 <sup>th</sup> 4:00PM-12AM Wedding 17 <sup>th</sup> 4:00PM-12AM Wedding 23 <sup>rd</sup> 7:00PM-11PM Club Event 24 <sup>th</sup> 4:00PM-12AM Wedding 31 <sup>st</sup> 4:00PM-12AM Wedding
September	1 <sup>st</sup> 4:00PM-12AM Wedding 2 <sup>nd</sup> 11:00AM-3PM Club Event 6 <sup>th</sup> 4:00PM-12AM Wedding 7 <sup>th</sup> 4:00PM-12AM Wedding 14 <sup>th</sup> 4:00PM-12AM Wedding 21 <sup>st</sup> 4:30PM-12AM Wedding 28 <sup>th</sup> 4:00PM-12AM Wedding
October	5 <sup>th</sup> 4:00PM-12AM Wedding 6 <sup>th</sup> 3:00PM-6PM Club Event 12 <sup>th</sup> 4:00PM-12AM Wedding 19 <sup>th</sup> 4:00PM-12AM Wedding 26 <sup>th</sup> 4:00PM-12AM Wedding
November	N/A
December	N/A

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

**ITEM:** Approval of Extended Sound Permit  
Sully's Irish Pub - St. Patrick's Day Celebration

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** None

**BACKGROUND:**

On June 28, 2010, the City Council approved several amendments to the Noise Control Ordinance including the provision that City Council approval is required for any sound permit issued for an event going past 10:00 P.M.

Sully's Irish Pub has submitted a sound permit application to provide music from 6:00 a.m. to midnight by way of a live radio feed on Saturday, March 17, 2018, on their property located at 860 1<sup>st</sup> Street.

This sound permit request was forwarded to the West Des Moines Police Department for their review and they have no objections to this request. As this request is being proposed to end at midnight, City staff is forwarding this to the City Council for review and approval. Sully's Irish Pub had obtained sound permits for many years with no issues being reported.

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

**RECOMMENDATION:** Motion - Approval of Extended Sound Permit Request made by Sully's Irish Pub

**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	

**SOUND PERMIT FEES**

- ❖ 1-48 hrs event = \$22.00
- ❖ 2-7 days event = \$44.00
- ❖ Multiple events in one calendar year = \$82.50

*C#3577*

**The City Council  
MUST approve any  
sound permit request  
that extends past ten  
o'clock (10:00) P.M.**

**Permit applications received less  
than two (2) weeks before the event  
may not be processed by the City in  
time for the event.**

**CITY OF WEST DES MOINES  
SOUND PERMIT  
For the Amplification of a Live Performance**

\*Denotes required field

Date 12/18/18 Fee Received: \_\_\_\_\_ Permit No. \_\_\_\_\_

\*Applicant's Name: Sully's Irish Pub \*Phone No. 515-250-3648

\*Applicant's Complete Address: 860 1<sup>st</sup> Street, West Des Moines, Iowa, 50265

\*Applicant's E-mail Address: amy.boggs@hotmail.com

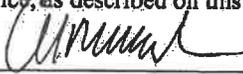
Have you, the applicant, ever been cited for a violation of the West Des Moines Noise Ordinance? Y(N)

If yes, explain: \_\_\_\_\_

\*Property owner name: First Street LP

\*Property owner address: 3209 Ingersoll Ave Ste 201 Des Moines, IA 50312

I, the undersigned, hereby acknowledge and certify that I am the record fee title holder of the property for which this sound permit is requested, and I hereby consent to this application for a sound permit, for the amplification of a live performance, as described on this application.

 1/4/19  
\*Signature Date

Address of proposed activity: 860 1<sup>st</sup> Street, West Des Moines (if this is a City park, please indicate name of park)

Describe proposed activity, including time(s), date(s), and number of people attending: Traditional St Patrick's Day party from 6am to midnight. Same format as prior years. Approximately 500 in attendance.

How will the parking for this event be handled? Surrounding areas. Because this is on a Sunday, several nearby businesses will be closed (Fareway, West Bank). There will also be a bus that travels between Sully's, Mickey Finn's and The Hall, with additional parking available at those alternate locations. Many people Uber, Lyft, taxi or get dropped off at the event, to avoid parking. There are also some empty lots surrounding us - between Autozone and Dollar Tree, empty building in SW corner of the PUD, old Sully's location, old Abelardo's location, old Donut King location. Lastly, security will be onsite to prohibit parking in the areas right in front of True Value, Autozone and Dollar Tree, as to not disrupt those businesses.

**\*Please refer to Page 2, Paragraph J of this application form regarding wattage requirements for the proposed sound equipment as a sound permit may not be deemed necessary.\***

**\*Attach an 8½" x 11½" sketch plan of the proposed layout of the sound amplification equipment, including the orientation to and approximate distances from the adjoining properties.**

Have the adjoining property owners/residents been notified of the event for which this permit is requested? Y(N)

If so, please list addresses notified (attach additional sheets if necessary): True Value, West Bank, Abelardo's, Dollar Tree, Autozone are all aware of our annual party

Describe what measures will be taken, if any, to minimize the effects of this performance on surrounding property owners Sully's has always worked with its neighbors on this event. Sound amplification remains in the tent. Any issues that arise the day of the event are resolved promptly and in the spirit of being as flexible as possible.

Provide any additional information that pertains to this application for a Sound Permit. This party has been put on for over 20 years without any issues. It is a Sully's tradition. Surrounding businesses benefit from additional sales during this day.

**APPLICANT'S CERTIFICATION** - I hereby certify under penalty of perjury that the statements furnished including the drawing, present all information required for this application, and that the facts, statements and information presented are true and correct, and based upon my personal knowledge. I hereby acknowledge my obligation to comply with the West Des Moines Municipal Code as it pertains to this activity and to obtain any and all necessary City, County, State and Federal permits, approvals and/or clearances, if applicable. Further, I hereby certify that I have read, understand and have received a copy of the conditions for the operation of the Sound Permit, and hereby agree to comply with such conditions. I also understand that should I fail to comply with the agreed upon conditions, my permit may be immediately revoked and that all other applicable penalties, including criminal prosecution may be pursued.



\*Applicant's Signature

12/18/18

Date

**FOR STAFF USE ONLY**

**APPROVAL OF SOUND PERMIT**

Approved by: \_\_\_\_\_

Date:

City Council Approval Date:

This sound permit is approved subject to the following exhibits and conditions.

Exhibits:

Conditions:

Expiration Date:

**DENIAL OF SOUND PERMIT**

Denied by: \_\_\_\_\_

Date:

This sound permit is denied based upon the following findings.

Findings:

Copies of this permit have been distributed to the following departments:

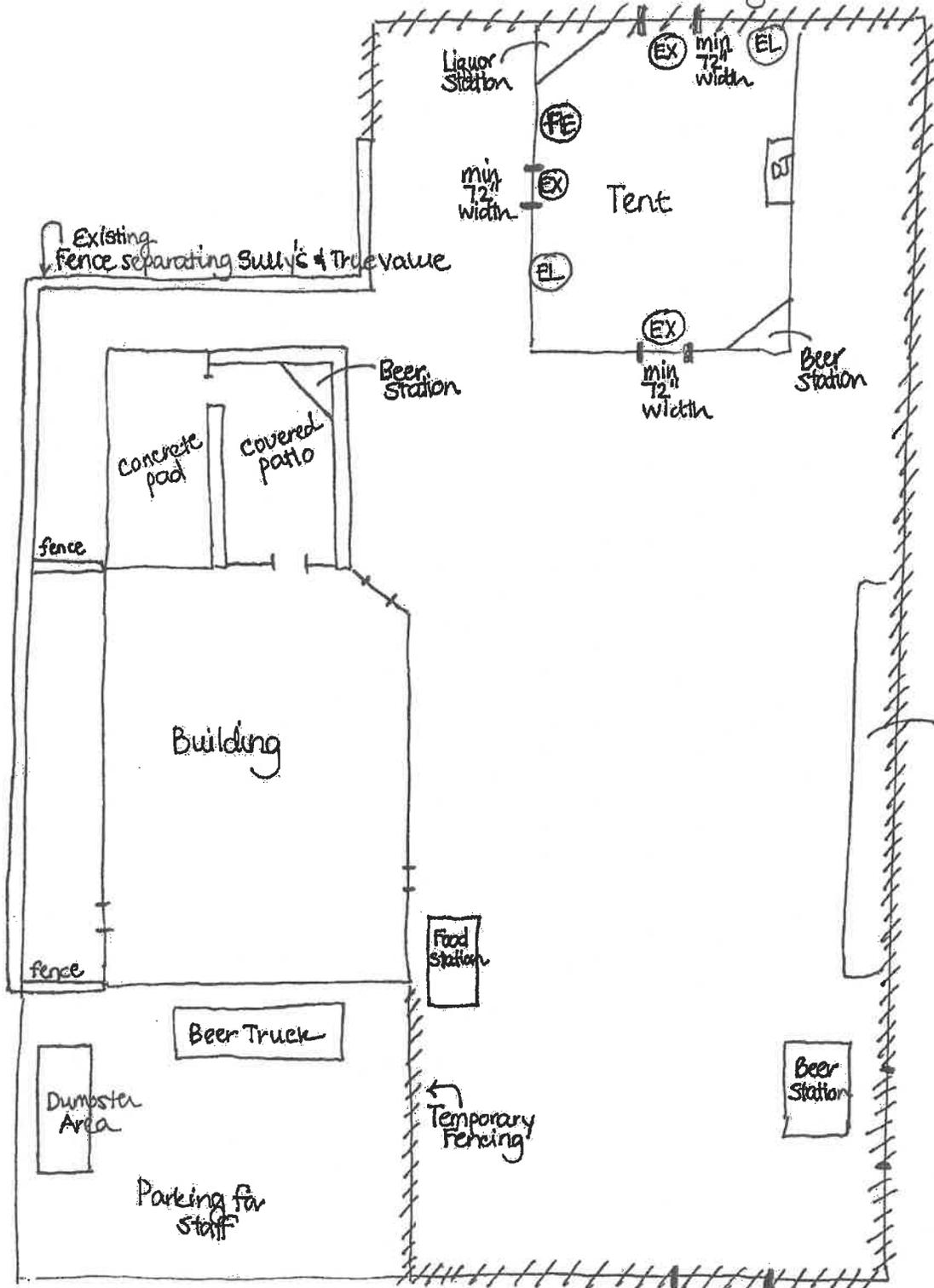
- Development Services Department
- City Clerk's Office

- Police Department
- Parks and Recreation Department

860 1st Street

↑ NORTH

North Entrance security monitored



EL = Emergency Lighting  
EX = Exit Signs  
FE = Fire Extinguisher

South entrance security monitored

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

**ITEM:** Approval of Extended Sound Permit  
Wellman's Pub and Rooftop - Patio Music

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** None

**BACKGROUND:**

On June 28, 2010, the City Council approved several amendments to the Noise Control Ordinance including the provision that City Council approval is required for any sound permit issued for an event going past 10:00 P.M.

Wellman's Pub and Rooftop has submitted a sound permit application to cover their everyday background music played from 11:00 a.m. to 2:00 a.m. over speakers on the lower patio and rooftop patio on their property located at 597 Market Street

This sound permit request was forwarded to the West Des Moines Police Department for their review and they have no objections to this request. As this request is being proposed to end at 2:00 a.m., City staff is forwarding this to the City Council for review and approval. Wellman's Pub and Rooftop has been issued sound permits since 2010.

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

**RECOMMENDATION:** Motion - Approval of Extended Sound Permit Request made by Wellman's Pub and Rooftop

**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	

**SOUND PERMIT FEES**  
 ❖ 1-48 hrs event = \$22.00  
 ❖ 2-7 days event = \$44.00  
 ❖ Multiple events in one calendar year = \$82.50

**The City Council MUST approve any sound permit request that extends past ten o'clock (10:00) P.M.**

**Permit. Applications received less than two (2) weeks before the event MAY NOT be processed by the City in time for the event**

**CITY OF WEST DES MOINES  
 SOUND PERMIT**

\*Denotes required field

**For the Amplification of a Live Performance**

Today's Date 2/6/19 Fee Received: \_\_\_\_\_ Permit No. \_\_\_\_\_

\*Applicant's Name: Wellman's Rob & Rooftop \*Phone No. 515-222-1100

\*Applicant's Complete Address (include city/state/zip): 597 Market St. WDM, IA 50266

\*Applicant's E-mail Address: anniebaldwin@me.com

Have you, the applicant, ever been cited for a violation of the West Des Moines Noise Ordinance? Y/N

If yes, explain: \_\_\_\_\_

\*Property owner name: Market Street Investors LLC

\*Property owner address: 1601 Westlake Pkwy # 300, WDM, IA 50266

I, the undersigned, hereby acknowledge and certify that I am the record fee title holder of the property for which this sound permit is requested, and I hereby consent to this application for a sound permit, for the amplification of a live performance, as described on this application.

John A. Schmidt 2/8/19  
 \*Property Owner Signature Date

Address of proposed activity: 597 Market St.  
 (If located in a City park, please include the name of the park)

\*Describe proposed activity, including EVENT AND MUSIC START AND ENDING TIME(S) AND DATE(S) and number of people attending: not live music, speaker wattage 28/30 everyday background music from satellite

Dr. computer speaker lower patio 11am-2am

\*How will the parking for this event be handled? 4/14/19 - 10/27/19  
Normal parking

\*Please refer to Page 2, Paragraph J of this application form regarding wattage requirements for the proposed sound equipment as a sound permit may not be deemed necessary.\*

\*Attach an 8½" x 11½" sketch plan of the proposed layout of the sound amplification equipment, including the orientation to and approximate distances from the adjoining properties.

\*Have the adjoining property owners/residents been notified of the event for which this permit is requested? Y/N  
 If so, please list addresses notified (attach additional sheets if necessary): N/A

\*Describe what measures will be taken, if any, to minimize the effects of this performance on surrounding property owners. speakers on Rooftop do NOT have subwoofers  
Reduced sound bass

Provide any additional information that pertains to this application for a Sound Permit.

**APPLICANT'S CERTIFICATION** - I hereby certify under penalty of perjury that the statements furnished including the drawing, present all information required for this application, and that the facts, statements and information presented are true and correct, and based upon my personal knowledge. I hereby acknowledge my obligation to comply with the West Des Moines Municipal Code as it pertains to this activity and to obtain any and all necessary City, County, State and Federal permits, approvals and/or clearances, if applicable. Further, I hereby certify that I have read, understand and have received a copy of the conditions for the operation of the Sound Permit, and hereby agree to comply with such conditions. I also understand that should I fail to comply with the agreed upon conditions, my permit may be immediately revoked and that all other applicable penalties, including criminal prosecution may be pursued.

Annie Baldwin  
\*Applicant's Signature

2/6/19  
Date

**FOR STAFF USE ONLY**

**APPROVAL OF SOUND PERMIT**

Approved by: \_\_\_\_\_

Date:

City Council Approval Date:

This sound permit is approved subject to the following exhibits and conditions.

Exhibits:

Conditions:

Expiration Date:

**DENIAL OF SOUND PERMIT**

Denied by: \_\_\_\_\_

Date:

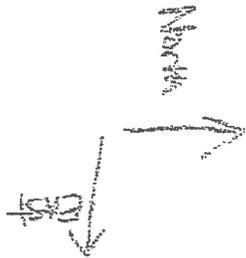
This sound permit is denied based upon the following findings.

Findings:

Copies of this permit have been distributed to the following departments:

- |  |  |
|--|--|
| <input type="checkbox"/> Development Services Department | <input type="checkbox"/> Police Department               |
| <input type="checkbox"/> City Clerk's Office             | <input type="checkbox"/> Parks and Recreation Department |

~~Ground Floor~~



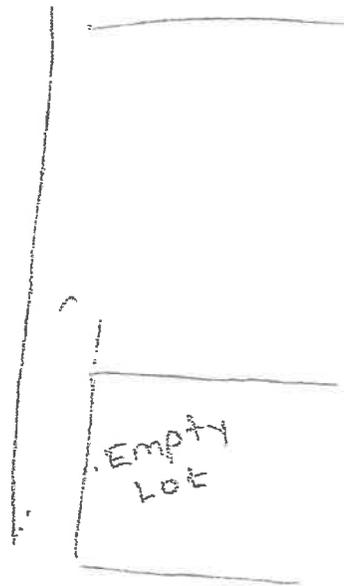
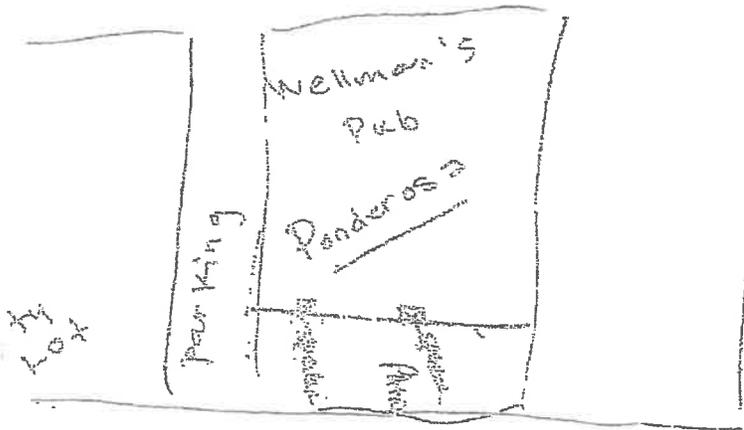
Parking of

Gettysburg  
Market

Parking

Parking

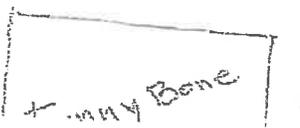
Ponderosa  
offices



S. Prairie View Drive

West Glen

Street



Empty Lot

Empty Lot

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

**ITEM:** Approval of Reappointments - Sister Cities Commission

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** None

**BACKGROUND:**

Mayor Steven K. Gaer recommends the reappointment of current Sister Cities Commission members Erika Cook, Brian Crotty, and Jeffrey Lipman. Ms. Cook and Mr. Lipman have both served on the Commission since May 2013. Mr. Crotty has served since April 2016. The proposed reappointment term for all three would expire on March 31, 2022.

Erika Cook	13078 Pinecrest Lane (Clive)	633-4012 (w)	240-3103 (h)
Brian Crotty	7131 Cody Drive	453-1608 (w)	319-499-0280 (h)
Jeffrey Lipman	316 46 <sup>th</sup> Place	778-5623 (w)	221-2532 (h)

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

**RECOMMENDATION:**

Approval of reappointments to the Sister Cities Commission.

**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 CITY COUNCIL MEETING COMMUNICATION

**ITEM:** Approve Payment for Microsoft Enterprise Agreement True-Up      **DATE:** February 18, 2019

**FINANCIAL IMPACT:** The City is authorizing the expenditure of \$104,122.41 with an allocation between the City of West Des Moines and Westcom. The City’s portion of this expenditure will be charged to account 100.650.700.5400.705 in the amount of \$78,002.12. Westcom’s portion of the expenditure is \$26,120.29 and will be charged to 695.120.700.5400.705. The allocation is based on each organization’s use of additional Microsoft products over the course of the calendar 2018 year.

**BACKGROUND:** The City has been standardized on Microsoft products since 2002. In 2009, the City entered into its first Microsoft Enterprise Agreement (EA) in order to streamline software acquisition, ensure license compliance, provide technical support and training, and to maintain current software versioning. The City renewed its agreement in 2014 and added Office 365 as a major component. The agreement was renewed again on January 1, 2018 with a “step-up” to Enterprise SQL Server as the major additional component.

The “step-up” for SQL server was made over two fiscal years in order to spread the expense and was the least expensive way to make the change. The SQL step-up expense for FY18-19 is \$86,196.96 of which \$26,120.29 will be charged to Westcom. Additional true-up expenses are related to the addition of device licenses for workstations and Microsoft Visio.

The ITS department asks for approval to pay the True-Up expense related to the Microsoft Enterprise Agreement.

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

**RECOMMENDATION:** Approval to make payment for Microsoft Enterprise Agreement True-Up

**Lead Staff Member:** Darrel Greifzu, Enterprise Applications Manager

**STAFF REVIEWS**

Department Director	Joe Menke, IT Director
Appropriations/Finance	Tim Stiles, Finance Director
Legal	
Agenda Acceptance	Ryan Jacobson, City Clerk

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	
Date Reviewed	
Recommendation	

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

**DATE: February 19, 2019**

**ITEM:**

Motion – Approval of Renewal Contract Agreement  
Landscape Maintenance

**FINANCIAL IMPACT:**

The Landscape Maintenance contract was bid in February 2018 and was awarded to Reliable Property Services, with the option to renew by written mutual consent of both the City and the contractor upon expiration of the initial term. The contract terms stipulate that an increase may be initiated based on the CPI-W (as calculated by the United States Bureau of Labor Statistics). The CPI-W as of September 2018 was 5.626%. The estimated budget impact for 2019 will be approximately \$100,000 for Landscape Maintenance for street medians, Holiday Aquatic Center, and Valley View Aquatic Center. Payments will be made out the following operating budget accounts for Public Services, Valley View Aquatic Center, and Holiday Park Aquatic Center: 100.200.405.5250.437, 100.400.453.5250.460, and 100.400.452.5250.460.

**BACKGROUND:**

This renewal contract agreement would cover maintenance for street medians and aquatic centers; maintenance shall generally consist of turf maintenance (including mowing and chemical application), tree maintenance, landscape bed maintenance, hard surface maintenance, and other miscellaneous landscape maintenance items (perennial replacement, tree replacement, bed edging).

This resolution will extend the contract agreement for one more term from April 1, 2019, to December 31, 2019, per the terms of the original agreement. The approval of this contract agreement will allow the Public Services Department to maintain the current service levels for landscape maintenance of street medians and aquatic centers.

Because the City Council subcommittee meeting scheduled for February 11, 2019, was cancelled this agenda item was only distributed to the subcommittee members via email on Thursday, February 7, 2019.

**OUTSTANDING ISSUES:**     None

**RECOMMENDATION:**

- That the City Council approve the renewal contract agreement with Reliable Property Services.

**Lead Staff Member: Kevin Hensley, Public Service Superintendent**

**STAFF REVIEWS**

Department Director	Bret Hodne, Public Services Director <i>RDR</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>KH</i>

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Public Works		
Date Reviewed			
Recommendation	<b>Yes</b>	No	Split

**2019 Pricing for Landscape Maintenance Renewal Contract Agreement - Reliable Property Services**

Item Description	Medians 2018 Pricing	Medians 2019 Pricing*	Holiday Aquatic 2018 Pricing	Holiday Aquatic 2019 Pricing*	Valley View Aquatic 2018 Pricing	Valley View Aquatic 2019 Pricing*
Mowing	\$39,354.00	\$41,568.06	\$2,909.00	\$3,072.66	\$4,959.00	\$5,237.99
<b>Chemical Application</b>						
Spring Pre-Emergent	\$2,302.00	\$2,431.51	\$120.00	\$126.75	\$292.00	\$308.43
Spring Broadleaf	\$845.00	\$892.54	\$70.00	\$73.94	\$116.00	\$122.53
Summer Fertilizer	\$1,247.00	\$1,317.16	\$96.00	\$101.40	\$215.00	\$227.10
Roundup (Around Beds)	\$550.00	\$580.94			\$104.00	\$109.85
Roundup (Around Trees)	\$360.00	\$380.25			\$45.00	\$47.53
Fall Broadleaf	\$845.00	\$892.54	\$70.00	\$73.94	\$116.00	\$122.53
Fall Fertilizer	\$1,247.00	\$1,317.16	\$96.00	\$101.40	\$215.00	\$227.10
<b>Tree Maintenance</b>						
Deer Protection	\$1,499.00	\$1,583.33			\$800.00	\$845.01
Mulch Maintenance	\$2,349.00	\$2,481.15			\$776.00	\$819.66
Sucker Removal	\$825.00	\$871.41			\$350.00	\$369.69
<b>Landscape Bed Maintenance</b>						
Spring Cleanup	\$5,750.00	\$6,073.50			\$1,300.00	\$1,373.14
Spring Pre-Emergent	\$550.00	\$580.94			\$110.00	\$116.19
Mulch Maintenance	\$9,450.00	\$9,981.66			\$1,750.00	\$1,848.46
Weed Control	\$3,000.00	\$3,168.78			\$500.00	\$528.13
Deadheading	\$800.00	\$845.01			\$45.00	\$47.53
Fall Cleanup	\$800.00	\$845.01			\$50.00	\$52.81
Litter/Trash Removal	\$675.00	\$712.98			\$85.00	\$89.78
<b>Hard Surface Maintenance</b>						
Weed Control	\$3,500.00	\$3,696.91	\$500.00	\$528.13	\$2,000.00	\$2,112.52
<b>SUBTOTAL</b>	<b>\$75,948.00</b>	<b>\$80,220.83</b>	<b>\$3,861.00</b>	<b>\$4,078.22</b>	<b>\$13,828.00</b>	<b>\$14,605.96</b>
<b>2019 TOTAL ANNUAL COST*</b>			<b>\$98,905.02</b>			

Additional Bid Items	Quantity	Unit	2018 Cost	2019 Cost*
Perennial Replacement	1	1 Gallon Container	\$18.00	\$18.00
Tree Replacement	1	2" Calliper	\$420.00	\$420.00
Bed Edging	100	LF	\$5.60/100 LF	\$5.92/100 LF
Concrete Cleaning	1,000	SF	\$55/Man Hour	\$58.09/Man Hour
Mowing Labor	-	Per Hour	\$45.00	\$47.53

*CPL-W increase on labor only*  
*CPL-W increase on labor only*

\*2019 Pricing incorporates a labor rate increase based off the CPL-W rate of 5.626%.

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

**DATE:** February 19, 2019

**ITEM:** Motion – Approval of Professional Services Agreement – Raccoon River Park Lighting Upgrade Study

**FINANCIAL IMPACT:** Expense of \$6,550.00 to be paid from G/L account 500.000.000.5250.490. Funding will be covered out of available funds in the FY 18-19 CIP from the Raccoon River Park Lighting Upgrade (Project No. 0525 004.0510 033 2018).

**BACKGROUND:** The original lighting in Raccoon River Park is now over 20 years old. Staff has asked KCL Engineering of West Des Moines to provide an assessment of the existing exterior lighting throughout the park and to provide recommendations for future upgrades. The scope of work will include verifying existing conditions on the lighting and controls, and to provide recommendations for upgrading fixtures to more efficient and functional LED sources and upgrading the control system. These recommendations will guide staff in setting up a future phasing plan for lighting upgrades in the park.

The Council is asked to approve an agreement with KCL Engineering. The agreement with KCL is attached along with their proposal, scope of services, schedule and fees. The consultant was selected for this project due to their past experience on other City projects, and experience in this type of work. The City retains professional consultants based on their past work experience, qualifications, and availability. City staff attempts to distribute professional services 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:** That the Council approve the agreement with KCL Engineering

**Lead Staff Member:** David Sadler, Superintendent of Parks 

**STAFF REVIEWS**

Department Director	Sally Ortgies, Director of Parks & Recreation 
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			
Date Reviewed			
Recommendation	Yes	No	Split



**VICINITY MAP**

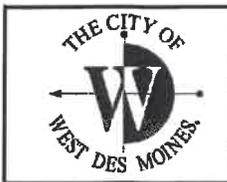


**LEGEND**

 Project Area



0 800 1,600 Feet



PROJECT:	<b>RACCOON RIVER PARK EXTERIOR LIGHTING UPGRADE ASSESSMENT PROFESSIONAL SERVICES AGREEMENT</b>		
LOCATION:	<b>2500 GRAND AVENUE</b>		
DRAWN BY:	MAA	DATE:	2/13/2019
PROJECT NO.:		SHT.	1 of 1

## AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This Agreement is made and entered into this 19th day of February, 2019, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and KCL Engineering, (Fed. I.D. # 39-2068155), 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 for the **Raccoon River Park Exterior Lighting Upgrade Assessment (Project No. 0510-033-2018)** 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 1. 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, pursuant to the Schedule of Fees set forth in Attachment A.

I. Basic Services of the Consultant	\$6,550
TOTAL	\$6,550

B. The Consultant shall invoice the City monthly for services, 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's 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: KCL Engineering  
Attn: Nick Johnson, PE  
Address: 300 4<sup>th</sup> Street  
City, State: West Des Moines, IA 50265

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: \_\_\_\_\_  
Name, Title

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

# ATTACHMENT 1

## SCOPE OF SERVICES

SEE ATTACHED SCOPE OF SERVICES

January 31, 2019

Marco Alvarez, PLA, ASLA  
City of West Des Moines  
Parks and Recreation Department  
4200 Mills Civic Pkwy | PO Box 65320  
West Des Moines, IA 50265

**SUBJECT:** Raccoon River Park – Lighting Upgrade Assessment

Dear Marco,

We are pleased to respond to your request regarding a lighting study for the subject project. We understand the project providing an assessment of the existing exterior lighting throughout the Raccoon River Park area and providing recommendations for future upgrades.

Our proposed scope of services includes the following:

Assessment Services

1. Verify existing conditions of site lighting and site lighting control. Building mounted lighting is excluded.
2. Provide recommendations for upgrading fixtures to LED sources.
3. Provide recommendations for upgrading control system.
4. Include a phasing plan to upgrade the lighting over a multi-year period.
5. Provide an opinion of probable cost for the lighting upgrades and illuminating a portion of the park that is currently unlit. Estimates to include to following areas:
  - a. Roadway/parking lot areas
  - b. Pedestrian pathway
  - c. Monument signage, sculptures, and flagpoles
  - d. Archery Range \*\*
  - e. Dog Park \*\*
  - f. A portion of the Trail area (specific areas to be further discussed with owner) \*\*

**\*\*Note:** For currently unlit areas, KCL will make assumptions based on a simple proposed layout to give the city a general idea of cost. Further design will be required to more accurately estimate the cost when scope is determined. This additional design is not included as part of this study.

General Assumptions

1. Zone maps, previous studies, and inventory spreadsheets will be provided to KCL by the City of West Des Moines.
2. The owner’s intent is to replace existing fixtures in same locations, reusing lighting poles where applicable.

CONSULTING ENGINEERS

Mechanical  
Electrical  
Plumbing  
Lighting  
Technology

Services Not Included in Proposal

1. Services, consultation, and/or field trips in excess of those indicated in the scope of services listed above.
2. Detailed lighting level calculations.
3. Detailed "take-off" cost estimating.
4. Energy Modeling or Life Cycle Cost Analysis.

Schedule

This study is anticipated to take 4-6 weeks to complete. However, given current weather conditions, study will likely not commence until the ground is clear of snow for accessing existing lighting and controllers. This study is expected to be complete by the end of April 2019, weather permitting.

Compensation

We propose to perform the above services based for a fixed fee of \$6,550. We do not anticipate asking for any reimbursable expenses. Label cost and shipping is detailed below. This proposal is subject to adjustment if there is a material change in the scope of the work.

Thank you for the invitation to submit this proposal. We look forward to the opportunity of serving you. If this proposal is acceptable, please sign at the space indicated below and return one copy to this office for our files. If there are any questions, please contact me.

Sincerely,

KCL Engineering, LLC



Nick Johnson, PE  
Associate | Senior Electrical Engineer

The undersigned, having read the foregoing letter of agreement between the City of West Des Moines and KCL Engineering LLC, agrees to the conditions set therein.

\_\_\_\_\_  
Authorized Signature  
City of West Des Moines

\_\_\_\_\_  
Date

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

**DATE:** February 19, 2019

**ITEM:** Motion – Approval of Professional Services Agreement – Holiday Park Signage Construction Documents

**FINANCIAL IMPACT:** Expense of \$23,980.00 to be paid from G/L account 500.000.000.5250.490. Funding will be covered out of available funds in the FY 17-18 CIP from the Park Signage Upgrade (Project No. 0510 094 2017).

**BACKGROUND:** A new sign and other entry improvements were installed at Holiday Park as part of previously constructed improvements at Holiday Park Baseball. These improvements were designed by Jeffrey L. Bruce & Company (JBC) and incorporated into the field improvement plans. JBC was then asked to prepare a signage master plan including conceptual design and illustrations for signage and wayfinding throughout the entire Holiday Park complex. This resulted in a family of signs including primary identification signs, destination arrival signs, directional signs and informational signage. Based upon the master plan, the scope of these services will be to refine signage plans and prepare bid documents for all levels of signage in Holiday Park. In addition, JBC will include design for other associated amenities at Girls Softball including a seat wall and dumpster enclosure. The agreement with JBC is attached along with their proposal and scope of services. The consultant was selected for this project due to their past experience on this project and experience in this type of work. The City retains professional consultants based on their past work experience, qualifications, and availability. City staff attempts to distribute professional services on an equitable basis to qualified firms maintaining local metropolitan area offices who have expressed interest in working for the City.

**OUTSTANDING ISSUES:** None

**RECOMMENDATION:** That the Council approve the agreement with JBC

**Lead Staff Member:** David Sadler, Superintendent of Parks 

**STAFF REVIEWS**

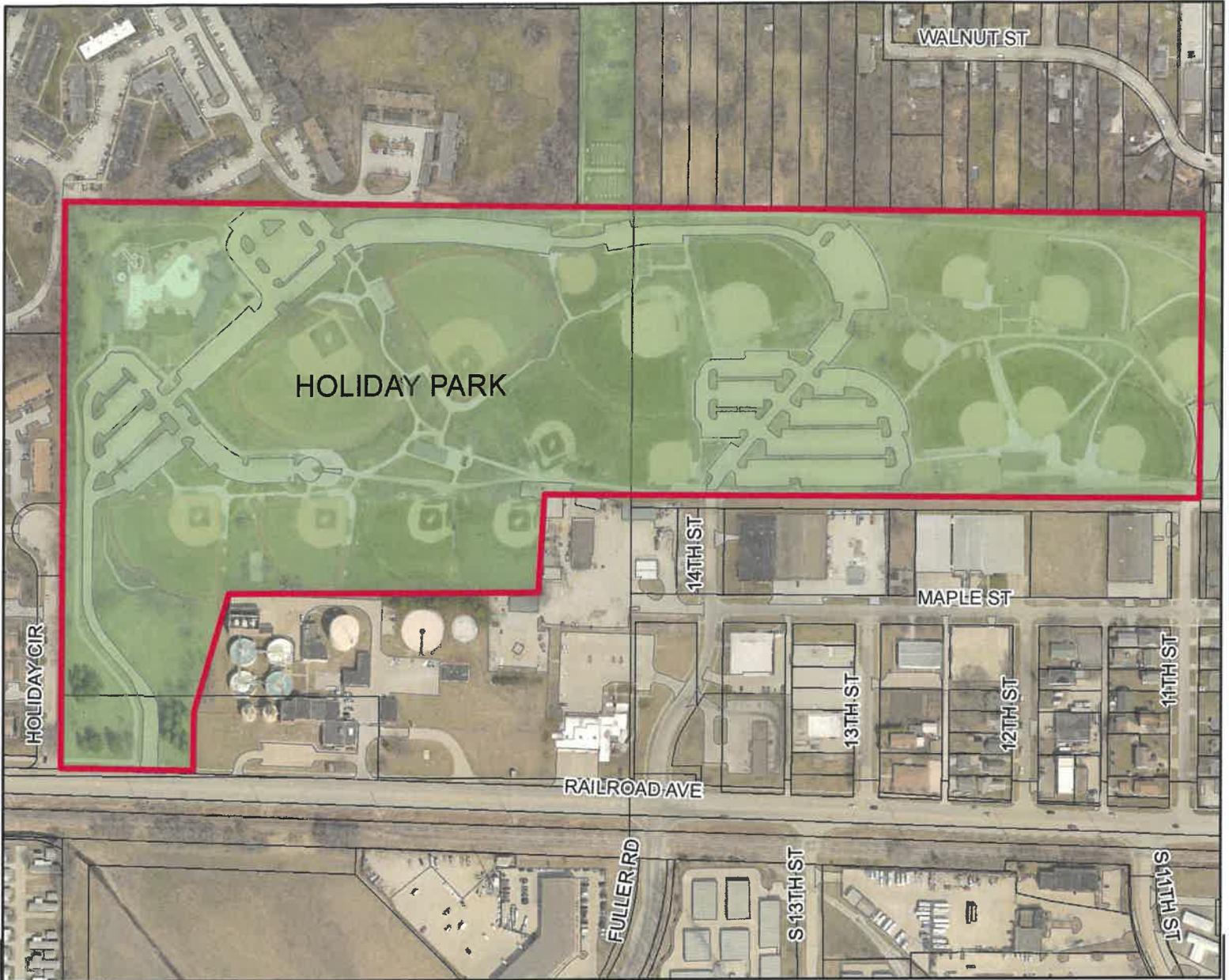
Department Director	Sally Ortgies, Director of Parks & Recreation 
Appropriations/Finance	Tim Stiles, Finance Director 
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split



**VICINITY MAP**

**LEGEND**



 Project Location



PROJECT:	<b>HOLIDAY PARK SIGNAGE - PROFESSIONAL SERVICES</b>		
LOCATION:	<b>1701 RAILROAD AVE</b>		
DRAWN BY:	<b>MAA</b>	DATE:	<b>3/15/2018</b>
		PROJECT NO.:	
			SHT. <b>1 of 1</b>

## AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This Agreement is made and entered into this 19th day of February, 2019, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and Jeffrey L. Bruce & Company, LLC, (Fed. I.D. # \_\_\_\_\_), 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 for the **Holiday Park Signage & Ancillary Improvements (Project No. 0510 XXX XXX)** 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 1. 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 FIXED-FEE sum, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in Attachment A.

I. Basic Services of the Consultant	\$22,980.00
Estimated Reimbursables	\$ 1,000.00
TOTAL	\$23,980.00

B. The Consultant shall invoice the City monthly for services, 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's 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: Jeffrey L. Bruce & Company, LLC  
Attn: Eric Doll, PLA  
Address: 300 4<sup>th</sup> Street  
City, State: West Des Moines, IA 50265

#### 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.
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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.

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Title to articles, paragraphs, and subparagraphs are for information purposes only and shall not be considered a substantive part of this Agreement.

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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: \_\_\_\_\_

Eric Dell, Landscape Architect

BY: \_\_\_\_\_

Ryan T. Jacobson, City Clerk

**ATTACHMENT 1**

**SCOPE OF SERVICES**

**SEE ATTACHED SCOPE OF SERVICES**

13 February 2019



Marco Alvarez, PLA, ASLA  
Park Planner  
Parks & Recreation Department  
City of West Des Moines, Iowa  
4200 Mills Civic Parkway  
West Des Moines, IA 50265

Re: Proposal for Bid Documents and Construction Administration for Holiday Park Signage and Ancillary Amenities  
West Des Moines, Iowa

Dear Mr. Alvarez:

Thank you for the opportunity to provide this proposal for professional services and the opportunity to continue to serve the City of West Des Moines Parks & Recreation. Jeffrey L. Bruce & Co. (JBC) is excited about the opportunity to further develop drawings in preparation for the implementation of way-finding signage at Holiday Park.

Based on our discussions throughout the Way-finding and Signage Master Plan process, we have prepared a scope of services and proposal describing and refining the work required to provide Bid Documents and Construction Administration for way-finding signage and ancillary site improvements at Holiday Park. As we understand the scope of work for this project, the JBC is prepared to enter into an agreement with your office to provide professional services as identified below for the project aspects for which JBC would be responsible for design and construction oversight of the signage and amenities.

## SCOPE OF WORK

Provide services as hereinafter described for design and preparation of Bid Documents followed by Construction Administration for the Signage and Ancillary Amenities at Holiday Park.

## SCOPE OF SERVICES

### Field Survey

- Perform and prepare a site topography survey for additional areas as needed along Railroad Avenue, Holiday Park Road (Loop), and the Softball Complex which will include the following specific information:
  - Provide spot elevations and/or utility infrastructure information in new areas and areas that were not clearly defined in the original survey of the property to ensure design is functional to the current site conditions.

- Provide spot elevations of chainlink fencing posts and parking lot islands and curbing around the proposed sign locations.
- Provide the location of the drip lines for the trees. Please provide spot elevations along the drip line determination of these trees to ensure that grading revisions meet the existing grades at the driplines.
- Survey information provided will be referenced to the City of West Des Moines datum.

### **Project Kick-Off and Additional Input Meeting**

- Attend one (1) project site visit / kick-off meeting to validate the recommended signage concept provided in the master plan, site conditions, and resolve issues of design direction, programming and coordination that will impact our design development phase of work.
- During this kick-off meeting visit, JBC will meet with Parks and Recreation staff, and other individuals and organizations as required to determine general existing conditions, project guidelines and goals for the project and future improvements. JBC will come prepared with questions relating to the project for this process based on previous Holiday Park Phases and experience on similar projects.
- The JBC Team will assemble findings and recommendations based on the meeting with Parks and Recreation and others and provide these as a basis of design for the construction documents preparation of the project. Specific details of the findings and recommendations will be presented as a means of testing and validating decisions reached. The design team will receive and record comments of participants pertinent to the final resolution of the signage recommendations.
- Based on the comments and feedback from these meetings, the JBC will coordinate with WDM Sign and Zoning Administration and prepare the documentation required for Minor Modification Approval through City of West Des Moines Development Services.
- Refine the Opinion of Probable Cost for the aspects of the work changed from the Master Plan. We will advise your office as design decisions or site conditions impact these costs.

### **Construction Documentation**

JBC will provide the following documentation, coordination and review to assist the design team in the preparation of construction documents:

- Facilitate and attend coordination/progress meetings at the Owners office (or via conference call) to review the project at 50% and 95% completion milestones.

- Update the Opinion of Probable Cost for the aspects of the work changed from the Master Plan. We will advise your office as design decisions or site conditions impact these costs.
- Prepare Final Signage and Ancillary Amenities construction drawings including:
  - Layout Plan for Signage and Amenities
  - Details for Signage and Amenities
  - Landscape Plan
  - Dumpster Enclosure Plan and Details
  - Plan and Details for Ancillary Seat Wall Elements at Softball Entrance
  - Final Quantities of Site Amenities
  - Final Opinion of Cost
- Separate specification subsections providing criteria for the purchase of equipment and materials. The subsections will comprise of the following subsections:
  - Non-Playing Field Landscaping
  - Site Masonry Features
  - Cast-in-Place Concrete for Walkways and/or Hardscape Areas
- Review of the construction documents developed for the facility by your office and the design team to determine if all design work critical to the operation of the improvements designed by JBC has been accomplished as necessary to produce the desired improvements. We will review and comment on the following front-end specification subsections:
  - Bidding Requirements
  - Bid Proposal Form
  - Contract Forms
  - Conditions of the Contract
  - Division 1 - General Requirements

### **Bidding & Negotiation Phase**

JBC will provide the following coordination and review to assist the design team during the bid negotiation phase. Work provided would include the following:

- Facilitate and attend one (1) Pre-Bid Meeting to be held at the project location to validate site conditions with the Bidders and help clarify the documents per questions from Bidders.
- Coordinate and communicate with the City of West Des Moines Parks and Recreation Department the Bidding Administration process as it relates to Addenda, RFI's and contractor questions. Our team will provide clarification or interpretation of the design team's plans.
- Provide a bid evaluation review matrix and present this information to the Owner for Contractor selection.
- Assist the Owner in the recommendation and pre-qualification of contractors and locally available materials and help coordinate the bid process review of competitive bids.

### **Construction Administration Phase**

The work provided by JBC will include the following:

- JBC will provide a minimum of five (5) site visits during the construction of the work to observe and assist the City of West Des Moines Parks and Recreation Department during the construction period as a part of this proposal for all aspects of the scope of work. These visits will be focused on the following:
  - Facilitate and attend a Pre-Construction Meeting and regular site meetings with the Contractor
  - Evaluate and observe any demolition, earthwork, and ground surface restoration
  - Monitor the construction of the signage elements
  - Preliminary Punch Site Visit
  - Final Punch Visit
- Evaluate completion of the Signage and Ancillary Site Improvements work for general compliance with the intent of the plans and specifications.
- Evaluate substitutions, RFI's, requests for proposals, change orders, payment applications by the Contractor and other applicable construction administration documents.
- Review, document and facilitate the submittal and shop drawing process with the Contractor.
- Prepare reports, memos, and letters to your office documenting progress meetings and on-site observations.

### **SERVICES NOT INCLUDED**

- Office or site visits: The proposed scope of services includes three (3) office visits during the design phase and a minimum of five (5) on-site construction observation visits. Services and reimbursable expenses for additional site or office visits will be billed as extra services.
- Design and Budget Changes: Any conceptual changes resulting in increased complexity or changes in design requiring rework once the documentation process has been authorized may be considered extra services.
- Electrical Design and Engineering: The proposed scope of services includes schematic lighting design for signage as needed. Any bidding documentation required for electrical and lighting improvements will be billed as extra services.

### **EXTRA SERVICES**

- We will identify services not included in our proposed scope of work if they are requested. We will advise your office of the impact on our work, and propose an increase to the fee amount before any work is undertaken that is outside our scope of services.
- Extra services will be provided on an hourly basis at the billing rates listed below, or the current hourly rates prevailing when services are rendered.
- Reimbursable expenses associated with extra services will be billed at direct cost.

### INFORMATION TO BE SUPPLIED BY OWNER

- Utilities -- water, sewer, gas, storm drainage, electricity, and telephone
- Existing hydraulic information, subsurface investigations and any other site-specific investigations.
- As-built drawings, specification, and/or construction plan of existing facility.

### FEES

Based on the complexity of the project and the amount of documentation anticipated for the Holiday Park Signage and Ancillary Amenities Improvements, JBC will provide the services described and in accordance with the completed Master Plan as a **Phased Fixed Fee of Twenty-Two Thousand Nine Hundred Eighty dollars (\$22,980.00)**. This proposal assumes an approximate budget of \$200,000.00 for phase one of the way-finding and signage elements, dumpster enclosure, and ancillary site improvements at the softball complex entrance.

#### Bid Documents and Construction Administration for Signage and Ancillary Amenities Improvements

Field Survey	\$ 3,300.00
Project Kick-Off/Additional Input Meeting*	\$ 4,245.00
Construction Documentation	\$ 9,262.00
Bidding	\$ 1,840.00
<u>Construction Administration</u>	<u>\$ 4,330.00</u>
<b>Total</b>	<b>\$ 22,980.00</b>

\* Task includes coordination with Sign and Zoning Administration and plan approval from WDM Development Services.

#### Estimated Reimbursable Expenses

Travel Costs, Printing (not including documents for bidding) **\$1,000.00**

- Billing for services will be based on a percent of completion of the phased fee.
- Travel
  - Reimbursable expenses listed below are not included in the fee totals and will be billed at direct cost.
  - Automobile mileage from the base office of the partner or staff member traveling will be billed at the prevailing federal rate, portal to portal.
  - Lodging, meals and other living expenses associated with out-of-town travel.
  - If the Per Diem amount is to be billed as a reimbursable expense for this project, that amount is \$50.00 per day.
  - Plotting, document scanning, reproduction and xerography.
  - Courier services, postage, and handling of documents

- Billing rates effective through 31 December 2019
  - Principal \$190.00/hr.
  - Senior Project Manager \$120.00/hr.
  - Project Landscape Architect \$ 85.00/hr.
  - Associate Landscape Architect \$ 70.00/hr.
  - Administrative \$ 60.00/hr.

## **PAYMENT**

- This proposal is contingent upon the following conditions relative to payment:
  - We will submit monthly invoices to your office.
  - Your office will submit our invoices for payment with your next regular billing cycle, or within 30 days, whichever is first.
  - Funds will be disbursed within 7 days of receipt of payment.
  - There will be no retention of funds due to us by either your office or your client.

## **SCHEDULE**

- The schedule as determined by your office shall be to Design the Signage and Ancillary Amenities in March - April of 2019 and bid the project in May of 2019. Construction would follow with an understanding that City funds aren't available until July 1, 2019.

## **INSURANCE**

- We currently maintain the following project related insurance:
  - General liability in the amount of \$1,000,000.00
  - Professional liability in the amount of \$2,000,000.00
  - Automobile liability in the amount of \$1,000,000.00
  - Workers compensation/employer liability amount of \$500,000.00
  - Certificates of insurance will be provided upon request.

## **LIMIT OF LIABILITY**

- In recognition of the relative risks, rewards and benefits of the project to both JBC and the City of West Des Moines, the risks have been allocated such that City of West Des Moines agrees that, to the fullest extent permitted by law, limit JBC's total liability to the City of West Des Moines for any and all injuries, claims, losses, expenses, damages or claims expenses arising out of this agreement from any cause or causes and shall not exceed the lesser of JBC's professional liability insurance coverage or the professional liability insurance coverage available at the time of the settlement or judgment. Such causes include, but are not limited to, JBC's negligence, errors, omissions, strict liability, breach of contract or breach of warranty

**CREDITS AND ACKNOWLEDGMENTS**

- Jeffrey L. Bruce & Company shall, where appropriate, be given credit and acknowledgment for signage consulting by your office, your agent, and/or your client in published articles and/or promotional brochures.

Please let me know if you require any further information.

Sincerely,



Eric Doll, PLA, ASLA  
Landscape Architect  
JEFFREY L. BRUCE & COMPANY LLC

**ACCEPTANCE:**

The undersigned hereby agrees to the terms and provisions of this agreement.

\_\_\_\_\_  
David Sadler, PLA, ASLA  
Superintendent of Parks  
City of West Des Moines, Iowa

\_\_\_\_\_  
Eric Doll, PLA, ASLA  
Landscape Architect  
Jeffrey L. Bruce & Company, LLC

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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

**DATE:** February 19, 2019

**ITEM:** Motion – Approval of Artist Agreement – Water Quality Temporary Artwork Proposal

**FINANCIAL IMPACT:** Cost not to exceed \$2,000 to be paid from budgeted funds in the Public Art account (437.400.470.5400.750).

**BACKGROUND:** Funds are budgeted for a temporary artwork installation with the theme of water quality awareness. It is customary to pay a fee for the creation of a proposal specific to a work of art prior to contracting for the artwork itself, and the attached agreement formalizes this process. Staff and the Public Arts Advisory Commission recommend that an agreement be entered into with artist Cliff Garten to prepare one proposal at a cost not to exceed \$1,000. The proposal will be reviewed by the project Work Group made up of members of the Commission and general public. If the proposal is not accepted, a second proposal may be requested for an additional \$1,000.

Mr. Garten is currently completing the permanent artwork, *Even Water*, to be installed in Raccoon River Park in August. Preliminary plans are for the temporary installation to take place on September 21 during Illumifest with the dedication of *Even Water* occurring that same weekend.

The attached agreement has been reviewed by the Legal Department.

**OUTSTANDING ISSUES:** None

**RECOMMENDATION:** Staff and the Public Arts Advisory Commission recommend that the City Council approve the agreement with Cliff Garten for the Water Quality Temporary Artwork Proposal.

**Lead Staff Member:** Sally Orgies, Director of Parks & Recreation

**STAFF REVIEWS**

Department Director	Sally Orgies, Director of Parks & Recreation
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			
Date Reviewed			
Recommendation	Yes	No	Split

## AGREEMENT BETWEEN ARTIST AND THE CITY OF WEST DES MOINES

THIS AGREEMENT is effective \_\_\_\_\_, by and between the City of West Des Moines, Iowa (WDM), having its principal offices at 4200 Mills Civic Parkway, West Des Moines, Iowa, and \_\_\_\_\_ (ARTIST), whose address is \_\_\_\_\_ . ARTIST agrees to prepare and present a Design Concept for a temporary artwork that brings awareness to the issue of water quality and will be deployed at Illumifest on September 21, 2019.

ARTIST agrees to the following obligations:

1. The Design Concept shall consist of a visual rendering, written description and budget/timeline information associated with ARTIST's proposed art project. The artwork must be designed to be temporary, tell a story about water in West Des Moines and act to increase awareness of the importance of water quality and the citizen's relationship to water, and take into account safety issues. ARTIST will retain copyright of all design materials produced by ARTIST as part of this project.
2. ARTIST agrees to allow WDM to retain ownership of preliminary renderings, models and other proposal materials if ARTIST is selected for commissioning. If ARTIST is not selected for commissioning, ownership of preliminary renderings, models and other proposal materials remain the property of the ARTIST.
3. ARTIST agrees to allow WDM and Forecast Public Art (FPA) to share materials submitted by ARTIST as part of the proposal review process.
4. ARTIST agrees to present the Design Concept with the WDM Selection Group on \_\_\_\_\_ (date), at a time to be scheduled. This presentation can take place via video call, rather than in-person.
5. It is understood that WDM in no way shall be considered an agent or sales representative for ARTIST.
6. ARTIST agrees to fill out and return a W9 form to WDM to qualify for payment (form to be provided to ARTIST with this Agreement).
7. If initial Design Concept is not approved by the Selection Group and WDM's Director of Parks and Recreation issues a written request to ARTIST, ARTIST may create a second Design Concept governed by the terms and conditions of this Agreement.

### *Payment*

8. ARTIST will be paid as follows: One thousand dollars (\$1,000.00) upon completion of the ARTIST's presentation at the presentation meeting on \_\_\_\_\_ (date). ARTIST must submit an invoice to WDM. Payment will be made within thirty (30) calendar days from receipt of ARTIST's invoice.

9. The payment is intended to cover costs associated with research, travel, design, budgeting and writing regarding the temporary artwork proposed by the ARTIST for the water quality awareness project, in conjunction with Illumifest, and for participating in a presentation with the Selection Group. If the performance of this Agreement involves the services of others or the furnishing of equipment, supplies, or materials by others, the ARTIST agrees to pay for the same in full.

#### *Insurance*

ARTIST understands and agrees that ARTIST shall have no right of coverage under any and all existing or future WDM comprehensive, self, or personal injury policies. ARTIST shall provide insurance coverage for and on behalf of ARTIST that will sufficiently protect ARTIST, including any agents, employees, or other personnel retained by ARTIST, in connection with the services or work which are to be provided by ARTIST pursuant to this Agreement, including protection from claims for bodily injury, death, property damage, and lost income. ARTIST shall provide any required workers' compensation insurance coverage for ARTIST and all ARTIST personnel.

#### *Independent Contractor*

ARTIST understands and agrees that the ARTIST and any agents, employees, or other personnel employed by ARTIST are not WDM employees. ARTIST shall be solely responsible for payment of salaries, wages, payroll taxes, unemployment benefits, or any other form of compensation or benefit to ARTIST or any of ARTIST's agents, employees, or other personnel performing the services or work or supplying equipment or materials specified herein, whether it be of a direct or indirect nature. Further in that regard, it is expressly understood and agreed that for such purposes neither ARTIST nor ARTIST'S agents, employees, or other personnel shall be entitled to any WDM payroll, insurance, unemployment, workers' compensation, retirement, or any other benefits whatsoever.

#### *Hold Harmless*

ARTIST shall indemnify, defend, and hold harmless WDM, its officers, agents, and employees from and against any and all loss, damage, injuries, claims, cause or causes of action, or any liability of any kind whatsoever resulting from, or arising out of, or in connection with the services/work or equipment/materials provided by ARTIST pursuant to this Agreement.

*Assignment*

ARTIST shall not assign or otherwise transfer this Agreement or any right or obligations therein without first receiving prior written consent of WDM.

*Suspension or Termination*

WDM may suspend or terminate this Agreement at any time if it is found that the ARTIST has violated any term or condition of this Agreement. In such case, the ARTIST shall have no claims against WDM except for the value of the work performed up to the date the Agreement is suspended or terminated, subject to the "Payment" provisions provided herein.

*Notices and Invoice*

Any notice to the parties required under this Agreement shall be in writing, delivered to the person designated below at the indicated address unless otherwise designated in writing.

CITY OF WEST DES MOINES:

City of West Des Moines  
Attn: Sally Ortgies  
4200 Mills Civic Pkwy.  
P.O. Box 65320  
West Des Moines, IA 50265

ARTIST:

Name: \_\_\_\_\_  
Attn: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Jurisdiction and Venue*

This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Iowa. Jurisdiction shall be in the Iowa District Court in and for Polk County.

(signature page to follow)

IN WITNESS WHEREOF, the parties have duly executed this Agreement effective as of the date first above written. Please print and sign two copies, retain one for your file, and return the other signed copy to WDM at the above address no later than \_\_\_\_\_  
(date).

\_\_\_\_\_  
ARTIST

STATE OF IOWA        )  
                                  ) SS  
COUNTY OF \_\_\_\_\_)

This record was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 2019, by  
\_\_\_\_\_  
(ARTIST)

\_\_\_\_\_  
NOTARY PUBLIC

CITY OF WEST DES MOINES, IOWA

\_\_\_\_\_  
Sally Ortgies, Superintendent of Parks

STATE OF IOWA        )  
                                  ) SS  
COUNTY OF \_\_\_\_\_)

On this \_\_\_ day of \_\_\_\_\_, 2019, before me, the undersigned, a Notary Public in and for the State of \_\_\_\_\_, personally appeared Sally Ortgies, who, being by me duly sworn, did say that she is the Superintendent of Parks of the City of West Des Moines, Iowa, a municipal corporation, and that she executed this record on behalf of the City of West Des Moines.

\_\_\_\_\_  
NOTARY PUBLIC

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

**ITEM:** Certification of Costs  
Abatement of Public Nuisance  
Multiple Locations

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** \$ 23,012.29 Revenue to Offset Direct City Expenses

**BACKGROUND:** Legal notice was given by the City of West Des Moines Code Enforcement Officer to the property owner requiring the owner to comply with the abatement of a nuisance or the City would be authorized to abate the nuisance at the expense of the owner. The following invoices for the cost of abating a nuisance remain unpaid:

Address	Type	Date(s)	Amount
721 RAILROAD AVE	REPAIR	04/18/18	\$ 848.31
616 14TH ST	TREE REMOVAL	04/20/18	\$ 3,262.48
1917 BUFFALO RD	WEEDS & DEBRIS	5/31/2018 & 7/1/18	\$ 1,538.00
228 3RD ST	WEEDS & DEBRIS	5/31/18, 7/25/18, 10/2/18	\$ 1,112.00
2391 SE 11TH ST	WEEDS & DEBRIS	06/09/18	\$ 1,032.50
5997 APPLEWOOD	WEEDS & DEBRIS	7/21/18 & 9/14/18	\$ 525.00
912 11TH ST	WEEDS & REPAIR	07/30/18	\$ 1,583.75
512 LOCUST ST	WEEDS	08/17/18	\$ 103.00
3401 GLENWOOD DR	WEEDS	8/24/18 & 10/12/18	\$ 830.00
2391 SCENIC VALLEY DR	WEEDS & DEBRIS	08/23/18	\$ 1,005.00
123 8TH ST	WEEDS	09/13/18	\$ 128.75
1115 LOCUST ST	WEEDS & DEBRIS	10/26/18	\$ 1,335.00
2416 RIDGEWOOD DR	WEEDS & DEBRIS	10/29/18	\$ 2,815.00
N/A	WEEDS	06/12/18	\$ 455.00
236 Overlook Ave	WEEDS	06/15/18	\$ 182.50
1274 S Harper Ct	WEEDS	09/11/18	\$ 455.00
W OF 84TH ST @ ASPEN	WEEDS	5/31/18 & 9/14/18	\$ 314.00
W OF 84TH ST @ ASPEN	WEEDS	5/31/18 & 9/14/18	\$ 293.50
4233 SE Orilla Rd	WEEDS & DEBRIS	6/8/18 & 7/17/18	\$ 5,193.50

**RECOMMENDATION:** Adoption of a Resolution directing that all costs be certified to the respective County Treasurer for collection.

**Lead Staff Member:** Bryan Ladd, Accounting Associate

**STAFF REVIEWS**

Department Director	Tim Stiles, Finance Director
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split



**NOTICE OF FILING OF  
ASSESSMENTS FOR NUISANCE ABATEMENT**

To the person owning land within the City of West Des Moines, Polk County, Iowa, particularly described as:

PARCEL # 320/04302-005-000	-EX W 2F EAS- & -EX BEG 2F E OF SW COR LT 10 THN N 11.86F SE 16.75F W 11.42F TO POB- LOTS 10 THRU 13 BLOCK 7 VALLEY JUNCTION
PARCEL # 320/03973-000-000	LOT 20 RALPHS PLACE
PARCEL # 320/02716-000-000	LOT 104 GOLF & COUNTRY CLUB PLAT 9
PARCEL # 320/04408-000-000	LOT 2 BLK 12 VALLEY JUNCTION
PARCEL # 320/00655-006-001	LT 6 & N 16.69F LT 7 BONNIE-LEA ACRES
PARCEL # 320/02826-197-769	-EX BEG 75.63F W OF NE COR THN SW63.44F N63.24F TO NW COR E 4.36F TO POB- LOT 14 JORDAN PARK VISTA
PARCEL # 320/00471-000-000	LOT 15 ASHMOORE PLACE PLAT 2
PARCEL # 320/04700-000-000	LOT 20 BLK 24 1ST ADD TO VALLEY JUNCTION
PARCEL # 320/04116-336-613	LOT 13 SCENIC VALLEY PLAT 3
PARCEL # 320/02792-234-008	LOT 8 HEATHERWOOD ESTS PLAT 7
PARCEL # 320/04307-000-000	LOT 15 BLK 7 VALLEY JUNCTION
PARCEL # 320/03581-000-000	-EX W 68F- LOT 19 & -EX E 30F N 220F- LOT 20 NUTTALL ACRES
PARCEL # 320/02724-663-000	LOT 13 GRAND WOODS PLAT 2

You are hereby notified the City of West Des Moines, on December 11, 2017, levied special assessments for the abatement of a public nuisance at the above described property and that said assessment has been certified to the Polk County Treasurer for collection.

You are further notified that assessments may be paid in full or in part without interest at the office of the Polk County Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period all unpaid assessments will draw annual interest computed at nine percent (commencing on the date the assessment was levied) computed to the December 1st next following the due date.

This Notice given by direction of the Council of the City of West Des Moines, Iowa.

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

Publish: February 22<sup>nd</sup> and March 1<sup>st</sup> 2019

## CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

**ITEM:** Resolution -- Financing Agreement between the City and West Des Moines Water Works for Water System Improvements

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** The City of WDM will front costs for certain water infrastructure projects associated with the Microsoft Osmium Data Center. As reimbursement for those project costs, West Des Moines Water Works (WDMWW) will remit to the City annually in January an amount equal to 50% of what they collect through the Raccoon River Water Connection Fee District in the prior calendar year, until such time as the improvements are fully reimbursed. This is a similar arrangement to financing of the infrastructure associated with Project Alluvion. Overall estimated cost of WDMWW-specific improvements is \$7,852,350.

A formal payment schedule is not available because payments are dependent on development. However, Project Osmium should generate a significant portion of the required reimbursement. The City is initially funding the roadway improvements through an advance from the General Fund and then through TIF funds associated with Project Osmium.

**BACKGROUND:** The proposed Finance Agreement details the repayment for water infrastructure improvements required to provide service to the Microsoft Osmium Data Center. The Microsoft Osmium project in the Raccoon River Water Connection Fee District area of West Des Moines requires development of treated water and additional infrastructure to serve the large seasonal demands of the data center. The required infrastructure to serve the data center includes a looped large diameter water main as well as the potential future construction of an Aquifer Storage and Recovery (ASR) system a pump station. The Finance Agreement details the financing responsibility for the water mains.

The proposed agreement defines the financial responsibilities for improvements, specifically assigning WDMWW responsibility for repayment of the costs benefitting the public water system, which at this time is the water main installation. WDMWW and City staff have negotiated the terms of the agreement and consider the content reasonable with appropriate allocation of responsibility for project costs.

The WDMWW will also be considering this agreement at its meeting of February 19, 2019.

**RECOMMENDATION:** Approve Resolution authorizing the Mayor and City Manager to execute the Finance Agreement with WDMWW on behalf of the City.

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

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	<b>Finance &amp; Administration</b>		
Date Reviewed	<b>January 23, 2019</b>		
Recommendation	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> Split

## RESOLUTION

### **APPROVING FINANCE AGREEMENT BETWEEN THE CITY OF WEST DES MOINES AND WEST DES MOINES WATER WORKS FOR WORK ASSOCIATED WITH THE MICROSOFT PROJECT OSMIUM WATER INFRASTRUCTURE EXPANSION**

WHEREAS, City and WDMWW (collectively the "Parties") desire to enter into an Agreement to define financial obligations for water related projects in order to upgrade the capacity of the potable water system and deliver said water at acceptable levels in support of industrial demands created by Microsoft Corporation's Project Osmium; and

WHEREAS, to meet known and future anticipated objectives, certain improvements including water main, river and interstate crossings and a future Aquifer Storage and Recovery (ASR) well within the WDMWW system must be designed and constructed; and

WHEREAS, the City desires to provide economic incentives in support of water delivery to current and future industrial development; and

WHEREAS, the parties desire to share in the cost of certain projects and proceed with necessary design, bidding and construction as provided herein; and

WHEREAS, in anticipation of required infrastructure expansion, WDMWW Board of Trustees adopted a Resolution Establishing the Raccoon River Water Connection Fee District (RRWCFD) in April, 2017. Establishment of a fee district provides for a per acre charge on development projects to fund the estimated cost of major water facilities to serve the defined district.

### **NOW, THEREFORE, BE IT RESOLVED BY THE WEST DES MOINES CITY COUNCIL AS FOLLOWS:**

That the Financing Agreement between the City of West Des Moines and West Des Moines Water Works for work associated with the Microsoft Project Osmium Infrastructure Expansion attached to this Resolution is hereby approved, and that the Mayor is authorized to execute the Financing Agreement on behalf of the City.

**PASSED AND APPROVED** this 19<sup>th</sup> day of February, 2019

---

Steven K. Gaer  
Mayor

Attest:

---

Ryan Jacobson  
City Clerk

FINANCE AGREEMENT BETWEEN THE CITY OF WEST DES MOINES AND WEST DES MOINES WATER WORKS FOR WORK ASSOCIATED WITH MICROSOFT PROJECT OSMIUM INFRASTRUCTURE EXPANSION 2018/2019 THIS AGREEMENT (hereinafter "Agreement") made and entered into by and among the CITY OF WEST DES MOINES ("City") and BOARD OF TRUSTEES OF THE WEST DES MOINES WATER WORKS ("WDMWW") as of the dates set forth below.

## PREAMBLE

### WITNESSETH:

WHEREAS, City and WDMWW (collectively "Parties") desire to enter into an Agreement to define financial obligations for water related projects hereinafter described in order to upgrade the capacity of the potable water system and deliver said water at acceptable pressures and flows in support of industrial demands created by Microsoft Corporation's Project Osmium which requires the redundant delivery of large volumes of potable water on a seasonal basis; and

WHEREAS, to meet known and future anticipated objectives in providing necessary water service, certain improvements including water main, river and interstate crossings and a future Aquifer Storage and Recovery (ASR) well within the WDMWW system must be designed and constructed; and

WHEREAS, the City desires to provide economic incentives in support of water delivery to current and future industrial development; and

WHEREAS, the parties desire to share in the cost of certain projects and proceed with necessary design, bidding and construction as provided herein; and

WHEREAS, in anticipation of required infrastructure expansion, WDMWW Board of Trustees adopted a Resolution Establishing the Raccoon River Water Connection Fee District (RRWCFD) in April, 2017. Establishment of a fee district provides for a per acre charge on development projects to fund the estimated cost of major water facilities to serve the defined district.

NOW THEREFORE, in consideration of the mutual undertakings hereby provided, the parties hereby agree as follows:

### Part I – Responsibility of Project Costs

1. Project Components Eligible for Reimbursement. City agrees to pay the entirety of costs associated with water improvements and receive reimbursement by WDMWW for the design and construction costs associated with the certain water infrastructure as outlined in Part I, Section 2 and Part III, Section 1.

2. Reimbursable Infrastructure. Infrastructure eligible for reimbursement by WDMWW shall include 24 inch diameter water main, associated river and interstate crossings, hydrants, valves and other necessary water appurtenances along alignment within the RRWCFD shown in Exhibit A and/or constructed as part of the City of West Des Moines Projects listed in Exhibit B.
3. Aquifer Storage and Recovery Well. The large, seasonal demand expected by Project Osmium will be handled through construction of an Aquifer Storage and Recovery (ASR) well or similar storage infrastructure. City shall be responsible for full payment of design, construction, utility work, laboratory analysis, cycle testing, and treatment of discharge until the well is in full operation and incorporated into the public distribution system.

### **Part II – Responsibilities of Improvement Construction, Ownership and Operation**

1. Project Responsibility – Water Main. City agrees to coordinate design and construction of necessary water main infrastructure within planned sewer, fiber and road projects to provide timely service to Project Osmium. WDMWW shall provide construction inspection and concur with City prior to project acceptance and issuance of final contract payments.
2. Project Responsibility – ASR. The ASR site, design and construction shall be coordinated between the City and WDMWW. City shall be responsible to provide adequate land for initial construction and future operation and maintenance of the facility. WDMWW shall have the final authorization of location, size of parcel, schedule, design and selection of consultants. WDMWW shall be responsible for management of the project and coordination with various agencies, including Iowa Department of Natural Resources and Environmental Protection Agency.
3. Operation and Maintenance. Upon completion of the water main and ASR facilities, WDMWW shall operate and maintain the infrastructure as part of the municipal water system.
4. Ownership of Completed Improvements. WDMWW will be the sole owner of the water main and ASR facilities. Upon completion of each improvement within the overall Microsoft Project Osmium, and the City's acceptance of each project, WDMWW will accept the assets into the WDMWW system.

### **Part III – Terms of Repayment**

1. Reimbursement Amount. Reimbursement for design and engineering services shall be based on the prorata share of eligible water infrastructure over total project cost. Reimbursement for

water infrastructure construction as identified in Part I, Section 2 shall include 100% of the final accepted project construction costs, including awarded bid amounts and WDMWW authorized change orders. Construction line items necessary for both City and WDMWW project portions (e.g. traffic control, seeding, erosion control, etc.) shall be shared on a prorata basis, similar to design and engineering services.

2. Responsibility of City. Upon final acceptance of each project eligible for reimbursement, as determined under Part I, Section 2, City is responsible to provide WDMWW evidence of total cost of work, including a copy of the awarded design and construction contracts, individual pay requests, change orders and as-constructed record drawings. City shall calculate each project's reimbursable amount and provide to WDMWW for review and concurrence. Upon the final acceptance of all eligible project work, City shall develop and provide to WDMWW a net balance of reimbursable project expenses.
3. Responsibility of WDMWW. Upon receipt from City of the net balance of reimbursable project expenses, WDMWW shall convert the amount to an equivalent number of developable acres based on the per acre fee in effect at the time the Project Osmium work is completed and the net balance of project expenses is calculated. Unless otherwise agreed, the date for each individual project will be the date of acceptance by the City Council. WDMWW shall be responsible to pay the City and keep record of the remaining equivalent reimbursable acres as described in Part III, Section 4. Payments shall be made by WDMWW until the equivalent reimbursable acres are paid in full.
4. Method of Reimbursement. In January of each year WDMWW will calculate the total RRWCFD acres developed during the previous calendar year and shall pass 50% of the fees collected at the rate in effect at time the fee was collected to the City. If no RRWCFD acres are developed within a calendar year, no funds shall be passed through to City during that calendar year period.
5. Reimbursement Considerations. No Payment Schedule will be developed due to the nature of the reimbursement agreement. WDMWW Board of Trustees has the discretion to make payment to City in addition to the RRWCFD fees collected without penalty. Revenue collected by WDMWW from other Connection Fee Districts will not be applied to reimbursement as part of this agreement.

#### **Part IV – General Provisions**

1. Notices and Invoices. All notices, project documents, balances, revisions and payments shall be in writing and may be personally delivered or sent US Post to the addresses hereafter provided. Mailed notices, payments or other correspondence shall be deemed received by

the party to whom directed when they are postmarked. Such notices, payments and other correspondence shall be delivered or mailed to the following persons at the addresses listed:

Notices to City:

City Manager  
City of West Des Moines  
PO Box 65320  
4200 Mills Civic Parkway  
West Des Moines, IA 50265-0320

Notices to WDMWW:

General Manager  
West Des Moines Water Works  
1505 Railroad Avenue  
West Des Moines, IA 50265

2. Payment. Annual reimbursement to the City shall be made after approval by the WDMWW Board of Trustees at the regularly scheduled meeting held in January. Payment shall be made by check and personally delivered to the City Manager or designated alternate within seven (7) calendar days of the approval.

**CITY OF WEST DES MOINES, IOWA**  
**an Iowa municipality**

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

ATTEST:

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

COUNTY OF POLK     )  
  ) ss  
STATE OF IOWA     )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me a Notary Public in and for said County, personally appeared Steven K. Gaer and Ryan T. Jacobson to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively of the City of West Des Moines, Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council as contained in the Resolution adopted under Roll Call No. 19-\_\_\_\_\_, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

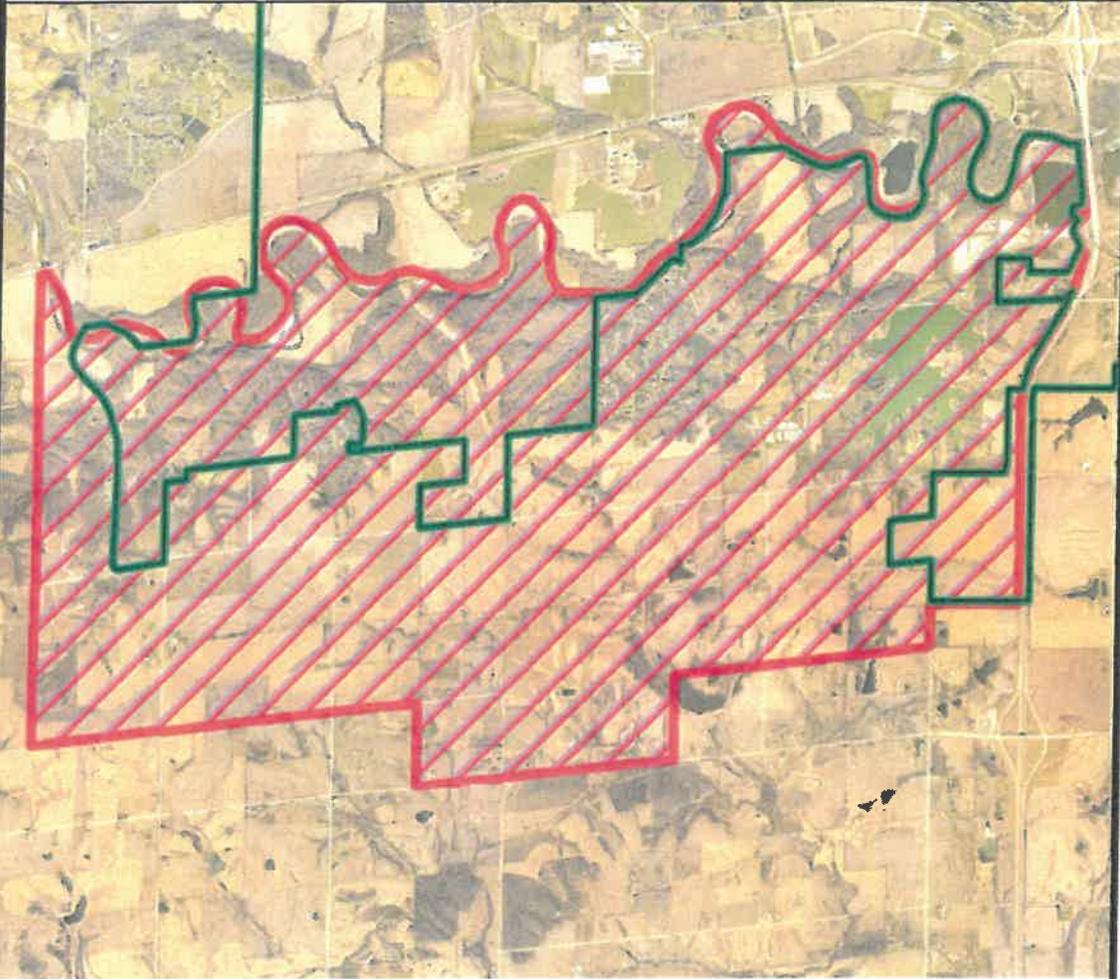
\_\_\_\_\_  
Notary for the State of Iowa



Exhibit A

**Exhibit A  
Raccoon River Fee District**

WDMWW Resolution 0417-1



**Legend**

-  West Des Moines Corporate Limit
-  Raccoon River Fee District



**Exhibit B**

*Osmium Projects with WDMWW Payment Responsibility*

- 0510-062-2015 – South Grand Prairie Parkway – SE Madison Avenue to Raccoon River Drive
- 0510-007-2017 – Veterans Parkway – SE Maffitt Lake Road to Adams Street
- 0510-008-2017 – Veterans Parkway – Alluvion TIF Boundary to SE 50<sup>th</sup> Street
- 0510-009-2017 – Veterans Parkway – SE 50<sup>th</sup> Street to SW 60<sup>th</sup> Street
- 0510-010-2017 – Veterans Parkway – SW 60<sup>th</sup> Street to SW Wild Rose Lane
- 0510-012-2017 – SW Grand Prairie Parkway – Veterans Parkway to SE Madison Avenue
- 0510-047-2017 – Veterans Parkway over I-35 Approx 1.25 Miles N. of Co Rd G14

*Osmium Projects with No WDMWW Payment Responsibility*

- 0510-011-2017 – Veterans Parkway – Grand Prairie Parkway to Wild Rose Lane (no water infrastructure)
- 0510-013-2017 – SW 60<sup>th</sup> Street Paving
- 0510-014-2017 – SW 60<sup>th</sup> Street, SE 50<sup>th</sup> Street and SE/SW Adams Street
- 0510-015-2017 – Middle Creek Trunk Sewer Extension

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

**4(l)1**

**DATE: February 19, 2019**

**ITEM:**

Resolution - Ordering Construction  
Ashworth Road Reconstruction – I-80 Bridge to 98th Street

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost for Ashworth Road Reconstruction – I-80 Bridge to 98th Street is \$2,379,061.00. Payments will be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from Road Use Tax and Ashworth Road TIF. The City of Waukee has verbally committed to reimbursing the City of West Des Moines for approximately 35%-40% of the total project costs (approximately \$1.23M of \$3.28M estimated total project cost) to reconstruct Ashworth Road. Reimbursements would be divided equally over five (5) years starting in FY 19-20. City Staff are currently drafting an Agreement for review and consideration by the City of Waukee.

**BACKGROUND:**

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, March 13, 2019 and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, March 18, 2019. The contract would be awarded on Monday, March 18, 2019 and work will begin shortly thereafter.

The project will consist of the reconstruction of Ashworth Road from an existing two-lane rural roadway to a four-lane urban undivided roadway with a two-way left turn lane from just west of the I-80 bridge to 98th Street. The project also includes grading, storm sewer, paving, multi-use trail, and other miscellaneous work. The 98th Street & Ashworth Road intersection is anticipated to be closed to traffic prior to the end of the 2018-19 school year, but will be scheduled to be re-opened in time for the start of the 2019-20 school year. The project is anticipated to be completed by September 30, 2019.

Maple Grove United Methodist Church dedicated the right-of-way and temporary construction easements necessary for the reconstruction of Ashworth Road and has plans to relocate the existing church from its current location by the end of March 2019.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Ordering Construction of Ashworth Road Reconstruction – I-80 Bridge to 98th Street.
- Fixing 2:00 p.m. on Wednesday, March 13, 2019 as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer *BJH*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
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:

**Ashworth Road Reconstruction – I-80 Bridge to 98th Street  
Project No. 0510-074-2017**

is hereby ordered to be constructed according to the Plans and Specifications prepared by McClure Engineering Company of Clive, Iowa and now on file in the office of the 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 the 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, March 18, 2019 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, March 13, 2019.

**BE IT FURTHER RESOLVED**, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, March 13, 2019 and the results of said bids shall be considered at a meeting of this Council on Monday, March 18, 2019 at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

**PASSED AND APPROVED** on this **19th** day of **February, 2019**.

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

ATTEST:

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



**Ashworth Road - I-80 to 98th Street**  
**City Proj. No. 0510-074-2017**  
**Preliminary Opinion of Probable Cost**  
**West Des Moines, Iowa**  
**February 11, 2019**



Item No.	Item Code	Item	Unit	Unit Price	City of West Des Moines		City of Waukegan		Total Cost
					Quantity	Cost	Quantity	Cost	
2.01	2010-105-B-0	SECTION 2010 - EARTHWORK, SUBGRADE, AND SUBBASE	AC	\$ 8,000.00	4.8	\$ 39,200.00	2.8	\$ 20,800.00	\$ 60,000.00
2.02	2010-106-D-1	CLEARING AND GRUBBING	CY	\$ 10.00	5240	\$ 52,400.00	3010	\$ 30,100.00	\$ 82,500.00
2.03	2010-105-E-0	TOPSOIL ON-SITE	CY	\$ 6.00	8000	\$ 48,000.00	4500	\$ 27,000.00	\$ 75,000.00
2.04	2010-000-0-0	EXCAVATION, CLASS 10, CLASS 12, OR CLASS 13	CY	\$ 20.00	1600	\$ 32,000.00	4100	\$ 82,000.00	\$ 114,000.00
2.05	2010-105-F-0	EMBANMENT IN PLACE - CONTRACTOR SUPPLY AND PLACE	CY	\$ 6.00	670	\$ 4,020.00	330	\$ 1,980.00	\$ 6,000.00
2.06	2010-105-G-0	BELOW GRADE EXCAVATION (CORE OUT)	SY	\$ 3.00	10968	\$ 32,904.00	5435	\$ 16,305.00	\$ 49,209.00
2.07	2010-106-H-0	SUBGRADE PREPARATION	SY	\$ 12.00	2670	\$ 32,040.00	1330	\$ 15,960.00	\$ 48,000.00
2.08	2010-106-I-0	SUBGRADE TREATMENT, FLY ASH	SY	\$ 10.00	9285	\$ 92,850.00	5135	\$ 51,350.00	\$ 144,000.00
2.09	2010-108-J-0	SUBBASE, GRANULAR SUBBASE, 4 IN.	LF	\$ 25.00	253	\$ 6,325.00	177	\$ 4,425.00	\$ 10,750.00
3.01	3010-108-C-0	REMOVAL OF KNOWN PIPE CULVERT, CMP, LESS THAN OR EQUAL TO 36 IN. DIA.	TON	\$ 40.00	55	\$ 2,200.00	45	\$ 1,800.00	\$ 4,000.00
3.02	3010-108-D-0	SECTION 3010 - TRENCH EXCAVATION AND BACKFILL	CY	\$ 10.00	130	\$ 1,300.00	120	\$ 1,200.00	\$ 2,500.00
4.01	4020-105-A-1	TRENCH FOUNDATION	EA	\$ 1,500.00	1	\$ 1,500.00			\$ 1,500.00
4.02	4020-105-A-1	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	EA	\$ 3,000.00	1	\$ 3,000.00	1	\$ 3,000.00	\$ 6,000.00
4.03	4020-105-A-1	SECTION 4020 - STORM SEWERS	EA	\$ 900.00	1	\$ 900.00			\$ 900.00
4.04	4020-105-A-1	STORM SEWER, TRENCHED, RCP, 15 IN. DIA.	LF	\$ 65.00	308	\$ 20,020.00	522	\$ 33,930.00	\$ 53,950.00
4.05	4030-105-B-0	STORM SEWER, TRENCHED, RCP, 18 IN. DIA.	LF	\$ 70.00	392	\$ 27,440.00	382	\$ 27,440.00	\$ 54,880.00
4.06	4030-105-B-0	STORM SEWER, TRENCHED, RCP, 24 IN. DIA.	LF	\$ 85.00	211	\$ 17,995.00	124	\$ 10,540.00	\$ 28,475.00
4.07	4030-105-C-0	STORM SEWER, TRENCHED, RCP, 42 IN. DIA.	LF	\$ 160.00	134	\$ 21,440.00	143	\$ 22,880.00	\$ 44,320.00
4.08	4030-105-D-0	SECTION 4030 - PIPE CULVERTS	EA	\$ 1,500.00	1	\$ 1,500.00			\$ 1,500.00
4.09	4040-105-A-0	PIPE APRON, RCP, 24 IN. DIA.	EA	\$ 3,000.00	1	\$ 3,000.00			\$ 3,000.00
4.10	4040-105-A-0	PIPE APRON, RCP, 42 IN. DIA.	EA	\$ 900.00	1	\$ 900.00			\$ 900.00
4.11	4040-105-A-0	FOOTING FOR CONCRETE PIPE APRON, RCP, 24 IN. DIA.	EA	\$ 1,000.00	1	\$ 1,000.00			\$ 1,000.00
4.12	4040-105-B-0	FOOTING FOR CONCRETE PIPE APRON, RCP, 42 IN. DIA.	EA	\$ 1,000.00	1	\$ 1,000.00			\$ 1,000.00
4.13	4040-105-D-0	PIPE APRON GUARD	EA	\$ 2,000.00	2	\$ 4,000.00			\$ 4,000.00
5.01	5010-105-A-1	SECTION 4040 - SUBDRAINS AND FOOTING DRAIN COLLECTORS	EA	\$ 400.00	1	\$ 400.00			\$ 400.00
5.02	5010-105-A-1	SUBDRAIN, CASE A - TYPE 1, 6 IN. DIA.	LF	\$ 12.00	1560	\$ 18,720.00	608	\$ 7,296.00	\$ 26,016.00
5.03	5010-105-A-0	SUBDRAIN CLEANOUT, TYPE A-1, 6 IN. DIA.	EA	\$ 750.00	5	\$ 3,750.00			\$ 3,750.00
5.04	5010-105-B-0	SUBDRAIN OUTLETS AND CONNECTIONS, INTAKE OR MANHOLE, CMP, 6 IN. DIA.	EA	\$ 400.00	7	\$ 2,800.00	3	\$ 1,200.00	\$ 4,000.00
5.05	5020-105-A-0	SUBDRAIN OUTLETS AND CONNECTIONS, OUTLET TO DITCH	EA	\$ 400.00	1	\$ 400.00			\$ 400.00
5.06	5020-105-B-0	SECTION 5010 - PIPE AND FITTINGS	EA	\$ 30.00	500	\$ 15,000.00			\$ 15,000.00
6.01	6010-105-A-0	WATER MAIN, TRENCHED, PVC, 3 IN. DIA.	LF	\$ 20.00	250	\$ 5,000.00	250	\$ 5,000.00	\$ 10,000.00
6.02	6010-105-B-0	WATER SERVICE PIPE	EA	\$ 1,000.00	1	\$ 1,000.00	1	\$ 1,000.00	\$ 2,000.00
6.03	6010-105-B-0	WATER METER PIT	EA	\$ 200.00	10	\$ 2,000.00	2	\$ 400.00	\$ 2,400.00
6.04	6010-105-B-0	SECTION 5020 - VALVES, FIRE HYDRANTS, AND APPURTENANCES	EA	\$ 500.00	1	\$ 500.00			\$ 500.00
6.05	6010-105-B-0	BLOWOFF ADJUSTMENT	EA	\$ 500.00	1	\$ 500.00			\$ 500.00
6.06	6010-105-B-0	SECTION 6010 - STRUCTURES FOR SANITARY AND STORM SEWERS	EA	\$ 8,000.00	0.5	\$ 4,000.00	0.5	\$ 4,000.00	\$ 8,000.00
6.07	6010-105-B-0	MANHOLE TYPE SW-401, 72 IN. DIA.	EA	\$ 4,000.00	2	\$ 8,000.00	1	\$ 4,000.00	\$ 12,000.00
6.08	6010-105-B-0	INTAKE TYPE SW-501	EA	\$ 6,000.00	2	\$ 12,000.00	1	\$ 6,000.00	\$ 18,000.00
6.09	6010-105-B-0	INTAKE TYPE SW-503	EA	\$ 6,000.00	3	\$ 18,000.00	2	\$ 12,000.00	\$ 30,000.00
6.10	6010-105-B-0	INTAKE TYPE SW-505	EA	\$ 8,000.00	2.5	\$ 20,000.00	1.5	\$ 12,000.00	\$ 32,000.00
6.11	6010-105-B-0	INTAKE TYPE SW-506	EA	\$ 15,000.00	0.5	\$ 7,500.00	0.5	\$ 7,500.00	\$ 15,000.00
6.12	6010-105-B-0	INTAKE TYPE SW-512, 24 IN. DIA.	EA	\$ 2,000.00	1	\$ 2,000.00	2	\$ 4,000.00	\$ 6,000.00
6.13	6010-105-F-0	MANHOLE ADJUSTMENT, MAJOR	EA	\$ 3,000.00	1	\$ 3,000.00	1	\$ 3,000.00	\$ 6,000.00
7.01	7010-105-A-0	SECTION 7010 - PORTLAND CEMENT CONCRETE PAVEMENT	SY	\$ 50.00	8707	\$ 435,350.00	4823	\$ 241,150.00	\$ 676,500.00
7.02	7010-105-A-0	PAVEMENT, PCC, 9 1/2 IN. REINFORCED	SY	\$ 70.00	808	\$ 56,560.00	258	\$ 18,060.00	\$ 74,620.00
7.03	7010-105-I-0	PCC PAVEMENT SAMPLES AND TESTING	LS	\$ 10,000.00	0.85	\$ 8,500.00	0.35	\$ 3,500.00	\$ 12,000.00
7.04	7030-105-A-0	SECTION 7030 - SIDEWALKS, SHARED USED PATHS, AND DRIVEWAYS	SY	\$ 12.00	638	\$ 7,656.00	469	\$ 5,628.00	\$ 13,284.00
7.05	7030-105-C-0	REMOVAL OF DRIVEWAY	SY	\$ 40.00	1870	\$ 74,800.00			\$ 74,800.00
7.06	7030-105-D-0	SHARED USE PATH, PCC, 6 IN. REINFORCED	SY	\$ 3.00	2244	\$ 6,732.00			\$ 6,732.00
7.07	7030-105-G-0	SPECIAL SUBGRADE PREPARATION FOR SHARED USE PATH	SY	\$ 50.00	20	\$ 1,000.00			\$ 1,000.00
7.08	7030-105-G-0	DETECTABLE WARNING	SY	\$ 50.00	606	\$ 30,300.00	625	\$ 31,250.00	\$ 61,550.00
7.09	7030-105-G-0	DRIVEWAY, PAVED, PCC, 6 IN.	SY	\$ 50.00	114	\$ 5,700.00			\$ 5,700.00
7.10	7030-105-H-2	DRIVEWAY, PAVED, PCC, 6 IN. REINFORCED	TON	\$ 35.00	25	\$ 875.00	25	\$ 875.00	\$ 1,750.00
7.11	7030-105-0-0	DRIVEWAY, GRANULAR	TON	\$ 35.00	275	\$ 9,625.00			\$ 9,625.00

7.12	7030-108-0-0	DRIVEWAY, GRANULAR (TEMPORARY ACCESS)	TON	\$	40.00	1100	\$	44,000.00	800	\$	32,000.00	1900	\$	76,000.00
7.13	7030-108-0-0	GRANULAR SHOULDER	TON	\$	40.00	157	\$	6,280.00	43	\$	1,720.00	200	\$	8,000.00
7.14	7040-108-H-0	PAVEMENT REHABILITATION	SY	\$	10.00	3250	\$	32,500.00	2550	\$	25,500.00	5820	\$	58,200.00
8.01	8020-108-B-0	PAVEMENT MARKINGS	STA	\$	50.00	76	\$	3,800.00	33	\$	1,650.00	109	\$	5,450.00
8.02	8020-108-G-0	PAINTED PAVEMENT MARKINGS, SOLVENT/WATERBORNE	EA	\$	150.00	8	\$	1,200.00	2	\$	300.00	10	\$	1,500.00
8.03	8030-108-A-0	SECTION 8030 - TEMPORARY TRAFFIC CONTROL	LS	\$	100,000.00	0.85	\$	85,000.00	0.35	\$	35,000.00	1	\$	100,000.00
8.04	8030-108-0-0	TEMPORARY TRAFFIC CONTROL	LF	\$	10.00	40	\$	400.00	180	\$	1,800.00	200	\$	2,000.00
8.05	8030-108-0-0	SAFETY FENCE	DAY	\$	200.00	13	\$	2,600.00	7	\$	1,400.00	20	\$	4,000.00
8.06	8030-108-0-0	CHANGEABLE MESSAGE SIGN	LS	\$	2,500.00	0.48	\$	1,150.00	0.54	\$	1,350.00	1	\$	2,500.00
8.06	8030-108-0-0	PERMANENT SIGNING	LS	\$	2,500.00	0.48	\$	1,150.00	0.54	\$	1,350.00	1	\$	2,500.00
9.01	9010-108-A-0	SECTION 9010 - SEEDING	AC	\$	1,000.00	3	\$	3,000.00	2	\$	2,000.00	5	\$	5,000.00
9.02	9010-108-B-0	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING - URBAN TEMP. EROSION CONTROL MIXTURE	AC	\$	3,500.00	6	\$	21,000.00	4	\$	14,000.00	10	\$	35,000.00
9.03	9040-108-A-1	SECTION 9040 - EROSION AND SEDIMENT CONTROL	LS	\$	2,000.00	0.65	\$	1,300.00	0.35	\$	700.00	1	\$	2,000.00
9.04	9040-108-A-2	SWPPP PREPARATION	LS	\$	5,000.00	0.85	\$	3,250.00	0.35	\$	1,750.00	1	\$	5,000.00
9.05	9040-108-D-1	SWPPP MANAGEMENT	LF	\$	2.00	3000	\$	6,000.00	1500	\$	3,000.00	4500	\$	9,000.00
9.06	9040-108-D-2	FILTER SOCK, 8 IN. DIA.	LF	\$	0.50	3000	\$	1,500.00	1500	\$	750.00	4500	\$	2,250.00
9.07	9040-108-E-0	FILTER SOCK, REMOVAL	SQ	\$	10.00	150	\$	1,500.00	250	\$	2,500.00	400	\$	4,000.00
9.08	9040-108-J-0	TEMPORARY RECP, TYPE 2.C	TON	\$	60.00	35	\$	2,100.00	100	\$	6,000.00	135	\$	8,100.00
9.09	9040-108-J-0	RIP RAP, CLASS D REVETMENT	TON	\$	50.00	30	\$	1,500.00	35	\$	1,750.00	85	\$	3,250.00
9.10	9040-108-N-1	RIP RAP, EROSION STONE	LF	\$	1.50	3000	\$	4,500.00	1500	\$	2,250.00	4500	\$	6,750.00
9.11	9040-108-N-2	SILT FENCE OR SILT FENCE DITCH CHECK	LF	\$	0.25	3000	\$	750.00	1500	\$	375.00	4500	\$	1,125.00
9.12	9040-108-N-3	SILT FENCE OR SILT FENCE DITCH CHECK, REMOVAL OF SEDIMENT	LF	\$	0.25	3000	\$	750.00	1500	\$	375.00	4500	\$	1,125.00
9.13	9040-108-Q-2	STABILIZED CONSTRUCTION ENTRANCE	TON	\$	50.00	100	\$	5,000.00	100	\$	5,000.00	200	\$	10,000.00
9.14	9040-108-Q-2	EROSION CONTROL MULCHING, HYDROMULCHING	AC	\$	1,500.00	6	\$	9,000.00	4	\$	6,000.00	10	\$	15,000.00
9.15	9040-108-T-1	INLET PROTECTION DEVICE, DROP-IN INTAKE PROTECTION	EA	\$	150.00	10	\$	1,500.00	6	\$	900.00	16	\$	2,400.00
9.16	9040-108-T-2	INLET PROTECTION DEVICE, MAINTENANCE	EA	\$	50.00	10	\$	500.00	6	\$	300.00	16	\$	800.00
9.17	9040-108-0-0	STREET SWEEPING	EA	\$	250.00	13	\$	3,250.00	7	\$	1,750.00	20	\$	5,000.00
11.01	11010-108-A-0	SECTION 11010 - CONSTRUCTION SURVEY	LS	\$	25,000.00	0.85	\$	16,250.00	0.35	\$	8,750.00	1	\$	25,000.00
11.02	11010-108-B-0	CONSTRUCTION SURVEY	LS	\$	5,000.00	0.85	\$	3,250.00	0.35	\$	1,750.00	1	\$	5,000.00
11.03	11030-108-A-0	MONUMENT PRESERVATION AND REPLACEMENT	LS	\$	5,000.00	0.375	\$	1,875.00	0.625	\$	3,125.00	1	\$	5,000.00
11.04	11030-108-B-0	SECTION 11030 - TEMPORARY SERVICES DURING CONSTRUCTION	LS	\$	5,000.00	3	\$	15,000.00	5	\$	25,000.00	8	\$	40,000.00
11.05	11030-108-0-0	MAINTENANCE OF SOLID WASTE COLLECTION	EA	\$	500.00	0.375	\$	187.50	0.625	\$	312.50	1	\$	500.00
11.06	11050-108-A-0	REMOVE AND REPLACE MAILBOX	EA	\$	500.00	0.375	\$	187.50	0.625	\$	312.50	1	\$	500.00
		SECTION 11050 - CONCRETE WASHOUT	LS	\$	15,000.00	0.65	\$	9,750.00	0.35	\$	5,250.00	1	\$	15,000.00
		CONCRETE WASHOUT	LS	\$	15,000.00	0.65	\$	9,750.00	0.35	\$	5,250.00	1	\$	15,000.00
		<b>TOTAL CONSTRUCTION</b>		\$			\$	<b>1,464,284.50</b>		\$			\$	<b>2,379,061.00</b>



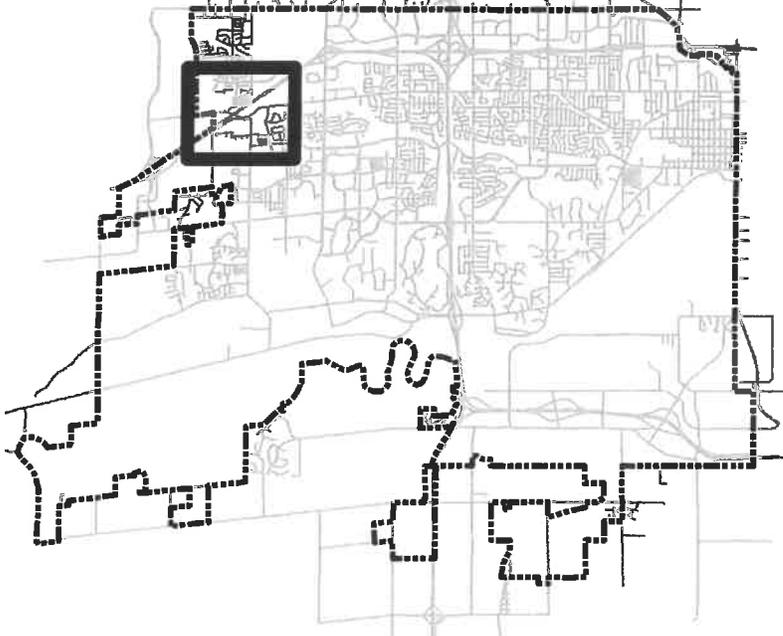
I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020

  
 THOMAS M. STOVIE, P.E.      LICENSE NO. 15588      DATE **2/11/2019**



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION 



PROJECT:

**Ashworth Road Reconstruction Phase 3**

LOCATION:

**I-80 Bridge to 98th Street**

DRAWN BY: JDR

DATE: 7/16/2018

PROJECT NUMBER: 0510-074-2017  
SUBDIVISION NAME:

SHT. 1 of 1

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

**DATE: February 19, 2019**

**ITEM:**

Resolution - Ordering Construction  
SW 60th Street Phase 1 – Veterans Parkway South

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost for SW 60th Street Phase 1 – Veterans Parkway South is \$2,571,245.00. Payments will be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from Osmium Urban Renewal Area revenues.

**BACKGROUND:**

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, March 13, 2019 and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, March 18, 2019. The contract would be awarded on Monday, March 18, 2019 and work will begin shortly thereafter.

The project will include construction of three (3) segments of urban street to serve Project Osmium (Microsoft). The first segment will be the regrading and construction of a portion of the existing SW 60th Street alignment north of Cumming Road. The second segment will be the regrading and construction of a portion of the existing 110th Lane alignment between the aforementioned SW 60th Street alignment and a new proposed realignment of SW 60th Street. The third segment will be the grading and construction of a realignment portion of SW 60th Street between the previously mentioned 110th Lane and the proposed construction of the Veterans Parkway extension. Construction activities will include grading, storm sewer, water main, paving, surface restoration, and all other related work. This project is anticipated to be completed by October 15, 2019.

Phase 2 of this project, as shown on the attached vicinity map, is currently being considered and will only be constructed if City Staff can reach an agreement with the affected property owners.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None.

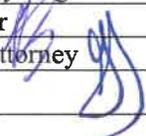
**RECOMMENDATION:**

City Council Adopt:

- Resolution Ordering Construction of the SW 60th Street Phase 1 – Veterans Parkway South.
- Fixing 2:00 p.m. on Wednesday, March 13, 2019 as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer 

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., 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			
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:

**SW 60th Street Phase 1 – Veterans Parkway South  
Project No. 0510-013-2017**

is hereby ordered to be constructed according to the Plans and Specifications prepared by Snyder & Associates, Inc. of Ankeny, Iowa and now on file in the office of the 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 the 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, March 18, 2019 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, March 13, 2019.

**BE IT FURTHER RESOLVED,** that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, March 13, 2019 and the results of said bids shall be considered at a meeting of this Council on Monday, March 18, 2019 at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

**PASSED AND APPROVED** on this 19th day of February, 2019.

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

ATTEST:

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

OPINION OF PROBABLE CONSTRUCTION COSTS

SW 60TH STREET PHASE 1 - VETERANS PARKWAY SOUTH



WEST DES MOINES, IOWA  
0510-013-2017

ITEM #	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE
<b>EARTHWORK</b>					
2.1	Clearing and Grubbing	4.25	AC	\$ 7,500.00	\$ 31,875.00
2.2	Topsoil On-Site	6900	CY	\$ 8.00	\$ 55,200.00
2.3	Excavation, Class 10	21000	CY	\$ 6.00	\$ 126,000.00
2.4	Excavation, Class 10, Waste	12000	CY	\$ 10.00	\$ 120,000.00
2.5	Subgrade Preparation, 12 Inches	14300	SY	\$ 3.00	\$ 42,900.00
2.6	Subgrade Treatment, Fly Ash	150	TON	\$ 150.00	\$ 22,500.00
2.7	Below Grade Excavation (Core Out)	1200	CY	\$ 20.00	\$ 24,000.00
<b>SEWERS AND DRAINS</b>					
4.1	Storm Sewer, Trenched, 15"	1375	LF	\$ 65.00	\$ 89,375.00
4.2	Storm Sewer, Trenched, 18"	268	LF	\$ 75.00	\$ 20,100.00
4.3	Storm Sewer, Trenched, 24"	1092	LF	\$ 75.00	\$ 81,900.00
4.4	Storm Sewer, Trenched, 30"	511	LF	\$ 130.00	\$ 66,430.00
4.5	Storm Sewer, Trenched, 36"	941	LF	\$ 150.00	\$ 141,150.00
4.6	Pipe Apron, RCP, 15"	1	EA	\$ 1,250.00	\$ 1,250.00
4.7	Pipe Apron, RCP, 30"	1	EA	\$ 1,500.00	\$ 1,500.00
4.8	Pipe Apron, RCP, 36"	1	EA	\$ 3,250.00	\$ 3,250.00
4.9	Footing for Concrete Pipe Apron, RCP, 15"	1	EA	\$ 300.00	\$ 300.00
4.10	Footing for Concrete Pipe Apron, RCP, 30"	1	EA	\$ 450.00	\$ 450.00
4.11	Footing for Concrete Pipe Apron, RCP, 36"	1	EA	\$ 600.00	\$ 600.00
4.12	Subdrain, Type 1, 6"	5578	LF	\$ 15.00	\$ 83,670.00
4.13	Subdrain Outlets and Connections, CMP, 8"	49	EA	\$ 250.00	\$ 12,250.00
<b>WATER MAIN AND APPURTENANCES</b>					
5.1	Water Main, Trenched, PVC, 8"	2279	LF	\$ 65.00	\$ 148,135.00
5.2	Water Main, Trenched, PVC, 12"	1224	LF	\$ 80.00	\$ 97,920.00
5.3	Fitting, Cross, 12" x 12"	1	EA	\$ 2,500.00	\$ 2,500.00
5.4	Fitting, 8" x 12" Reducer	1	EA	\$ 2,500.00	\$ 2,500.00
5.5	Fitting, 45° Elbow, 8"	2	EA	\$ 600.00	\$ 1,200.00
5.6	Fitting, 22.5° Elbow, 12"	2	EA	\$ 800.00	\$ 1,600.00
5.7	Valve, Gate, 8"	6	EA	\$ 2,200.00	\$ 13,200.00
5.8	Valve, Gate, 12"	4	EA	\$ 2,500.00	\$ 10,000.00
5.9	Fire Hydrant Assembly	15	EA	\$ 3,500.00	\$ 52,500.00
<b>STRUCTURES FOR SANITARY AND STORM</b>					
6.1	Manhole, SW-401, 60"	1	EA	\$ 6,000.00	\$ 6,000.00
6.2	Manhole, SW-406, 5' x 5'	2	EA	\$ 6,000.00	\$ 12,000.00
6.3	Intake, SW-501	6	EA	\$ 3,000.00	\$ 18,000.00
6.4	Intake, Modified SW-501	2	EA	\$ 3,500.00	\$ 7,000.00
6.5	Intake, SW-503	11	EA	\$ 4,500.00	\$ 49,500.00
6.6	Intake, Modified SW-503	1	EA	\$ 5,000.00	\$ 5,000.00
6.7	Intake, SW-505	4	EA	\$ 5,000.00	\$ 20,000.00
6.8	Intake, Modified SW-505	1	EA	\$ 5,500.00	\$ 5,500.00
6.9	Intake, SW-506	3	EA	\$ 7,500.00	\$ 22,500.00
6.10	Intake, Modified SW-506	1	EA	\$ 8,000.00	\$ 8,000.00
6.11	Intake, Modified SW-506 (6.5' x 7.75')	4	EA	\$ 9,000.00	\$ 36,000.00

OPINION OF PROBABLE CONSTRUCTION COSTS

SW 60TH STREET PHASE 1 - VETERANS PARKWAY SOUTH



WEST DES MOINES, IOWA  
0510-013-2017

ITEM #	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE
<b>STREETS AND RELATED WORK</b>					
7.1	Pavement, PCC, 8 In. Reinforced	6853	SY	\$ 60.00	\$ 411,180.00
7.2	Pavement, PCC, 9 In. Reinforced	5726	SY	\$ 65.00	\$ 372,190.00
7.3	PCC Pavement Samples and Testing	1	LS	\$ 5,000.00	\$ 5,000.00
7.4	Sidewalk, PCC, 4 In.	1881	SY	\$ 40.00	\$ 75,240.00
7.5	Driveway, Paved, PCC, 7 In.	585	SY	\$ 60.00	\$ 35,100.00
7.6	Granular Surfacing	300	TON	\$ 35.00	\$ 10,500.00
<b>TRAFFIC CONTROL</b>					
8.1	Painted Pavement Markings, Solvent/Waterborne	30.2	STA	\$ 150.00	\$ 4,530.00
8.2	Painted Symbols and Legends, Solvent/Waterborne	6	EA	\$ 125.00	\$ 750.00
8.3	Temporary Traffic Control	1	LS	\$ 15,000.00	\$ 15,000.00
<b>SITE WORK AND LANDSCAPING</b>					
9.1	Conventional Seeding, Seeding, Fertilizing, and Mulching, Rescue Plus	3.1	AC	\$ 3,500.00	\$ 10,850.00
9.2	Conventional Seeding, Seeding, Fertilizing, and Mulching, Type 2	3.9	AC	\$ 2,000.00	\$ 7,800.00
9.3	SWPPP Preparation	1	LS	\$ 5,000.00	\$ 5,000.00
9.4	SWPPP Management	1	LS	\$ 6,000.00	\$ 6,000.00
9.5	Filter Sock, 8"	9000	LF	\$ 3.00	\$ 27,000.00
9.6	Filter Sock, Removal	9000	LF	\$ 1.00	\$ 9,000.00
9.7	Temporary RECP, Type 2C	4000	SY	\$ 2.00	\$ 8,000.00
9.8	Rip Rap, Class E Revetment	125	TON	\$ 60.00	\$ 7,500.00
9.9	Rip Rap, Erosion Stone	15	TON	\$ 50.00	\$ 750.00
9.10	Silt Fence or Silt Fence Ditch Check	10000	LF	\$ 3.00	\$ 30,000.00
9.11	Silt Fence or Silt Fence Ditch Check, Removal of Sediment	10000	LF	\$ 2.00	\$ 20,000.00
9.12	Silt Fence or Silt Fence Ditch Check, Removal of Device	10000	LF	\$ 1.00	\$ 10,000.00
9.13	Inlet Protection Device, Sediment Basket	46	EA	\$ 200.00	\$ 9,200.00
9.14	Inlet Protection Device, Maintenance	92	EA	\$ 50.00	\$ 4,600.00
9.15	Inlet Protection Device, Removal	46	EA	\$ 50.00	\$ 2,300.00
<b>GENERAL PROVISIONS</b>					
11.1	Construction Survey	1	LS	\$ 25,000.00	\$ 25,000.00
11.2	Maintenance of Postal Service	1	LS	\$ 2,500.00	\$ 2,500.00
11.3	Maintenance of Solid Waste Collection	1	LS	\$ 2,500.00	\$ 2,500.00
11.4	Concrete Washout	1	LS	\$ 10,000.00	\$ 10,000.00
<b>TOTAL PROJECT COST:</b>					<b>\$ 2,571,245.00</b>

OPINION OF PROBABLE CONSTRUCTION COSTS

SW 60TH STREET PHASE 1 - VETERANS PARKWAY SOUTH



WEST DES MOINES, IOWA  
0510-013-2017

ITEM #	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE
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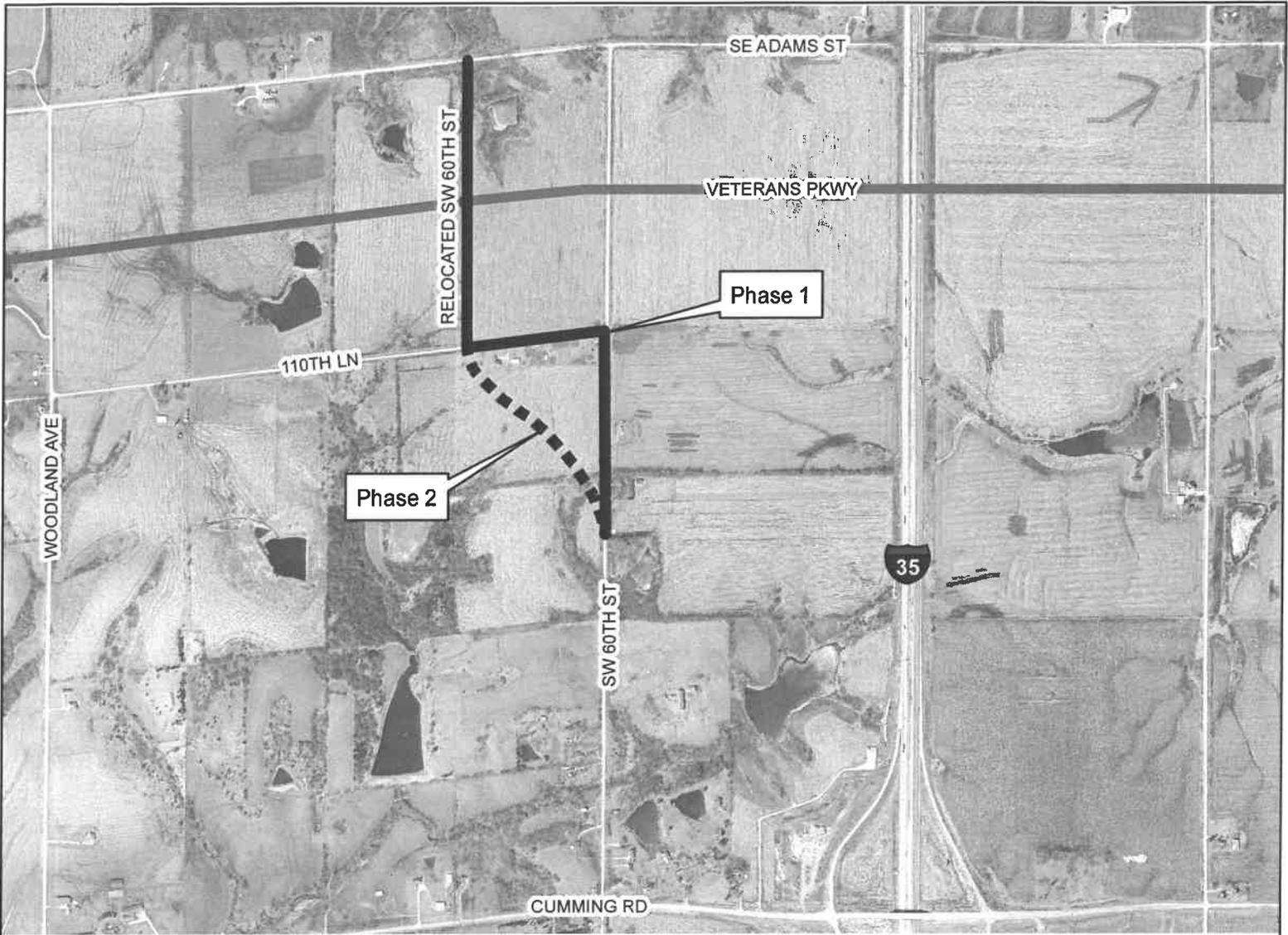


I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed professional engineer under the laws of the State of Iowa.

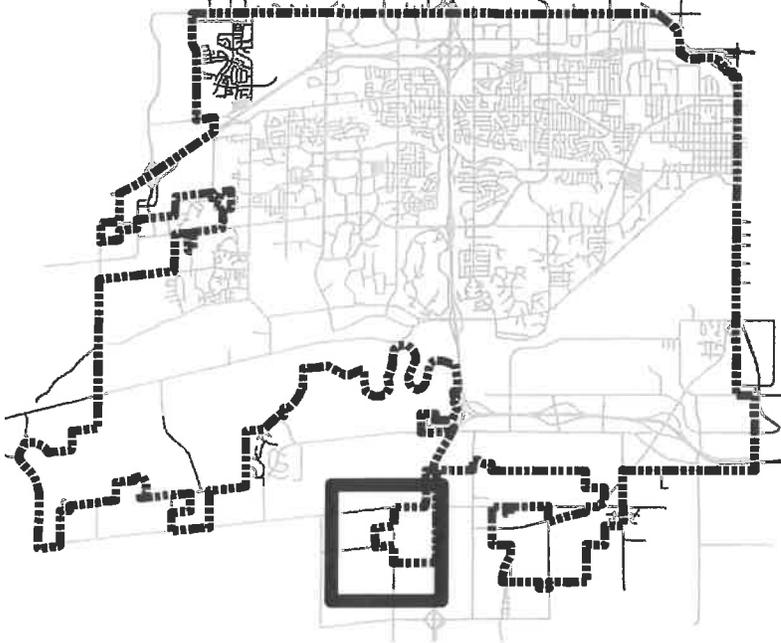
A handwritten signature in cursive script, appearing to read 'Gabriel A. Nelson'.

Gabriel A. Nelson, P.E.  
My License Number : 17382  
My License Renewal Date is December 31, 2020

02/12/19  
Date



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION 



PROJECT:	<b>SW 60th Street - Phase 1</b>		
LOCATION:	<b>Exhibit "A"</b>		
DRAWN BY: JDR	DATE: 2/12/19	PROJECT: 0510-013-2017	SHT. 1 of 1

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

**DATE: February 19, 2019**

**ITEM:**

Resolution - Ordering Construction  
2018 Stormwater Intake Repair Program

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost for the 2018 Stormwater Intake Repair Program is \$205,550.00. Payments will be made from account no. 660.000.000.5250.490 with the ultimate funding intended to come from Stormwater Fee Revenue.

**BACKGROUND:**

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, March 13, 2019 and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, March 18, 2019. The contract would be awarded on Monday, March 18, 2019 and work will begin shortly thereafter.

This project is part of the ongoing maintenance program to rehabilitate stormwater intakes at various locations throughout the City of West Des Moines. The project is anticipated to be completed by October 1, 2019.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Ordering Construction of the 2018 Stormwater Intake Repair Program.
- Fixing 2:00 p.m. on Wednesday, March 13, 2019 as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *pro*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>W</i>

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee			
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:

**2018 Stormwater Intake Repair Program  
Project No. 0510-040-2018**

is hereby ordered to be constructed according to the Plans and Specifications prepared by I+S Group, Inc. of Des Moines, Iowa and now on file in the office of the 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 the 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, March 18, 2019 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, March 13, 2019.

**BE IT FURTHER RESOLVED,** that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, March 13, 2019 and the results of said bids shall be considered at a meeting of this Council on Monday, March 18, 2019 at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

**PASSED AND APPROVED** on this **19th** day of **February, 2019.**

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

ATTEST:

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



# 2018 Stormwater Intake Repair Program

City of West Des Moines

West Des Moines Project #: 0510-040-2018

Location: West Des Moines, Iowa

ISG Project #: 18-22043

Date: 02/11/2019

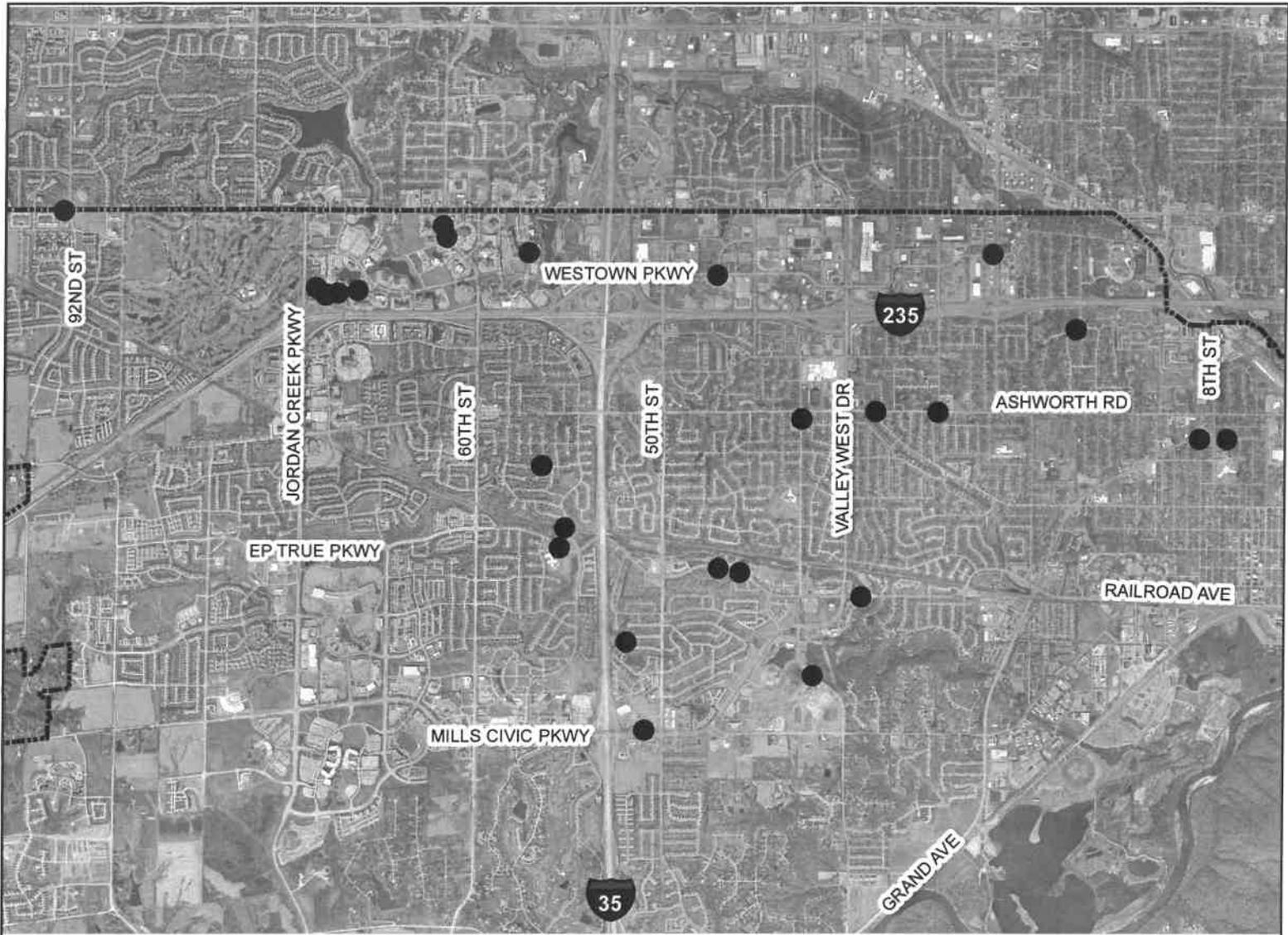
## ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST

ITEM NO.	CONSTRUCTION ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL AMOUNT
1	TRAFFIC CONTROL	LS	1	\$ 20,000.00	\$ 20,000.00
2	STRUCTURE REMOVAL	EA	24	\$ 1,375.00	\$ 33,000.00
3	STRUCTURE BASE REMOVAL	EA	5	\$ 350.00	\$ 1,750.00
4	INTAKE TYPE, M-A - TOP RECONSTRUCTION ONLY	EA	1	\$ 2,700.00	\$ 2,700.00
5	INTAKE TYPE, M-C - TOP RECONSTRUCTION ONLY	EA	3	\$ 3,050.00	\$ 9,150.00
6	INTAKE TYPE, M-D - TOP RECONSTRUCTION ONLY	EA	3	\$ 4,750.00	\$ 14,250.00
7	INTAKE TYPE, M-E - TOP RECONSTRUCTION ONLY	EA	1	\$ 4,800.00	\$ 4,800.00
8	INTAKE TYPE, M-C - INTAKE RECONSTRUCTION ONLY	EA	2	\$ 3,650.00	\$ 7,300.00
9	INTAKE TYPE, M-E - INTAKE RECONSTRUCTION ONLY	EA	1	\$ 7,200.00	\$ 7,200.00
10	INTAKE, TYPE M-E SPECIAL - INTAKE RECONSTRUCTION ONLY	EA	1	\$ 9,600.00	\$ 9,600.00
11	INTAKE, TYPE M-A	EA	3	\$ 3,650.00	\$ 10,950.00
12	INTAKE, TYPE M-C	EA	2	\$ 5,600.00	\$ 11,200.00
13	INTAKE, TYPE M-D	EA	1	\$ 5,800.00	\$ 5,800.00
14	INTAKE, TYPE M-E	EA	3	\$ 7,200.00	\$ 21,600.00
15	INTAKE, TYPE M-F	EA	1	\$ 9,000.00	\$ 9,000.00
16	INTAKE, TYPE M-F SPECIAL	EA	2	\$ 10,000.00	\$ 20,000.00
17	FULL DEPTH PCC PATCH	SY	150	\$ 115.00	\$ 17,250.00
<b>TOTAL CONSTRUCTION COSTS</b>					<b>\$ 205,550.00</b>

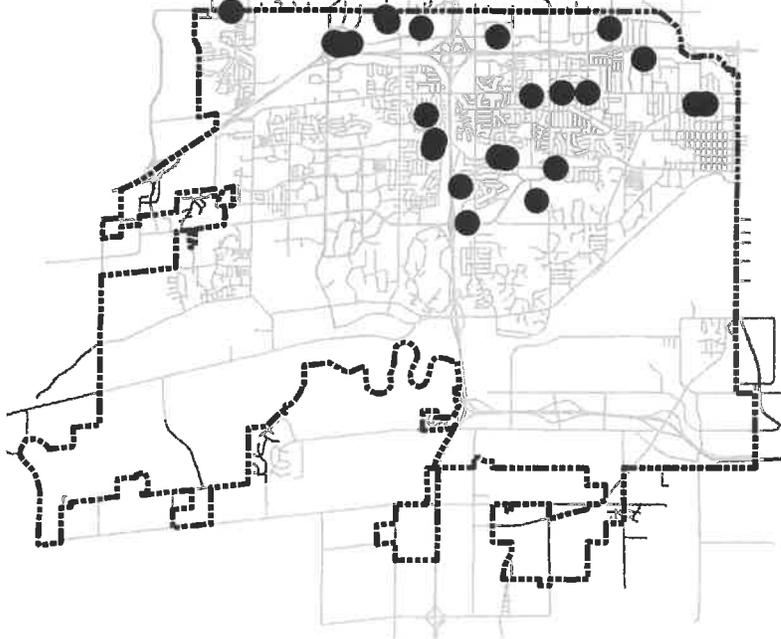
I HERBY CERTIFY THAT THIS IS A TRUE AND ACCURATE ACCOUNT OF ESTIMATED COSTS

DATE : FEBRUARY 11, 2019

LICENSE NUMBER 20894



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION ●



PROJECT:

**2018 Stormwater Intake Repair Program**

LOCATION:

**Exhibit "A"**

DRAWN BY: JDR

DATE: 2/6/2019

PROJECT NUMBER/NAME: 0510-040-2018

SHT. 1 of 1

## CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

**DATE:** February 19, 2019

**ITEM:** Resolution - Order Construction and Notice of Public Hearing on Plans, Specifications, Form of Contract, Estimate of Cost, and Direct Advertisement of Bids – Hidden Point Park Improvements

**FINANCIAL IMPACT:** None at this time. The preliminary estimated cost of the project is \$663,336. Expenses to be paid from G/L account 500.000.000.5250.490. Funding will be covered out of available funds in the FY 17-18, 18-19, 19-20 CIP from the Hidden Point Park (Project No. 0525 062-0510 082 2017). The total amount available for construction of this project is \$664,225.

**BACKGROUND:** A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, March 13, 2019, and a Public Hearing on the project scheduled for 5:35 p.m. on Monday, March 18, 2019. The contract would be awarded on Monday, March 18, 2019, and work would begin shortly thereafter. This project is scheduled to be completed later in the fall of 2019.

This resolution is for the initial phase of construction for Hidden Point Park located on the north side of Pheasant Ridge off of S. Hidden Point Court. The project would include the overall grading of the park site, installation of the site utilities for future shelter & restroom, installation of concrete parking lot/trail/sidewalks, installation of playground equipment & surfacing, site restoration and other miscellaneous items. Two add alternates are also being bid including: 1) Rain garden water quality component, and 2) Water main through the park connecting to Pheasant Ridge. If accepted by WDM Water Works, the water main would be paid for by WDM Water Works.

**OUTSTANDING ISSUES:** None.

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

**Lead Staff Member:** David Sadler, Superintendent of Parks 

**STAFF REVIEWS**

Department Director	Sally Orgies, Director of Parks and Recreation 
Appropriations/Finance	Tim Stiles, Finance Director 
Legal	Richard Scieszinski, City Attorney 
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:

**Hidden Point Park Improvements**

is hereby ordered constructed according to the Plans and Specifications prepared by Bolton & Menk, Inc. 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, March 18, 2019** 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 o'clock p.m. on **Wednesday, March 13, 2019.**

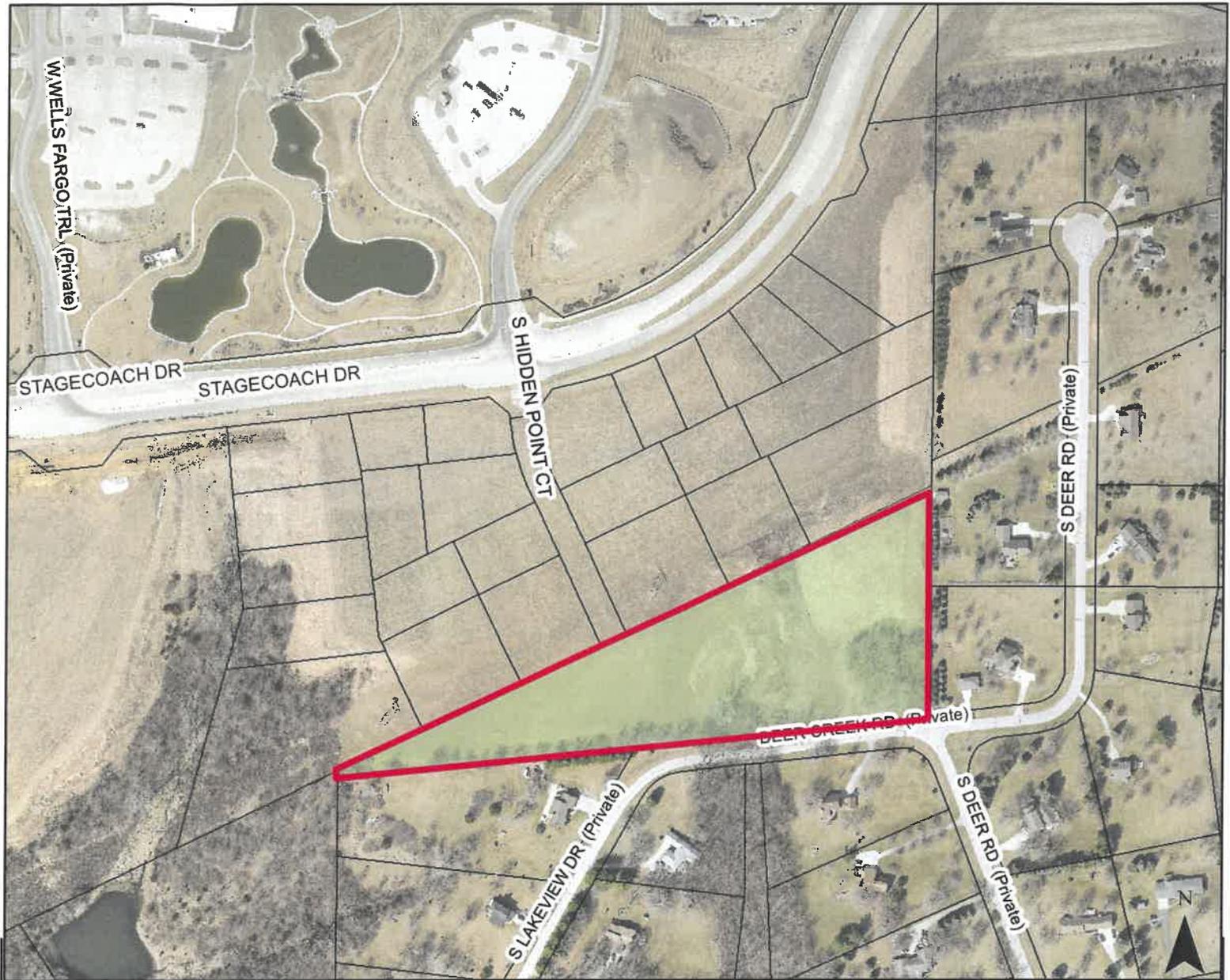
**BE IT FURTHER RESOLVED,** that bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 o'clock p.m. on **Wednesday, March 13, 2019** and the results of said bids shall be considered at a meeting of this Council on **Monday, March 18, 2019** at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

**PASSED AND APPROVED** this 19<sup>th</sup> day of **February, 2019.**

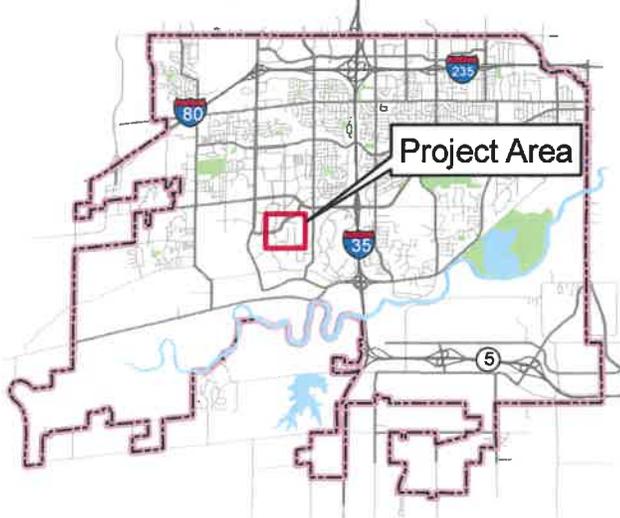
\_\_\_\_\_  
Steven K. Gaer, Mayor

ATTEST:

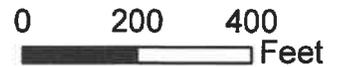
\_\_\_\_\_  
Ryan T. Jacobson, City Clerk



**VICINITY MAP**



**LEGEND**



PROJECT:

**HIDDEN POINT PARK IMPROVEMENTS**

LOCATION:

**1250 S HIDDEN POINT CT**

DRAWN BY: **MAA**

DATE: **02/11/2019**

PROJECT NO.: -

SHT. **1 of 1**

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

**DATE: February 19, 2019**

**ITEM:**

Resolution - Accepting Work  
Miscellaneous Repairs at Parks Restrooms / Shelters

**FINANCIAL IMPACT:**

The total construction cost for the Miscellaneous Repairs at Parks Restrooms / Shelters was \$169,555.00 which was paid from account no. 500.000.000.5250.490 with ultimate funding intended to come from General Funds. The original cost of the project was \$144,940.00. There were two (2) Change Orders on the project that totaled \$24,615.00.

**BACKGROUND:**

Lang Construction Group, Inc. was working under an agreement dated March 19, 2018 for construction services for the Miscellaneous Repairs at Parks Restrooms / Shelters. Work on this project included miscellaneous repairs to restrooms and shelters at seventeen (17) Park locations throughout the City. Miscellaneous repairs included cosmetic repairs, painting, masonry sealing, siding repairs, flashing work around structure exteriors, door repairs, and replacement of toilet partitions.

This action accepts the public improvements and authorizes staff to pay the retainage no sooner than 30 days.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Accepting Work for Miscellaneous Repairs at Parks Restrooms / Shelters.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *BJA*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>W</i>

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

**RESOLUTION ACCEPTING WORK**

**WHEREAS**, on March 19, 2018, the City Council entered into a contract with Lang Construction Group, Inc. of West Des Moines, Iowa, for the following described public improvement:

**Miscellaneous Repairs at Parks Restrooms / Shelters  
Project No. 0510-060-2017**

and,

**WHEREAS**, said contractor has substantially completed the construction of said improvement in accordance with plans and specifications as shown by the report of the City Engineer filed with the City Clerk on February 19, 2019; and,

**WHEREAS**, the City has retained 5% of the construction costs;

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that said report of the City Engineer is hereby approved and said public improvement is accepted as having been substantially completed in accordance with plans and specifications and the total final construction cost of said improvement is \$169,555.00 as shown in said report, and that the Finance Director is hereby authorized to make payment to the Contractor in the amount of \$8,477.75, which includes retainage for the project, no sooner than 30 days subject to the Contractor satisfying all the conditions of the contract.

**PASSED AND APPROVED** on this **19th** day of **February, 2019**.

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

ATTEST:

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



Department of Engineering Services  
 4200 Mills Civic Pkwy, Ste 2E, PO Box 65320  
 West Des Moines, IA 50265-0320  
 (515) 222-3475 Fax (515) 273-0603

**RETAINAGE**

Contractor: **Lang Construction Group, Inc.**  
**1601 West Lakes Parkway, Suite 100**  
**West Des Moines, IA 50266**

Project Title	<b>Miscellaneous Repairs at Parks Restrooms / Shelters</b>	
WDM Project File Number	<b>0510-060-2017</b>	
Purchase Order Number	<b>2018-00000636</b>	
Orig. Contract Amount & Date	<b>\$144,940.00</b>	<b>03/19/18</b>
Estimated Completion Date	<b>10/05/18</b>	
Pay Period	<b>9/30/18 to 02/19/19</b>	
Pay Request Number	<b>Retainage</b>	
Date	<b>02/19/19</b>	

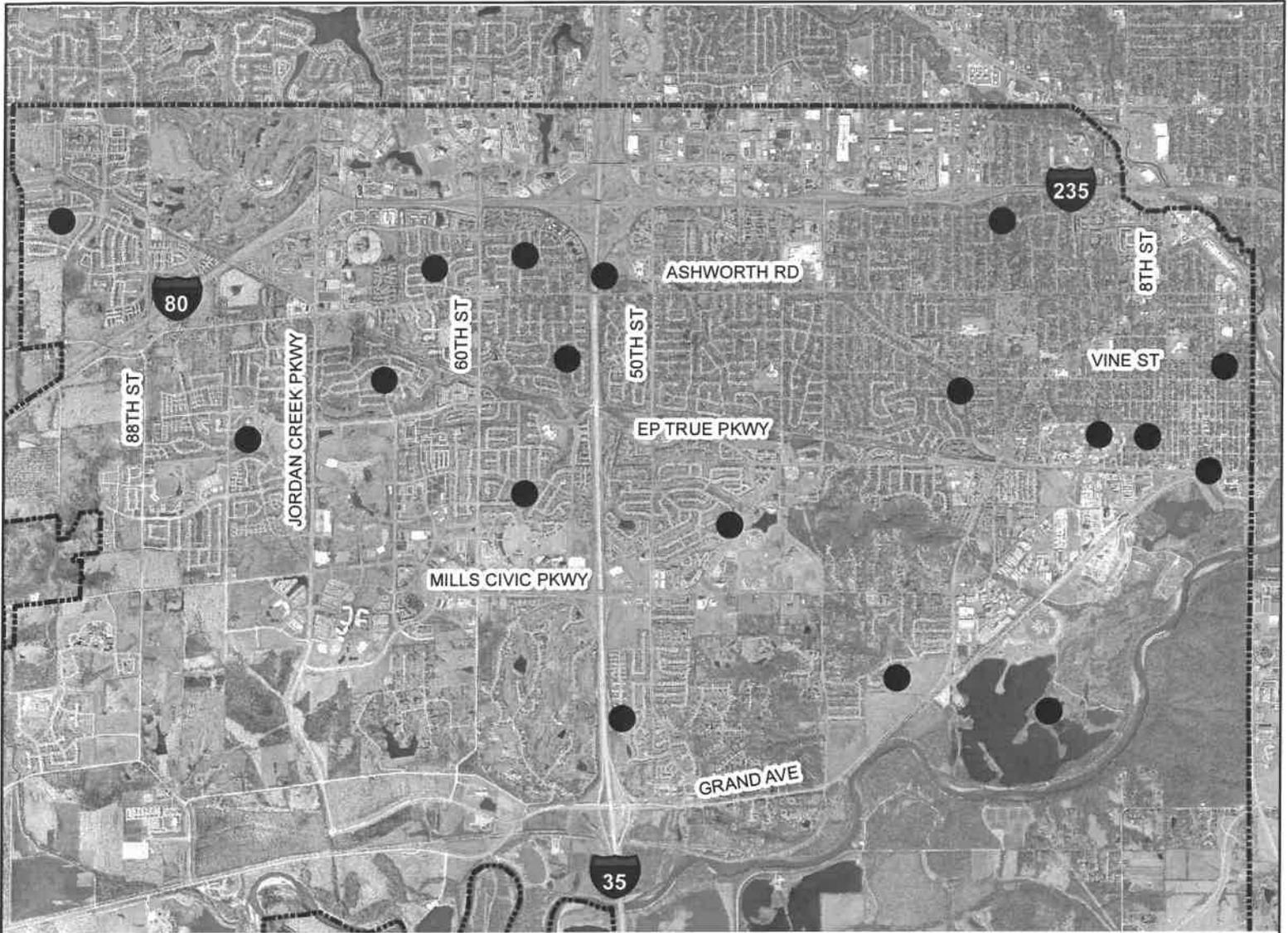
BID ITEMS							
Item No.	Description	Unit	Est. Qty	Unit Price	Extended Price	Quantity Completed	Value Completed
110	Base Bid	EA	1	\$144,940.00	\$144,940.00	1.00	\$144,940.00
210	Painting of Wood Siding	100 SF	1	\$210.00	\$210.00	0.00	\$0.00
220	Painting of Wood Ceiling & Soffit	100 SF	1	\$230.00	\$230.00	0.00	\$0.00
<b>TOTAL</b>					<b>\$145,380.00</b>		<b>\$144,940.00</b>

MATERIALS STORED SUMMARY				
Description	# of Units	Unit Price	Extended Cost	
None				\$0.00
				\$0.00
<b>TOTAL</b>				<b>\$0.00</b>

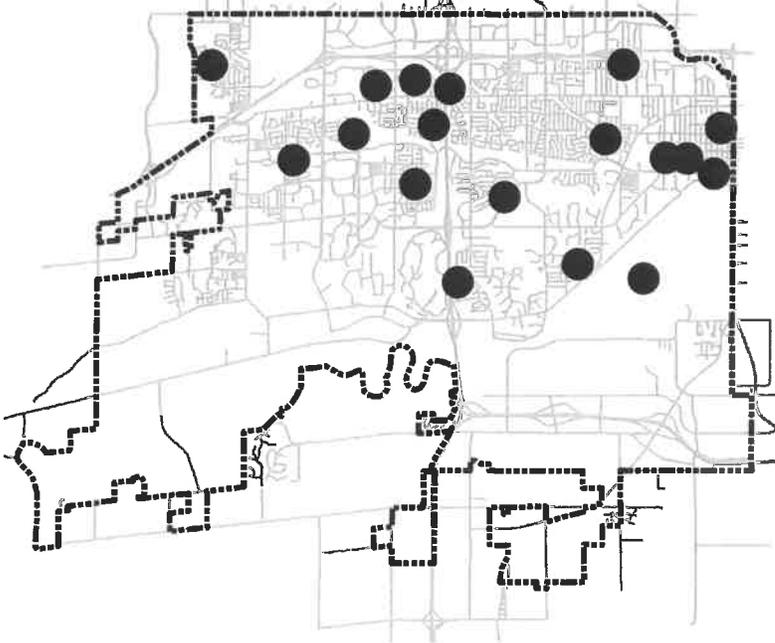
PAY REQUEST SUMMARY			
		Total Approved	Total Completed
Contract Price		\$144,940.00	\$144,940.00
Approved Change Order 1		\$13,022.00	\$13,022.00
Approved Change Order 2		\$11,593.00	\$11,593.00
Revised Contract Price		\$169,555.00	\$169,555.00
Materials Stored			\$0.00
Retainage (5%)			\$0.00
Liquidated Damages			
Total Earned Less Retainage			\$169,555.00
Total Previously Approved (list each)	Pay Request 1	\$6,263.88	
	Pay Request 2	\$35,461.59	
	Pay Request 3	\$47,021.51	
	Pay Request 4	\$52,295.63	
	Pay Request 5	\$7,608.83	
	Pay Request 6	\$12,425.81	
Total Previously Approved			\$161,077.25
Amount Due This Request			<b>\$8,477.75</b>
Percent Complete			100%
Percent of Contract Period Utilized			100%

The amount **\$8,477.75** is recommended for approval for payment in accordance with the terms of the Contract

<b>Contractor:</b> Lang Construction Group, Inc.	<b>Recommended By:</b> Benjamin Design Collaborative	<b>Checked By:</b> City of West Des Moines
Signature:	Signature:	Signature:
Name: Steven Lang	Name: John Lott, AIA, LEED AP	Name: Brian J. Hemesath, P.E.
Title: President	Title: Architect of Record	Title: City Engineer
Date:	Date:	Date:



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION ●



PROJECT:

**Park Restrooms/Shelters Misc Repairs**

LOCATION:

**Various Locations**

DRAWN BY: JDR

DATE: 2/13/2018

PROJECT NUMBER : 0510-060-2017  
SUBDIVISION NAME:

SHT. 1 of 1

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

**DATE: February 19, 2019**

**ITEM:**

Resolution - Approving Professional Services Agreement  
2018 FEMA Repairs

**FINANCIAL IMPACT:**

The cost of the Professional Services Agreement associated with the design of this project is anticipated not to exceed \$25,000.00 for Basic Services. In addition, the cost for performing Resident Consultant Services will not exceed \$21,000.00. 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. All work will be billed on an hourly basis using the established hourly fee structure as set forth in the contract. All costs for these services can be paid from account no. 500.000.000.5250.495 with the ultimate funding intended to come from General Obligation Bonds. Full reimbursement by FEMA for professional services and construction is anticipated.

**BACKGROUND:**

Approval of this action authorizes Shive-Hattery, Inc. to perform the professional services necessary for the infrastructure repairs to address flood damages from the June 30, 2018 rain event. Locations in need of repair are along Blue Creek near 20th & Center Street, 22nd & Center Street, and 36th & Westown Parkway. Repairs near 17th & Center Street and 58th & Dakota Street were previously completed by Public Services staff. Repairs on 33rd Street from Locust Street to 32nd Street were completed as part of the 2018 HMA Resurfacing Program.

The Engineering Services Department retains professional consultants based on their past work experience, qualifications of their staff, familiarity with the project, manpower availability, and past performance. Once a firm has been selected based on the above criteria, City staff then negotiates a fee with the consultant for performing the desired scope of services. 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.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None

**RECOMMENDATION:**

City Council Adopt:

- Resolution Approving Professional Services Agreement for 2018 FEMA Repairs.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *BJH*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer <i>BJH</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>W</i>

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

**RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT**

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

**2018 FEMA Repairs  
Project No. 0510-008-2019**

and,

**WHEREAS**, said project Plans, Specifications, Form of Contract, and Estimate of Cost need to be prepared; and,

**WHEREAS**, Engineering Services Department staff have recommended Plans, Specifications, Form of Contract, and Estimate of Cost be prepared by Shive-Hattery, Inc., and,

**WHEREAS**, the Engineering Services Department has obtained a written proposal from Shive-Hattery, Inc. to do the work requested, which estimates the following cost to the City of West Des Moines;

<b>Basic Services of the Consultant</b>	<b>\$25,000.00</b>
<b>Resident Consultant Services</b>	<b><u>\$21,000.00</u></b>
<b>Total</b>	<b>\$46,000.00</b>

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that Shive-Hattery, Inc. is hereby directed to prepare Plans, Specifications, Form of Contract, and Estimate of Cost for the above named project.

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

**PASSED AND APPROVED** on this 19th day of February, 2019.

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

ATTEST:

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

## AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This Agreement is made and entered into this 19th day February, 2019, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and SHIVE-HATTERY, INC., (Fed. I.D. #42-08770172), 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 for the 2018 FEMA Repairs (Project No. 0510-008-2019) 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	\$ 25,000.00
II. Resident Consultant Services	<u>\$ 21,000.00</u>
Total	\$46,000.00

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: Shive-Hattery, Inc.  
Attn: Nathan T. Hardisty, P.E.  
Address: 4125 Westown Parkway, Suite 100  
City, State: West Des Moines, IA 50266

**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 age, color, creed, disability, gender identity, national origin, race, religion, sex, sexual orientation, 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 age, color, creed, disability, gender identity, national origin, race, religion, sex, sexual orientation, 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.

SHIVE-HATTERY, INC.

CITY OF WEST DES MOINES

BY:   
Nathan T. Hardisty, P.E.

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

**ATTACHMENT 1**  
2018 FEMA Repairs  
Project Number 0510-008-2019

**SCOPE OF SERVICES**

**DIVISION I - BASIC SERVICES OF THE CONSULTANT**

The Consultant shall consult on a regular basis with the City to clarify and define the City's requirements. The City agrees to furnish to the Consultant full information with respect to the City's requirements, including any special or extraordinary considerations for the Project or special services needed, and also to make available pertinent existing data. The 2018 FEMA Repairs project is generally described as follows:

Preliminary Design, Final Plans and Specifications, Bidding, Construction Administration and Resident Construction Observation for the construction of the 2018 FEMA Repairs project.

This scope of services is based on the following project assumptions:

- Three sites have been identified for FEMA Repairs
  - 22<sup>nd</sup> Street and Center Street
  - 1301 20<sup>th</sup> Street
  - 3600 Westown Parkway
- No field topographic survey will be performed
- The plans will consist of plan view drawings over aerials and/or publically available LIDAR data
- No easements (temporary or permanent) will be required.
- Coordination with FEMA will be led by the City Staff, Shive-Hattery to provide exhibits and cost opinions required for coordination.
- The project will be permitted via USACE Section 404 nationwide permits

The scope of services to be performed by the Consultant shall be completed in accordance with generally accepted standards of practice and shall include the services to complete the following tasks:

**1. Project Management**

The Project Manager will manage the budget and schedule for the project, serve as the point of contact for City staff, be responsible for coordinating all work done by the design team, and shall provide the City with bi-weekly progress reports.

**2. Preliminary Design**

The Consultant will perform preliminary design services in the preparation of design plans and specifications depicting the Stabilization, Culvert Repair, and Restoration. Preliminary Design to include the following:

- Title Sheet
- Plan view of repairs on an aerial photo
- Opinion of probable construction costs
- Meetings as required
- Preconstruction Notification Submittal to the USACE for Section 404 clearance

**3. Final Plans and Specifications**

Based upon approved preliminary design, the Consultant shall subsequently proceed with final design, contract drawings, specifications, and an opinion of probable construction costs for the award of a single Contract for the construction of the proposed improvements. Final Plans and Specifications to include the following:

- Title and General Information Sheets
- Typical Cross Sections and details, as required
- Estimate of Quantities and Tabulations
- Plan View of Repairs
- Traffic Control and Access Sheets, as required
- Opinion of Probable Cost
- Meetings as required for completion of the project

**4. Bidding**

The Consultant will coordinate and manage the letting process for the project including printing of plans and specifications, preparing the formal Notice of Hearing and Letting, and plan clarification and addenda. The Consultant will attend the bid opening, prepare the bid tabulation, make recommendation of award of contract, and secure the necessary contractual documents. The Consultant will conduct a pre-construction meeting after the award of construction contract for the City's Contractor, subcontractors, utility companies, and other interested parties.

**DIVISION II - Resident Consulting Services**

**1. Construction Administration**

Construction administration services shall consist of office based services to assist the City in implementing the construction contract for this project. The work tasks to be performed by the Consultant shall include the following:

- Review shop drawings, samples, and other data which the Contractor is required to submit.
- Provide visits to the site at intervals appropriate to the various stages of construction as the Consultant deems necessary in order to observe as an experienced and qualified design professional the progress and quality of the various aspects of the Contractor's work.
- Issue necessary interpretations and clarifications of the Plans, and in connection therewith, prepare change orders as required.
- Prepare construction record drawings defining the actual location of improvements and fixtures and showing those changes made during construction, based on the marked-up drawings and other data furnished by the Contractor and the Resident Construction Observer.

**2. Resident Construction Observation**

Work to be performed under this phase of the Project shall include frequent resident observation of the construction work in addition to that included under construction administration. The Consultant shall determine the amounts owing to the Contractor and recommend, in writing, payments to the Contractor in such amounts. Resident Consulting Services are assumed to extend for one (1) weeks of active construction for each of the three sites, and a maximum of 90 hours of construction observation.

This phase consists of fresh concrete testing, advising the contractor of other field-testing of construction materials incorporated into the project by the City's independent testing consultant. Also included is observing the performance of construction work and advising the Contractor and the City of non-complying work or materials incorporated into the project.

**ADDITIONAL SERVICES NOT INCLUDED IN THIS CONTRACT**

Additional Services not included as part of this Scope. If authorized, under a supplemental agreement, the Consultant shall furnish or obtain from others the following services:

1. Field Survey
2. Permitting other than USACE Section 404 nationwide permit.
3. Real Estate Acquisition Services
4. Preparation of easement plats
5. Preparation of Environmental Documentation CE/EA/EIS
6. Contaminated Soils Investigations
7. Traffic Signal Design
8. Streetscape Design
9. Subsurface Utility Investigations
10. Construction Surveys
11. Construction Period Testing Services other than fresh concrete testing

**ATTACHMENT 2**  
2018 FEMA Repairs  
Project Number 0510-008-2019

**PROJECT SCHEDULE**

The time of completion of the design and engineering services under this Agreement shall be as follows:

**I. Basic Services of the Consultant**

A. Authorization to Proceed	February 20, 2019
B. Preliminary Plans	March 31, 2019
C. Final Plans	May 2019
D. Project Letting	June 2019

**II. Resident Consultant Services**

A. Construction Administration	Summer/Fall 2019
B. Construction Observation	Summer/Fall 2019

**ATTACHMENT 3**  
**2018 FEMA Repairs**  
**Project Number 0510-008-2019**

**SCHEDULE OF FEES**  
**STANDARD HOURLY FEE SCHEDULE**  
**Effective January 1, 2019 to December 31, 2019**

**PROFESSIONAL STAFF:**

Grade 1	\$ 88.00
Grade 2	\$106.00
Grade 3	\$119.00
Grade 4	\$133.00
Grade 5	\$146.00
Grade 6	\$159.00
Grade 7	\$173.00
Grade 8	\$190.00
Grade 9	\$207.00

**TECHNICAL STAFF:**

Grade 1	\$ 61.00
Grade 2	\$ 76.00
Grade 3	\$ 85.00
Grade 4	\$ 93.00
Grade 5	\$106.00
Grade 6	\$119.00
Grade 7	\$133.00

**ADMIN STAFF:** \$ 60.00

**SURVEY STAFF:**

One Person	\$126.00
Two Person	\$193.00
Drone Surveyor (Video or Photogrammetry)	\$155.00
Drone Surveyor (Thermography)	\$310.00
Scanning Surveyor	\$155.00
Surveyor with Two Scanners	\$210.00

**REIMBURSABLE EXPENSES:**

**TRAVEL**

Mileage- Car/Truck	\$0.58/ Mile
Mileage- Survey Trucks	\$0.68/ Mile

**IN-HOUSE SERVICES**

**Prints/Plots:**

Bond	\$ .30/Sq. Ft.
Mylar	\$ .75/Sq. Ft.
Photogloss	\$ .90/Sq. Ft.
Color Bond	\$ .60/Sq. Ft.
Foam Core Mounting	\$ 13.00

**OUTSIDE SERVICES**

Computer Services	Cost + 10%
Aerial Photogrammetry	Cost + 10%
Professional Services	Cost + 10%
Prints/Plots/Photos	Cost + 10%
Deliveries	Cost + 10%

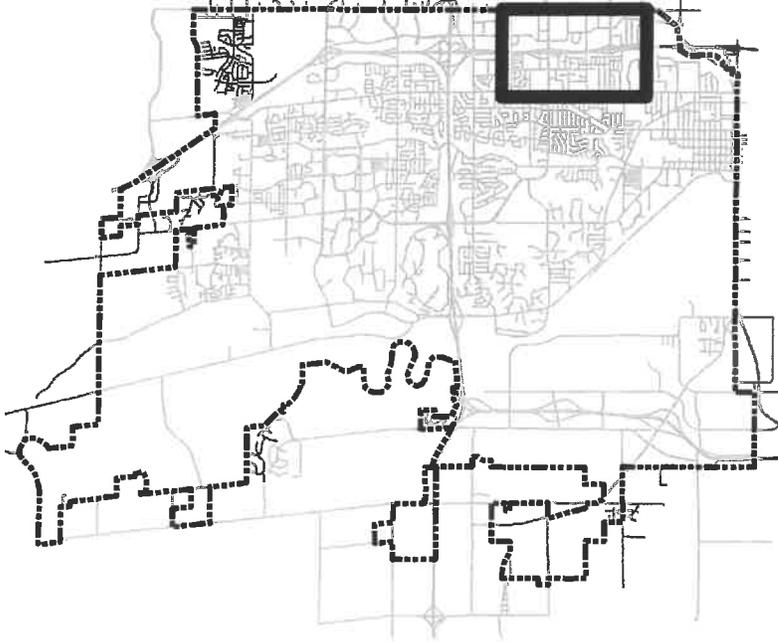
**Color Prints:**

Letter Size	\$ 1.00
Legal Size	\$ 2.00

An annual 4% inflation adjustment is anticipated for work completed beyond 2019.



**VICINITY MAP**



**LEGEND**

**PROJECT LOCATION** ●



PROJECT:

**2018 FEMA Repair Projects**

LOCATION:

**Exhibit "A"**

DRAWN BY: JDR

DATE: 2/5/2019

PROJECT NUMBER/NAME: 0510-008-2019

SHT. 1 of 1

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

DATE: February 19, 2019

**ITEM:**

Resolution - Approval of Agreement with Waukee Community School District for HAWK Beacon EP True Parkway Widening – Jordan Creek Parkway to 81st Street

**FINANCIAL IMPACT:**

The Agreement with the Waukee Community School District for the installation of a HAWK Beacon at 78th Place & EP True Parkway associated with the EP True Parkway Widening project from Jordan Creek Parkway to 81st Street is not to exceed \$50,000.00. Reimbursement will be applied to account no. 500.000.000.5250.490 with the ultimate funding coming from Jordan Creek Urban Renewal Area TIF.

**BACKGROUND:**

The EP True Parkway Widening project from Jordan Creek Parkway to 81st Street will include the installation of a pedestrian hybrid beacon, also known as a High-intensity Activated crossWalk (“HAWK”) beacon, at the 78th Place & EP True Parkway intersection. A HAWK beacon is a type of traffic control that provides pedestrians with a protected “walk” phase at a crosswalk. Overhead beacons stay dark until a pedestrian pushbutton is actuated. The beacons then stop traffic and give a “walk” indication to the pedestrian, before returning to dark phase. There are two (2) HAWK beacons currently in use in West Des Moines at 65th Street & Ashworth Road and South 50th Street & Wistful Vista Drive. This particular HAWK beacon is intended to primarily serve pedestrians with their destination being either the Brookview Elementary School or the City’s Brookview Park adjacent to the school. The Waukee Community School District approved this Agreement at their regularly scheduled Board meeting on February 11, 2019.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Approving Agreement with Waukee Community School District for HAWK Beacon.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *boh*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>(M)</i>

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee				
Date Reviewed				
Recommendation	<table border="1"> <tr> <td>Yes</td> <td>No</td> <td>Split</td> </tr> </table>	Yes	No	Split
Yes	No	Split		

**RESOLUTION APPROVING AGREEMENT WITH WAUKEE COMMUNITY SCHOOL DISTRICT FOR INSTALLATION OF A HAWK BEACON AT 78TH PLACE & EP TRUE PARKWAY**

**WHEREAS**, funding is available for the EP True Parkway Widening project from Jordan Creek Parkway to 81st Street; and,

**WHEREAS**, the Waukee Community School District executed an agreement on February 11, 2019 with the City of West Des Moines for reimbursement of 50% of the costs of the design and installation of a HAWK Beacon at 78th Place & EP True Parkway, not-to-exceed \$50,000.00; and,

**WHEREAS**, it is in the best interest of the City of West Des Moines to authorize and approve the Agreement; and,

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

1. The Agreement between the City of West Des Moines and the Waukee Community School District is hereby accepted and approved.
2. The Mayor is authorized to sign the Agreement and the City Clerk is directed to attest the Mayor's signature.

**PASSED AND APPROVED** on this **19th** day of **February, 2019**.

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

ATTEST:

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

## AGREEMENT

THIS AGREEMENT is entered into by and between the City of West Des Moines, Iowa, a municipal corporation, ("City") and the Waukee Community School District, a school corporation, organized and existing under the laws of the State of Iowa, ("School")(together "Parties") on the 11 day of Feb., 2019.

### RECITALS

A. The School is the owner of Brookview Elementary School located on property locally known as 8000 EP True Parkway in the City of West Des Moines; and

B. The Parties have determined it is in their best interests to locate a flashing beacon at the intersection of 78th Place and EP True Parkway, immediately adjacent to the associated pedestrian crosswalk markings.

C. The City is agreeable to installing the flashing beacon and the School is agreeable to sharing the costs of the installation of the flashing beacon pursuant to the terms and conditions set forth in this Agreement.

### CONDITIONS AND RESPONSIBILITIES

For the mutual promises and covenants set forth and herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Installation. The City will install the flashing beacon at the intersection of 78<sup>th</sup> Place and EP True Parkway, tentatively scheduled to be installed in 2019 while school is not in session for the summer.
2. Reimbursement. The School will reimburse the City fifty percent (50%) of first one hundred thousand dollars (\$100,000) of installation costs associated with the installation of the flashing beacon. Costs may include, but are not limited to, flashing beacon, pedestrian crosswalk markings, signs, sidewalk & ramp improvements, and new electrical service costs as well as prorated share of engineering design and construction observation costs. The School shall reimburse the City within 30 days of billing.
3. Maintenance. The City will maintain the pedestrian crosswalk markings, signs, and flashing beacon upon a schedule within its sole discretion. Maintenance provided by the City may include, but is not limited to, routine maintenance, replacement due to obsolescence, replacement due to accidents or replacement due to acts of God. The City shall pay for all monthly electrical charges. The School shall maintain all of its sidewalks and ramps in accordance with City Code and State law.

4. Indemnification. The Parties agree to indemnify and hold harmless one another and their public officials, officers, employees, agents and representatives from any and all claims, penalties, causes of action, demands, and expenses of every kind, including, but not limited to, all reasonable investigative fees, attorney's fees, and court costs, which are due to or arise, in whole or in part, from the pedestrian crosswalk markings, signs and flashing beacon.
  
5. Termination. This agreement may be terminated by either party with one (1) year notice. If the agreement is terminated for any reason, the pedestrian crosswalk markings, signs, and flashing beacon shall be removed prior to the agreement termination, at both Parties' expense.

DATED this 11 day of February, 2019.

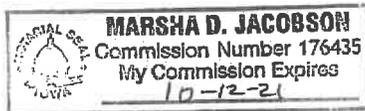
WAUKEE COMMUNITY SCHOOL DISTRICT,  
a school corporation

Wendy Liskey  
Wendy Liskey, President

Angie Morrison  
Angie Morrison, Board Secretary

STATE OF IOWA    )  
                                  )ss  
COUNTY OF POLK )

On February 11, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Wendy Liskey and Angie Morrison, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary, respectively, of the Board of Directors of the Waukee Community School District, the corporation executing the within and foregoing instrument, that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by the authority of its Board of Directors; and that the President and Secretary, as such officers, acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.



Marsha D. Jacobson  
Notary, State of Iowa

CITY OF WEST DES MOINES, IOWA,  
an Iowa municipal corporation

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

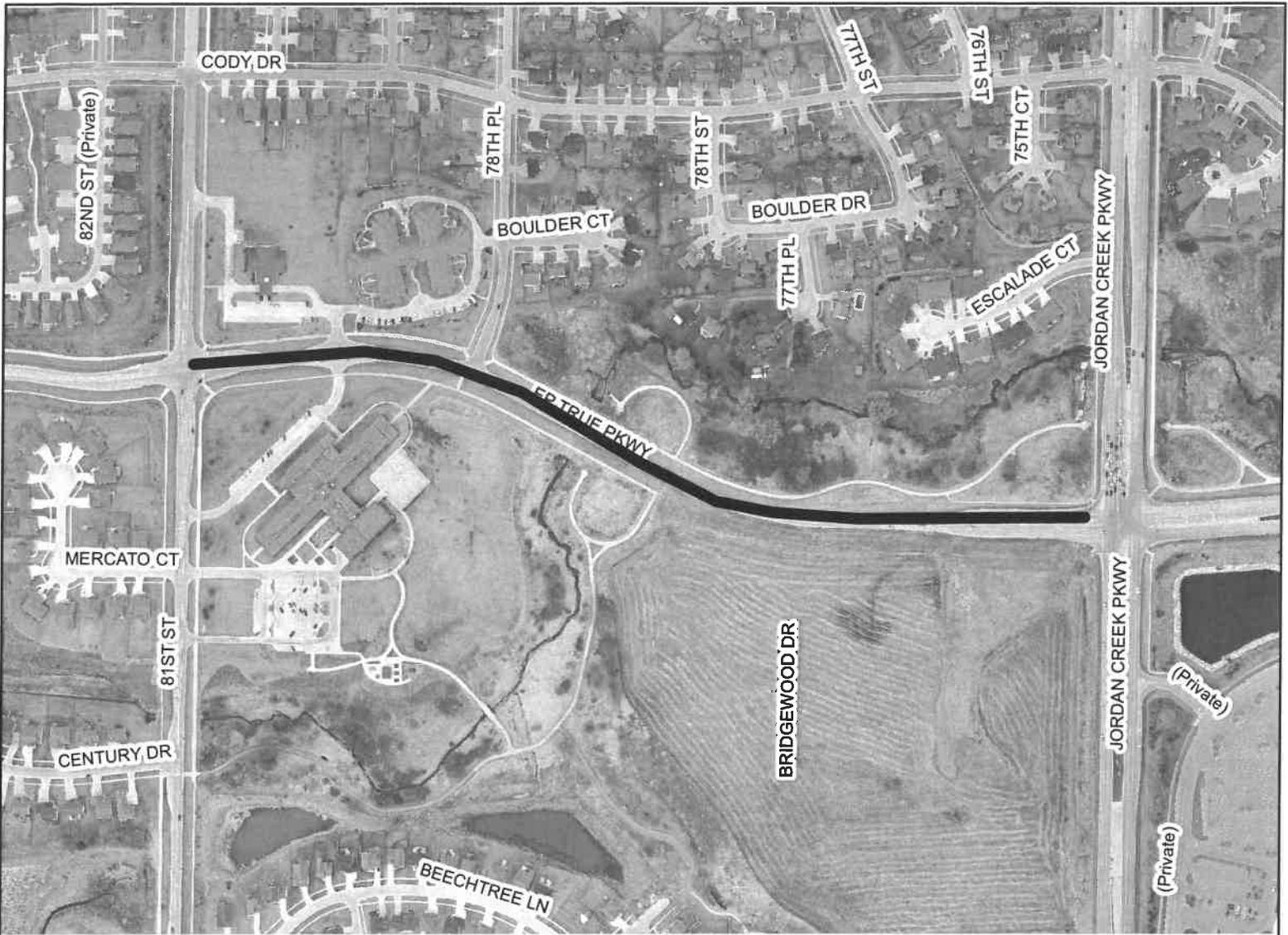
ATTEST:

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

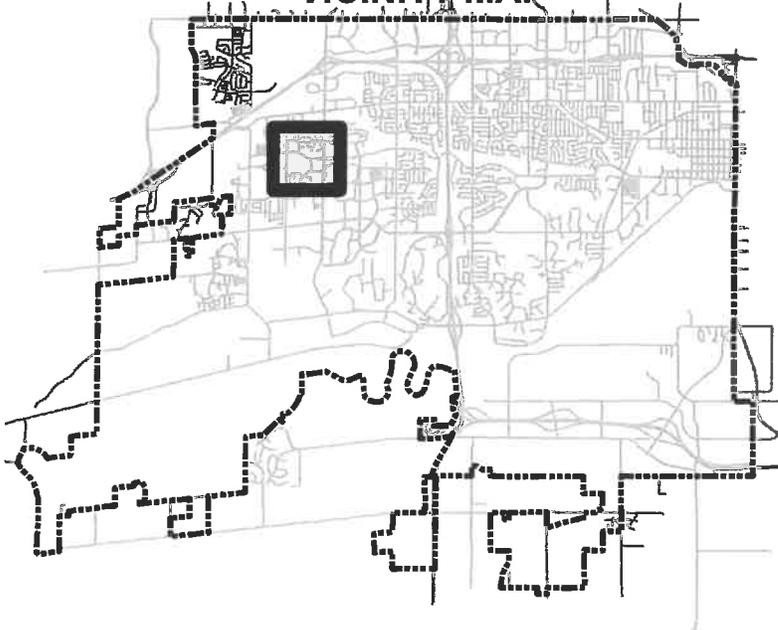
STATE OF IOWA    )  
                          ) ss:  
COUNTY OF POLK )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me a Notary Public in and for said County, personally appeared Steven K. Gaer and Ryan T. Jacobson to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively of the City of West Des Moines, Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council as contained in the Resolution adopted under Roll Call No. 19-\_\_\_\_\_, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

\_\_\_\_\_  
Notary, State of Iowa



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



PROJECT:

**EP True Widening**

LOCATION:

**Jordan Creek Parkway to 81st St**

DRAWN BY: JDR

DATE: 07/21/2017

PROJECT NUMBER: 0510-075-2017  
SUBDIVISION NAME:

SHT. 1 of 1

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

**DATE: February 19, 2019**

**ITEM:** Resolution - Approval and Acceptance of Purchase Agreements and Conveyance of Property Interests for Construction of the Ashworth Road Reconstruction Project (I-80 Bridge to 98<sup>th</sup> Street).

**FINANCIAL IMPACT:** \$30,830.00 (previously budgeted)

**SYNOPSIS:** Property interests necessary for Construction of the Ashworth Road Reconstruction Project (I-80 Bridge to 98<sup>th</sup> Street) have been acquired through negotiated purchase agreements at the appraised fair market value from the owners shown on **Exhibit "A"**, with additional comments and/or additional costs not reflected in the appraisals or compensation estimates shown in bold, if any. The attached resolution approves the purchase agreements and, for policy and title purposes, formally accepts the property interests and authorizes the filing of all relevant documents. Costs associated with acquisition of the property interests will be paid from Account No. 500.000.000.5550.730, Project No. 0510-074-2017.

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

**RECOMMENDATION:**

Adopt Resolution Approving and Accepting Purchase Agreements and Conveyance of Property Interests to the City of West Des Moines for Construction of the Ashworth Road Reconstruction Project (I-80 Bridge to 98<sup>th</sup> Street).

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer

**STAFF REVIEWS**

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

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

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

**AUTHORIZING APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENTS AND  
CONVEYANCE OF PROPERTY INTERESTS FOR CONSTRUCTION OF  
THE ASHWORTH ROAD RECONSTRUCTION PROJECT  
(1-80 BRIDGE TO 98<sup>TH</sup> STREET, PROJECT NO. 0510-074-2017)**

**WHEREAS**, on August 20, 2018, the City Council of the City of West Des Moines, Iowa established the fair market value and authorized the acquisition of property and easement(s), including any leasehold interests, necessary for construction of the Ashworth Road Reconstruction Project (I-80 Bridge to 98<sup>th</sup> Street, Project No. 0510-074-2017); and

**WHEREAS**, it is the policy of the City of West Des Moines, Iowa, to approve the conveyance of all property interests to the City; and

**WHEREAS**, the City of West Des Moines has negotiated purchase agreements for the acquisition of property interests necessary for the Project; and

**WHEREAS**, the names of the property owners and the fair market value of the property to be acquired through purchase agreements are attached hereto as **Exhibit "A"** and made a part of this resolution; and

**WHEREAS**, documents conveying property interests necessary to complete the project have been presented to the City for approval; and

**WHEREAS**, it is in the best interest of the citizens of the City to approve and accept the above-described documents.

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

1. The documents described above conveying property interests to the City of West Des Moines, Iowa, are hereby approved and accepted.
2. The City Clerk is directed to certify the Council's approval and acceptance.
3. The City Attorney is authorized to take all steps necessary and consistent with the Purchase Agreements to acquire the property interests.
4. The documents shall be filed with the county recorder as appropriate.
5. The Director of Finance is authorized to make payment to the property owners shown on the attached **Exhibit "A"** pursuant to the terms and conditions of the Purchase Agreements.

**PASSED AND ADOPTED this 19<sup>th</sup> day of February, 2019.**

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

ATTEST:

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

**Exhibit "A"**

**PROJECT ASHWORTH ROAD RECONSTRUCTION  
(I-80 BRIDGE TO 98<sup>th</sup> STREET, PROJECT NO. 0510-074-2017)**

<b>PARCEL</b>	<b>PROPERTY OWNER</b>	<b>ACQUIRED PRICE-FMV</b>	
12	Ostrander 3340 Ashworth Road	\$11,830.00	<b>*includes \$550 for permanent easement, \$1,520 for temporary easement, \$9,760 for landscaping/other</b>
3, 4, 5	Don and Ellen Roose 9585 and 9421 Ashworth Road	\$19,000.00	<b>*includes additional \$700 for fee title, \$100 for permanent easement, \$500 for temporary easement, \$740 for landscaping/other, and \$400 reimbursement for overpayment by Seller to City re landscape issue</b>
	<b>TOTAL</b>	<b>\$30,830.00</b>	

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

**DATE: February 19, 2019**

**ITEM:** Resolution - Approval and Acceptance of Purchase Agreement(s) and Conveyance of Property Interests for the Construction of the Cedar Ridge Sewer Extension Project.

**FINANCIAL IMPACT:** \$0.00 (previously budgeted)

**SYNOPSIS:** Property interests necessary for Construction of the Cedar Ridge Sewer Extension Project have been donated (and memorialized through a negotiated purchase agreement) as an obligation of the Subdivision Ordinance from the owners shown on **Exhibit "A"**, with additional comment(s) and/or additional costs not reflected in the compensation estimate(s) shown in bold, if any. The attached resolution for policy and title purposes, formally accepts the interests and authorizes the filing of all relevant document(s). Costs associated with acquisition of the property interests will be paid from Account No. 640.000.000.5550.730, Project No. 0510-054-2018.

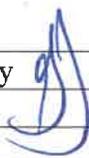
**OUTSTANDING ISSUES** (if any): None.

**RECOMMENDATION:**

Adopt a Resolution approving and accepting Purchase Agreement(s) and Conveyance of Property Interests to the City of West Des Moines for Construction of Cedar Ridge Sewer Extension Project.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer

**STAFF REVIEWS**

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

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

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

**AUTHORIZING APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENT(S) AND  
CONVEYANCE OF PROPERTY INTERESTS FOR CEDAR RIDGE SEWER EXTENSION PROJECT,  
PROJECT NO. 0510-054-2018**

**WHEREAS**, on December 26, 2018, the City Council of the City of West Des Moines, Iowa established the fair market value and authorized the acquisition of property and easement(s), including any leasehold interests, necessary for Cedar Ridge Sewer Extension Project, Project No. 0510-054-2018; and

**WHEREAS**, it is the policy of the City of West Des Moines, Iowa, to approve the conveyance of all property interests to the City; and

**WHEREAS**, the City of West Des Moines has negotiated purchase agreement(s) for the acquisition of property interests necessary for the Project; and

**WHEREAS**, the name(s) of the property owner(s) and the fair market value, established by compensation estimate(s) prepared by JCG Land Services, Inc., of the property to be acquired through purchase agreement(s) are attached hereto as **Exhibit "A"** and made a part of this resolution; and

**WHEREAS**, document(s) conveying property interests necessary to complete the project have been presented to the City for approval; and

**WHEREAS**, it is in the best interest of the citizens of the City to approve and accept the above-described document(s).

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

1. The document(s) described above conveying property interests to the City of West Des Moines, Iowa, are hereby approved and accepted.
2. The City Clerk is directed to certify the Council's approval and acceptance.
3. The City Attorney is authorized to take all steps necessary and consistent with the Purchase Agreement(s) to acquire the property interests.
4. The document(s) shall be filed with the county recorder as appropriate.
5. The Director of Finance is authorized to make payment to the property owner(s) shown on the attached **Exhibit "A"** pursuant to the terms and conditions of the Purchase Agreement(s).

**PASSED AND ADOPTED** this 19<sup>th</sup> day of **February, 2019**.

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

ATTEST:

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

**Exhibit "A"**

**CEDAR RIDGE SEWER EXTENSION PROJECT,  
PROJECT NO. 0510-054-2018**

<b>PARCEL</b>	<b>PROPERTY OWNER</b>	<b>ACQUIRED PRICE-FMV</b>	
01	Daniel Flynn and Courtney Flynn 33459 335 <sup>th</sup> Street, Waukee, IA	\$0.00	<b>*donation</b>
	<b>TOTAL</b>	<b>\$0.00</b>	

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

**DATE: February 19, 2019**

**ITEM:** Resolution - Approval and acceptance of Purchase Agreement and conveyance of property for the extension of E.P. True Parkway

**FINANCIAL IMPACT:** \$340,000.00 (\$225,000 previously budgeted, balance to be included in Budget Amendment #4)

**SYNOPSIS:** Property necessary for the extension of E.P. True Parkway west of 88<sup>th</sup> Street has been acquired through a negotiated purchase from the owner at the approved fair market value as shown on the attached Exhibit "A." The property was acquired under the threat of eminent domain, requiring payment based upon the availability of comparable replacement housing located in or near West Des Moines and payment for moving expenses.

The attached resolution approves the purchase agreement and, for policy and title purposes, formally accepts the property interests and authorizes the filing of all relevant documents. Costs associated with acquisition of the property interests will be paid from Account No. 500.000.000.5550.730, Project No. 0510-076-2017.

Closing will take place within 90 days of Buyer approval, but no later than May 16, 2019.

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

**RECOMMENDATION:**

Adopt Resolution approving and accepting Purchase Agreement and conveyance of property interests to the City of West Des Moines for the extension of E.P. True Parkway

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

**STAFF REVIEWS**

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

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

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

**AUTHORIZING APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENT AND  
CONVEYANCE OF PROPERTY INTERESTS FOR CONSTRUCTION OF THE  
EP TRUE PARKWAY EXTENSION PROJECT  
(WEST OF 88TH STREET, PROJECT NO. 0510-076-2017)**

**WHEREAS**, on August 21, 2017, the City Council of the City of West Des Moines, Iowa established the fair market value and authorized the acquisition of property and easement(s), including any leasehold interests, necessary for construction of the EP True Parkway Extension Project (West of 88th Street, Project No. 0510-076-2017); and

**WHEREAS**, it is the policy of the City of West Des Moines, Iowa, to approve the conveyance of all property interests to the City; and

**WHEREAS**, the City of West Des Moines has negotiated a purchase agreement for the acquisition of property interests necessary for the Project; and

**WHEREAS**, the names of the property owners and the fair market value of the property to be acquired through purchase agreement are attached hereto as **Exhibit "A"** and made a part of this resolution; and

**WHEREAS**, documents conveying property interests necessary to complete the project have been presented to the City for approval; and

**WHEREAS**, it is in the best interest of the citizens of the City to approve and accept the above-described documents.

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

1. The documents described above conveying property interests to the City of West Des Moines, Iowa, are hereby approved and accepted.
2. The City Clerk is directed to certify the Council's approval and acceptance.
3. The City Attorney is authorized to take all steps necessary and consistent with the Purchase Agreement to acquire the property interests.
4. The documents shall be filed with the county recorder as appropriate.
5. The Director of Finance is authorized to make payment to the property owners shown on the attached **Exhibit "A"** pursuant to the terms and conditions of the Purchase Agreement.

**PASSED AND ADOPTED this 19<sup>th</sup> day of February, 2019.**

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

ATTEST:

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

**Exhibit "A"**

**EP TRUE PARKWAY EXTENSION PROJECT  
(WEST OF 88TH STREET, PROJECT NO. 0510-076-2017)**

<b>PARCEL</b>	<b>PROPERTY OWNER</b>	<b>ACQUIRED PRICE-FMV</b>	
Dallas County Parcel ID 1610426003	Jeffrey and Tara Eastvold 525 88 <sup>th</sup> Street	\$340,000.00	<b>*includes \$241,000 Replacement Housing; \$74,000 Fee Title Acquisition (including underlying fee to existing ROW easement); \$4,400 Temporary Easement; \$10,000 Moving Expense; \$10,600 Sanitary Septic System Displacement</b>
	<b>TOTAL</b>	<b>\$340,000.00</b>	

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

**ITEM:** Approval of Proclamation  
Iowa Honey Bee Day

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** None

**BACKGROUND:**

The Iowa Honey Producers Association has requested that the City of West Des Moines approve a proclamation declaring February 27, 2019 as Iowa Honey Bee Day. On that day, a reception will be held at the State Capitol to recognize Iowa Honey Bee Day, and the signed proclamations from the State of Iowa and all participating cities will be on display.

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

**RECOMMENDATION:**

Approval of Proclamation declaring February 27, 2019 as "Iowa Honey Bee Day".

**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

*Proclamation*  
*Iowa Honey Bee Day*  
*February 27, 2019*

*Whereas*, Honey bees and native insects are important as pollinators for a third of the food we eat and honey bees are vital in production of over 90 crops grown across the nation, many of which are in Iowa. Honey bees contribute to a healthy Iowa environment by assuring availability of fruits, vegetables, nuts, and flowers for wildlife and all Iowans.

*Whereas*, Iowa's 45,000 or more honey bee hives produce about 4 million pounds of honey valued at over \$8 million and honey bees provide an estimated \$92 million economic value to Iowa crops from their pollination.

*Whereas*, Iowa has over 4,500 beekeepers representing hobbyists, sideliners as part time businesses and full time commercial beekeepers. Hobby beekeepers have as few as one hive to commercial operations with thousands of hives.

*Whereas*, Traditionally beekeeping occurred in rural areas of Iowa. Now beekeeping increasingly occurs in urban areas with the rising interest of hobby beekeepers for keeping beehives in Iowa cities and towns.

*Whereas*, Honey bees face serious threats from invasive pests, decreasing bee friendly forage, variable climate and increasing pesticide and herbicide pressure.

***NOW, THEREFORE***, I, Steven K. Gaer, Mayor of the City of West Des Moines, Iowa, do hereby proclaim February 27, 2019, to be Iowa Honey Bee Day and encourage all citizens, residents and visitors to join in observing this day and focusing on the importance of honey bees to our state economy, to enjoy the honey and other products of honey bees, to recognize the honey bees' role in maintaining our Iowa environment, and to assist in reducing the threats to honey bee survival in our state.

Signed this 19th day of February, 2019.

ATTEST:

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

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

**NO CHANGES TO PREVIOUS READING****CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION****Date: February 19, 2019**

**ITEM:** Amendment to City Code Title 9 (Zoning), Chapter 5 (Agricultural/Open Space and Residential Zoning District) and Chapter 10 (Performance Standards), Amend city code to eliminate garage requirement for multi-family condominium regime developments – City Initiated (AO-004123-2018)

**ORDINANCE: Approval of Third Reading and Adoption of the Ordinance**

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** At the February 4, 2019 City Council meeting, Development Services Staff requested an amendment to the following in Title 9, Zoning to eliminate city code regulations which require the construction of a garage in conjunction with multi-family developments under a condominium regime:

- Chapter 5, *Agricultural/Open Space and Residential Zoning District*, Section 7, *Building Form Regulations and Zoning District Compatibility for Residential Districts*, Subsections B-2-c; B-3-d; and B-4-d; and,
- Chapter 10, *Performance Standards*, Section 4, *Special Use Regulations*, Subsection B of City Code

The February 4<sup>th</sup> consideration of the amendment by the City Council related to the garage requirement for only multi-family condominium regime developments. All proposed city code changes related to requirements for a garage for single-family dwellings previously presented (November 26, 2018 and January 21, 2019 City Council meetings) were removed from the February 4<sup>th</sup> proposed ordinance amendment. In approximately 60 days, Staff will bring forward a new ordinance pertaining to single-family garage requirements with a waiver option to the Plan and Zoning Commission and City Council for consideration.

**City Council Action**

Vote: 4-0 approval, Council member Sandager absent

Date: February 4, 2019

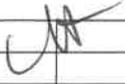
Motion: Approve the second reading of the amendment to Title 9, Zoning, Chapter 5 (Agricultural/Open Space and Residential Zoning District) and Chapter 10 (Performance Standards) eliminating garage requirements for multi-family condominium regime developments.

**OUTSTANDING ISSUES:** There are no outstanding issues. As noted above, the attached ordinance amendment will only eliminate the garage requirement for multi-family developments under a condominium regime.

**RECOMMENDATION:** Staff recommends the City Council approve the third reading and adopt the amendment to City Code to eliminate regulations which require the construction of a garage in conjunction with multi-family condominium regime developments.

Lead Staff Member: Lynne Twed

**Staff Reviews:**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	 

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

Published In	Des Moines Register
Date(s) Published	November 9, 2018
Letter sent to surrounding property owners	N/A

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning		
Date Reviewed	November 12, 2018		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

**ATTACHMENTS:**

Exhibit I - Proposed Ordinance

Prepared by: L. Twedt, West Des Moines Development Services, PO Box 65320, West Des Moines, IA 50265, 515-222-3620  
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014 BY AMENDING TITLE 9 (ZONING), CHAPTER 5 (AGRICULTURAL/OPEN SPACE AND RESIDENTIAL ZONING DISTRICT) AND CHAPTER 10 (PERFORMANCE STANDARDS) TO ELIMINATE GARAGE REQUIREMENT FOR MULTI-FAMILY CONDOMINIUM REGIME DEVELOPMENTS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:**

**Section 1. Amendment.** Title 9 (*Zoning*), Chapter 5 (*Agricultural/Open Space and Residential Zoning District*); Section 7 (*Building Form Regulations and Zoning District Compatibility for Residential Districts*), Subsection B-2-c is hereby amended by deleting the highlighted strikethrough text:

B. Building Type:

2. Multi-Family Detached (MF-D):

- a. Unit Arrangements: One unit, no attachment.
- b. Property Regime: May have ownership of unit structure and real property or just unit envelope. Will have common property providing services to units (i.e., utilities, access). Maintenance and management provided by an association.
- ~~e. Garages: Minimum of one and one half (1 1/2) car garage required (attached or detached).~~

**Section 2. Amendment.** Title 9 (*Zoning*), Chapter 5 (*Agricultural/Open Space and Residential Zoning District*); Section 7 (*Building Form Regulations and Zoning District Compatibility for Residential Districts*), Subsection B-3-d is hereby amended by deleting the highlighted strikethrough text:

B. Building Type:

3. Multi-Family Attached Horizontal (MF-AH):

- a. Unit Arrangements: Units are attached only horizontal, no stacked units. Units may be attached along side walls or attached along the side and rear wall.
- b. Property Regime:
  - (1) May have ownership of unit structure and real property (this is the typical ownership form for townhomes) or just unit envelope (this is the typical ownership form for condominiums). Has common property providing services to units (i.e., utilities, access). Maintenance and management provided by an association.

(2) One owner of building and property with no property ownership associated with the units (this is the typical ownership form for apartments). Maintenance and management provided by the property manager.

c. Entry Type: Individual unit entry, no common entry element.

~~d. Garages: Minimum of one car garage per unit required (attached or detached) for the property regime in subsection B3b(1) of this section. No garage requirement for the property regime in subsection B3b(2) of this section.~~

**Section 3. Amendment.** Title 9 (*Zoning*), Chapter 5 (*Agricultural/Open Space and Residential Zoning District*); Section 7 (*Building Form Regulations and Zoning District Compatibility for Residential Districts*), Subsection B-4-d is hereby amended by deleting the highlighted strikethrough:

B. Building Type:

4. Multi-Family Attached Vertical (MF-AV):

a. Unit Arrangements: Units attached vertically. Units may be attached along side wall or rear wall.

b. Property Regime:

(1) Ownership of unit envelope (this is the typical ownership form for condominiums). Has common property providing services to units (i.e., utilities). Maintenance and management provided by an association.

(2) One owner of building and property with no property ownership associated with unit (this is the typical ownership form for apartments). Maintenance and management provided by the property manager.

c. Entry Type:

(1) Individual: Individual unit entry, no common entry element.

(2) Shared: Some type of common entry element either conditioned or nonconditioned space.

~~d. Garages: Minimum of one car garage per unit required (attached or detached) for the property regime in subsection B4b(1) of this section. No garage requirement for the property regime in subsection B4b(2) of this section.~~

**Section 4. Amendment.** Title 9 (*Zoning*), Chapter 10 (*Performance Standards*), Section 4 (*Special Use Regulations*) Subsection B is hereby amended by deleting the highlighted strikethrough text and renumbering subsequent subsections accordingly:

B. The Following Standards Shall Apply to All Residential Districts:

1. For the purpose of this subsection an "enclosed parking space" or reference to a "garage" shall mean a covered space fully surrounded by walls, including windows, doors and similar openings or architectural features.
2. For any detached single-family residential dwelling, a minimum of one enclosed garage parking space shall be required for the use. This garage may be attached or detached but shall be of a minimum twenty foot by fourteen foot (20' x 14') size to accommodate one vehicle and additional storage.
3. ~~For any single family attached dwelling intended as owner occupied, a minimum of one enclosed parking space shall be required for each unit. This parking space shall be a minimum of nineteen feet by nine feet (19' x 9') and may be designed as a freestanding garage, attached garage or multiple garage spaces within an enclosure.~~

4. Any existing detached single-family residence ~~and any single family attached dwelling intended as owner occupied~~ shall be required to comply with the enclosed garage space if the residence is proposed to be remodeled, enlarged, expanded or modified and the cumulative value of the alterations of the structure since the adoption date hereof exceeds fifty percent (50%) of the current valuation of the structure.

For the purpose of determining the valuation of the building, the current assessor's tax roll shall be used. The valuation shall be measured on a cumulative basis for all alterations made since the adoption date hereof rather than evaluating each alteration independently against the current valuation.

5. Any existing detached single-family residence ~~and any single family attached dwelling intended as owner occupied~~ which is damaged or destroyed by catastrophe or act of God to the extent equaling fifty percent (50%) or more of its total assessed value, shall be exempt from the provisions of this Code regarding the garage requirement as a part of the reconstruction of the damage to the residential structure due to the catastrophe or act of God.
6. Any existing single-family attached dwelling which has not previously been operated as owner occupied and intends to convert to an owner-occupied program shall be required to comply with the provisions of this subsection.
7. For single family zoning districts in or adjacent to developed areas, buildings should be designed to be consistent with its surrounding architectural context or historic character of the area with comparable architectural design, materials and details, including building mass and roof slope.

**Section 5. Repealer.** All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

**Section 6. 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 7. Violations and Penalties.** Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

**Section 8. 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 9. Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

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

The foregoing Ordinance No. \_\_\_\_\_ was adopted by the Council for the City of West Des Moines, Iowa, on \_\_\_\_\_, 2019, and was published in the Des Moines Register on \_\_\_\_\_, 2019.

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Ryan T. Jacobson  
City Clerk

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

**Date: February 19, 2019**

**ITEM:** Continental Plaza, 7300 Westown Parkway – Rezone approximately 1.38 acres from Professional Commerce Park (PCP) to Support Commercial (SC) – Penta Partners, LLC– ZC-004173-2018

**ORDINANCE: Approval of Second Reading, Waive Third and Adopt in Final Form**

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** The applicant and property owner, Penta Partners, LLC, has submitted an application for approval of a rezoning request to change an approximately 1.38 acre portion in the northwest corner of the property located at 7300 Westown Parkway from Professional Commerce Park (PCP) to Support Commercial (SC) zoning to accommodate the possible future construction of a coffee shop with a drive-through.

During the February 4<sup>th</sup> City Council hearing, Chris Costa, President & Chief Operating Officer for Knapp Properties submitted a letter in opposition to a connection between Continental Plaza and the Knapp owned property to the east (7100 Westown Pkwy) stating that the connection would create a hardship by limiting the possible size and parking area available for a future building and add unnecessary traffic congestion to their property. Per the Transportation chapter of the Comprehensive Plan (Chapter 5), the City encourages interconnectivity between developments. Interconnectivity is an important component of the comprehensive circulation system for our community as it allows for convenient travel between adjacent properties without placing additional traffic on the public roadways and alleviates frustration of drivers when trying to move between developments. Representatives of Knapp Properties were informed of the requirement for interconnects between properties in both 2014 and 2016 as part of the Pre-application communications. The physical construction of the interconnect is not being requested at this time, but rather the planning to allow it to occur in the future when the current full-access onto Westown Parkway is closed occurs. Additionally, last week staff clarified with Knapp Properties representatives that the interconnect is not expected to be a separate frontage road, but rather can be a parking lot drive aisle connection.

Since the proposal for commercial on the Penta Partners site is contiguous to Support Commercial zoning to the north and no concerns with impact from the proposed commercial on the surrounding road network were identified in the Traffic Impact Study completed for the request, and because a full-access is not a requirement for the commercial building but rather the need for it would be a developer marketability decision, staff recommends proceeding with approval of the Penta Partners rezoning request.

Previous Council Action:

Vote: 4-0 approval, with Council Member Sandager absent

Date: February 4, 2019

Motion: Approval of the First Reading of the Rezoning Request.

**OUTSTANDING ISSUES:** There are no outstanding issues, however, staff would note the following:

*Knapp Properties Support Commercial Proposal:* Since the February 4<sup>th</sup> meeting, Knapp Properties inquired to staff to see if the northwest corner of their property along Westown Parkway could also be rezoned to Support Commercial. Staff provided initial concerns of office zoning existing in-between Penta Partners and Knapp's commercial areas, as well as the concern for commercial creep continuing east along Westown Parkway. Additionally, Knapp inquired about the variance process due to the increase in setbacks required of the Support Commercial district versus the current Professional Commerce Park zoning. Staff informed Knapp representatives that both properties (Penta Partners and Knapp Properties) would be expected to meet current code regarding setbacks and that variances are unlikely to be supported as development of the properties is at their own doing. Prior to making a determination whether additional commercial land use can be accommodated in the area, traffic and sanitary sewer studies need to be completed.

**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 second reading, waive the third reading and approve the rezoning request to establish 1.38 acres of Support Commercial zoning in the northwest corner of that property located at 7300 Westown Parkway with the following condition of approval:

1. The property owner acknowledging and agreeing that development of the full site and traffic generated from the full site align with that studied as part of the June 15, 2017 Traffic Analysis, and more specifically, the traffic generated by any use(s) located within the Support Commercial zoned area not exceed 1.965 ADT, 241 AM Peak and 103 PM Peak vehicle trips without approval of the City

Lead Staff Member: J. Bradley Munford 

**Staff Reviews:**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	Des Moines Register Community Section
Date(s) Published	January 18, 2019
Letter sent to surrounding property owners	January 15, 2019

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning		
Date Reviewed	March 5, 2018 and January 7, 2019		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

**ATTACHMENTS:**

- Exhibit I - Proposed Rezoning Ordinance
- Exhibit A - Conditions of Approval

Prepared by: J. B. Munford, Development Services, PO 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 rezoning 1.38 acres situated in the northwest corner of that property located at 7300 Westown Parkway from Professional Commerce Park (PCP) to Support Commercial (SC), in Compliance with the adopted City of West Des Moines Comprehensive Land Use Plan.

**LEGAL DESCRIPTION**

A PART OF LOT 1 CONTINENTAL PLAZA PLAT 2, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF STREET LOT 'A', SAID CONTINENTAL PLAZA PLAT 2; THENCE NORTHEASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 1 AND A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°42'57" EAST, 35.36 FEET; THENCE SOUTH 89°16'48" EAST CONTINUING ALONG SAID NORTHERLY LINE, 254.57 FEET; THENCE EASTERLY CONTINUING ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1213.62 FEET, WHOSE ARC LENGTH IS 22.59 FEET AND WHOSE CHORD BEARS SOUTH 89°48'48" EAST, 22.59 FEET; THENCE SOUTH 00°43'11" WEST, 199.29 FEET; THENCE NORTH 89°16'49" WEST, 302.14 FEET TO THE WEST LINE OF SAID LOT 1; THENCE NORTH 00°42'42" EAST ALONG SAID WEST LINE, 174.08 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.38 ACRES (60,019 SQUARE FEET).

THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

**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. 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 5. 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 6. 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 \_\_\_\_\_, 2019

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

**ATTEST:**

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

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

**CONDITIONS OF APPROVAL**

1. The property owner acknowledging and agreeing that development of the full site and traffic generated from the full site align with that studied as part of the June 15, 2017 Traffic Analysis, and more specifically, the traffic generated by any use(s) located within the Support Commercial zoned area not exceed 1.965 ADT, 241 AM Peak and 103 PM Peak vehicle trips without approval of the City

**NO CHANGE FROM PREVIOUS READING**

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

**Date: February 19, 2019**

**ITEM:** Kivell Property, 655 S88th Street - Consistency zone approximately 8.37 acres from Unzoned to High Density Residential (RH) – City Initiated– ZC-004188-2019

**ORDINANCE: Approval of Second Reading, Waive Third and Adopt in Final Form**

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** The City of West Des Moines Development Services Department is requesting approval of a Rezoning Request to consistency zone approximately 8.37 acres located at 655 S88th Street from Unzoned to High Density Residential (RH).

**Previous Council Action:**

Vote: 4-0 approval, with Councilmember Sandager absent

Date: February 4, 2019

Motion: Approval of the First Reading of the amendment to City Code.

**OUTSTANDING ISSUES:** There are no outstanding issues. However, staff note the following:

*Plan and Zoning Commission and prior City Council discussion:* During the Plan and Zoning discussion and again during the February 4<sup>th</sup> City Council hearing, Marilyn Mueller, owner of the home just north of the proposed development, expressed her concern about light affecting her home. She was specifically concerned about light shining through her windows and maintaining a “dark-sky” where the sky is relatively free from artificial light. Staff informed Ms. Mueller that lighting would be handled during the forthcoming site plan review and things such as cut-off light fixtures and landscape buffers are methods used to mitigate light pollution. The Council directed staff to make sure Ms. Mueller is contacted and that her concerns are addressed during the site plan review.

**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 second reading, waive the third reading and adopt the ordinance in final form.

Lead Staff Member: J. Bradley Munford

**Staff Reviews:**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	Des Moines Register Community Section
Date(s) Published	1/18/19
Letter sent to surrounding property owners	1/18/19

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning		
Date Reviewed	1/7/19		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

**ATTACHMENTS:**

Exhibit I - Proposed Rezoning Ordinance

Prepared by: J. B. Munford, Development Services, PO 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 rezoning approximately 8.37 acres located at 655 S88th Street from 'Unzoned' to High Density Residential (RH) district, in Compliance with the adopted City of West Des Moines Comprehensive Land Use Plan.

**LEGAL DESCRIPTION**

LOT 2, FORRET ACRES PLAT 1, A SUBDIVISION IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA

**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 \_\_\_\_\_, 2019

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

**ATTEST:**

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Ryan T. Jacobson  
City Clerk

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Ryan T. Jacobson  
City Clerk

**NO CHANGE FROM PREVIOUS READING**

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

Date: February 19, 2019

**ITEM:** Grand Valley PUD, Generally located at the NE corner of S 35th Street and Grand Avenue -  
Amend the Grand Valley PUD to modify residential bulk area standards for Parcels B, C and D  
- Russell Ver Ploeg (CRVP, LC) - ZC-004127-2018

**ORDINANCE: Approval of Second Reading, Waive Third and Adopt in Final Form**

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** The applicant, Bob Gibson of Civil Design Advantage, on behalf of the property owner, Russ Ver Ploeg of CVRP, L.C., is requesting to amend the Grand Valley Planned Unit Development (PUD) on the 34.5 acres generally located at the northeast corner of S 35th Street and Grand Avenue to modify residential bulk area standards for PUD Parcels B, C and D to accommodate future development.

Previous Council Action:

Vote: 4-0 approval, with Councilmember Sandager absent

Date: February 4, 2019

Motion: Approval of the First Reading of the amendment to City Code.

**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 second reading, waive the third reading and adopt the ordinance in final form.

Lead Staff Member: J. Bradley Munford 

**Staff Reviews:**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	Des Moines Register Community Section	
Date(s) Published	1/18/19	
Letter sent to surrounding property owners	1/15/19	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning		
Date Reviewed	11/12/18		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

**ATTACHMENTS:**

Exhibit I - Amended PUD Ordinance

Prepared by: J. B. Munford, Development Services, PO Box 65320, W.D.M., IA 50265-0320, 515-222-3620  
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, AND ORDINANCE #2075 AND #2195 PERTAINING TO THE GRAND VALLEY P.U.D. (#104) (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:**

**SECTION 1. AMENDMENT.** Ordinance #2075 and #2195 pertaining to the Grand Valley Planned Unit Development (PUD), Section 8, *Land Use Design Criteria*, Subsection B, *Parcel B and Parcel C* is hereby amended by deleting the struck through text and inserting the italicized and bolded text:

B. Parcel B And Parcel C: All general use regulations and provisions set forth in title 9, "Zoning", of the West Des Moines City Code for Residential Medium Density (RM-7) or Residential Single-Family (RS-5), as follows, shall apply to any development proposal for property in Parcels B or C, as shown on the sketch plan, unless noted otherwise in this ordinance. Parcels B and C may be developed with either traditional single-family detached dwellings on individual lots or with horizontally attached multi-family dwelling units with a maximum of four (4) dwellings per building and two (2) stories or less. Multi-family dwelling units may be located on either one (1) large parcel of common ground or postage stamp lots. The first plat within each parcel will determine the type of dwelling unit for that parcel; both single-family detached and multi-family attached dwellings shall not be allowed within the same PUD parcel.

1. **Setbacks Bulk Regulations:**

~~a. **RS-5 Single Family District:** All residential structures shall comply with a thirty-foot (30') front yard setback and a thirty-five foot (35') rear yard setback as measured from the boundary of Parcel B or Parcel C, respectively. Side yard setbacks shall be a minimum of five feet (5') as measured to the closest element including egress window wells, roof overhangs, bay windows, chimney bump-outs, etc. If a buffer is required for single family detached double frontage lots, the rear yard setback shall be measured from the interior edge of the buffer.~~

*a. **Single Family Detached:** All single family detached residential structures shall comply with the following:*

- i. **Front Yard Primary Building Setback:** Minimum twenty-five feet (25'), excluding porches. Porches are allowed to extend a maximum of six feet (6') into the front yard setback.*
- ii. **Rear Yard Primary Building Setback:** A minimum thirty-five foot (35') rear yard setback as measured from the perimeter boundary of Parcel B or Parcel C, respectively, except when*

*adjacent to a required buffer. A twenty-five foot (25') setback shall be allowed on lots abutting a buffer as measured from the interior edge of buffer to the primary structure.*

iii. ***Side Yard Primary Building Setbacks:*** *The minimum of any one side yard shall be no less than five feet (5') and the minimum sum of both side yards shall be at least twelve feet (12'), as measured to the foundation. The minimum separation between single family detached residential structures shall be ten feet (10'), as measured between the foundations. Building projections may encroach up to two feet (2') into the setback as long as the structures comply with all applicable building codes on fire resistive construction. No window well or any ground mounted mechanical equipment may be located in a side yard that is less than seven feet (7') in width.*

iv. *Accessory structures shall comply with regulations for the Residential Single-Family (RS-5) zoning district.*

v. ***Minimum Lot Width:*** *Minimum lot width shall be fifty feet (50').*

b. ~~RM-7 Medium Density District: Shall abide by City Code.~~ ***Horizontally Attached Multi Family: Shall abide by City Code for the Residential Medium Density (RM-7) district.***

2. Porches and Balconies: Front porches or balconies **for both single-family and multi-family** shall have a usable area that is no less than ~~five (5')~~ **six feet (6')** in width and depth. Porches and balconies may be allowed to extend into the front yard building setback a maximum of ~~five feet (5')~~ **six feet (6')**.

3. Maximum Height: The maximum height of dwelling buildings within Parcels B and C shall not exceed two (2) stories.

**SECTION 2. AMENDMENT.** Ordinance #2075 and #2195 pertaining to the Grand Valley Planned Unit Development (PUD), Section 8, *Land Use Design Criteria*, Subsection C, *Parcel D* is hereby amended by deleting the struck through text and inserting the italicized and bolded text:

C. Parcel D: All general use regulations and provisions set forth in title 9, "Zoning", of the West Des Moines City Code for Residential Medium Density (RM-7) shall apply to any development proposal for property in Parcel D, as shown on the sketch plan, unless noted otherwise in this ordinance.

1. Setbacks: All residential structures shall comply with all general use regulations and provisions set forth in title 9, "Zoning", of the City Code for Residential Medium Density District, as well as, zoning district transitioning and compatibility as identified in the Zoning Code, chapter 5, section 7, ***with the following exceptions:***

a. ***The setback from the common boundary line of Parcel D and Parcel E shall be fifteen feet (15') when Parcel E is utilized as detention or open space and not otherwise incorporated into a residential lot that is to be developed. In any circumstance in which Parcel D directly borders a developable residential lot (Parcels A, B, or C), minimum setbacks shall abide by city code for the Residential Medium-Density district and zoning district transitioning and compatibility as identified in chapter 5, section 7 of this title.***

b. ***Open Space required for Parcel D shall be 20% when Parcel E is utilized as detention or open space, or 25% if Parcel E is developed with anything other than detention or open space.***

2. Balconies: Balconies may extend a maximum of five feet (5') into the **front and rear yard** building setback.

3. Maximum Height: The maximum building height shall not exceed three (3) stories.

**SECTION 3. SAVINGS CLAUSE.** If any section, provision, sentence, clause, phrase or part of the 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. 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 5. 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 6. EFFECTIVE DATE.** This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council on this \_\_\_\_ day of \_\_\_\_\_ 2019.

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

**ATTEST:**

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

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_ 2019.

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



ORDINANCE NO. \_\_\_\_\_

An Ordinance Deleting Property From the Tax Increment Financing District for the Coachlight Drive Urban Renewal Area of the City of West Des Moines, Iowa, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of West Des Moines, Iowa (the “City”) previously enacted an ordinance providing for the division of taxes levied on taxable property in the Coachlight Drive Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, pursuant to that ordinance, a portion of the Coachlight Drive Urban Renewal Area in the City of West Des Moines was designated a “tax increment district”; and

WHEREAS, the City Council now desires to decrease the size of the “tax increment district” by deleting certain property;

BE IT ENACTED by the City Council of the City of West Des Moines, Iowa:

Section 1. Purpose. The purpose of this ordinance is to delete certain property from the tax increment financing district for the Coachlight Drive Urban Renewal Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“Deleted Property” shall mean the following real property situated in the City of West Des Moines, Dallas County, State of Iowa:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL “AA” AS FILED IN BOOK 2014 PAGE 4167 OF THE DALLAS COUNTY RECORDER’S OFFICE, BEING A POINT ON THE EAST LINE OF LOT 5 SUNSET RIDGE AS FILED IN BOOK 6 PAGE 244 OF THE DALLAS COUNTY RECORDER’S OFFICE;

THENCE NORTH ALONG THE EAST LINE OF LOTS 5, 4, 3, 2 AND 1 OF SAID SUNSET RIDGE, TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, AS DESCRIBED IN ACQUISITION PLAT FILED IN BOOK 2009 PAGE 15835 OF THE DALLAS COUNTY RECORDER’S OFFICE;

THENCE EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5<sup>TH</sup> P.M., IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, TO THE SOUTHERLY POINT OF THE NORTH LINE OF STREET LOT ‘B’, THE CASCADES AT JORDAN CREEK PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE WEST, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81<sup>ST</sup> STREET, SAID POINT BEING THE NORTHWEST CORNER OF SAID STREET LOT ‘B’;

THENCE WEST AND THENCE NORTHWEST ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SOUTH 81<sup>ST</sup> STREET, TO THE SOUTHEAST CORNER OF STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, AS FILED IN BOOK 2015 PAGE 13814 OF THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE SOUTHWESTERLY, ALONG THE SOUTH LINE OF SAID STREET LOT 'A' OF THE CASCADES AT JORDAN CREEK PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT 'A';

THENCE NORTHWESTERLY, ALONG THE WEST LINE OF STREET LOT 'A', TO A POINT ON THE NORTH LINE OF PARCEL "AA" IN BOOK 2014 PAGE 4167;

THENCE SOUTHWESTERLY, ALONG THE NORTH LINE OF SAID PARCEL "AA", TO THE POINT OF BEGINNING.

Section 3. The Deleted Property is hereby removed from the tax increment financing district for the Coachlight Drive Urban Renewal Area. No division of property tax revenues as provided under Section 403.19 of the Code of Iowa shall be done with respect to the Deleted Property without further action by the City Council.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, 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 section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of West Des Moines, Iowa, the 19th day of February, 2019.

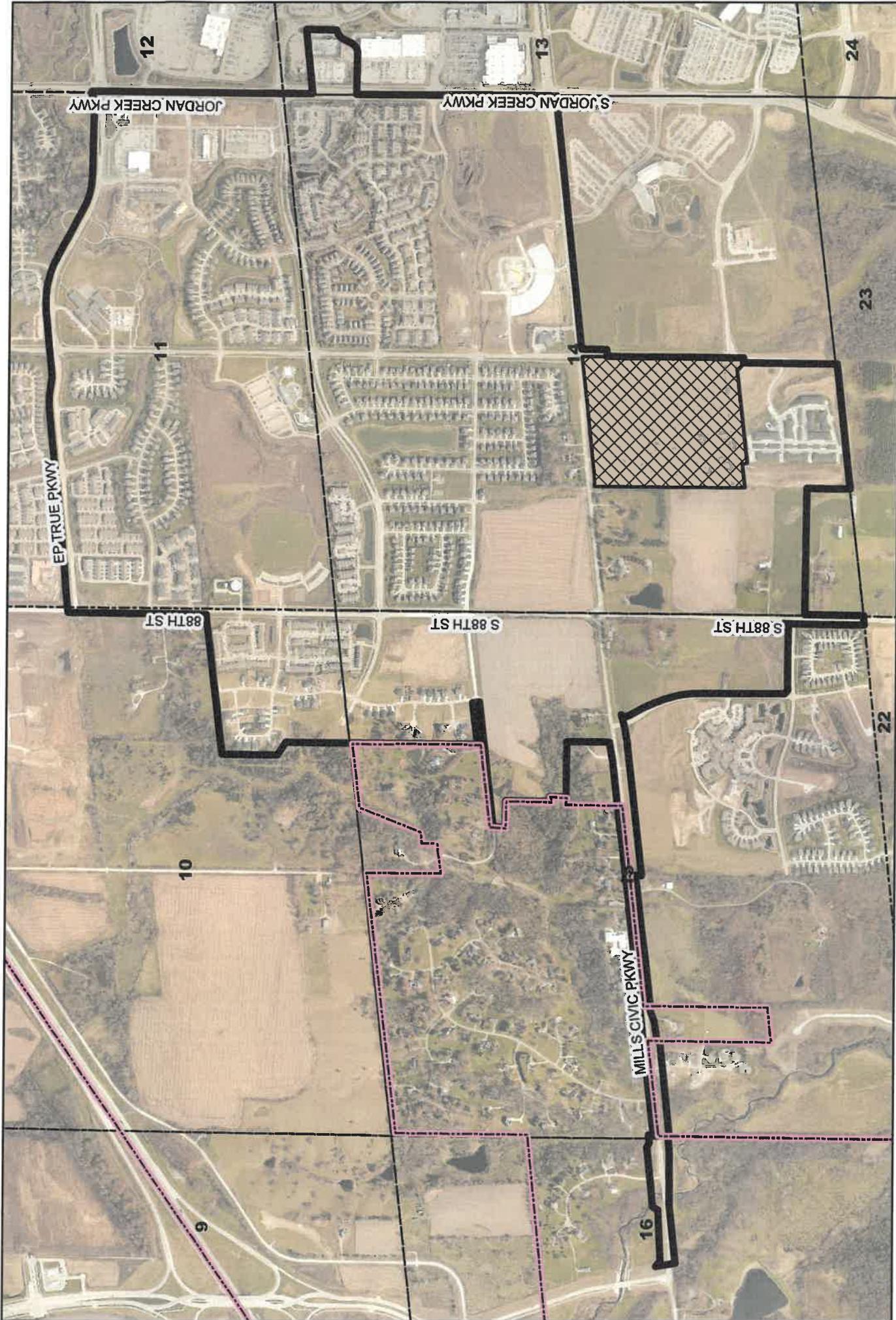
\_\_\_\_\_  
Mayor

Attest:

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

•••••

First Consideration February 4, 2019.



PROJECT:	<b>Coachlight Drive Urban Renewal Area</b>		
LOCATION:	<b>Amendment #3</b>		
AUTHOR:	BJM	DATE:	1/3/2019
		SHEET:	1 OF 1



**Legend**

-  Amendment #3 Removal
-  Existing Urban Renewal Area

**CITY OF WEST DES MOINES  
MEMORANDUM**

**TO:** Mayor and Members of the City Council

**FROM:** Kara Tragesser, AICP, Development Services 

**DATE:** February 19, 2019

**RE:** Item 6a. – Whisper Rock at Quail Cove

Please find attached correspondence related to the zone change for Whisper Rock at Quail Cove. The applicant has decided to withdraw the request for a zone change.

**STAFF RECOMMENDATION:** Staff recommends the City Council accept the withdrawal of the Whisper Rock at Quail Cove zone change request.

Thank you.

c. Lynne Twedt, Development Services Director

## Tragesser, Kara

---

**From:** dvdibrgh2@aol.com  
**Sent:** Monday, February 11, 2019 4:52 PM  
**To:** Tragesser, Kara  
**Cc:** charles@goodallproperties.com  
**Subject:** Re: Whisper Rock at Quail Cove Rezoning: City Council February 19th

Hi Kara,

As of last Monday we were very excited to proceed with Whisper Rock at Quail Cove. We were looking at a compromise to the neighbors. We were going to suggest requesting 22 single family association homes instead of 27 townhouse living units. It seemed as a compromise that could work for both us and the neighbors. Last Thursday I met with William Lowry and came with an agreement for both his support of our multi family rezoning of the development. Plus we agreed to a cost sharing of the proposed cal de sac.

But then we met with our contractors on Friday to discuss the additional cost of construction to mitigate the shale and bad soils.

Between the private streets, exterior flatwork and foundation mitigation we feel that the construction costs far exceed the current market value for the 22 living units. The margins came very close to working with the 27 townhouse units due to the lesser foundation costs and higher density to share the extra costs of construction and ongoing maintenance. If we would have felt there was even a slim chance getting the townhouse development approved we would have proceeded, But we have been told there would be no chance of getting four yes votes from the City Council for the project we have proposed. I think if the neighbors wouldn't have used the 20% rule we would have received approval from the simple majority. We could have developed a great townhouse development with a detention pond with a fishing pier and pedestrian trail the neighbors could have utilized as well.

We had further discussion that we would be required by the City of West Des Moines to have 360 architecture on the 22 association homes adding thousands of dollars of additional costs adding very little value to what we hoped to be an affordable priced products backing up to Interstate 35 to the west and absolutely no usable rear yard to the east.

The excitement of the development doesn't out weigh the added improvement costs with fewer units. The margins are way to low for the risk of the ongoing maintenance of utilities that have been sitting for years on top of horrible soil conditions. Added the frustrations of gaining neighborhood support of a neighborhood with unrealistic expectations of the property.

We are going to respectfully remove our request at this time of the RM-8 rezoning of Whisper Rock at Quail Cove. I haven't had an opportunity to share our decision with the owner of the property. You the first to know of our decision.

Thank You,

David J Albright, member  
WR at Quail Cove LLC

-----Original Message-----

From: Tragesser, Kara <Kara.Tragesser@wdm.iowa.gov>  
To: 'dvdibrgh2@aol.com' <dvdibrgh2@aol.com>  
Sent: Mon, Feb 11, 2019 3:02 pm  
Subject: Whisper Rock at Quail Cove Rezoning: City Council February 19th

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

**Date: February 19, 2019**

**ITEM:** Amendment to City Code – Amend Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District), to modify the permitted uses and permitted conditional uses allowed in the Professional Commerce Park and Office zoning districts – City Initiated – AO-004191-2019

**ORDINANCE: Approval of First Reading of Ordinance**

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** Development Services staff of the City of West Des Moines requests an amendment to the following noted chapters and sections of Title 9 (Zoning) to amend regulations pertaining to the permitted uses and permitted conditional uses allowed in the Professional Commerce Park and Office zoning districts.

- Title 9 (Zoning):
  - Chapter 6 (Commercial, Office and Industrial Zoning District) Section 6 (Commercial, Office, and Industrial Use Regulations)

Since it is the City's intent to no longer zone any properties in the City with the Professional Commerce Park (PCP) designation, staff looked at the land uses allowed in Professional Commerce Park to determine if those uses should be allowed in Office zoning districts as well. The matrix included with the amendment does not identify all uses allowed within the Professional Commerce Park and Office Districts, only those that are being amended from what is currently allowed. Staff has included a summary of the use matrix which indicates all uses allowed in these two districts (see attachment B).

**Plan and Zoning Commission Action:**

Vote: 6-0 approval, with Commissioner Drake absent.

Date: February 11, 2019

Motion: Adopt a resolution recommending the City Council approve the proposed amendment(s) to City Code.

**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
- City Council Subcommittee - *Development & Planning: February 4, 2019*
- Staff Review and Comment
  - *Heliports*
  - *Hotels with or without an event venue*
  - *Hospitals*
- Noticing Information
- Staff Recommendation and Conditions of Approval

**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 first reading of the ordinance amendment to City Code, subject to meeting all City Code requirements.

Lead Staff Member: Brian Portz, AICP <sup>BP</sup>

**Staff Reviews:**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	 

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

Published In	Des Moines Register
Date(s) Published	February 1, 2019
Letter sent to surrounding property owners	NA

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning		
Date Reviewed	February 4, 2019		
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 & Zoning Commission Resolution
- Exhibit A - Proposed Ordinance (*Moved to Exhibit II*)
- Attachment B - Currently allowed uses in PCP and OF districts
- Exhibit II - Proposed Ordinance

**CITY OF WEST DES MOINES  
PLAN AND ZONING COMMISSION COMMUNICATION**

**Meeting Date:** February 11, 2019

**Item:** Amendment to City Code – Amend Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District), to modify the permitted uses and permitted conditional uses allowed in the Professional Commerce Park and Office zoning districts – City Initiated – AO-004191-2019

**Requested Action:** Recommend approval of an Amendment to City Code

**Case Advisor:** Brian Portz, AICP *BP*

**Applicant's Request:** City of West Des Moines requests an amendment to the following noted chapters and sections of Title 9 (Zoning) to amend regulations pertaining to the permitted uses and permitted conditional uses allowed in the Professional Commerce Park and Office zoning districts.

- Title 9 (Zoning):
  - Chapter 6 (Commercial, Office and Industrial Zoning District) Section 6 (Commercial, Office, and Industrial Use Regulations)

Since it is the City's intent to no longer zone any properties in the City with the Professional Commerce Park (PCP) designation, staff looked at the land uses allowed in Professional Commerce Park to determine if those uses should be allowed in Office zoning districts as well. The matrix included with the amendment does not identify all uses allowed within the Professional Commerce Park and Office Districts, only those that are being amended from what is currently allowed. Staff has included a summary of the use matrix which indicates all uses allowed in these two districts (see attachment B).

**City Council Subcommittee:** This item was presented to the Development & Planning City Council Subcommittee at their February 4, 2019 meeting, as an informational item only. No discussion was had and no disagreement with the proposal was expressed.

**Staff Review and Comment:** Staff would summarize the following key points of interest:

- **Heliports:** Staff wanted to clarify that heliports wouldn't be allowed as a standalone use on a property but would only be permitted ancillary to a primary use, such as a hospital or large office complex, for example. Therefore, staff is recommending that the text, "*ancillary to a primary use*" was added in parenthesis to SIC 4522 Heliport/helistop. The ancillary criteria would apply in all zoning districts. A heliport without a primary building or use would be treated as an airport which would only be possible in Open Space zoned property with the approval of the Board of Adjustment.
- **Hotels with or without an event venue:** Since many Office zoning districts in the City are located adjacent to residentially zoned areas, Staff felt it was important to separate hotels/motels from residential areas. Therefore, staff is recommending that hotels/motels (whether they have an event venue or not) not be permitted in Office zones when the property shares a property line with a single family or medium density zoned or utilized property. If a hotel/motel is permitted in an Office or Professional Commerce Park designated area, any event venue within or adjacent to the hotel/motel will require a Permitted Conditional Use Permit.
- **Hospitals:** Staff is proposing to eliminate all of various types of hospital within the Hospitals SIC Code 806 and instead treat them all the same and require a Permitted Conditional Use Permit regardless if they were previously permitted or permitted as a conditional use. See the Use Matrix in the attached Ordinance Amendment for indication of the various types of hospitals previously treated individually. Staff feels that regardless of the type of hospital, the effects of a hospital on the surrounding neighborhood are generally the

same and many types raise concern by neighbors. By requiring a Permitted Conditional Use for hospitals in all districts, in addition to the site plan review, the City will have an extra review process to determine if the site is appropriate and to mitigate any possible adverse impacts by the proposed use.

**Noticing Information:** On February 1, 2019, notice of the February 11, 2019, Plan and Zoning Commission and February 18, 2019, City Council public hearings for this project was published in the *Des Moines Register*.

**Staff Recommendation and Conditions of Approval:** Staff recommends the Plan & Zoning Commission approve a resolution recommending to the City Council approval of the amendment to City Code.

**ATTACHMENTS:**

Attachment A – Plan & Zoning Commission Resolution

Exhibit A – Proposed Ordinance

Attachment B – Currently allowed uses in PCP and OF districts

RESOLUTION NO. PZC - 19 - 012

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, IOWA, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO CITY CODE, TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE AND INDUSTRIAL ZONING DISTRICT), TO MODIFY THE PERMITTED USES AND PERMITTED CONDITIONAL USES ALLOWED IN THE PROFESSIONAL COMMERCE PARK AND OFFICE ZONING DISTRICTS

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the City of West Des Moines requests an amendment to amend Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District), Section 6 (Commercial, Office, and Industrial Use Regulations), Subsection C, Table 6.1 (Use Matrix) to modify the permitted uses and permitted conditional uses allowed in the Professional Commerce Park and Office zoning districts;

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 February 11, 2019, this Commission held a duly-noticed public hearing to consider the application for an amendment to ordinance;

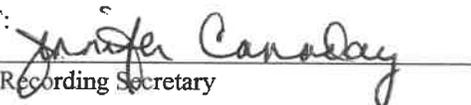
NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated February 11, 2019, or as amended orally at the Plan and Zoning Commission hearing of February 11, 2019, are adopted.

SECTION 2. The AMENDMENT TO ORDINANCE (AO-004191-2019) is recommended to the City Council for approval, as stated in the staff report or as amended in the attached Exhibit A.

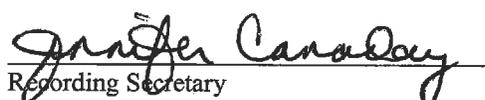
PASSED AND ADOPTED on February 11, 2019.

  
Craig Erickson, Chair  
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 February 11, 2019, by the following vote:

AYES: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth  
NAYS:  
ABSTENTIONS:  
ABSENT: DRAKE

ATTEST:  
  
Recording Secretary

**ATTACHMENT B**

<b>SIC CODES</b>	<b>OF</b>	<b>PCP</b>
<b>01 Agricultural production - crop production outdoors</b>		
011Cash grains	P	P
076Farm labor and management services	P	P
0781Landscape counseling and planning	P	P
085Forestry services	P	P
<b>15, 16, 17 Building construction, contractor and operative builders (offices only, no warehouse component)</b>	P	P
347Coating, engraving and allied services	P	
3843Dental equipment and supplies, not to exceed 5,000 sq. ft. and no outdoor presence of the manufacturing activity	P	
<b>41Local and suburban transit and interurban highway passenger transportation (except: bus terminal operations and ambulance services)</b>	P	
4225Self-service storage facility		
-Interior unit access with no outside storage yard	P	P
4226Special warehousing		
-Document and office records storage		Pc
4522Air transportation - nonscheduled		
-Heliport/helistop		Pc
<b>46Pipelines</b>	Pc	Pc
472Passenger transportation arrangement	P	P
473Freight transportation arrangement	P	P
481Telephone communications (except: transmitting/receiving towers and/or dishes)	Pc	Pc
-Unmanned service buildings	P	P
482Telegraph and other communications (except: transmitting and receiving towers and/or dishes)	P	P
483Radio and television broadcasting (except: transmitting and receiving towers and/or dishes)	P	P

<b>SIC CODES</b>	<b>OF</b>	<b>PCP</b>
<b>484</b> Cable and other pay TV services (except: transmitting/receiving towers and/or dishes)	Pc	Pc
-Unmanned service buildings	P	P
<b>489</b> Communications services, not elsewhere included (except: transmitting and receiving towers and/or dishes)		
-Wall mounted antennas and/or dishes	Pc	Pc
<b>491</b> Electric services	P	P
-Small wind energy conversion system	P	P
-Small solar energy system	P	P
-Large solar energy system	P	P
-Electric vehicle charging station	P	P
-Renewable energy electric vehicle charging station	P	P
<b>4922</b> Natural gas transmission (except: natural gas storage and 4925)	Pc	Pc
<b>4925</b> Mixed, manufactured, or liquefied petroleum gas production and/or distribution (except: production and manufacturing)	Pc	Pc
<b>493</b> Combination utility services	P	P
<b>494</b> Water supply	P	P
<b>4952</b> Sanitary services, sewerage systems	P	P
<b>4959</b> Sanitary services, not elsewhere classified	P	P
<b>5812</b> Eating places, sit down eating places	Pc	Pc
-Eating places with takeout only - no drive-throughs	Pc	Pc
<b>5962</b> Automatic merchandise machine operators		
- Indoor	P	P
<b>5994</b> News dealers and newsstands	P	P
<b>5999</b> Miscellaneous retail stores, NEC (e.g., no outdoor sales or storage)		
-Medical apparatus and supply stores		P
<b>60</b> Depository institutions (banks)	P	P

<b>SIC CODES</b>	<b>OF</b>	<b>PCP</b>
-Outdoor freestanding ATM	Pc	Pc
<b>609</b> Functions closely related to banking	P	P
<b>Professional and semiprofessional office uses, not elsewhere classified, without attendant retail, manufacturing, assembly or warehousing</b>	P	P
<b>61</b> Nondepository credit institutions	P	P
<b>62</b> Security and commodity brokers, dealers, exchange and services	P	P
<b>63</b> Insurance carriers	P	P
<b>64</b> Insurance agents, brokers, and services	P	P
<b>65</b> Real estate office	P	P
<b>67</b> Holding and other investments offices	P	P
<b>701</b> Hotels and motels		P
<b>7212</b> Garment pressing and agents for laundries and dry cleaners	P	P
<b>725</b> Shoe repair and shoeshine parlors	P	P
<b>726</b> Funeral service (except: crematories)		Pc
<b>7291</b> Tax services	P	P
<b>7299</b> Miscellaneous personal services, not elsewhere classified		
- <b>02</b> Massage therapy establishments and steam bath services	P	P
- <b>04</b> House and babysitting services	P	P
- <b>06</b> Personal document and information services	P	P
- <b>10</b> Personal financial services	P	P
<b>731</b> Advertising services	P	P
<b>732</b> Consumer credit reporting and collection agencies, mercantile reporting agencies	P	P
<b>733</b> Mailing, reproduction, commercial art and photography and stenographic services	P	P
<b>736</b> Personnel supply services	P	P
<b>737</b> Computer and data processing services	P	P

<b>SIC CODES</b>	<b>OF</b>	<b>PCP</b>
<b>7381</b> Detectives, guard and armored car services except: guard dogs and armored car	P	P
<b>7383</b> News syndicates	P	P
<b>7389</b> Office related business services, not elsewhere classified (e.g., arbitration services, interior decorating, notaries public, etc.)	P	P
<b>781</b> Motion picture production and allied services	P	P
<b>782</b> Motion picture distribution and allied services	P	P
<b>79A</b> Amusement and recreational services		
-Event venue 5,000 sq. ft. or less	Pc	Pc
-Event venue greater than 5,000 sq. ft.		Pc
<b>7991</b> Physical fitness facilities	P	P
<b>7997</b> Membership sports and recreation clubs		Pc
<b>801</b> Offices and clinics of doctors of medicine	P	P
<b>802</b> Offices and clinics of dentists	P	P
<b>803</b> Offices and clinics of doctors of osteopathy	P	P
<b>804</b> Offices and clinics of other health practitioners	P	P
<b>805</b> Nursing and personal care facilities	Pc	Pc
<b>8062</b> General medical and surgical hospitals		P
<b>8063</b> Psychiatric hospitals		Pc
<b>8069</b> Specialty hospitals		
-Substance abuse hospitals		Pc
-Chronic disease hospitals		P
-Respiratory hospital		P
-Children's hospital, eye, ear, nose and throat hospital, geriatric hospital, maternity hospital, orthopedic hospital		P
<b>807</b> Medical and dental laboratories	P	P
<b>808</b> Home healthcare service	P	P

<b>SIC CODES</b>	<b>OF</b>	<b>PCP</b>
<b>809</b> Miscellaneous health and allied services, not elsewhere classified	P	P
<b>81</b> Legal services	P	P
<b>821</b> Elementary and secondary schools	Pc	Pc
<b>822</b> Colleges and universities	Pc	P
<b>823</b> Libraries	Pc	Pc
<b>824</b> Vocational schools	Pc	P
<b>829</b> Schools and educational services, not elsewhere classified (tutoring)	Pc	P
<b>832</b> Individual and family social services	P	P
<b>833</b> Job training and vocational rehabilitation services	P	P
<b>835</b> Child daycare services	Pc	P
<b>839</b> Social services, not elsewhere classified (e.g., advocacy groups, community development groups)	P	P
<b>84</b> Museums, art galleries, botanical and zoological gardens	Pc	Pc
<b>861</b> Business associations	P	P
<b>862</b> Professional membership organizations	P	P
<b>863</b> Labor unions and similar labor organizations	P	P
<b>864</b> Civic, social, and fraternal associations	P	P
<b>865</b> Political organizations	P	P
<b>866</b> Religious organizations	Pc	Pc
<b>869</b> Membership organizations - not elsewhere classified (except: organizations with food/drink service and conference facilities)	P	P
-Organizations with food/drink services and conference facilities	Pc	Pc
<b>87</b> Engineering, accounting, research, management and related services (except: 8731, 8734, 8744)	P	P
<b>8731</b> Commercial physical and biological research	P	P
<b>8734</b> Testing laboratories (except: auto testing)	P	P
<b>89</b> Services, not elsewhere included		

<b>SIC CODES</b>	<b>OF</b>	<b>PCP</b>
-Earth science services	P	P
<b>921</b> Courts	Pc	Pc
<b>9221</b> Police protection	Pc	Pc
<b>9222</b> Legal counsel and prosecution	P	P
<b>9224</b> Fire protection	Pc	Pc
<b>9229</b> Public order and safety, not elsewhere classified (e.g., emergency management offices, public safety bureaus)	P	P
<b>93</b> Finance, taxation and monetary policy	P	P
<b>94</b> Administration of human resource programs	P	P
<b>95</b> Administration of environmental quality housing programs	P	P
<b>96</b> Administration of economic programs	P	P

Prepared by: B. Portz, West Des Moines Development Services, PO Box 65320, West Des Moines, IA 50265, 515-222-3620  
 When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE, AND INDUSTRIAL ZONING DISTRICT) TO MODIFY THE PERMITTED USES AND PERMITTED CONDITIONAL USES ALLOWED IN THE PROFESSIONAL COMMERCE PARK AND OFFICE ZONING DISTRICTS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:**

**Section 1. Amendment.** Title 9: Zoning; Chapter 6: Commercial, Office and Industrial Zoning District; Section 6, Commercial, Office, and Industrial Use Regulations; Subsection C: Table 6.1 – Use Matrix; Division E and Division I is hereby amended by deleting the highlighted strikethrough text and adding text in bold, italicized lettering.

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
<b>DIVISION E – TRANSPORTATION, COMMUNICATION AND PUBLIC UTILITIES</b>															
4226 Document and office records storage								P	P	P	P	P		<del>Pe</del>	
4522 Heliport/helistop (ancillary to a primary use)	Pc	Pc						Pc	Pc	Pc	Pc	Pc	<b>Pc</b>	Pc	Pc
<b>DIVISION I - SERVICES</b>															
701 Hotels and motels (without an event venue)	P				P	P		P					<b>P'</b>	P	
<b>701 Hotels and motels (with an event venue)</b>	<b>P</b>				<b>P</b>	<b>P</b>		<b>P</b>					<b>Pc'</b>	<b>Pc</b>	
726 Funeral Service (except: crematories)	Pc	Pc			Pc	Pc	Pc	Pc					<b>Pc</b>	Pc	Pc
79 Amusement and recreational	Pc	Pc	Pc		Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	<b>Pc</b>	Pc	

services – Event venue 5,000 sq. ft. or less															
79 Amusement and recreational services – Event venue greater than 5,000 sq. ft.	Pc							Pc	Pc			Pc	Pc	Pc	Pc
7997 Membership sports and recreation clubs	Pc	Pc				Pc	Pc	Pc	Pc			Pc	Pc	Pc	Pc
806 Hospitals	Pc	Pc						Pc					Pc	Pc	Pc
<del>8062 General medical and surgical hospitals</del>	<del>Pc</del>	<del>Pc</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pc</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pc</del>	<del></del>
<del>8063 Psychiatric hospitals</del>	<del>Pe</del>	<del>Pe</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pe</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pe</del>	<del></del>
<del>8069 Specialty hospitals</del>															
<del>Substance abuse hospitals</del>	<del>Pe</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pe</del>	<del></del>
<del>Chronic disease hospitals</del>	<del>Pc</del>	<del>Pc</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pc</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pc</del>	<del></del>
<del>Respiratory hospital</del>	<del>Pc</del>	<del>Pc</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pc</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pc</del>	<del></del>
<del>Children's hospital, eye, ear, nose and throat hospital, geriatric hospital, maternity hospital, orthopedic hospital</del>	<del>Pc</del>	<del>Pc</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pc</del>	<del></del>	<del></del>	<del></del>	<del></del>	<del></del>	<del>Pc</del>	<del></del>

<sup>1</sup> Except when the property shares a property line with a single family or medium density zoned or utilized property, then the use is not permitted.

**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. Violations and Penalties.** Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

**Section 5. 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 6. Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2019, and approved this \_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

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

The foregoing Ordinance No. \_\_\_\_\_ was adopted by the Council for the City of West Des Moines, Iowa, on \_\_\_\_\_, 2019, and was published in the Des Moines Register on \_\_\_\_\_, 2019.

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

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

**Date: February 19, 2019**

**ITEM:** Parking and Loading – Amend Title 9 (Zoning), Chapter 15 (Off-Street Parking and Loading) Section 4 (General Off-Street Parking Regulations), Section 6 (Design Standards) and Section 7 (Number Of Parking Spaces Required), to modify certain Parking and Loading regulations – City Initiated – AO-004207-2019

**Ordinance: Approval of First Reading of the Ordinance**

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** Staff is requesting an amendment to the following sections within Title 9 (Zoning) of City Code to modify certain Off-Street parking regulations:

- Chapter 15 (Off-Street Parking and Loading)
  - Section 4 (General Off-Street Parking Regulations), Subsection A12, to amend regulations and performance standards as they pertain to parking structures.
  - Section 6 (Design Standards), Subsections B5, I and J, to amend Design Standards for Private Drive Access, Parking Space Striping, and Curbing and Wheel Stops.
  - Section 7 (Number Of Parking Spaces Required), to amend the minimum number of required parking spaces for specific land uses.

**Plan and Zoning Commission Action:**

Vote: 6-0 approval, Commissioners Drake Absent.

Date: February 11, 2019

Motion: Adopt a resolution recommending the City Council approve the ordinance amendment.

**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):

- Request
- History
- City Council Workshop (*November 27th 2017*)
- Staff Review and Comments
  - *Simplification of the Code*
  - *Required Parking Adjustments*
- Comprehensive Plan Consistency
- Noticing Information
- Staff Recommendations and Conditions of Approval

**RECOMMENDATION:** Based upon the preceding review and a finding of consistency with the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approve the first reading to amend City Code to modify certain Parking and Loading regulations.

Lead Staff Member: J. Bradley Munford

**STAFF REVIEWS:**

Department Director	<i>JJK</i>
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>DD</i>

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

Published In	<i>Des Moines Register</i>
Date(s) Published	February 1, 2019
Letter sent to surrounding property owners	N/A

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	City Council Workshop		
Date Reviewed	November 27 2017		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

**ATTACHMENTS:**

- Exhibit I - Plan and Zoning Communication
- Attachment A - Plan and Zoning Commission Resolution
- Exhibit A - Proposed Ordinance (*now Exhibit II*)
- Exhibit II - Proposed Ordinance

**CITY OF WEST DES MOINES  
PLAN AND ZONING COMMISSION COMMUNICATION**

**Meeting Date:** February 11, 2019

**Item:** Parking and Loading – Amend Title 9 (Zoning), Chapter 15 (*Off-Street Parking and Loading*) Section 4 (*General Off Street Parking Regulations*), Section 6 (*Design Standards*) and Section 7 (*Number Of Parking Spaces Required*), to modify certain Parking and Loading regulations – City Initiated – AO-004207-2019

**Request Action:** Recommend Approval of Amendments to City Code

**Case Advisor:** J. Bradley Munford 

**Applicant's Request:** Staff is requesting an amendment to the following sections within Title 9 (Zoning) of City Code to modify certain off street parking regulations:

- Chapter 15 (*Off-Street Parking and Loading*)
  - Section 4 (*General Off Street Parking Regulations*), Subsection A12, to amend regulations and performance standards as they pertain to Parking Structures.
  - Section 6 (*Design Standards*), Subsections B5, I and J. To amend Design Standards for Private Drive Access, Parking Space Striping, and Curbing and Wheel Stops.
  - Section 7 (*Number Of Parking Spaces Required*). To amend the minimum number of required parking spaces for land uses.

**History:** For a number of years developers, and the public have expressed frustration with the minimum parking requirements. The sentiment is that they are complex, often times require more spaces than comparable communities and is not practical for today's market. The City has also experienced an increase in the number of parking deferrals requests heard by the City Council. Staff took the opportunity to research current trends and compared our parking codes to communities with similar characteristics and development paces. Through that research, we discovered that adjustments to our parking code could be done while still providing reasonable regulation of off street parking.

**City Council Workshop:** Staff presented information from our parking research to the City Council for guidance during a workshop on November 27<sup>th</sup> 2017. Staff pointed out the complexity of our current code and compared parking data gathered from metro communities, comparable cities in Iowa, and target cities within the Midwest. Based on that information, the City Council directed staff to amend the parking requirements to simplify them and make them more consistent with comparable communities.

Staff also discussed with the Council if there was any interest in establish parking maximums to discourage the practice of some users to build unused seas of parking. The Council was not supportive of parking maximums, however were interested in adding landscaping design performance standards in code for developments that install parking that is well over the parking minimums to mitigate and soften the impacts of these larger parking lots. The City Council directed staff to explore and draft landscape performance standards to be applied in "over parking" situations. Staff is still working on these performance standards and they will be forthcoming in a separate amendment.

**Staff Review and Comment:** There are no outstanding issues. Staff notes the following:

*Simplification of the Code:* Currently, our code have 129 separate parking requirements. Most of those requirements create distinctions between uses that are not that distinctly different. The proposed amendment consolidate similar uses. For example, our current code have a parking standard for a Food Store and a separate standard for a Grocery Store. The differences in the uses are not implicitly obvious and leads to confusion, frustration and mistakes. Under the proposed code both uses are removed and we just have retail uses parking requirement. Through this method, the parking standard will be reduced from 129 separate parking requirements to just 34.

**Required Parking Adjustments:** Another complaint about our parking code is that it require more spaces than comparable communities and is not practical for today's market. The proliferation of unused spaces in our community, a reduction of storm water run-off and the removal of unnecessary development costs were referenced as support for these sentiments. Staff compared our parking code to 27 communities. 16 of those communities are in Iowa, while the remaining 11 are communities around the mid-west that have similar demographic and development patterns. It was discovered for some uses, we have higher parking requirements than the average, while others uses were lower. The proposed amendment adjust the required parking per use to be consistent with the Iowa and mid-western comparable city average.

**Comprehensive Plan Consistency:** The ordinance amendment has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed ordinance amendment is consistent with the Comprehensive Plan in that the amendment is consistent with all of the goals and policies of the Comprehensive Plan.

**Noticing Information:** On February 1, 2019 notice of the February 11, 2019, Plan and Zoning Commission public hearing for this project was published in the *Des Moines Register*.

**Staff Recommendation and Conditions of Approval:** Staff recommends the Plan & Zoning Commission approve a resolution recommending to the City Council approval of the ordinance amendment.

Attachments:

Attachment A – Plan and Zoning Commission Resolution  
Exhibit A – Proposed Ordinance

RESOLUTION NO. PZC- 19 - 013

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014 BY AMENDING TITLE 9 (ZONING), CHAPTER 15 (OFF-STREET PARKING AND LOADING), SECTION 4 (GENERAL OFF STREET PARKING REGULATIONS);, CHAPTER 15 (OFF-STREET PARKING AND LOADING), SECTION 6 (DESIGN STANDARDS) AND, CHAPTER 15 (OFF-STREET PARKING AND LOADING), SECTION 7 (NUMBER OF PARKING SPACES REQUIRED) TO MODIFY CERTAIN PARKING AND LOADING REGULATIONS.

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, staff requests an amendment to amend Title 9 (Zoning), Chapter 15 (*Off-Street Parking and Loading*) Section 4 (*General Off Street Parking Regulations*) Subsection A12 to amend regulations and performance standards as they pertain to Parking Structures. Amend Chapter 15 (*Off-Street Parking and Loading*), Section 6 (*Design Standards*), Subsections B5, I and J to amend Design Standards for Private Drive Access, Parking Space Striping, and Curbing and Wheel Stops. Amend Chapter 15 (*Off-Street Parking and Loading*) Section 7 (*Number Of Parking Spaces Required*) to amend the minimum number of required parking spaces for land uses

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; and

WHEREAS, this Commission held a duly-noticed hearing on February 11, 2019 to consider the application for an amendment to ordinance; and

WHEREAS, this Commission did consider the request for an amendment to ordinance.

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 February 11, 2019 or as amended orally at the February 11, 2019 Plan and Zoning Commission public hearing are adopted.

SECTION 2. The AMENDMENT TO ORDINANCE (AO-004207-2019) is recommended to the City Council for approval.

PASSED AND ADOPTED on February 11, 2019.

  
Craig Erickson, Chair  
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 February 11, 2019, by the following vote:

AYES: *ANDERSEN, COSTA, CROWLEY, ERICKSON, HATFIELD, SOUTHWORTH*

NAYS:

ABSTENTIONS:

ABSENT: *DRAKE*

ATTEST:

  
Recording Secretary

**EXHIBIT A**

The Proposed Ordinance has been moved to be Exhibit II

Prepared by: J.B. Munford, West Des Moines Development Services, PO Box 65320, West Des Moines, IA 50265, 515-222-3620  
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, TITLE 9 (ZONING), CHAPTER 15 (OFF-STREET PARKING AND LOADING), SECTION 4 (GENERAL OFF-STREET PARKING REGULATIONS), SECTION 6 (DESIGN STANDARDS), SECTION 7 (NUMBER OF PARKING SPACES REQUIRED) TO AMEND REGULATION PERTAINING TO OFF-STREET PARKING AND LOADING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

**Section 1. Amendment.** Title 9 (*Zoning*), Chapter 15 (*Off-Street Parking and Loading*) Section 4 (*General Off-Street Parking Regulations*), Subsection A12, is hereby amended by deleting the highlighted strikethrough text and adding the bold italic text.

A. General Provisions: All of the following standards shall apply to all off-street parking:

12. Parking Structures: Parking structures are subject to setbacks, building height, and other development standards *of a principal structure in the respective zoning district.* ~~In addition:~~

- a. ~~Garages and carports are allowed in the side and rear yards for zero lot line homes and multi-family residential projects in each multi-family residential zone.~~
- b. ~~Parking ramps, above or below ground shall be reviewed by the city as part of the site plan review process.~~

**Section 2. Amendment.** Title 9 (*Zoning*), Chapter 15 (*Off-Street Parking and Loading*) Section 6 (*Design Standards*), Subsections B5, I and J, is hereby amended by deleting the highlighted strikethrough text and adding the bold italic text.

B. Access: With respect to access, all of the following shall apply:

5. Private Drive/Street

- a. Access to four (4) or fewer single-family detached houses shall be considered a private drive. Access to more than four (4) single-family detached houses shall be considered a private street.
- b. ~~Single family attached developments having paved access to garages without adequate room to park an additional car between the roadway and garage shall consider the access to be a private drive. If the length of paving in front of the garage is long enough to accommodate the parking of a car, the roadway shall be considered a private street and the paving between the garage and roadway will be considered a private drive.~~

- I. Striping: All parking spaces, except *individual dwelling unit driveways*, parking spaces for single family attached and detached residences, shall be striped in accordance with city requirements *the Manual on Uniform Traffic Control Devices (MUTCD) standards*. The striping shall be maintained in a clear and visible manner.
- J. Wheel Stops/Curbing: All Off-Street parking areas *lots* and associated driveways *aisles*, access roadways and frontage roads, except driveways for single family attached and detached residences, shall be constructed with permanent, integrally attached, continuous Portland cement concrete curbing of at least four inches (4") high and six inches (6") wide or of alternate height and width acceptable to the city. Prefabricated portable curb or wheel stops shall not be considered an acceptable alternative *to curbing*, unless otherwise approved by the city council during review of a development request.
1. *Wheel stops in addition to curbing shall be allowed in the following instances:*
    - a) *When the adjoining pedestrian walkway is less than six feet (6') in width. In these instances, the depth of the parking stall shall be increased to accommodate vehicle overhang within the stall so that a minimum four feet (4') clear width is maintained on the walkway.*
    - b) *When curb is dropped to provide accessible parking spaces. In these instances, the length of the dropped curb shall extend only the width of the stall (or stalls if adjacent) and any associated accessible walkway then transition back to full height curb at the first regular stall.*
  2. The curbing shall be at least three feet (3') from any wall, fence, property line, walkway, or structure where parking and/or driveways or aisles are located adjacent thereto.

**Section 3. Amendment.** Title 9 (Zoning), Chapter 15 (Off-Street Parking And Loading) Section 7 (Number Of Parking Spaces Required), is hereby amended by deleting all of Title 9; Chapter 15, Section 7 and replacing with the text below.

**9-15-7: NUMBER OF PARKING SPACES REQUIRED:**

- A. Uses Not Specified: In the case of any building, structure or premises, the use of which is not specifically mentioned herein, the provisions for a use which is mentioned, and to which said use is similar shall apply, as determined by the Development Services Director.
- B. Development with more than one use: If more than one use exists in a building or on a site, each separate use's parking requirements shall be calculated individually (i.e. Restaurant in hotel – restaurant total calculated for restaurant Gross Floor Area (GFA) and hotel total calculated for hotel guestrooms and staff).
- C. Parking Spaces Requirements for Land Uses:

Land Use	Requirements
<i>Residential</i>	
Single-Family Attached and Detached Dwelling	<ul style="list-style-type: none"> <li>• 2 Spaces Per Dwelling Unit</li> <li>• Tandem Parking Allowed</li> <li>• Attached Units &amp; Manufactured Housing – 1 Visitor Space Per 10 Units</li> </ul>
Multi-Family Dwelling	<ul style="list-style-type: none"> <li>• Efficiency Apartment – 1.5 Spaces Per Unit</li> <li>• 1-2 Bedroom Units – 1.75 Spaces Per Unit</li> <li>• 3+ Bedroom Units – 2 Spaces Per Unit</li> <li>• 1 Visitor Space Per 10 Units</li> </ul>

<b><i>Service &amp; Commercial</i></b>	
Office	<ul style="list-style-type: none"> <li>• 3.5 spaces per 1,000 square feet of GFA</li> </ul>
Medical Office	<ul style="list-style-type: none"> <li>• 5 spaces per 1,000 square feet of GFA</li> </ul>
Hospitals & Nursing and Personal Care Facilities	<ul style="list-style-type: none"> <li>• 1 space per 3 beds</li> <li>• 1 space per employee on max shift</li> </ul>
Planned Commercial Center	<ul style="list-style-type: none"> <li>• 4.5 spaces per 1,000 square feet of GFA</li> </ul>
Animal Services	<ul style="list-style-type: none"> <li>• 3.5 spaces per 1,000 square feet of GFA</li> </ul>
Manufacturing and Industrial	<ul style="list-style-type: none"> <li>• 2 spaces per 1,000 square feet of GFA</li> </ul>
Warehousing, Storage Lots, & Construction Yards	<ul style="list-style-type: none"> <li>• 0.75 spaces per 1,000 square feet of GFA</li> <li>• 1 space per employee</li> </ul>
Self-Storage Facilities	<ul style="list-style-type: none"> <li>• 0.5 spaces per 1,000 square feet of GFA</li> <li>• Interior Access Facilities – Demonstrate parking availability for reuse of the building for a common use in the zoning district in which it is located</li> </ul>
Retail	<ul style="list-style-type: none"> <li>• 3.5 spaces per 1,000 square feet of GFA</li> </ul>
Convenience Store	<ul style="list-style-type: none"> <li>• 5 spaces per 1,000 square feet of GFA</li> <li>• With gas sales – 1 space per pump</li> </ul>
Car, Boat, & Recreational Vehicle Dealers	<ul style="list-style-type: none"> <li>• 4 spaces per 1,000 square feet of GFA</li> <li>• Paved surface area shall be provided for each automobile on display for sale</li> </ul>
Vehicle Service Station	<ul style="list-style-type: none"> <li>• 3 spaces per service bay</li> <li>• 1 space per service vehicle</li> <li>• 1 space per employee on max shift</li> </ul>

Car Washes	<ul style="list-style-type: none"> <li>• Full service: 1 space per employee on max shift</li> <li>• Self-service: 2 spaces per stall</li> <li>• 2 space queuing lane for each stall</li> </ul>
Restaurants – Fast Food (No Seating Area)	<ul style="list-style-type: none"> <li>• 2 spaces per 1,000 square feet of GFA</li> <li>• 11 queuing spaces per drive-through (5 of which shall be designated for the ordering station if it is separate from the pickup window)</li> <li>• 1 space per employee</li> </ul>
Restaurants – Fast Food With Dining	<ul style="list-style-type: none"> <li>• 15 spaces per 1,000 square feet of GFA</li> <li>• 11 queuing spaces per drive-through (5 of which shall be designated for the ordering station if it is separate from the pickup window)</li> </ul>
Restaurants – Sit-Down (No Drive-Through)	<ul style="list-style-type: none"> <li>• 20 spaces per 1,000 square feet of GFA</li> </ul>
Coffee Shops	<ul style="list-style-type: none"> <li>• 10 spaces per 1,000 square feet of GFA</li> <li>• 11 queuing spaces per drive-through (5 of which shall be designated for the ordering station if it is separate from the pickup window)</li> </ul>
Drinking Places	<ul style="list-style-type: none"> <li>• 20 spaces per 1,000 square feet of GFA</li> </ul>
Banks	<ul style="list-style-type: none"> <li>• 3 spaces per 1,000 square feet of GFA</li> <li>• 3 queuing spaces per drive-through lane</li> </ul>
Hotels/Motels	<ul style="list-style-type: none"> <li>• 1 space for each guestroom</li> <li>• 1 space per employee – dwelling parking may be used for this requirement in cases of Bed and Breakfasts</li> </ul>
Laundry Services	<ul style="list-style-type: none"> <li>• 2 spaces per 1,000 square feet of GFA</li> <li>• 3 queuing spaces per drive-through lane</li> </ul>
Motion Picture Theaters	<ul style="list-style-type: none"> <li>• 1 space per 4 fixed seats</li> </ul>
Assembly Spaces	<ul style="list-style-type: none"> <li>• 20 spaces per 1,000 square feet of GFA</li> </ul>
Bowling Centers	<ul style="list-style-type: none"> <li>• 3 spaces per lane</li> </ul>

Physical Fitness Facilities/Health Club	<ul style="list-style-type: none"> <li>• 5 spaces per 1,000 square feet of GFA</li> <li>• 4 spaces per netted court (such as tennis)</li> <li>• 1 space per 40 square feet of swimming pool area</li> </ul>
Golf Courses	<ul style="list-style-type: none"> <li>• 6 spaces per hole</li> </ul>
Driving Range or Miniature Golf Course	<ul style="list-style-type: none"> <li>• 3 spaces</li> <li>• 1 space per tee/hole</li> </ul>
Elementary & Middle Schools	<ul style="list-style-type: none"> <li>• 1 space per employee</li> <li>• 1 space per 5 seats in gymnasium and auditorium</li> <li>• 25 space pickup/drop off queuing lane</li> </ul>
High Schools	<ul style="list-style-type: none"> <li>• 5 spaces per classroom</li> <li>• 1 space per 10 students</li> <li>• 10 space pickup/drop off queuing lane</li> </ul>
Colleges, Universities, Vocational, And Trade Schools	<ul style="list-style-type: none"> <li>• 1.5 spaces per employee</li> <li>• 1 space per 3 student desks or classroom seating capacity</li> </ul>
Auditoriums, Theaters, Stadiums, And Arenas	<ul style="list-style-type: none"> <li>• 1 space per 4 fixed seats or 20 spaces per 1,000 square feet of GFA, whichever is greater</li> </ul>
Libraries or Cultural Exhibits	<ul style="list-style-type: none"> <li>• 3.5 spaces per 1,000 square feet of GFA</li> </ul>
Child Day Care Services	<ul style="list-style-type: none"> <li>• 3 spaces per 1,000 square feet of GFA</li> <li>• 1 space per employee</li> <li>• 1 space per van or bus</li> </ul>
Religious Organizations & Funeral Services/Crematories	<ul style="list-style-type: none"> <li>• 20 spaces per 1,000 square feet of assembly area</li> <li>• 3 spaces per 1,000 square feet for non-assembly GFA</li> </ul>

**Section 4. Repealer.** All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

**Section 5. 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 6. Violations and Penalties.** Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section Title 1, Chapter 4, Section 1 and Section 2 of the City Code of the City of West Des Moines, Iowa.

**Section 7. 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 8. Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

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

The foregoing Ordinance No. \_\_\_\_\_ was adopted by the Council for the City of West Des Moines, Iowa, on \_\_\_\_\_, 2019, and was published in the Des Moines Register on \_\_\_\_\_, 2019.

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

# CITY OF WEST DES MOINES

## MEMORANDUM

**TO:** Mayor and City Council Members

**FROM:** Rachel Wacker, Business Development Coordinator, Community and Economic Development

**DATE:** February 19, 2019

**RE:** 1525 Grand Urban Renewal Area

At the October 15, 2018, City Council meeting, the Council directed staff to initiate the process to approve a development agreement between the City and RB WDM Grand, LLC for the construction of a new 10,600 square foot general family practice medical building for Mercy Clinic and participation in the Property Tax Rebate Program. As part of that effort, staff has initiated the process to create the 1525 Grand Urban Renewal Area and Plan. Staff is requesting the item be extended to the March 18 City Council Meeting to reschedule the consultation meeting and to give the applicant additional time to review the Development Agreement

## CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

**ITEM:** Public Hearing  
FY 2019-20 Operating and Capital Budgets

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** The FY 2019-20 fiscal budgets are comprised of basic operating expenditures totaling \$75,773,235, business/proprietary expenses of \$52,991,602, debt service expenditures of \$24,102,365, and capital improvement expenditures of \$68,210,008, for a total budget of \$221,077,210.

**BACKGROUND:** FY 2019-20 Operating and Capital Budgets, as proposed, are a product of numerous meetings between citizens, elected officials, and staff, during which revenues, expenditures, and projects have been reviewed. Included in the list of meetings was a full-Council workshop held on Saturday, January 26, 2019. The budgets as proposed consist of several initiatives designed to maintain service levels.

### *FY 2019-20 Budget Highlights*

- The proposed budget, as published, maintains the current property tax rate of \$11.79 per thousand. However, the overall city levy rate will be able to be reduced from a base need of \$12.00 down to \$11.77 as a result of the Local Option Sales and Services Tax (LOSST) which is now being collected in Dallas County. The ballot language for the Dallas County election required at least 50% all revenue collected to be applied directly against the levy rate. 50% of the estimated revenue is \$1.2 million, which represents an equivalent levy rate of \$0.23.
- A similar election with similar ballot language is proposed for the Polk County portion of West Des Moines on March 5, 2019, and should the measure pass, the levy rate would be reduced further, as follows:

#### Levies:

General Fund	\$ 10.01	
Police/Fire Retirement	0.46	
Debt Service	<u>1.95</u>	
<b>Total Levy Required</b>	<b>12.00</b>	
Less:		
Dallas County LOSST applied	<0.23>	
Polk County LOSST applied	<u>&lt;0.75&gt;</u>	
<b>FY 19-20 City Tax Rate</b>	<b>11.02</b>	-8.2%

In keeping with the City Council directive to implement the reduction immediately, the new rate would take effect July 1, 2019, even though any Polk County LOSST revenue would begin to flow to the City monthly with an approximate lag time of 30 days (first revenue received July 31).

- Nine (9) new positions are being recommended in the proposed budget as well as one budgetary adjustment to an existing position
  - The Fire Department will add 2 Fire Fighters which works towards the goal of meeting coverage at all 5 city fire stations.
  - The Police Department will add 2 Police Officers in order to meet ever increasing demands. Council will recall a Police Department assessment was completed in 2017 and the results indicated a need for several new officers. Adding these officers represents a step towards that

goal.

- Westcom will add a 2 Dispatchers in order to meter ever-increasing demands of 911 calls and as the Westcom cities continue to expand their public safety departments. The Westcom positions were approved by the Westcom Management Committee, a group which consists of representatives from all the Westcom Cities.
- Public Services will add a 2 Public Services Operators. The Public Services Operator positions are needed to accommodate the significant growth of the City's infrastructure over the past several years.
- The Library will add 1 Library Assistant who will be tasked with managing a variety of the customer service desks within the Library, allowing for greater customer service coverage during their hours of business. This position will start employment no earlier than January 1, 2020. The Library will also upgrade the existing half-time Teen Area Assistant to full-time in order to prepare and program for the future completion of the new teen area within the Library.
- Staff and Council continued to focus on long-term financial planning. The recently-completed FY 2019-20 budget processes also included preliminary projections for FY 2020-21, which includes several CIP projects spanning multiple years.
- Recommended budget for staff positions consists of 269 employees covered under bargaining unit agreements and 202.75 full-time equivalent non-union employees. Continuing a policy implemented in 2010, newly-hired full-time employees continue to be enrolled in the two health plans added at that time. Some bargaining unit employees can enroll in the City's health plan, but those employees contribute at a higher percentage. Pension benefits remain under purview of the State.
- Five of the employee bargaining units are under contract into FY 2019-20. Terms of this contract have been factored into the City's budgeted personnel costs as follows:

<u>Bargaining Unit</u>	<u>Wage and Salary Adjustment</u>
IAPFF-EMS	2.75% on July 1, 2019
IAPFF-Fire	3.00% on July 1, 2019
IUOE-Public Services & Engineering	2.75% on July 1, 2019
Teamsters-Police	2.75% on July 1, 2019
Teamsters-Westcom	2.75% on July 1, 2019

In addition to these adjustments, a number of bargaining unit employees are eligible to receive increases (dependent upon performance and employee classification). The effect of these adjustments is included. Non-union employees who have not reached their maximum pay level may be eligible to receive an increase based on job performance.

- The proposed budget reflects a decrease in the contribution rate for the Municipal Fire and Police Retirement System of Iowa (MFPRSI). The City's contribution rate of covered wages for FY 2019-20 will be 24.41% as compared to 26.02% for FY 2018-19. The proposed budget also reflects no change in the contribution rate for Iowa Public Employees Retirement System (IPERS) for regular class employees, employees in the protective class (EMS staff and part-time fire fighters) will see a decrease. The City's contribution rate for IPERS regular employees will remain at 9.44% for FY 2019-20 and protective class employees will be 9.91% a decrease from 10.21% in FY 2018-19. Nearly all pension guidelines are under the purview of the State.
- The budget assumes that the City will receive approximately \$7.68 million dollars in Road Use Tax Funds during FY 2019-20. Approximately \$6.78 million of the Road Use Tax Funds are being utilized for street related expenditures (CIP and operating), and the remaining funds are planned to be used to cover street lighting costs and repayment of debt related to Iowa Highway 5 construction.

- The FY 2019-20 Capital Improvement Plan includes the following major projects:
  - West Public Services Facility
  - Railroad Park Restrooms
  - Valley View Park Site Grading, Utilities, & North Roadway
  - Mills Civic Parkway Reconstruction – S. 81<sup>st</sup> Street to S. 91<sup>st</sup> Street
  - Booneville Road Reconstruction – S. 88<sup>th</sup> Street to West of S. 100<sup>th</sup> Street
  - Grand Avenue – S. Jordan Creek Parkway to S. 88<sup>th</sup> Street
  - Grand Avenue - 1<sup>st</sup> Street to 6<sup>th</sup> Street
  - S. 88<sup>th</sup> Street Reconstruction – Cascade Avenue to Coachlight Drive
  - MidAmerican Energy RecPlex
  - Library Renovations
- The proposed budget reflects the carryover of cash to ensure that the City maintains prudent general fund balance reserves. With total revenues of \$72,640,741 and total expenditures of \$80,685,856, the City's General Fund balance on June 30, 2020, will be \$21,827,869, or 31.85% of annual operating expenditures.

*Outlook for FY 2019-20 and Beyond*

The starting point for all projections was a desire to deliver comparable levels of to residents, utilize responsible revenue assumptions, and to maintain adequate reserves. In addition, the City Council has indicated that maintaining the current general fund tax rate is an equal priority to maintaining prudent fund balances and providing quality services.

Major areas which staff remains concerned include: a very likely reduction or elimination of the commercial tax rollback backfill from the State of Iowa, a continued reduction in tax revenues from multi-family properties, costs of mandated pension contributions, and escalating health insurance costs and related, mandated Federal requirements. Important variables going forward are modifications to calculating commercial and multi-family residential property taxes as well as possible changes to laws concerning Tax Increment Financing.

Documents detailing the FY 2019-20 proposed operating and capital budgets are included with this item.

**RECOMMENDATION:**

1. Conduct Public Hearing
2. Motion to delay approval of Resolution approving the FY 2019-20 Operating and Capital Budgets until March 11, 2019, when results of the Polk County Election will be known.

**Lead Staff Member:** Chris Hamlett, Budget Analyst 

**STAFF REVIEWS**

Department Director	Tim Stiles, Finance Director 
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	The Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Council Workshop		
Date Reviewed	January 26, 2019		
Recommendation	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> Split

## NOTICE OF PUBLIC HEARING BUDGET ESTIMATE

FISCAL YEAR BEGINNING JULY 1, 2019 - ENDING JUNE 30, 2020

City of West Des Moines, Iowa

The City Council will conduct a public hearing on the proposed Budget at Council Chambers at City Hall  
on 2/19/2019 at 5:30 PM  
*(Date) xx/xx/xx (hour)*

The Budget Estimate Summary of proposed receipts and expenditures is shown below.  
Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor,  
City Clerk, and at the Library.

The estimated Total tax levy rate per \$1000 valuation on regular property ..... \$ 11.79000  
The estimated tax levy rate per \$1000 valuation on Agricultural land is ..... \$ 3.00375

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

515-222-3600  
phone number

Tim Stiles  
City Clerk/Finance Officer's NAME

		Budget FY 2020	Re-estimated FY 2019	Actual FY 2018
		(a)	(b)	(c)
<b>Revenues &amp; Other Financing Sources</b>				
Taxes Levied on Property	1	61,509,236	57,066,411	54,086,843
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
<b>Net Current Property Taxes</b>	<b>3</b>	<b>61,509,236</b>	<b>57,066,411</b>	<b>54,086,843</b>
Delinquent Property Taxes	4	0	0	10,731
TIF Revenues	5	16,241,444	17,822,026	13,531,467
Other City Taxes	6	7,794,640	7,201,884	5,065,449
Licenses & Permits	7	1,755,800	1,703,300	1,904,626
Use of Money and Property	8	1,960,069	1,059,500	2,457,805
Intergovernmental	9	21,829,571	21,675,529	22,239,744
Charges for Fees & Service	10	22,551,800	21,593,826	21,988,507
Special Assessments	11	125,000	100,000	142,102
Miscellaneous	12	11,692,046	13,333,000	20,219,963
Other Financing Sources	13	24,425,000	43,669,205	99,046,867
Transfers In	14	112,148,569	81,740,899	87,641,488
<b>Total Revenues and Other Sources</b>	<b>15</b>	<b>282,033,175</b>	<b>266,965,580</b>	<b>328,335,592</b>
<b>Expenditures &amp; Other Financing Uses</b>				
Public Safety	16	33,188,943	31,491,048	29,050,020
Public Works	17	10,970,683	10,989,223	9,240,889
Health and Social Services	18	1,340,460	1,338,981	1,179,617
Culture and Recreation	19	10,628,702	10,294,246	8,713,475
Community and Economic Development	20	9,506,413	10,037,701	10,425,492
General Government	21	9,967,144	11,950,083	8,459,701
Debt Service	22	24,273,255	25,919,632	28,788,919
Capital Projects	23	68,210,008	108,296,885	43,414,199
<b>Total Government Activities Expenditures</b>	<b>24</b>	<b>168,085,608</b>	<b>210,317,799</b>	<b>139,272,312</b>
Business Type / Enterprises	25	52,991,602	59,035,274	24,824,220
<b>Total ALL Expenditures</b>	<b>26</b>	<b>221,077,210</b>	<b>269,353,073</b>	<b>164,096,532</b>
Transfers Out	27	112,148,569	81,740,899	87,641,488
<b>Total ALL Expenditures/Transfers Out</b>	<b>28</b>	<b>333,225,779</b>	<b>351,093,972</b>	<b>251,738,020</b>
<b>Excess Revenues &amp; Other Sources Over (Under) Expenditures/Transfers Out</b>	<b>29</b>	<b>-51,192,604</b>	<b>-84,128,392</b>	<b>76,597,572</b>
Beginning Fund Balance July 1	30	253,234,961	337,363,353	260,765,781
<b>Ending Fund Balance June 30</b>	<b>31</b>	<b>202,042,357</b>	<b>253,234,961</b>	<b>337,363,353</b>

CITY OF

West Des Moines

The last two columns will fill in once the Re-Est forms are completed

REVENUES DETAIL  
Fiscal Year Ending 2020

Fiscal Years

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)
REVENUES & OTHER FINANCING SOURCES	GENERAL	SPECIAL	TIF	DEBT	CAPITAL	PERMANENT	PROPRIETARY	BUDGET	RE-ESTIMATED	ACTUAL	
	(C)	(D)	(E)	(F)	(G)	(H)	(I)	2020	2019	2018	
								(J)	(K)	(L)	
1 Taxes Levied on Property	42,105,136	8,327,404		11,076,696	0			61,509,236	57,066,411	54,086,843	
2 Less: Uncollected Property Taxes - Levy Year								0	0	0	
3 Net Current Property Taxes (line 1 minus line 2)	42,105,136	8,327,404		11,076,696	0			61,509,236	57,066,411	54,086,843	
4 Delinquent Property Taxes								0	0	10,731	
5 TIF Revenues			16,241,444					16,241,444	17,822,026	13,531,467	
6 Other City Taxes:											
7 Utility Tax Replacement Excise Taxes	424,768	84,045		100,827	0			609,640	613,520	627,272	
8 Utility franchise tax (Iowa Code Chapter 364.2)	235,000							235,000	263,000	254,708	
9 Parimutuel wager tax								0	0	0	
10 Gaming wager tax								0	0	0	
11 Mobile Home Taxes	4,550,000							4,550,000	4,300,000	4,180,160	
12 Hotel/Motel Taxes		2,400,000						2,400,000	2,025,364	3,309	
13 Other Local/Option Taxes (lines 6 thru 12)	5,209,768	2,484,045		100,827	0			7,794,640	7,201,884	5,065,449	
14 Subtotal - Other City Taxes (lines 6 thru 12)	1,755,800							1,755,800	1,703,300	1,904,626	
15 Licenses & Permits	942,200	82,800	25,000	65,000			845,069	1,960,069	1,059,500	2,457,805	
16 Use of Money & Property											
17 Intergovernmental:											
18 Federal Grants & Reimbursements	17,000	380,000			2,320,000			2,717,000	903,526	3,450,475	
19 Road Use Taxes		7,688,461						7,688,461	7,624,920	7,889,959	
20 Other State Grants & Reimbursements	1,977,972	636,365	0	511,408	208,300		50,000	3,384,065	3,483,336	4,069,831	
21 Local Grants & Reimbursements	2,469,950	51,000			119,000		5,400,095	8,040,045	9,663,747	6,829,479	
22 Subtotal - Intergovernmental (lines 16 thru 19)	4,464,922	8,755,846	0	511,408	2,647,300		5,450,095	21,829,571	21,675,529	22,239,744	
23 Charges for Fees & Service:											
24 Water Utility								0	0	0	
25 Sewer Utility								11,579,300	11,236,820	11,482,730	
26 Electric Utility								0	0	0	
27 Gas Utility								0	0	0	
28 Parking								0	0	0	
29 Airport								0	0	0	
30 Landfill/Garbage								0	0	0	
31 Hospital								0	0	0	
32 Transit								0	0	0	
33 Cable TV, Internet & Telephone								0	0	0	
34 Housing Authority								0	0	0	
35 Storm Water Utility								0	0	0	
36 Other Fees & Charges for Service (lines 21 thru 33)	5,717,500	45,000						3,140,000	2,708,000	2,465,151	
37 Subtotal - Charges for Service (lines 21 thru 33)	5,717,500	45,000	0					5,762,500	5,648,706	6,134,434	
38 Special Assessments								22,551,800	21,593,826	21,988,507	
39 Miscellaneous	828,200	255,100			125,000			125,000	100,000	142,102	
40 Other Financing Sources:					462,500		10,146,246	11,692,046	13,333,000	20,219,963	
41 Regular Operating Transfers In	10,129,977	174,950		1,539,189	65,050,208			100,124,324	63,254,845	74,615,791	
42 Internal TIF Loan Transfers In				11,974,245	50,000		23,230,000	12,024,245	18,486,054	13,025,697	
43 Subtotal ALL Operating Transfers In	10,129,977	174,950	0	13,513,434	65,100,208		23,230,000	112,148,569	81,740,899	87,641,488	
44 Proceeds of Debt (Excluding TIF Internal Borrowing)					24,400,000			24,400,000	43,576,750	99,074,447	
45 Proceeds of Capital Asset Sales	25,000							25,000	92,425	-27,580	
46 Subtotal-Other Financing Sources (lines 38 thru 40)	10,154,977	174,950	0	13,513,434	89,500,208		23,230,000	136,573,569	125,410,104	186,688,355	
47 Total Revenues except for beginning fund balance (lines 3, 4, 5, 13, 14, 15, 20, 34, 35, 36, & 41)	71,178,503	20,125,145	16,266,444	25,267,365	92,735,008	0	56,460,710	282,033,175	266,965,560	328,335,592	
48 Beginning Fund Balance July 1	31,969,862	17,734,014	3,330,883	3,272,489	33,280,448	0	163,647,265	253,234,961	337,363,353	260,765,781	
49 TOTAL REVENUES & BEGIN BALANCE (lines 47+48)	103,148,365	37,859,159	19,597,327	28,539,854	126,015,456	0	220,107,975	535,268,136	604,328,933	589,101,373	

EXPENDITURES SCHEDULE PAGE 1

Fiscal Year Ending 2020

Fiscal Years

GOVERNMENT ACTIVITIES (A)	(B)	GENERAL (C)	SPECIAL REVENUES (D)	TIF SPECIAL REVENUES (E)	DEBT SERVICE (F)	CAPITAL PROJECTS (G)	PERMANENT (H)	PROPRIETARY (I)	BUDGET 2020 (J)	RE-ESTIMATED 2019 (K)	ACTUAL 2018 (L)
<b>PUBLIC SAFETY</b>											
Police Department/Crime Prevention	1	11,309,470	1,565,685						12,875,155	12,253,578	10,057,214
Jail	2								0	0	0
Emergency Management	3	37,100							37,100	37,100	40,372
Flood Control	4	51,100							51,100	51,000	30,540
Fire Department	5	9,257,535	1,295,730						10,553,265	10,141,335	8,998,684
Ambulance	6	5,908,957							5,908,957	5,661,936	5,034,235
Building Inspections	7	1,334,617							1,334,617	1,260,748	1,053,111
Miscellaneous Protective Services	8								0	0	40,612
Animal Control	9	493,483							493,483	397,995	318,762
Other Public Safety	10	1,935,266							1,935,266	1,687,356	3,476,490
<b>TOTAL (lines 1 - 10)</b>	<b>11</b>	<b>30,327,528</b>	<b>2,861,415</b>				<b>0</b>		<b>33,188,943</b>	<b>31,491,048</b>	<b>29,050,020</b>
<b>PUBLIC WORKS</b>											
Roads, Bridges, & Sidewalks	12	3,604,290							3,604,290	3,090,775	3,666,142
Parking - Meter and Off-Street	13								0	0	0
Street Lighting	14		732,000						732,000	810,000	737,877
Traffic Control and Safety	15	1,410,736							1,410,736	1,503,217	1,308,596
Snow Removal	16								0	0	0
Highway Engineering	17	2,521,255							2,521,255	2,527,800	27,679
Street Cleaning	18	110,195							110,195	103,907	101,088
Airport (if not Enterprise)	19								0	0	0
Garbage (if not Enterprise)	20								0	0	0
Other Public Works	21	2,592,207							2,592,207	2,953,524	1,259,151
<b>TOTAL (lines 12 - 21)</b>	<b>22</b>	<b>10,238,683</b>	<b>732,000</b>				<b>0</b>		<b>10,970,683</b>	<b>10,989,223</b>	<b>9,240,889</b>
<b>HEALTH &amp; SOCIAL SERVICES</b>											
Welfare Assistance	23								0	0	0
City Hospital	24								0	0	0
Payments to Private Hospitals	25								0	0	0
Health Regulation and Inspection	26								0	0	0
Water, Air, and Mosquito Control	27								0	0	0
Community Mental Health	28								0	0	0
Other Health and Social Services	29	1,151,660	188,800						1,340,460	1,338,981	1,179,617
<b>TOTAL (lines 23 - 29)</b>	<b>30</b>	<b>1,151,660</b>	<b>188,800</b>				<b>0</b>		<b>1,340,460</b>	<b>1,338,981</b>	<b>1,179,617</b>
<b>CULTURE &amp; RECREATION</b>											
Library Services	31	3,276,541	77,000						3,353,541	3,221,930	2,852,028
Museum, Band and Theater	32								0	0	0
Parks	33	3,223,681	79,600						3,303,281	3,266,061	3,148,652
Recreation	34	3,728,295	15,000						3,743,295	3,577,695	2,388,785
Cemetery	35	12,700							12,700	12,700	18,919
Community Center, Zoo, & Marina	36	195,885							195,885	157,715	146,560
Other Culture and Recreation	37	20,000							20,000	58,145	158,531
<b>TOTAL (lines 31 - 37)</b>	<b>38</b>	<b>10,457,102</b>	<b>171,600</b>				<b>0</b>		<b>10,628,702</b>	<b>10,294,246</b>	<b>8,713,475</b>

EXPENDITURES SCHEDULE PAGE 2

Fiscal Years

Fiscal Year Ending 2020

	(A)	(B)	Fiscal Year Ending 2020									
			GENERAL (C)	SPECIAL REVENUES (D)	TIF SPECIAL REVENUES (E)	DEBT SERVICE (F)	CAPITAL PROJECTS (G)	PERMANENT (H)	PROPRIETARY (I)	BUDGET 2020 (J)	RE-ESTIMATED 2019 (K)	ACTUAL 2018 (L)
<b>GOVERNMENT ACTIVITIES CONT.</b>												
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>												
Community Beautification		39	25,000								38,060	10,746
Economic Development		40	1,524,890	150,000							1,780,307	4,151,158
Housing and Urban Renewal		41	382,328	578,806							1,661,305	3,698,853
Planning & Zoning		42	1,407,562								1,467,000	1,093,236
Other Com. & Econ Development		43	3,059,720		2,378,107						5,091,029	1,471,499
TOTAL (lines 39 - 44)		45	6,399,500	728,806	2,378,107						10,037,701	10,425,492
<b>GENERAL GOVERNMENT</b>												
Mayor, Council, & City Manager		46	1,357,975								1,296,755	1,180,943
Clerk, Treasurer, & Finance Adm.		47	1,526,349								1,491,803	1,393,462
Elections		48	25,000								0	0
Legal Services & City Attorney		49	887,746								847,438	707,845
City Hall & General Buildings		50	348,965								1,606,920	353,616
Tort Liability		51	710,500								600,000	430,045
Other General Government		52	5,110,609								6,107,167	4,393,790
TOTAL (lines 46 - 52)		53	9,967,144	0	0						11,950,083	8,459,701
<b>DEBT SERVICE</b>												
Gov Capital Projects		54		170,890		24,102,365					25,919,632	28,788,919
TIF Capital Projects		55					38,950,008				102,046,885	11,915,081
TOTAL CAPITAL PROJECTS		56					38,950,008				102,046,885	11,915,081
TOTAL Government Activities Expenditures (lines 11+22+30+38+45+53+54+57)		57	0	0	0		68,210,008				108,296,885	43,414,199
<b>BUSINESS TYPE ACTIVITIES</b>												
<b>Proprietary: Enterprise &amp; Budgeted ISF</b>												
Water Utility		59									0	0
Sewer Utility		60									0	0
Electric Utility		61									10,178,666	9,574,732
Gas Utility		62									0	0
Airport		63									0	0
Landfill/Garbage		64									2,079,000	318,762
Transit		65									2,053,500	2,007,770
Cable TV, Internet & Telephone		66									0	0
Housing Authority		67									0	0
Storm Water Utility		68									0	0
Other Business Type (city hosp., ISF, parking, etc.)		69									2,512,696	2,178,452
Enterprise DEBT SERVICE		70									17,576,693	10,438,280
Enterprise CAPITAL PROJECTS		71									137,000	0
Enterprise TIF CAPITAL PROJECTS		72									26,713,719	306,224
TOTAL Business Type Expenditures (lines 59 - 73)		73									59,035,274	0
TOTAL ALL EXPENDITURES (lines 56+74)		74	68,541,617	4,853,511	2,378,107	24,102,365	68,210,008				221,077,210	24,824,220
Regular Transfers Out		75	10,682,001	26,563,134	12,024,245	439,189	53,610,000				63,254,845	164,096,532
Internal TIF Loan / Repayment		76			12,024,245						12,024,245	74,615,791
TOTAL ALL Transfers Out		77	10,682,001	26,563,134	12,024,245	439,189	53,610,000				18,486,054	19,025,697
Total Expenditures & Fund Transfers Out (lines 75+76)		78	79,223,618	31,416,645	14,402,352	24,541,554	121,820,008				351,093,972	87,641,488
Ending Fund Balance June 30		79	23,924,747	6,442,514	5,194,975	3,988,300	4,195,448				253,234,961	337,363,353

\* A continuing appropriation is the unexpended budgeted amount from a prior year's capital project. The entry is made on the Con Approps page that must accompany the budget forms if used. SEE INSTRUCTIONS FOR USE.

LONG TERM DEBT SCHEDULE  
GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

City Name: West Des Moines

Fiscal Year  
2020

PAGE 1

	(A) Debt Name	(B) Amount of Issue	(C) Type of Debt Obligation	(D) Date Certified to County Auditor	(E) Debt Resolution Number	(F) Principal Due FY 2020	(G) Interest Due FY 2020	(H) Bond Reg./ Paying Agent Fees Due FY 2020	(I) Total Obligation Due FY 2020	(J) Paid from Funds OTHER THAN Current Year Debt Service Taxes	(K) Amount Paid Current Year Debt Service Levy =(K)-(J)
(1)	Registration Costs (total)							10,000	10,000		10,000
(2)	G.O. Bonds 2010A - ECP	6,050,000	GO	2/10/2010	10-02-08-16	780,000	33,150		813,150		813,150
(3)	G.O. Bonds 2010C - ECP	7,000,000	GO	6/17/2010	10-06-01-08	845,000	25,350		870,350		870,350
(4)	G.O. Bonds 2011A - ECP	6,900,000	GO	7/29/2011	11-07-25-09	425,000	88,919		514,919		514,919
(5)	G.O. Bonds 2012B - ECP	11,355,000	GO	4/28/2012	12-04-02-11	870,000	71,500		941,500		941,500
(6)	G.O. Bonds 2012D - ECP	7,520,000	GO	6/15/2012	12-06-11-12	550,000	125,700		675,700		675,700
(7)	G.O. Bonds 2013A - ECP	4,365,000	GO	8/9/2013	13-08-05-10	275,000	44,280		319,280		319,280
(8)	G.O. Bonds 2014A - ECP	12,250,000	GO	9/5/2014	14-08-25-17	820,000	230,538		1,050,538		1,050,538
(9)	G.O. Bonds 2015A - ECP (Alluvion Abated)	21,755,000	GO	3/31/2015	15-03-23-14	1,720,000	541,613		2,261,613		2,261,613
(10)	G.O. Bonds 2015B - ECP (Alluvion)	12,715,000	GO	3/31/2015	15-03-23-16	1,475,000	229,048		1,704,048		1,704,048
(11)	G.O. Bonds 2015C - ECP (Advance Refunding)	3,410,000	GO	3/31/2015	15-03-23-18	615,000	12,300		627,300		627,300
(12)	G.O. Bonds 2016A - ECP	9,225,000	GO	6/6/2016	16-5-31-21	685,000	124,950		809,950		809,950
(13)	G.O. Bonds 2016B - ECP (Mills/Microsoft Abated)	13,855,000	GO	6/6/2016	16-5-31-23	1,235,000	444,475		1,679,475		1,679,475
(14)	G.O. Bonds 2016C - ECP	7,200,000	GO	11/04/2016	16-10-31-16	765,000	144,150		909,150		909,150
(15)	G.O. Bonds 2016D - ECP (Alluvion)	10,700,000	GO	11/04/2016	16-10-31-18	755,000	299,800		1,054,800		1,054,800
(16)	G.O. Bonds 2017A - ECP	7,650,000	GO	8/10/2017	17-08-07-17	440,000	110,038		550,038		550,038
(17)	G.O. Bonds 2017B - ECP (Mills)	4,665,000	GO	8/10/2017	17-08-07-19	630,000	122,250		752,250		752,250
(18)	G.O. Bonds 2017C - ECP (Alluvion)	9,130,000	GO	8/10/2017	17-08-07-21	535,000	337,844		872,844		872,844
(19)	G.O. Bonds 2017D - ECP (Osmium)	25,655,000	GO	8/10/2017	17-08-07-23	200,000	866,013		1,066,013		1,066,013
(20)	G.O. Bonds 2017E - ECP (Advance Refunding)	3,470,000	GO	8/10/2017	17-08-07-25	295,000	121,863		376,863		376,863
(21)	G.O. Bonds 2018A - ECP	8,110,000	GO	5/31/2018	18-05-29-14	430,000	264,000		694,000		694,000
(22)	G.O. Bonds 2018B - ECP (Ashworth)	12,540,000	GO	5/31/2018	18-05-29-15	315,000	501,844		816,844		816,844
(23)	G.O. Bonds 2018C - ECP (Coachlight)	6,165,000	GO	5/31/2018	18-05-29-16	100,000	223,007		323,007		323,007
(24)	G.O. Bonds 2018D - ECP (Osmium)	15,925,000	GO	5/31/2018	18-05-29-17	560,883	560,883		1,121,766		1,121,766
(25)	G.O. Bonds 2018E - ECP (Osmium)	10,665,000	GO	12/13/2018	18-12-10-16		317,494		317,494		317,494
(26)	G.O.B Bonds 2019 - ECP (Pre-Levy)	10,000,000	GO				3,530,376		3,530,376		3,530,376
(27)	FY 19-20 Commercial & Industrial Replacement		NO SELECTION								-511,408
(28)			NO SELECTION								
(29)			NO SELECTION								
(30)			NO SELECTION								
<b>TOTALS</b>						14,720,000	9,372,365	10,000	24,102,365	12,924,842	11,177,523

TAXABLE VALUATION

(January 1, 2018: for the 2019-20 FY)

	POLK	DALLAS	WARREN	MADISON	TOTAL
RESIDENTIAL	1,849,989,014	863,082,116	11,438,709	22,198	2,724,530,037
MULTI-RESIDENTIAL	202,956,149	105,155,054	-	-	308,111,203
COMMERCIAL	1,022,941,451	1,016,158,550	326,160	3	2,039,426,164
INDUSTRIAL	40,939,805	-	-	-	40,939,805
RAILROADS	5,029,812	-	-	-	5,029,812
UTILITIES - GAS/ELECTRIC	51,506,384	199,791	-	-	51,706,175
UTILITIES - OTHER	6,774,063	1,443,694	171,917	15,420	8,405,094
OTHER	-	-	-	-	-
<b>SUB-TOTAL</b>	<b>3,180,136,678</b>	<b>1,985,039,205</b>	<b>11,934,786</b>	<b>37,621</b>	<b>5,178,148,290</b>
LESS MILITARY	2,500,200	733,392	7,408	-	3,241,000
<b>TOTAL REGULAR</b>	<b>3,177,636,478</b>	<b>1,985,305,813</b>	<b>11,927,378</b>	<b>37,621</b>	<b>5,174,907,290</b>

TAX INCREMENT DISTRICTS

District	Valley Junction 2009	Historic WDM	4125 Westown	Westown V	Microsoft (Mills Sub 7)	Aviva (Mills Sub 6)	Mills Parkway	Global Aviation (Mills Sub 5)	Jordan Creek	Ashworth Road	Fuller Road	Woodland Hills	Vai-Gate	Mills Crossing/Glenman Sq	Midtown	Alluvion	Coachlight	Osmium		
Valley Junction 2009	1,746,900	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Historic WDM	-	1,746,900	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,746,900
4125 Westown	-	2,503,452	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,503,452
Westown V	-	2,161,120	-	-	6,475,318	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8,636,438
Microsoft (Mills Sub 7)	-	-	-	-	24,438,920	-	-	-	-	-	-	-	-	-	-	-	-	-	-	24,438,920
Aviva (Mills Sub 6)	-	-	-	-	27,240,187	-	-	-	-	-	-	-	-	-	-	-	-	-	-	27,240,187
Mills Parkway	-	-	-	-	102,678,462	-	-	-	-	-	-	-	-	-	-	-	-	-	-	102,678,462
Global Aviation (Mills Sub 5)	-	-	-	-	1,696,936	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,696,936
Jordan Creek	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ashworth Road	-	-	-	-	-	-	-	-	-	58,137,390	-	-	-	-	-	-	-	-	-	58,137,390
Fuller Road	-	-	-	-	-	-	-	-	-	-	105,723	-	-	-	-	-	-	-	-	105,723
Woodland Hills	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vai-Gate	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mills Crossing/Glenman Sq	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,455,064	-	-	-	-	1,455,064
Midtown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	214,801,308	-	-	-	-	214,801,308
Alluvion	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	35,047,397	-	-	-	35,047,397
Coachlight	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Osmium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	78,667,647
<b>TOTAL TIF DISTRICTS</b>	<b>222,773,567</b>	<b>255,714,610</b>	<b>62,973,180</b>	<b>15,694,467</b>	<b>557,155,824</b>															
<b>TOTAL FOR DEBT SERVICE</b>	<b>3,400,410,045</b>	<b>2,241,020,423</b>	<b>74,900,558</b>	<b>15,732,088</b>	<b>5,732,063,114</b>															
TOTAL AG	1,704,881	4,071,262	849,003	113,893	6,739,039															
<b>GRAND TOTAL</b>	<b>3,402,114,926</b>	<b>2,245,091,685</b>	<b>75,749,561</b>	<b>15,845,981</b>	<b>5,738,802,153</b>															

Population (2016 Estimate) 64,560

Taxable Valuation per Capita 88,891

REGULAR TAX RATE

REGULAR TAX RATE	11.79000
DEBT SERVICE	200
EMERGENCY LEVY	190
FIRE/POLICE RETIREMENT	400
EMPLOYEE BENEFITS	495
TORT/LIABILITY INSURANCE	150
GENERAL FUND	100
<b>TOTAL TAX RATE</b>	<b>1,435</b>

ACTUAL VALUATION

(January 1, 2018: for the 2019-20 FY)

	POLK	DALLAS	WARREN	MADISON	TOTAL
RESIDENTIAL	3,250,456,295	1,568,664,066	20,093,300	39,000	4,839,252,661
MULTI-RESIDENTIAL	270,785,147	140,889,805	-	-	411,674,952
COMMERCIAL	1,140,157,774	1,149,009,936	7,959,420	66,800	2,296,693,930
INDUSTRIAL	45,498,405	-	-	-	45,498,405
RAILROADS	5,588,679	-	-	-	5,588,679
UTILITIES - GAS/ELECTRIC	91,343,973	337,869	-	-	91,681,842
UTILITIES - OTHER	6,774,063	1,443,694	171,917	15,420	8,405,094
OTHER	-	-	-	-	-
<b>SUB-TOTAL</b>	<b>4,810,604,336</b>	<b>2,860,345,370</b>	<b>27,624,637</b>	<b>121,220</b>	<b>7,698,695,563</b>
LESS MILITARY	2,500,200	733,392	7,408	-	3,241,000
<b>TOTAL REGULAR</b>	<b>4,808,104,136</b>	<b>2,859,611,978</b>	<b>27,617,229</b>	<b>121,220</b>	<b>7,695,454,563</b>

TAX INCREMENT DISTRICTS

District	Valley Junction 2009	Historic WDM	4125 Westown	Westown V	Microsoft (Mills Sub 7)	Aviva (Mills Sub 6)	Mills Parkway	Global Aviation	Jordan Creek	Ashworth Road	Fuller Road	Woodland Hills	Vai-Gate	Mills Crossing/Glenman Sq	Midtown	Alluvion	Coachlight	Osmium		
Valley Junction 2009	1,746,900	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Historic WDM	-	1,746,900	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,746,900
4125 Westown	-	2,503,452	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,503,452
Westown V	-	2,161,120	-	-	6,475,318	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8,636,438
Microsoft (Mills Sub 7)	-	-	-	-	24,438,920	-	-	-	-	-	-	-	-	-	-	-	-	-	-	24,438,920
Aviva (Mills Sub 6)	-	-	-	-	27,240,187	-	-	-	-	-	-	-	-	-	-	-	-	-	-	27,240,187
Mills Parkway	-	-	-	-	102,678,462	-	-	-	-	-	-	-	-	-	-	-	-	-	-	102,678,462
Global Aviation	-	-	-	-	1,696,936	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,696,936
Jordan Creek	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ashworth Road	-	-	-	-	-	-	-	-	-	58,137,390	-	-	-	-	-	-	-	-	-	58,137,390
Fuller Road	-	-	-	-	-	-	-	-	-	-	105,723	-	-	-	-	-	-	-	-	105,723
Woodland Hills	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vai-Gate	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mills Crossing/Glenman Sq	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,455,064	-	-	-	-	1,455,064
Midtown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	214,801,308	-	-	-	-	214,801,308
Alluvion	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	35,047,397	-	-	-	35,047,397
Coachlight	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Osmium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	78,667,647
<b>TOTAL TIF DISTRICTS</b>	<b>243,873,979</b>	<b>256,276,643</b>	<b>62,973,180</b>	<b>17,371,500</b>	<b>560,495,302</b>															
<b>DEBT SVC TOT</b>	<b>5,051,975,115</b>	<b>3,115,888,621</b>	<b>90,590,409</b>	<b>17,492,720</b>	<b>8,275,949,865</b>															
TOTAL AG	3,037,240	7,254,398	1,512,500	202,900	12,007,038															
<b>GRAND TOTAL</b>	<b>5,055,015,355</b>	<b>3,123,143,019</b>	<b>92,102,909</b>	<b>17,695,620</b>	<b>8,287,956,903</b>															

Population (2017 Estimate) 65,608

Total Valuation Per Capita 126,325

HOMESTEADS

Polk County	10,224
Dallas County	3,518
Warren County	42
Madison County	0
<b>Total Homesteads</b>	<b>13,784</b>

**City of West Des Moines Personnel by Cluster and Department**

<b>POSITIONS STATED IN FULL-TIME EQUIVALENTS (FTE)</b>	<b>BUDGET FY 2016-17</b>	<b>BUDGET FY 2017-18</b>	<b>BUDGET FY 2018-19</b>	<b>BUDGET FY 2019-20</b>	<b>CHANGE FROM FY 2018-19</b>
<b>Authorized Personnel by Department</b>					
<b>Community Enrichment</b>					
Human Services	13.25	13.75	13.75	13.75	0.00
Library	26.50	26.50	27.50	29.00	1.50
Parks & Recreation	16.00	16.00	17.00	17.00	0.00
<b>Sub-total Community Enrichment</b>	<b>55.75</b>	<b>56.25</b>	<b>58.25</b>	<b>59.75</b>	<b>1.50</b>
<b>Public Safety</b>					
Emergency Medical Services	45.50	48.50	52.95	52.95	0.00
Fire Department	68.50	70.50	72.50	74.50	2.00
Police Department	86.00	86.00	93.00	91.00	(2.00)
Westcom Dispatch	28.75	28.75	32.30	34.30	2.00
WestPet-Animal Control	4.33	4.00	4.00	4.00	0.00
<b>Sub-total Public Safety</b>	<b>233.08</b>	<b>237.75</b>	<b>254.75</b>	<b>256.75</b>	<b>2.00</b>
<b>Public Services</b>					
Community & Economic Development	4.50	5.00	5.00	5.00	0.00
Development Services	20.50	20.50	22.00	22.00	0.00
Engineering Services	19.00	19.00	19.00	19.00	0.00
Public Services	65.00	64.00	67.00	69.00	2.00
<b>Sub-total Public Services</b>	<b>109.00</b>	<b>108.50</b>	<b>113.00</b>	<b>115.00</b>	<b>2.00</b>
<b>Support Services</b>					
City Manager's Office	4.00	5.00	5.00	5.00	0.00
City Clerk	1.33	1.34	1.34	2.00	0.66
Finance	9.09	9.41	9.41	8.75	(0.66)
Human Resources	5.50	6.5	6.50	6.50	0.00
Information Technologies Services	12.00	13.00	13.00	13.00	0.00
Legal	4.00	5.00	5.00	5.00	0.00
<b>Sub-total Support Services</b>	<b>35.92</b>	<b>40.25</b>	<b>40.25</b>	<b>40.25</b>	<b>0.00</b>
<b>Total Authorized Personnel</b>	<b>433.25</b>	<b>442.75</b>	<b>466.25</b>	<b>471.75</b>	<b>5.00</b>
<b>Authorized Personnel by Fund</b>					
Enterprise Funds	13.90	15.90	48.20	50.20	2.00
Special Revenue Funds	1.25	1.25	1.44	1.25	(0.19)
General Funds	418.10	425.60	416.61	420.30	3.69
<b>Total Authorized Personnel</b>	<b>433.15</b>	<b>442.75</b>	<b>466.25</b>	<b>471.75</b>	<b>5.50</b>



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

**ITEM:** Public Hearing for the issuance of Not to Exceed  
\$7,770,000 Essential Corporate Purpose  
General Obligation Bonds (ECP)

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** Final debt service amounts (principal and interest) are not known, pending sale date and interest rate charged. Projected costs will most likely be included in the fiscal year 2019-20 budget because it is expected that the bonds will be sold and proceeds received after June 30, 2019. However, issuance proceeds are calculated to maintain overall debt service (principal and interest) levy for FY 2019-20 at the Council-established ideal rate of \$1.95/\$1,000. The upcoming issuance will be structured to accommodate future annual borrowings at a borrowing level of approximately \$10.0 million in future years. Total tax revenue to be received in FY 2019-20 through the Debt Service Levy is approximately \$11.17 million – note that this total does not include commercial backfill to the Debt Service Fund, or interest revenue earned on cash balances in the Debt Service Fund.

**BACKGROUND:** This public hearing will allow the sale of not to exceed \$8.25 million General Obligation Bonds to partially defray the costs of constructing a number of CIP projects included in prior, current, and future fiscal year budgets. A listing of the proposed projects is as follows:

Neighborhood Redevelopment

Valley Junction Alleys - Paving & Grading	\$500,000
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Facilities & Equipment

Fire/EMS Station #21 - Roof Replacement	400,000
Nature Lodge - HVAC Replacement	450,000
Nature Lodge - Flat Roof Replacement & Exterior Improvements	295,000
Valley View Aquatic Center - AC Replacements	30,000
Ped Underpass Lighting Upgrade - EP True near Jordan Creek Mall	50,000
Ped Underpass Lighting Upgrade - Ashworth Rd at Crossroads Park	50,000

Ongoing Maintenance

Parking Lot Repairs - Various City Facilities	300,000
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Streets

Grand Avenue - S. Jordan Creek Parkway to S. 88th St	1,922,500
Grand Avenue Reconstruction - 1st to 6th St	812,500
Grand Avenue Reconstruction - East of I-35 & Trail West of I-35	780,000
S. 33rd & Fuller Retaining Wall Repair	245,000
City Entrance Enhancements (Level 1) - 5 Locations	675,000
Bridge Removal - SE Army Post Rd west of SE 42nd St	300,000
Intersection Impr. - Jordan Creek Parkway & Ashworth Road	50,000
Intersection Impr. - The Parkways on S. Jordan Creek Parkway	305,000
HAWK Beacon - 39th & EP True	125,000

Parks

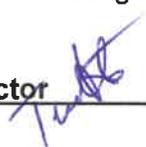
Replace Skate Facility - American Legion Park	200,000
Playground, Sidewalks, and Parking Lot - Hidden Point Park	135,000
Playground, Sidewalks, and Restrooms - Whisper Point Park	415,000
Permanent Restroom Facility - Railroad Park	450,000
Disc Golf Course Improvements - Southwoods Park	30,000
Single Track Trail - Southwoods Park	80,000
Central site grading, utilities & north roadway (yr. 1) - Valley View Park	1,400,000
	<u>\$10,000,000</u>

The anticipated borrowings are separated into five (5) separate series in order to comply with rules associated with GCP bonds, which do not permit an individual issuance of greater than \$700,000.

Following the issuance, the City's debt service levy will remain at \$1.95 per \$1,000 of taxable valuation. Analysis of future borrowing needs has been projected by the City's Financial Advisory Firm, Public Financial Management with the assumption that in the future the typical annual general obligation borrowing limit will be approximately \$10.0 million. The recommended action will establish authorization for the City to receive bids on the sale of the bonds any time after the certification of the FY 2019-20 budgets.

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

**RECOMMENDATION:** Adoption of Resolution instituting proceedings to take additional actions on the issuance of not to exceed \$7.77 million ECP General Obligation Bonds.

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

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

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

Resolution authorizing Loan Agreements, approving the future issuance of General Obligation Corporate Purpose Bonds and providing for the levy of taxes to pay the same

WHEREAS, the City of West Des Moines (the “City”), in Dallas, Madison, Polk and Warren Counties, State of Iowa, heretofore proposed to enter into a loan agreement (the “Essential Purpose Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$7,770,000 for the purpose of paying the costs, to that extent, of (1) constructing street, road, alley, sanitary sewer system, storm water drainage and sidewalk improvements; (2) acquiring and installing street and pedestrian traffic lighting and signalization improvements; and (3) improving and equipping existing municipal parks, and has published notice of the proposed action and has held a hearing thereon on February 19, 2019; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #1”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of designing, acquiring and installing community entrance enhancements and welcome signs, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #1 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #2”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of (1) constructing improvements and repairs to parking lots at municipal buildings and grounds; and (2) undertaking roof replacement for Fire/EMS Station #21, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #2 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #3”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$685,000 for the purpose of paying the costs, to that extent, of (1) constructing and installing fueling system modifications at the Public Services facility; (2) installing air conditioning improvements at the Valley View Aquatic Center; and (3) undertaking roof replacement and exterior improvements at the Nature Lodge, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #3 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #4”) (collectively, the Essential Purpose Loan Agreement, the General Purpose Loan Agreement #1, the General Purpose Loan Agreement #2, the General Purpose Loan Agreement #3 and the General Purpose Loan Agreement #4 are sometimes referred to hereinafter as the “Loan Agreements”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$655,000 for the purpose of paying the costs, to that extent, of (1) undertaking the HVAC system replacement at the Nature Lodge; and (2) undertaking the replacement of the generator at the Municipal Library, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #4 be submitted to the registered voters of the City; and

WHEREAS, the City intends to enter into one or more combinations of the Loan Agreements in the future and to issue one or more corresponding series of General Obligation Corporate Purpose Bonds (the “Bonds”) in evidence of its obligations thereunder and anticipates that principal and/or interest will come due on such Bonds before July 1, 2020; and

WHEREAS, it is now necessary to make provision for the levy of a debt service property tax in the 2019-2020 fiscal year for the payment of such principal and interest;

NOW, THEREFORE, Be It Resolved by the City Council of the City of West Des Moines, Iowa, as follows:

Section 1. The City Council hereby determines to enter into one or more combinations of the Loan Agreements in the future and orders that the Bonds shall be issued in a principal amount not to exceed \$10,510,000 at such time, in evidence thereof. The City Council further declares that this constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

Section 2. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City the following direct annual tax:

For collection in the fiscal year beginning July 1, 2019,  
sufficient to produce the net annual sum of \$3,530,376.

provided, however, that at the time the Bonds are issued, the actual tax levy amounts required to pay the principal of and interest on the Bonds in each year shall be determined based upon the interest rate or rates at which the Bonds are issued, and this resolution shall be supplemented by resolution of the City Council to provide for such actual and necessary tax levy amounts.

Section 3. A certified copy of this resolution shall be filed with the County Auditors of Dallas, Madison, Polk and Warren Counties, and said Auditors are hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditors shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into

the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 19, 2019.

\_\_\_\_\_  
Mayor

Attest:

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

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

**ITEM:** Public Hearing for the issuance of Not to Exceed  
\$700,000 Essential Corporate Purpose  
General Obligation Bonds (GCP #1)

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** Final debt service amounts (principal and interest) are not known, pending sale date and interest rate charged. Projected costs will most likely be included in the fiscal year 2019-20 budget because it is expected that the bonds will be sold and proceeds received after June 30, 2019. However, issuance proceeds are calculated to maintain overall debt service (principal and interest) levy for FY 2019-20 at the Council-established ideal rate of \$1.95/\$1,000. The upcoming issuance will be structured to accommodate future annual borrowings at a borrowing level of approximately \$10.0 million in future years. Total tax revenue to be received in FY 2019-20 through the Debt Service Levy is approximately \$11.17 million – note that this total does not include commercial backfill to the Debt Service Fund, or interest revenue earned on cash balances in the Debt Service Fund.

**BACKGROUND:** This public hearing will allow the sale of not to exceed \$700,000 General Obligation Bonds to partially defray the costs of constructing a number of CIP projects included in prior, current, and future fiscal year budgets. A listing of the proposed projects is as follows:

Neighborhood Redevelopment

Valley Junction Alleys - Paving & Grading	\$500,000
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Facilities & Equipment

Fire/EMS Station #21 - Roof Replacement (ECP 2)	400,000
Nature Lodge - HVAC Replacement (ECP 4)	450,000
Nature Lodge - Flat Roof Replacement & Exterior Improvements (ECP 3)	295,000
Valley View Aquatic Center - AC Replacements (ECP 3)	30,000
Ped Underpass Lighting Upgrade - EP True near Jordan Creek Mall	50,000
Ped Underpass Lighting Upgrade - Ashworth Rd at Crossroads Park	50,000

Ongoing Maintenance

Parking Lot Repairs - Various City Facilities (ECP 2)	300,000
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Streets

Grand Avenue - S. Jordan Creek Parkway to S. 88th St	1,922,500
Grand Avenue Reconstruction - 1st to 6th St	812,500
Grand Avenue Reconstruction - East of I-35 & Trail West of I-35	780,000
S. 33rd & Fuller Retaining Wall Repair	245,000
City Entrance Enhancements (Level 1) - 5 Locations (ECP 1)	675,000
Bridge Removal - SE Army Post Rd west of SE 42nd St	300,000
Intersection Impr. - Jordan Creek Parkway & Ashworth Road	50,000
Intersection Impr. - The Parkways on S. Jordan Creek Parkway	305,000
HAWK Beacon - 39th & EP True	125,000

Parks

Replace Skate Facility - American Legion Park	200,000
Playground, Sidewalks, and Parking Lot - Hidden Point Park	135,000
Playground, Sidewalks, and Restrooms - Whisper Point Park	415,000
Permanent Restroom Facility - Railroad Park	450,000
Disc Golf Course Improvements - Southwoods Park	30,000
Single Track Trail - Southwoods Park	80,000
Central site grading, utilities & north roadway (yr. 1) - Valley View Park	1,400,000
	<u>\$10,000,000</u>

The anticipated borrowings are separated into five (5) separate series in order to comply with rules associated with GCP bonds, which do not permit an individual issuance of greater than \$700,000.

Following the issuance, the City's debt service levy will remain at \$1.95 per \$1,000 of taxable valuation. Analysis of future borrowing needs has been projected by the City's Financial Advisory Firm, Public Financial Management with the assumption that in the future the typical annual general obligation borrowing limit will be approximately \$10.0 million. The recommended action will establish authorization for the City to receive bids on the sale of the bonds any time after the certification of the FY 2019-20 budgets.

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

**RECOMMENDATION:** Adoption of Resolution instituting proceedings to take additional actions on the issuance of not to exceed \$700,000 ECP General Obligation Bonds (#1).

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

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

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

Resolution authorizing Loan Agreements, approving the future issuance of General Obligation Corporate Purpose Bonds and providing for the levy of taxes to pay the same

WHEREAS, the City of West Des Moines (the “City”), in Dallas, Madison, Polk and Warren Counties, State of Iowa, heretofore proposed to enter into a loan agreement (the “Essential Purpose Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$7,770,000 for the purpose of paying the costs, to that extent, of (1) constructing street, road, alley, sanitary sewer system, storm water drainage and sidewalk improvements; (2) acquiring and installing street and pedestrian traffic lighting and signalization improvements; and (3) improving and equipping existing municipal parks, and has published notice of the proposed action and has held a hearing thereon on February 19, 2019; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #1”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of designing, acquiring and installing community entrance enhancements and welcome signs, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #1 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #2”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of (1) constructing improvements and repairs to parking lots at municipal buildings and grounds; and (2) undertaking roof replacement for Fire/EMS Station #21, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #2 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #3”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$685,000 for the purpose of paying the costs, to that extent, of (1) constructing and installing fueling system modifications at the Public Services facility; (2) installing air conditioning improvements at the Valley View Aquatic Center; and (3) undertaking roof replacement and exterior improvements at the Nature Lodge, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #3 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #4”) (collectively, the Essential Purpose Loan Agreement, the General Purpose Loan Agreement #1, the General Purpose Loan Agreement #2, the General Purpose Loan Agreement #3 and the General Purpose Loan Agreement #4 are sometimes referred to hereinafter as the “Loan Agreements”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$655,000 for the purpose of paying the costs, to that extent, of (1) undertaking the HVAC system replacement at the Nature Lodge; and (2) undertaking the replacement of the generator at the Municipal Library, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #4 be submitted to the registered voters of the City; and

WHEREAS, the City intends to enter into one or more combinations of the Loan Agreements in the future and to issue one or more corresponding series of General Obligation Corporate Purpose Bonds (the “Bonds”) in evidence of its obligations thereunder and anticipates that principal and/or interest will come due on such Bonds before July 1, 2020; and

WHEREAS, it is now necessary to make provision for the levy of a debt service property tax in the 2019-2020 fiscal year for the payment of such principal and interest;

NOW, THEREFORE, Be It Resolved by the City Council of the City of West Des Moines, Iowa, as follows:

Section 1. The City Council hereby determines to enter into one or more combinations of the Loan Agreements in the future and orders that the Bonds shall be issued in a principal amount not to exceed \$10,510,000 at such time, in evidence thereof. The City Council further declares that this constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

Section 2. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City the following direct annual tax:

For collection in the fiscal year beginning July 1, 2019,  
sufficient to produce the net annual sum of \$3,530,376.

provided, however, that at the time the Bonds are issued, the actual tax levy amounts required to pay the principal of and interest on the Bonds in each year shall be determined based upon the interest rate or rates at which the Bonds are issued, and this resolution shall be supplemented by resolution of the City Council to provide for such actual and necessary tax levy amounts.

Section 3. A certified copy of this resolution shall be filed with the County Auditors of Dallas, Madison, Polk and Warren Counties, and said Auditors are hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditors shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into

the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 19, 2019.

\_\_\_\_\_  
Mayor

Attest:

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

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

**ITEM:** Public Hearing for the issuance of Not to Exceed  
\$700,000 Essential Corporate Purpose  
General Obligation Bonds (GCP #2)

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** Final debt service amounts (principal and interest) are not known, pending sale date and interest rate charged. Projected costs will most likely be included in the fiscal year 2019-20 budget because it is expected that the bonds will be sold and proceeds received after June 30, 2019. However, issuance proceeds are calculated to maintain overall debt service (principal and interest) levy for FY 2019-20 at the Council-established ideal rate of \$1.95/\$1,000. The upcoming issuance will be structured to accommodate future annual borrowings at a borrowing level of approximately \$10.0 million in future years. Total tax revenue to be received in FY 2019-20 through the Debt Service Levy is approximately \$11.17 million – note that this total does not include commercial backfill to the Debt Service Fund, or interest revenue earned on cash balances in the Debt Service Fund.

**BACKGROUND:** This public hearing will allow the sale of not to exceed \$700,000 General Obligation Bonds to partially defray the costs of constructing a number of CIP projects included in prior, current, and future fiscal year budgets. A listing of the proposed projects is as follows:

Neighborhood Redevelopment

Valley Junction Alleys - Paving & Grading	\$500,000
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Facilities & Equipment

Fire/EMS Station #21 - Roof Replacement (ECP 2)	400,000
Nature Lodge - HVAC Replacement (ECP 4)	450,000
Nature Lodge - Flat Roof Replacement & Exterior Improvements (ECP 3)	295,000
Valley View Aquatic Center - AC Replacements (ECP 3)	30,000
Ped Underpass Lighting Upgrade - EP True near Jordan Creek Mall	50,000
Ped Underpass Lighting Upgrade - Ashworth Rd at Crossroads Park	50,000

Ongoing Maintenance

Parking Lot Repairs - Various City Facilities (ECP 2)	300,000
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Streets

Grand Avenue - S. Jordan Creek Parkway to S. 88th St	1,922,500
Grand Avenue Reconstruction - 1st to 6th St	812,500
Grand Avenue Reconstruction - East of I-35 & Trail West of I-35	780,000
S. 33rd & Fuller Retaining Wall Repair	245,000
City Entrance Enhancements (Level 1) - 5 Locations (ECP 1)	675,000
Bridge Removal - SE Army Post Rd west of SE 42nd St	300,000
Intersection Impr. - Jordan Creek Parkway & Ashworth Road	50,000
Intersection Impr. - The Parkways on S. Jordan Creek Parkway	305,000
HAWK Beacon - 39th & EP True	125,000

Parks

Replace Skate Facility - American Legion Park	200,000
Playground, Sidewalks, and Parking Lot - Hidden Point Park	135,000
Playground, Sidewalks, and Restrooms - Whisper Point Park	415,000
Permanent Restroom Facility - Railroad Park	450,000
Disc Golf Course Improvements - Southwoods Park	30,000
Single Track Trail - Southwoods Park	80,000
Central site grading, utilities & north roadway (yr. 1) - Valley View Park	1,400,000
	<u>\$10,000,000</u>

The anticipated borrowings are separated into five (5) separate series in order to comply with rules associated with GCP bonds, which do not permit an individual issuance of greater than \$700,000.

Following the issuance, the City's debt service levy will remain at \$1.95 per \$1,000 of taxable valuation. Analysis of future borrowing needs has been projected by the City's Financial Advisory Firm, Public Financial Management with the assumption that in the future the typical annual general obligation borrowing limit will be approximately \$10.0 million. The recommended action will establish authorization for the City to receive bids on the sale of the bonds any time after the certification of the FY 2019-20 budgets.

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

**RECOMMENDATION:** Adoption of Resolution instituting proceedings to take additional actions on the issuance of not to exceed \$700,000 ECP General Obligation Bonds (#2).

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

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

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

Resolution authorizing Loan Agreements, approving the future issuance of General Obligation Corporate Purpose Bonds and providing for the levy of taxes to pay the same

WHEREAS, the City of West Des Moines (the “City”), in Dallas, Madison, Polk and Warren Counties, State of Iowa, heretofore proposed to enter into a loan agreement (the “Essential Purpose Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$7,770,000 for the purpose of paying the costs, to that extent, of (1) constructing street, road, alley, sanitary sewer system, storm water drainage and sidewalk improvements; (2) acquiring and installing street and pedestrian traffic lighting and signalization improvements; and (3) improving and equipping existing municipal parks, and has published notice of the proposed action and has held a hearing thereon on February 19, 2019; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #1”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of designing, acquiring and installing community entrance enhancements and welcome signs, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #1 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #2”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of (1) constructing improvements and repairs to parking lots at municipal buildings and grounds; and (2) undertaking roof replacement for Fire/EMS Station #21, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #2 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #3”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$685,000 for the purpose of paying the costs, to that extent, of (1) constructing and installing fueling system modifications at the Public Services facility; (2) installing air conditioning improvements at the Valley View Aquatic Center; and (3) undertaking roof replacement and exterior improvements at the Nature Lodge, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #3 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #4”) (collectively, the Essential Purpose Loan Agreement, the General Purpose Loan Agreement #1, the General Purpose Loan Agreement #2, the General Purpose Loan Agreement #3 and the General Purpose Loan Agreement #4 are sometimes referred to hereinafter as the “Loan Agreements”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$655,000 for the purpose of paying the costs, to that extent, of (1) undertaking the HVAC system replacement at the Nature Lodge; and (2) undertaking the replacement of the generator at the Municipal Library, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #4 be submitted to the registered voters of the City; and

WHEREAS, the City intends to enter into one or more combinations of the Loan Agreements in the future and to issue one or more corresponding series of General Obligation Corporate Purpose Bonds (the “Bonds”) in evidence of its obligations thereunder and anticipates that principal and/or interest will come due on such Bonds before July 1, 2020; and

WHEREAS, it is now necessary to make provision for the levy of a debt service property tax in the 2019-2020 fiscal year for the payment of such principal and interest;

NOW, THEREFORE, Be It Resolved by the City Council of the City of West Des Moines, Iowa, as follows:

Section 1. The City Council hereby determines to enter into one or more combinations of the Loan Agreements in the future and orders that the Bonds shall be issued in a principal amount not to exceed \$10,510,000 at such time, in evidence thereof. The City Council further declares that this constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

Section 2. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City the following direct annual tax:

For collection in the fiscal year beginning July 1, 2019,  
sufficient to produce the net annual sum of \$3,530,376.

provided, however, that at the time the Bonds are issued, the actual tax levy amounts required to pay the principal of and interest on the Bonds in each year shall be determined based upon the interest rate or rates at which the Bonds are issued, and this resolution shall be supplemented by resolution of the City Council to provide for such actual and necessary tax levy amounts.

Section 3. A certified copy of this resolution shall be filed with the County Auditors of Dallas, Madison, Polk and Warren Counties, and said Auditors are hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditors shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into

the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 19, 2019.

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Mayor

Attest:

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City Clerk

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

**ITEM:** Public Hearing for the issuance of Not to Exceed  
\$685,000 Essential Corporate Purpose  
General Obligation Bonds (GCP #3)

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** Final debt service amounts (principal and interest) are not known, pending sale date and interest rate charged. Projected costs will most likely be included in the fiscal year 2019-20 budget because it is expected that the bonds will be sold and proceeds received after June 30, 2019. However, issuance proceeds are calculated to maintain overall debt service (principal and interest) levy for FY 2019-20 at the Council-established ideal rate of \$1.95/\$1,000. The upcoming issuance will be structured to accommodate future annual borrowings at a borrowing level of approximately \$10.0 million in future years. Total tax revenue to be received in FY 2019-20 through the Debt Service Levy is approximately \$11.17 million – note that this total does not include commercial backfill to the Debt Service Fund, or interest revenue earned on cash balances in the Debt Service Fund.

**BACKGROUND:** This public hearing will allow the sale of not to exceed \$685,000 General Obligation Bonds to partially defray the costs of constructing a number of CIP projects included in prior, current, and future fiscal year budgets. A listing of the proposed projects is as follows:

Neighborhood Redevelopment

Valley Junction Alleys - Paving & Grading	\$500,000
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Facilities & Equipment

Fire/EMS Station #21 - Roof Replacement (ECP 2)	400,000
Nature Lodge - HVAC Replacement (ECP 4)	450,000
Nature Lodge - Flat Roof Replacement & Exterior Improvements (ECP 3)	295,000
Valley View Aquatic Center - AC Replacements (ECP 3)	30,000
Ped Underpass Lighting Upgrade - EP True near Jordan Creek Mall	50,000
Ped Underpass Lighting Upgrade - Ashworth Rd at Crossroads Park	50,000

Ongoing Maintenance

Parking Lot Repairs - Various City Facilities (ECP 2)	300,000
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Streets

Grand Avenue - S. Jordan Creek Parkway to S. 88th St	1,922,500
Grand Avenue Reconstruction - 1st to 6th St	812,500
Grand Avenue Reconstruction - East of I-35 & Trail West of I-35	780,000
S. 33rd & Fuller Retaining Wall Repair	245,000
City Entrance Enhancements (Level 1) - 5 Locations (ECP 1)	675,000
Bridge Removal - SE Army Post Rd west of SE 42nd St	300,000
Intersection Impr. - Jordan Creek Parkway & Ashworth Road	50,000
Intersection Impr. - The Parkways on S. Jordan Creek Parkway	305,000
HAWK Beacon - 39th & EP True	125,000

Parks

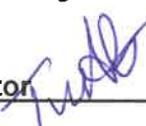
Replace Skate Facility - American Legion Park	200,000
Playground, Sidewalks, and Parking Lot - Hidden Point Park	135,000
Playground, Sidewalks, and Restrooms - Whisper Point Park	415,000
Permanent Restroom Facility - Railroad Park	450,000
Disc Golf Course Improvements - Southwoods Park	30,000
Single Track Trail - Southwoods Park	80,000
Central site grading, utilities & north roadway (yr. 1) - Valley View Park	<u>1,400,000</u>
	<u>\$10,000,000</u>

The anticipated borrowings are separated into five (5) separate series in order to comply with rules associated with GCP bonds, which do not permit an individual issuance of greater than \$700,000.

Following the issuance, the City's debt service levy will remain at \$1.95 per \$1,000 of taxable valuation. Analysis of future borrowing needs has been projected by the City's Financial Advisory Firm, Public Financial Management with the assumption that in the future the typical annual general obligation borrowing limit will be approximately \$10.0 million. The recommended action will establish authorization for the City to receive bids on the sale of the bonds any time after the certification of the FY 2019-20 budgets.

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

**RECOMMENDATION:** Adoption of Resolution instituting proceedings to take additional actions on the issuance of not to exceed \$685,000 ECP General Obligation Bonds (#3).

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

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

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

Resolution authorizing Loan Agreements, approving the future issuance of General Obligation Corporate Purpose Bonds and providing for the levy of taxes to pay the same

WHEREAS, the City of West Des Moines (the “City”), in Dallas, Madison, Polk and Warren Counties, State of Iowa, heretofore proposed to enter into a loan agreement (the “Essential Purpose Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$7,770,000 for the purpose of paying the costs, to that extent, of (1) constructing street, road, alley, sanitary sewer system, storm water drainage and sidewalk improvements; (2) acquiring and installing street and pedestrian traffic lighting and signalization improvements; and (3) improving and equipping existing municipal parks, and has published notice of the proposed action and has held a hearing thereon on February 19, 2019; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #1”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of designing, acquiring and installing community entrance enhancements and welcome signs, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #1 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #2”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of (1) constructing improvements and repairs to parking lots at municipal buildings and grounds; and (2) undertaking roof replacement for Fire/EMS Station #21, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #2 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #3”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$685,000 for the purpose of paying the costs, to that extent, of (1) constructing and installing fueling system modifications at the Public Services facility; (2) installing air conditioning improvements at the Valley View Aquatic Center; and (3) undertaking roof replacement and exterior improvements at the Nature Lodge, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #3 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #4”) (collectively, the Essential Purpose Loan Agreement, the General Purpose Loan Agreement #1, the General Purpose Loan Agreement #2, the General Purpose Loan Agreement #3 and the General Purpose Loan Agreement #4 are sometimes referred to hereinafter as the “Loan Agreements”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$655,000 for the purpose of paying the costs, to that extent, of (1) undertaking the HVAC system replacement at the Nature Lodge; and (2) undertaking the replacement of the generator at the Municipal Library, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #4 be submitted to the registered voters of the City; and

WHEREAS, the City intends to enter into one or more combinations of the Loan Agreements in the future and to issue one or more corresponding series of General Obligation Corporate Purpose Bonds (the “Bonds”) in evidence of its obligations thereunder and anticipates that principal and/or interest will come due on such Bonds before July 1, 2020; and

WHEREAS, it is now necessary to make provision for the levy of a debt service property tax in the 2019-2020 fiscal year for the payment of such principal and interest;

NOW, THEREFORE, Be It Resolved by the City Council of the City of West Des Moines, Iowa, as follows:

Section 1. The City Council hereby determines to enter into one or more combinations of the Loan Agreements in the future and orders that the Bonds shall be issued in a principal amount not to exceed \$10,510,000 at such time, in evidence thereof. The City Council further declares that this constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

Section 2. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City the following direct annual tax:

For collection in the fiscal year beginning July 1, 2019,  
sufficient to produce the net annual sum of \$3,530,376.

provided, however, that at the time the Bonds are issued, the actual tax levy amounts required to pay the principal of and interest on the Bonds in each year shall be determined based upon the interest rate or rates at which the Bonds are issued, and this resolution shall be supplemented by resolution of the City Council to provide for such actual and necessary tax levy amounts.

Section 3. A certified copy of this resolution shall be filed with the County Auditors of Dallas, Madison, Polk and Warren Counties, and said Auditors are hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditors shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into

the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 19, 2019.

\_\_\_\_\_  
Mayor

Attest:

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

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

**ITEM:** Public Hearing for the issuance of Not to Exceed  
\$655,000 Essential Corporate Purpose  
General Obligation Bonds (GCP #4)

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** Final debt service amounts (principal and interest) are not known, pending sale date and interest rate charged. Projected costs will most likely be included in the fiscal year 2019-20 budget because it is expected that the bonds will be sold and proceeds received after June 30, 2019. However, issuance proceeds are calculated to maintain overall debt service (principal and interest) levy for FY 2019-20 at the Council-established ideal rate of \$1.95/\$1,000. The upcoming issuance will be structured to accommodate future annual borrowings at a borrowing level of approximately \$10.0 million in future years. Total tax revenue to be received in FY 2019-20 through the Debt Service Levy is approximately \$11.17 million – note that this total does not include commercial backfill to the Debt Service Fund, or interest revenue earned on cash balances in the Debt Service Fund.

**BACKGROUND:** This public hearing will allow the sale of not to exceed \$655,000 General Obligation Bonds to partially defray the costs of constructing a number of CIP projects included in prior, current, and future fiscal year budgets. A listing of the proposed projects is as follows:

Neighborhood Redevelopment

Valley Junction Alleys - Paving & Grading	\$500,000
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Facilities & Equipment

Fire/EMS Station #21 - Roof Replacement (ECP 2)	400,000
Nature Lodge - HVAC Replacement (ECP 4)	450,000
Nature Lodge - Flat Roof Replacement & Exterior Improvements (ECP 3)	295,000
Valley View Aquatic Center - AC Replacements (ECP 3)	30,000
Ped Underpass Lighting Upgrade - EP True near Jordan Creek Mall	50,000
Ped Underpass Lighting Upgrade - Ashworth Rd at Crossroads Park	50,000

Ongoing Maintenance

Parking Lot Repairs - Various City Facilities (ECP 2)	300,000
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Streets

Grand Avenue - S. Jordan Creek Parkway to S. 88th St	1,922,500
Grand Avenue Reconstruction - 1st to 6th St	812,500
Grand Avenue Reconstruction - East of I-35 & Trail West of I-35	780,000
S. 33rd & Fuller Retaining Wall Repair	245,000
City Entrance Enhancements (Level 1) - 5 Locations (ECP 1)	675,000
Bridge Removal - SE Army Post Rd west of SE 42nd St	300,000
Intersection Impr. - Jordan Creek Parkway & Ashworth Road	50,000
Intersection Impr. - The Parkways on S. Jordan Creek Parkway	305,000
HAWK Beacon - 39th & EP True	125,000

Parks

Replace Skate Facility - American Legion Park	200,000
Playground, Sidewalks, and Parking Lot - Hidden Point Park	135,000
Playground, Sidewalks, and Restrooms - Whisper Point Park	415,000
Permanent Restroom Facility - Railroad Park	450,000
Disc Golf Course Improvements - Southwoods Park	30,000
Single Track Trail - Southwoods Park	80,000
Central site grading, utilities & north roadway (yr. 1) - Valley View Park	1,400,000
	<b>\$10,000,000</b>

The anticipated borrowings are separated into five (5) separate series in order to comply with rules associated with GCP bonds, which do not permit an individual issuance of greater than \$700,000.

Following the issuance, the City's debt service levy will remain at \$1.95 per \$1,000 of taxable valuation. Analysis of future borrowing needs has been projected by the City's Financial Advisory Firm, Public Financial Management with the assumption that in the future the typical annual general obligation borrowing limit will be approximately \$10.0 million. The recommended action will establish authorization for the City to receive bids on the sale of the bonds any time after the certification of the FY 2019-20 budgets.

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

**RECOMMENDATION:** Adoption of Resolution instituting proceedings to take additional actions on the issuance of not to exceed \$655,000 ECP General Obligation Bonds (#4).

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

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

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

Resolution authorizing Loan Agreements, approving the future issuance of General Obligation Corporate Purpose Bonds and providing for the levy of taxes to pay the same

WHEREAS, the City of West Des Moines (the “City”), in Dallas, Madison, Polk and Warren Counties, State of Iowa, heretofore proposed to enter into a loan agreement (the “Essential Purpose Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$7,770,000 for the purpose of paying the costs, to that extent, of (1) constructing street, road, alley, sanitary sewer system, storm water drainage and sidewalk improvements; (2) acquiring and installing street and pedestrian traffic lighting and signalization improvements; and (3) improving and equipping existing municipal parks, and has published notice of the proposed action and has held a hearing thereon on February 19, 2019; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #1”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of designing, acquiring and installing community entrance enhancements and welcome signs, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #1 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #2”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of (1) constructing improvements and repairs to parking lots at municipal buildings and grounds; and (2) undertaking roof replacement for Fire/EMS Station #21, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #2 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #3”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$685,000 for the purpose of paying the costs, to that extent, of (1) constructing and installing fueling system modifications at the Public Services facility; (2) installing air conditioning improvements at the Valley View Aquatic Center; and (3) undertaking roof replacement and exterior improvements at the Nature Lodge, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #3 be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a loan agreement (the “General Purpose Loan Agreement #4”) (collectively, the Essential Purpose Loan Agreement, the General Purpose Loan Agreement #1, the General Purpose Loan Agreement #2, the General Purpose Loan Agreement #3 and the General Purpose Loan Agreement #4 are sometimes referred to hereinafter as the “Loan Agreements”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$655,000 for the purpose of paying the costs, to that extent, of (1) undertaking the HVAC system replacement at the Nature Lodge; and (2) undertaking the replacement of the generator at the Municipal Library, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of February 19, 2019, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #4 be submitted to the registered voters of the City; and

WHEREAS, the City intends to enter into one or more combinations of the Loan Agreements in the future and to issue one or more corresponding series of General Obligation Corporate Purpose Bonds (the “Bonds”) in evidence of its obligations thereunder and anticipates that principal and/or interest will come due on such Bonds before July 1, 2020; and

WHEREAS, it is now necessary to make provision for the levy of a debt service property tax in the 2019-2020 fiscal year for the payment of such principal and interest;

NOW, THEREFORE, Be It Resolved by the City Council of the City of West Des Moines, Iowa, as follows:

Section 1. The City Council hereby determines to enter into one or more combinations of the Loan Agreements in the future and orders that the Bonds shall be issued in a principal amount not to exceed \$10,510,000 at such time, in evidence thereof. The City Council further declares that this constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

Section 2. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City the following direct annual tax:

For collection in the fiscal year beginning July 1, 2019,  
sufficient to produce the net annual sum of \$3,530,376.

provided, however, that at the time the Bonds are issued, the actual tax levy amounts required to pay the principal of and interest on the Bonds in each year shall be determined based upon the interest rate or rates at which the Bonds are issued, and this resolution shall be supplemented by resolution of the City Council to provide for such actual and necessary tax levy amounts.

Section 3. A certified copy of this resolution shall be filed with the County Auditors of Dallas, Madison, Polk and Warren Counties, and said Auditors are hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditors shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into

the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 19, 2019.

\_\_\_\_\_  
Mayor

Attest:

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

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

**DATE: February 19, 2019**

**ITEM:**

Public Hearing (5:35 p.m.)  
West Public Services Facility – Building & Site Improvements (Phase 2)

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost for the West Public Services Facility – Building & Site Improvements (Phase 2) was estimated to be \$27,119,719.00 for the Base Bid and \$33,062,667.00 for the Base Bid & Seven (7) Alternates. There were seven (7) bids submitted with the low Base Bid of \$18,990,000.00 being submitted by Koester Construction of Grimes, Iowa. Their Total Bid including Base Bid & Seven (7) Alternates was \$24,307,500.00. Payments for the work could be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from Road Use Tax and General Fund Reserve.

**BACKGROUND:**

The Buildings & Site Development (Phase 2) portion of the West Public Services Facility project and associated bid results are as follows:

• Base Bid – Main Building & Fueling Facility	\$18,990,000.00
• Alternate No. 1 – East Access Drive to South 88th Street	\$562,500.00
• Alternate No. 2 – Municipal Operations Center (MOC) Build-Out	\$50,000.00
• Alternate No. 3 – Cold-Storage Building	\$2,315,000.00
• Alternate No. 4 – Salt Storage Building	\$1,150,000.00
• Alternate No. 5 – Brine Mixing Facility	\$715,000.00
• Alternate No. 6 – Covered Bulk Materials Storage	\$543,000.00
• Alternate No. 7 – Alternate Fire Alarm System	<u>(\$18,000.00)</u>
<b>TOTAL BID</b>	<b>\$24,307,500.00</b>

This Public Hearing is on the matter of adoption of Plans, Specifications, Form of Contract, and Estimate of Cost for the West Public Services Facility – Building & Site Improvements (Phase 2). Upon completion of the Public Hearing, a Resolution should be passed adopting the Plans and Specifications, Form of Contract, Estimate of Cost.

Staff is recommending that Council conduct the public hearing, receive and file the report of bids and then defer action regarding the award of a construction contract to the regular Council meeting of March 4, 2019. In the interim, City Staff will formulate a recommended course of action regarding the contract award.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:**

None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution adopting Plans, Specifications, Form of Contract, and Estimate of Costs for West Public Services Facility – Building & Site Improvements (Phase 2);
- Motion receiving and filing Report of Bids;
- Resolution deferring award of the contract to the regular Council meeting on March 4, 2019.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *BJA*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RJS</i>
Agenda Acceptance	<i>(M)</i>

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

**RESOLUTION APPROVING ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST**

**WHEREAS**, on January 7, 2019, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**West Public Services Facility – Building & Site Improvements (Phase 2)  
Project No. 0510-027-2017**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements were published as required by law;

therefore,

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES**, that the Plans, Specifications, Form of Contract, and Estimate of Costs for said Public Improvement are hereby approved.

**PASSED AND APPROVED** on this 19th day of February, 2019.

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

ATTEST:

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

**RESOLUTION DEFERRING THE AWARD OF THE CONTRACT**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**West Public Services Facility – Building & Site Improvements (Phase 2)  
Project No. 0510-027-2017**

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 Koester Construction in the amount of \$24,307,500.00 was the lowest responsible bid received for said public improvement;

**WHEREAS**, the City wishes to further deliberate and consider their options regarding the award of the contract;

therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA**, that Council action for the contract for the West Public Services Facility – Building & Site Improvements (Phase 2) project is hereby deferred until the regular Council meeting on March 4, 2019.

**PASSED AND ADOPTED** on this **19th** day of **February, 2019**.

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

ATTEST:

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

February 13, 2019

Josh Clayworth  
 City of West Des Moines  
 4200 Mills Civic Parkway  
 West Des Moines, IA 50265

Dear Josh,

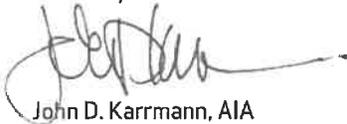
Attached is a certified copy of the Bid Tabulation form of the bid results for the West Public Services Facility – PH2 Buildings and Site Improvements. The apparent low bidder is Koester Construction Company, Inc. located in Grimes, IA. We have reviewed the bid documents submitted by Koester, and all other bidders, and find no abnormalities or issues with any of the submitted proposals. I have been in contact with Koester Construction and they have confirmed their submitted bid is accurate and are comfortable entering into a contract with the City of West Des Moines for the amount stated to complete the PH2 construction work.

We are pleased with the bids that were received which were all below the final Cost Opinion by a good margin. Timing of the bidding played a major role as one of the first major projects to bid in 2019 in Central Iowa with many contractors and sub-contractors showing great interest in the project. The range of bids, which is fairly tight with a range of approximately 13% from low to high, is also indicative of a favorable bidding climate for this scale of project. Another factor that may have played a role in the favorable bidding climate is we have heard that bonding capacity of mid-tier contractors has recently increased enabling more contractors to bid on projects. We are pleased the bids came in favorably and look forward to seeing the project move forward to construction.

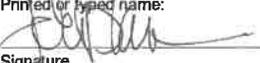
FEH DESIGN recommends awarding the construction contract for the West Public Services Facility – PH2 Buildings and Site Improvements to Koester Construction Company, Inc. As soon as the City determines if they will award the contract to Koester and what Alternates, if any, they would like to accept, I will begin to develop the Contract forms for the award.

CONGRATULATIONS and we look forward to continuing to see this project through to completion.

Sincerely,



John D. Karrmann, AIA  
 FEH DESIGN

	I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE. I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.	
	<b>John D. Karrmann, A.I.A.</b> Printed or typed name: _____	
	Signature 	Date 02-13-2019
	License expires 06-30-2020	Date Issued 02-13-2019
PAGES OR SHEETS COVERED BY THIS SEAL: _____ Bid Tabulation Form		

**2017205.03 - WDM West Public Services Facility - PH2 Buildings & Site Improvements**

FEH Design

City of West Des Moines Project Number: 0510-027-2017

Bid Date: February 13, 2019

BID TABULATION FORM						
Contractor Name	Cost Opinion	Koester	Rochon	Ball Team	Edge Commercial	
<b>BID BOND</b>		X	X	X	X	
<b>BIDDER STATUS FORM</b>		X	X	X	X	
<b>ADDENDUM NO. 1</b>		X	X	X	X	
<b>ADDENDUM NO. 2</b>		X	X	X	X	
<b>ADDENDUM NO. 3</b>		X	X	X	X	
<b>ADDENDUM NO. 4</b>		X	X	X	X	
<b>ADDENDUM NO. 5</b>		X	X	X	X	
<b>BASE BID</b>	<b>\$27,119,719.00</b>	<b>\$18,990,000.00</b>	<b>\$19,796,000.00</b>	<b>\$20,210,000.00</b>	<b>\$20,672,000.00</b>	
Alt No. 1 - East Entry Drive	599,441.00	562,500.00	530,000.00	613,000.00	660,000.00	
Alt No. 2 - MOC Build-out	177,700.00	50,000.00	45,000.00	83,000.00	66,000.00	
Alt No. 3 - BLDG 3 (Storage)	3,110,187.00	2,315,000.00	2,740,000.00	2,555,000.00	2,650,000.00	
Alt No. 4 - BLDG 4 (Salt Dome)	1,000,000.00	1,150,000.00	1,250,000.00	1,590,000.00	1,400,000.00	
Alt No. 5 - BLDG 5 (Brine Mixing)	580,990.00	715,000.00	840,000.00	920,000.00	850,000.00	
Alt No. 6 - BLDG 6 (Covered Stor)	474,630.00	543,000.00	782,000.00	870,000.00	965,000.00	
Alt. No. 7 - Fire Alarm System	0.00	(18,000.00)	18,500.00	(10,000.00)	0.00	
<b>TOTAL BID</b>	<b>\$33,062,667.00</b>	<b>\$24,307,500.00</b>	<b>\$26,001,500.00</b>	<b>\$26,831,000.00</b>	<b>\$27,263,000.00</b>	
<b>REQUIRED COMPLETION DATE:</b>	8/31/2020	8/31/2020	8/31/2020	8/31/2020	8/31/2020	
<b>Other Remarks:</b>		Apparent Low Bidder				

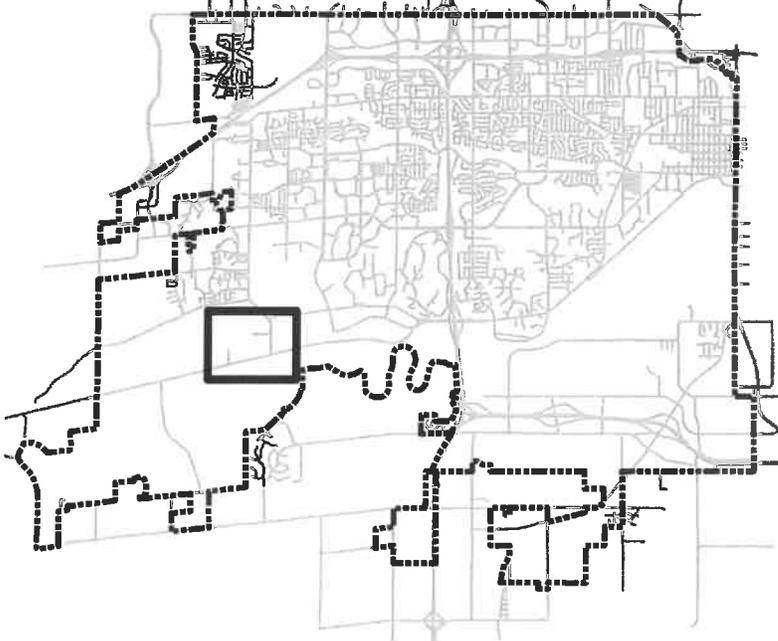
**2017205.03 - WDM West Public Services Facility - PH2 Buildings & Site Improvements** FEH Design  
 City of West Des Moines Project Number: 0510-027-2017

Bid Date: February 13, 2019

BID TABULATION FORM					
Contractor Name	Turner Construction	Estes	Williams Bros Co		
BID BOND	X	X	X		
BIDDER STATUS FORM	X	X	X		
ADDENDUM NO. 1	X	X	X		
ADDENDUM NO. 2	X	X	X		
ADDENDUM NO. 3	X	X	X		
ADDENDUM NO. 4	X	X	X		
ADDENDUM NO. 5	X	X	X		
<b>BASE BID</b>	<b>\$20,885,058.00</b>	<b>\$21,299,000.00</b>	<b>\$21,550,000.00</b>		
Alt No. 1 - East Entry Drive	604,745.00	565,000.00	604,000.00		
Alt No. 2 - MOC Build-out	85,046.00	51,000.00	84,000.00		
Alt No. 3 - BLDG 3 (Storage)	2,750,388.00	2,300,000.00	2,470,000.00		
Alt No. 4 - BLDG 4 (Salt Dome)	1,318,080.00	1,175,000.00	1,200,000.00		
Alt No. 5 - BLDG 5 (Brine Mixing)	951,083.00	750,000.00	750,000.00		
Alt No. 6 - BLDG 6 (Covered Stor)	982,969.00	640,000.00	840,000.00		
Alt. No. 7 - Fire Alarm System	(4,403.00)	(16,000.00)	(16,000.00)		
<b>TOTAL BID</b>	<b>\$27,572,966.00</b>	<b>\$26,764,000.00</b>	<b>\$27,482,000.00</b>		
PROJECTED COMPLETION DATE:	8/31/2020	8/31/2020	8/31/2020		
Other Remarks:					



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



PROJECT:

**West Public Services Facility Phase 2**

LOCATION:

**South 88th Street & Grand Avenue**

DRAWN BY: REF

DATE: 01/07/2019

PROJECT NUMBER/NAME: 0510-027-2017

SHT. 1 of 1





Fueling Facility



Brine Mixing

Cold Storage



Salt Storage

Bulk Material

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

**DATE: February 19, 2019**

**ITEM:**

Public Hearing (5:35 p.m.)  
Valley Junction Alley Improvements Phase 5B

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost was estimated to be \$593,610.50 for the Valley Junction Alley Improvements Phase 5B. There were two (2) bids submitted with the low bid of \$499,486.27 being submitted by Corell Contractor, Inc. of West Des Moines, Iowa. Payments will be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from a combination of General Obligation Bonds, Sewer Fee Revenues, and Stormwater Utility Fees.

**BACKGROUND:**

Work included in Phase 5B of the Valley Junction Alley Improvements is generally located in the 500 block between 4th & 5th Streets, 8th & 9th Streets, and 9th & 10th Streets. The project is anticipated to be completed by September 30, 2019.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution adopting Plans, Specifications, Form of Contract, and Estimate of Costs for Valley Junction Alley Improvements Phase 5B;
- Motion receiving and filing Report of Bids;
- Resolution awarding the construction contract to Corell Contractor, Inc.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *BJA*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RJS</i>
Agenda Acceptance	<i>W</i>

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee				
Date Reviewed				
Recommendation	<table border="1" style="display: inline-table;"> <tr> <td>Yes</td> <td>No</td> <td>Split</td> </tr> </table>	Yes	No	Split
Yes	No	Split		

**RESOLUTION APPROVING ADOPTING PLANS, SPECIFICATIONS, FORM OF  
CONTRACT, AND ESTIMATE OF COST**

**WHEREAS**, on January 21, 2019, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Valley Junction Alley Improvements Phase 5B  
Project No. 0510-010-2018**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements were published as required by law;

therefore,

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES**, that the Plans, Specifications, Form of Contract, and Estimate of Costs for said Public Improvement are hereby approved.

**PASSED AND APPROVED** on this 19th day of February, 2019.

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

ATTEST:

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

**RESOLUTION APPROVING THE AWARDING OF A CONTRACT**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Valley Junction Alley Improvements Phase 5B  
Project No. 0510-010-2018**

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 Corell Contractor, Inc. in the amount of \$499,486.27 was the lowest 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 Valley Junction Alley Improvements Phase 5B is hereby awarded to Corell Contractor, Inc. in the amount of \$499,486.27 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 Clerk and after the contractor is given a written notice to proceed by the City Engineer.

**PASSED AND ADOPTED** on this 19th day of February, 2019.

\_\_\_\_\_  
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  
 VALLEY JUNCTION ALLEYS  
 PHASE 5B PROJECT  
 WEST DES MOINES, IOWA  
 PROJECT NO. 0510-010-2018

Bid Date: February 13, 2019 - 2:00 P.M.  
 HR Green Project No. 40150042

Unit	Quantity	Engineer's Opinion of Probable Cost		Correll Contractor, Inc. 1300 Lincoln St. West Des Moines, IA 50265		Alliance Construction Group 3000 SE Grimes Blvd, Suite 800 Grimes, IA 50111	
		Unit Price	Total	Unit Price	Total	Unit Price	Total
LS	1	\$ 10,000.00	\$ 10,000.00	\$ 32,000.00	\$ 32,000.00	\$ 18,000.00	\$ 18,000.00
CY	132	\$ 50.00	\$ 6,600.00	\$ 40.00	\$ 5,280.00	\$ 40.00	\$ 5,280.00
CY	1,978	\$ 25.00	\$ 49,450.00	\$ 22.25	\$ 44,010.50	\$ 20.00	\$ 39,560.00
CY	75	\$ 50.00	\$ 3,750.00	\$ 72.25	\$ 5,418.75	\$ 95.00	\$ 7,125.00
SY	2,723	\$ 8.00	\$ 21,784.00	\$ 3.70	\$ 10,075.10	\$ 5.00	\$ 13,615.00
SY	300	\$ 15.00	\$ 4,500.00	\$ 9.45	\$ 2,835.00	\$ 9.00	\$ 2,700.00
SY	2,723	\$ 15.00	\$ 40,845.00	\$ 11.45	\$ 31,178.35	\$ 11.50	\$ 31,314.50
SY	2,334	\$ 20.00	\$ 46,680.00	\$ 12.25	\$ 28,591.50	\$ 11.50	\$ 26,841.00
LF	2,990.4	\$ 50.00	\$ 149,520.00	\$ 37.50	\$ 112,140.00	\$ 50.00	\$ 149,520.00
LF	193.5	\$ 55.00	\$ 10,642.50	\$ 62.25	\$ 12,045.38	\$ 56.00	\$ 10,836.00
EA	6	\$ 1,000.00	\$ 6,000.00	\$ 640.00	\$ 3,840.00	\$ 800.00	\$ 4,800.00
EA	10	\$ 500.00	\$ 5,000.00	\$ 830.00	\$ 8,300.00	\$ 600.00	\$ 6,000.00
EA	6	\$ 550.00	\$ 3,300.00	\$ 850.00	\$ 5,100.00	\$ 650.00	\$ 3,900.00
EA	4	\$ 2,000.00	\$ 8,000.00	\$ 440.00	\$ 1,760.00	\$ 900.00	\$ 3,600.00
EA	65	\$ 1,000.00	\$ 65,000.00	\$ 935.00	\$ 60,775.00	\$ 875.00	\$ 56,875.00
EA	4	\$ 4,000.00	\$ 16,000.00	\$ 2,930.00	\$ 11,720.00	\$ 3,000.00	\$ 12,000.00
EA	3	\$ 3,500.00	\$ 10,500.00	\$ 2,135.00	\$ 6,405.00	\$ 1,800.00	\$ 5,400.00
EA	2	\$ 10,000.00	\$ 20,000.00	\$ 4,945.00	\$ 9,890.00	\$ 2,750.00	\$ 5,500.00
SY	324.2	\$ 25.00	\$ 8,105.00	\$ 22.50	\$ 7,294.50	\$ 20.00	\$ 6,484.00
SY	31.7	\$ 50.00	\$ 1,585.00	\$ 79.50	\$ 2,520.15	\$ 50.00	\$ 1,565.00
SY	211.8	\$ 60.00	\$ 12,708.00	\$ 68.00	\$ 14,402.40	\$ 50.00	\$ 10,590.00
SY	191.5	\$ 70.00	\$ 13,405.00	\$ 74.50	\$ 14,266.75	\$ 55.00	\$ 10,532.50
SY	482.6	\$ 20.00	\$ 9,652.00	\$ 24.75	\$ 11,944.35	\$ 12.00	\$ 5,791.20
LS	1	\$ 10,000.00	\$ 10,000.00	\$ 3,960.00	\$ 3,960.00	\$ 26,000.00	\$ 26,000.00
AC	0.36	\$ 10,000.00	\$ 3,600.00	\$ 9,900.00	\$ 3,564.00	\$ 9,000.00	\$ 3,240.00
LF	450	\$ 3.00	\$ 1,350.00	\$ 3.30	\$ 1,485.00	\$ 3.50	\$ 1,575.00
LF	450	\$ 1.00	\$ 450.00	\$ 1.10	\$ 495.00	\$ 0.50	\$ 225.00
EA	4	\$ 300.00	\$ 1,200.00	\$ 220.00	\$ 880.00	\$ 125.00	\$ 500.00
EA	8	\$ 150.00	\$ 1,200.00	\$ 55.00	\$ 440.00	\$ 20.00	\$ 160.00
LS	1	\$ 3,500.00	\$ 3,500.00	\$ 3,850.00	\$ 3,850.00	\$ 6,000.00	\$ 6,000.00
LF	707.3	\$ 25.00	\$ 17,682.50	\$ 21.40	\$ 15,136.22	\$ 20.00	\$ 14,146.00
LF	459	\$ 50.00	\$ 22,950.00	\$ 40.00	\$ 18,360.00	\$ 40.00	\$ 18,360.00
LF	130.3	\$ 5.00	\$ 651.50	\$ 4.40	\$ 573.32	\$ 5.00	\$ 651.50
LS	1	\$ 8,000.00	\$ 8,000.00	\$ 8,950.00	\$ 8,950.00	\$ 10,000.00	\$ 10,000.00
<b>TOTAL</b>			<b>\$ 593,610.50</b>		<b>\$ 499,486.27</b>		<b>\$ 518,706.70</b>

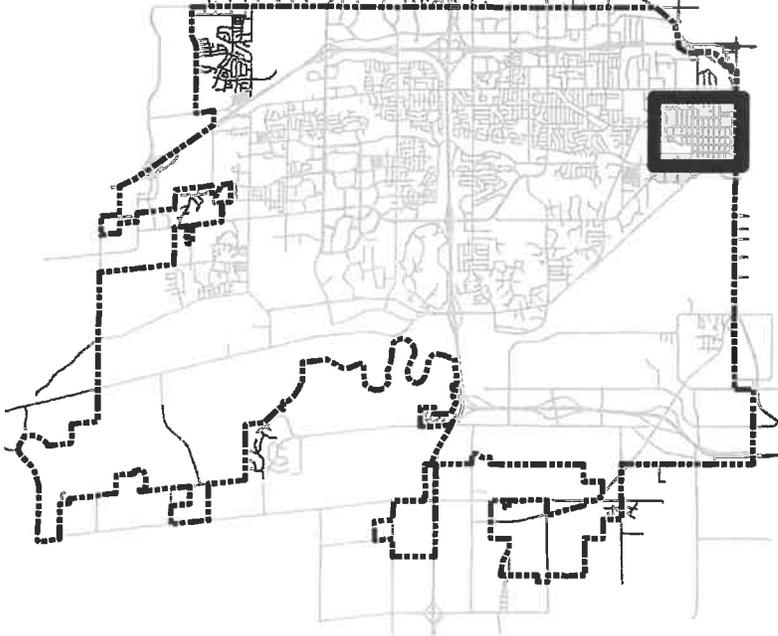
I hereby certify that this is a true and correct tabulation of bids received  
 February 13, 2019 for VALLEY JUNCTION ALLEYS, PHASE 5B PROJECT,  
 WEST DES MOINES, IOWA - PROJECT NO. 0510-010-2018

*Casey R. Patton*  
 Casey R. Patton, P.E., License Number 20644

2/13/2019  
 Date



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



PROJECT:

**Valley Junction Alleys Phase 5B**

LOCATION:

**Exhibit "A"**

DRAWN BY: JDR

DATE: 1/7/2019

PROJECT NUMBER/NAME: 0510-010-2018

SHT. 1 of 1

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

**DATE: February 19, 2019**

**ITEM:**

Public Hearing (5:35 p.m.)  
2018 Sewer Rehabilitation Program

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost was estimated to be \$489,606.75 for the 2018 Sewer Rehabilitation Program. There were six (6) bids submitted with the low bid of \$514,324.30 being submitted by Insituform Technologies USA of Kansas City, Missouri. Payments will be made from account no. 640.000.000.5250.490 with the ultimate funding intended to come from Sanitary Sewer Fee Revenue.

**BACKGROUND:**

This is an ongoing maintenance program to rehabilitate existing portions of the City's sanitary sewer system. Previous inspections of these sanitary sewers revealed defects at several locations. The project is anticipated to be completed by August 31, 2019.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution adopting Plans, Specifications, Form of Contract, and Estimate of Costs for the 2018 Sewer Rehabilitation Program;
- Motion receiving and filing Report of Bids;
- Resolution awarding the construction contract to Insituform Technologies USA.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *BJS*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RJS</i>
Agenda Acceptance	<i>BJS</i>

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee				
Date Reviewed				
Recommendation	<table border="1" style="display: inline-table;"> <tr> <td>Yes</td> <td>No</td> <td>Split</td> </tr> </table>	Yes	No	Split
Yes	No	Split		

**RESOLUTION APPROVING ADOPTING PLANS, SPECIFICATIONS, FORM OF  
CONTRACT, AND ESTIMATE OF COST**

**WHEREAS**, on January 21, 2019, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**2018 Sewer Rehabilitation Program  
Project No. 0510-043-2018**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements were published as required by law;

therefore,

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES**, that the Plans, Specifications, Form of Contract, and Estimate of Costs for said Public Improvement are hereby approved.

**PASSED AND APPROVED** on this 19th day of February, 2019.

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

ATTEST:

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

**RESOLUTION APPROVING THE AWARDING OF A CONTRACT**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**2018 Sewer Rehabilitation Program  
Project No. 0510-043-2018**

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 Insituform Technologies USA in the amount of \$514,324.30 was the lowest 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 2018 Sewer Rehabilitation Program is hereby awarded to Insituform Technologies USA in the amount of \$514,324.30 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 Clerk and after the contractor is given a written notice to proceed by the City Engineer.

**PASSED AND ADOPTED** on this 19<sup>th</sup> day of February, 2019.

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

ATTEST:

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

Bid Tabulation  
 2018 Sewer Rehabilitation Program  
 Project No. 0510-043-2018  
 City of West Des Moines  
 West Des Moines, Iowa  
 AECOM Project No: 60564739  
 February 13, 2019

**AECOM**

Item	Description	Unit	Estimated Quantity	Engineer's Estimate		Instaform Technologies USA .1614 NE 83rd Street Kansas City, MO 64118		Viso-Sewer W230 N4855 Becker Drive Pewaukee, WI 53072		Hydro-Klean 333 NW 49th Place Des Moines, IA 50313	
				Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1.1	8" CIPP SEWER LINING	LF	12,823	\$ 24.25	\$ 310,957.75	\$ 26.10	\$ 334,660.30	\$ 25.00	\$ 320,575.00	\$ 28.20	\$ 361,908.60
1.2	10" CIPP SEWER LINING	LF	912	\$ 28.00	\$ 25,536.00	\$ 31.50	\$ 28,728.00	\$ 32.00	\$ 29,184.00	\$ 33.40	\$ 30,460.80
1.3	12" CIPP SEWER LINING	LF	1,959	\$ 38.50	\$ 75,383.00	\$ 39.50	\$ 77,341.00	\$ 40.50	\$ 79,299.00	\$ 42.80	\$ 83,410.80
1.4	15" CIPP SEWER LINING	LF	655	\$ 60.00	\$ 39,300.00	\$ 55.00	\$ 36,025.00	\$ 63.00	\$ 41,265.00	\$ 56.00	\$ 36,680.00
1.5	SERVICE RECONNECTION	EA	238	\$ 50.00	\$ 11,900.00	\$ 100.00	\$ 23,800.00	\$ 75.00	\$ 17,850.00	\$ 75.00	\$ 17,850.00
1.6	SEWER REPAIR #1 - 22nd ST & WESTOWN PKWY	LS	1	\$ 17,500.00	\$ 17,500.00	\$ 4,500.00	\$ 4,500.00	\$ 24,700.00	\$ 24,700.00	\$ 24,150.00	\$ 24,150.00
1.7	CONCRETE SIDEWALK REMOVAL & REPLACEMENT	SY	26	\$ 80.00	\$ 2,080.00	\$ 85.00	\$ 2,470.00	\$ 82.00	\$ 2,132.00	\$ 80.33	\$ 2,098.58
1.8	CONCRETE CURB WALL REMOVAL & REPLACEMENT	LF	30	\$ 110.00	\$ 3,300.00	\$ 85.00	\$ 2,550.00	\$ 110.00	\$ 3,300.00	\$ 108.05	\$ 3,181.50
1.9	GABION STONE WALL REMOVAL & REPLACEMENT	LF	10	\$ 140.00	\$ 1,400.00	\$ 370.00	\$ 3,700.00	\$ 140.00	\$ 1,400.00	\$ 136.50	\$ 1,365.00
1.10	PAVEMENT REMOVAL & REPLACEMENT	SY	10	\$ 225.00	\$ 2,250.00	\$ 53.00	\$ 530.00	\$ 215.00	\$ 2,150.00	\$ 210.00	\$ 2,100.00
<b>TOTAL BID</b>					\$ 488,608.75	105%	\$ 514,324.30	107%	\$ 521,855.00	115%	\$ 562,895.28

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.

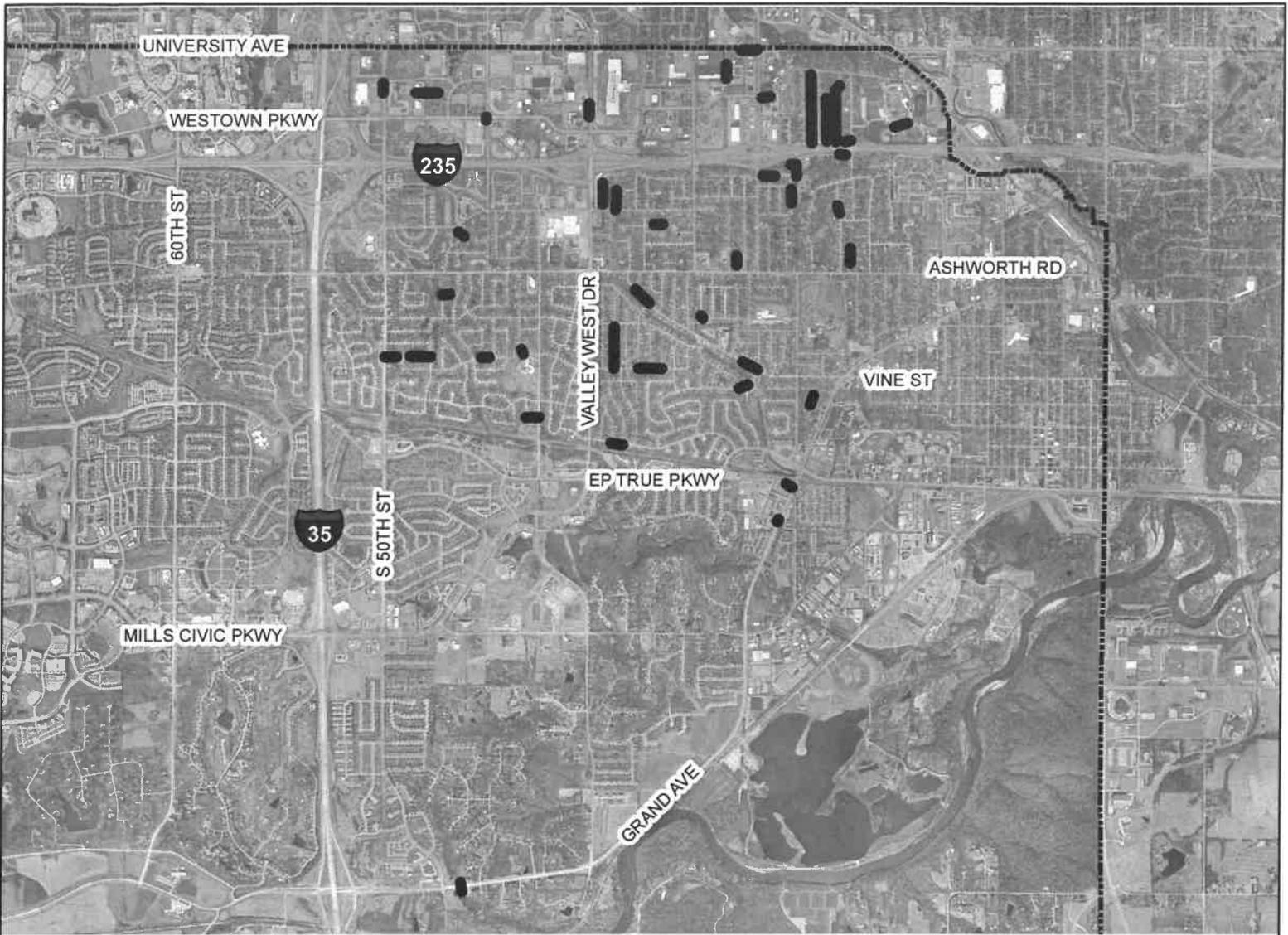
ROSS A. HILLSMAN  
 License number 12985  
 My license renewal date is December 31, 2019  
 Pages or sheets covered by this seal:

2/13/19  
 Date

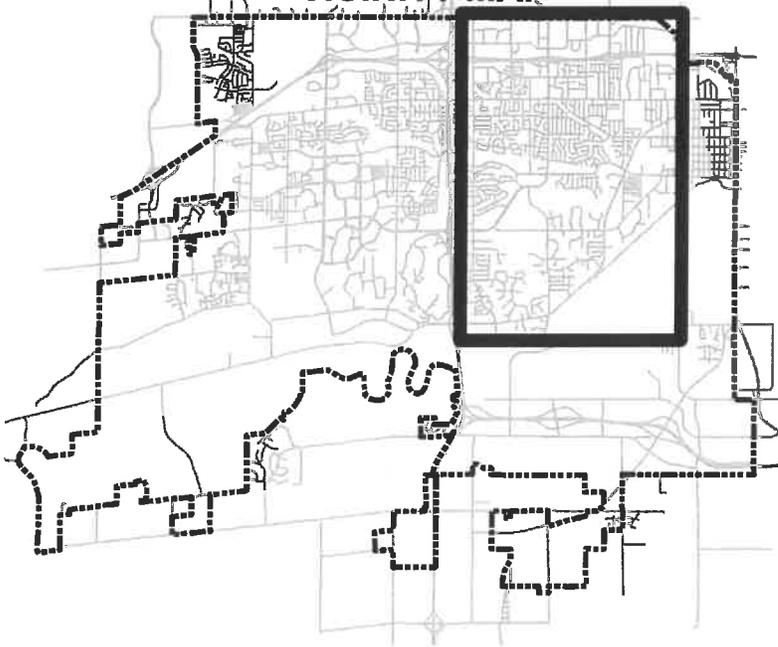
Bid Tabulation  
 2018 Sewer Rehabilitation Program  
 Project No. 0510-043-2018  
 City of West Des Moines  
 West Des Moines, Iowa  
 AECOM Project No: 60564739  
 February 13, 2019



Item	Description	Unit	Estimated Quantity	Engineer's Estimate		Municipal Pipe Tool Company		Lametti and Sons, Inc.		SAK Construction	
				Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1.1	8" CIPP SEWER LINING	LF	12,823	\$ 24.25	\$ 310,957.75	\$ 28.75	\$ 368,661.25	\$ 31.00	\$ 397,513.00	\$ 29.25	\$ 375,072.75
1.2	10" CIPP SEWER LINING	LF	912	\$ 28.00	\$ 25,536.00	\$ 29.00	\$ 26,448.00	\$ 33.00	\$ 30,096.00	\$ 38.00	\$ 34,656.00
1.3	12" CIPP SEWER LINING	LF	1,958	\$ 38.50	\$ 75,383.00	\$ 36.00	\$ 70,488.00	\$ 37.00	\$ 72,446.00	\$ 42.00	\$ 82,236.00
1.4	15" CIPP SEWER LINING	LF	655	\$ 60.00	\$ 39,300.00	\$ 66.00	\$ 43,230.00	\$ 46.00	\$ 30,130.00	\$ 70.00	\$ 45,850.00
1.5	SERVICE RECONNECTION	EA	238	\$ 50.00	\$ 11,900.00	\$ 100.00	\$ 23,800.00	\$ 133.00	\$ 31,654.00	\$ 100.00	\$ 23,800.00
1.6	SEWER REPAIR #1 - 22nd ST & WESTOWN PKWY	LS	1	\$ 17,500.00	\$ 17,500.00	\$ 24,150.00	\$ 24,150.00	\$ 7,380.00	\$ 7,380.00	\$ 40,000.00	\$ 40,000.00
1.7	CONCRETE SIDEWALK REMOVAL & REPLACEMENT	SY	28	\$ 80.00	\$ 2,080.00	\$ 80.00	\$ 2,080.00	\$ 223.00	\$ 5,766.00	\$ 180.00	\$ 4,880.00
1.8	CONCRETE CURB WALL REMOVAL & REPLACEMENT	LF	30	\$ 110.00	\$ 3,300.00	\$ 106.00	\$ 3,180.00	\$ 100.00	\$ 3,000.00	\$ 110.00	\$ 3,300.00
1.9	GABION STONE WALL REMOVAL & REPLACEMENT	LF	10	\$ 140.00	\$ 1,400.00	\$ 137.00	\$ 1,370.00	\$ 1,513.00	\$ 15,130.00	\$ 500.00	\$ 5,000.00
1.10	PAVEMENT REMOVAL & REPLACEMENT	SY	10	\$ 225.00	\$ 2,250.00	\$ 210.00	\$ 2,100.00	\$ 400.00	\$ 4,000.00	\$ 320.00	\$ 3,200.00
<b>TOTAL BID</b>					\$ 488,606.75		\$ 565,507.25		\$ 597,427.00		\$ 617,794.75
						116%		122%		128%	



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



PROJECT:

**2018 Sewer Rehabilitation Program**

LOCATION:

**Exhibit "A"**

DRAWN BY: JDR

DATE: 1/8/2019

PROJECT NUMBER/NAME: 0510-043-2018

SHT. 1 of 1

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

**DATE: February 19, 2019**

**ITEM:**

Public Hearing (5:35 p.m.)  
Grand Avenue Stormwater Pumps

**FINANCIAL IMPACT:**

The Engineering Estimate of Construction Cost was estimated to be \$174,392.00 for the Grand Avenue Stormwater Pumps. There were three (3) bids submitted with the low bid of \$162,470.00 being submitted by Vanderpool Construction, Inc. of Indianola, Iowa. Payments will be made from account no. 660.000.000.5250.490 with the ultimate funding intended to come from Stormwater Utility Fees.

**BACKGROUND:**

The project includes the construction of an access drive and stormwater pump pad near the drainage channel along the north side of Grand Avenue just west of Scenic Valley Drive and the Raccoon River Regional Park Entrance. The stormwater pump pad is expected to accommodate two (2) new tractor PTO-driven stormwater pumps during times when the Raccoon River is in flood condition and the water levels in the detention basin on the north side of Grand Avenue within The Preserve on Grand development are elevated or expected to be elevated. New 20" pump discharge piping was constructed under Grand Avenue when it was reconstructed a few years back, in anticipation of this stormwater pump station. The project is anticipated to be substantially completed by June 30, 2019 with final site restoration to be completed by September 30, 2019.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution adopting Plans, Specifications, Form of Contract, and Estimate of Costs for Grand Avenue Stormwater Pumps;
- Motion receiving and filing Report of Bids;
- Resolution awarding the construction contract to Vanderpool Construction, Inc.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *BJS*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TJS</i>
Legal	Richard Scieszinski, City Attorney <i>RJS</i>
Agenda Acceptance	<i>(Signature)</i>

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

Published In	Des Moines Register
Dates(s) Published	February 8, 2019

**SUBCOMMITTEE REVIEW** (if applicable)

Committee				
Date Reviewed				
Recommendation	<table border="1"> <tr> <td>Yes</td> <td>No</td> <td>Split</td> </tr> </table>	Yes	No	Split
Yes	No	Split		

**RESOLUTION APPROVING ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST**

**WHEREAS**, on January 21, 2019, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Grand Avenue Stormwater Pumps  
Project No. 0510-073-2017**

and,

**WHEREAS**, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements were published as required by law;

therefore,

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES**, that the Plans, Specifications, Form of Contract, and Estimate of Costs for said Public Improvement are hereby approved.

**PASSED AND APPROVED** on this **19th** day of **February, 2019**.

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

ATTEST:

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

**RESOLUTION APPROVING THE AWARDING OF A CONTRACT**

**WHEREAS**, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Grand Avenue Stormwater Pumps  
Project No. 0510-073-2017**

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 Vanderpool Construction, Inc. in the amount of \$162,470.00 was the lowest 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 Grand Avenue Stormwater Pumps is hereby awarded to Vanderpool Construction, Inc. in the amount of \$162,470.00 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 Clerk and after the contractor is given a written notice to proceed by the City Engineer.

**PASSED AND ADOPTED** on this 19th day of February, 2019.

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

ATTEST:

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



Foht Infrastructure & Environmental, LLC

**Tabulation of Bids**  
 West Des Moines, IA  
 Grand Avenue Stormwater Pumps  
 Near Raccoon River Park  
 City Project Number: 0510-073-2017  
 Foth Project Number: 17W056.01

Bid Date: Wednesday, February 13, 2019  
 at 2:00 PM

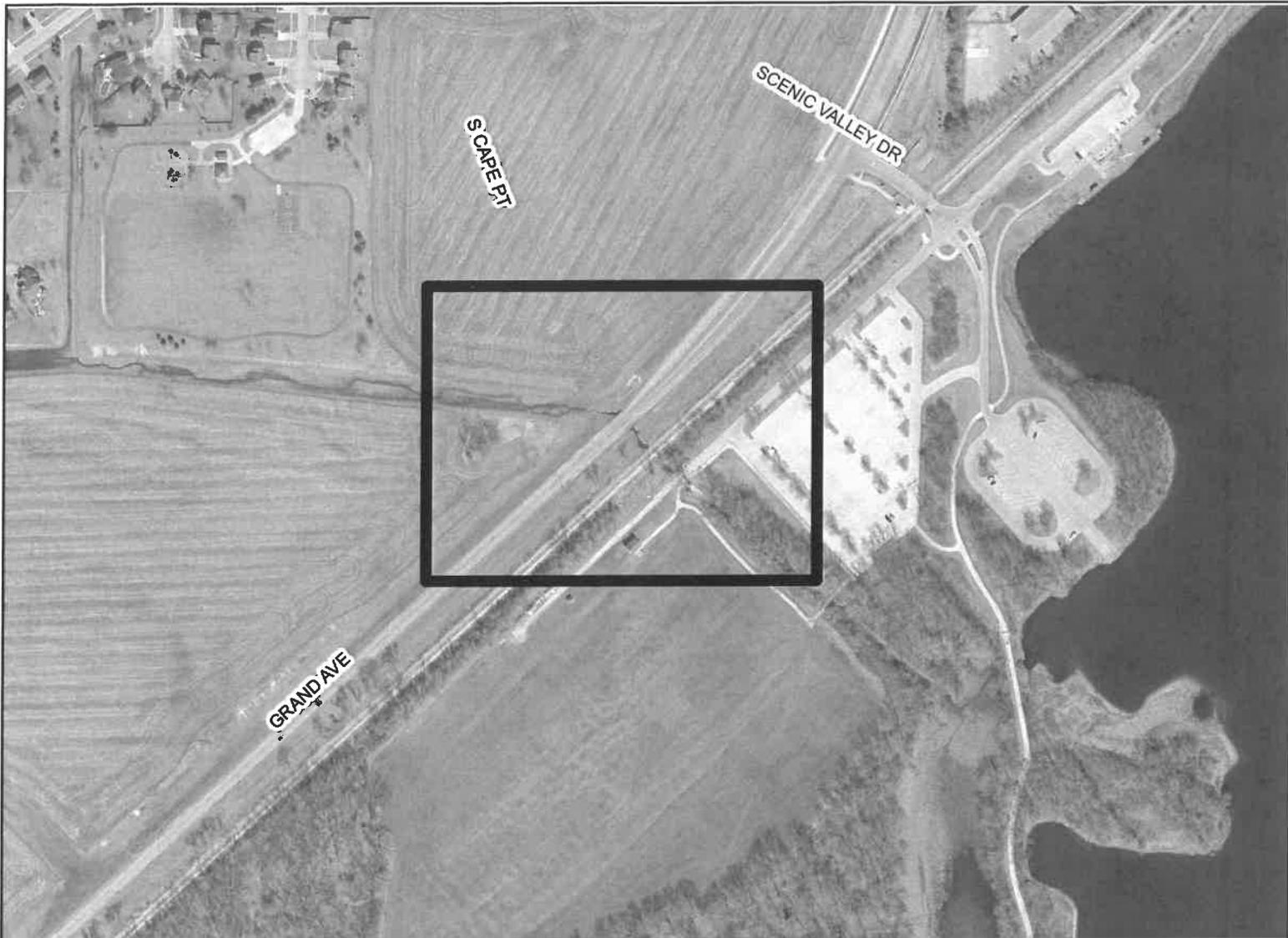


ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT	QUANTITY	Engineer's Opinion of Cost UNIT PRICE	Engineer's Opinion of Cost SUBTOTAL	Vanderpool Construction, Inc. Indianola, IA UNIT PRICE	Vanderpool Construction, Inc. Indianola, IA SUBTOTAL	Hilbrook Excavating Ankeny, IA UNIT PRICE	Hilbrook Excavating Ankeny, IA SUBTOTAL	Minturn, Inc. Brooklyn, IA UNIT PRICE	Minturn, Inc. Brooklyn, IA SUBTOTAL
<b>DIVISION 1 - GENERAL</b>												
(Not Used)												
<b>DIVISION 2 - EARTHWORK, SUBGRADE AND SUBBASE</b>												
2.1		CLEARING AND GRUBBING	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00	\$ 4,000.00	\$ 4,000.00	\$ 6,000.00	\$ 6,000.00
2.2		TOPSOIL ON-SITE	CY	354	\$ 25.00	\$ 8,850.00	\$ 13.50	\$ 4,779.00	\$ 15.00	\$ 5,310.00	\$ 20.00	\$ 7,080.00
2.3		TOPSOIL IMPORT	CY	61	\$ 30.00	\$ 1,830.00	\$ 68.50	\$ 4,178.50	\$ 50.00	\$ 3,050.00	\$ 60.00	\$ 3,660.00
2.4		EXCAVATION, CLASS 10, ROADWAY & BORROW	CY	495	\$ 12.00	\$ 5,940.00	\$ 7.50	\$ 3,712.50	\$ 35.00	\$ 17,325.00	\$ 15.00	\$ 7,425.00
2.5		EXCAVATION, CLASS 10, WASTE	CY	744	\$ 18.00	\$ 13,392.00	\$ 10.50	\$ 7,812.00	\$ 21.00	\$ 15,624.00	\$ 30.00	\$ 22,320.00
2.6		SUBGRADE PREPARATION, 6 IN.	SY	485	\$ 10.00	\$ 4,850.00	\$ 5.00	\$ 2,425.00	\$ 7.00	\$ 3,395.00	\$ 10.00	\$ 4,850.00
<b>DIVISION 3 - TRENCH AND TRENCHLESS CONSTRUCTION</b>												
(Not Used)												
<b>DIVISION 4 - SEWERS AND DRAINS</b>												
(Not Used)												
<b>DIVISION 5 - WATER MAIN AND APPURTENANCES</b>												
(Not Used)												
5.1		WATER MAIN, TRENCHED, RESTRAINED JOINT, C151, CLASS 52, 16 IN.	LF	41	\$ 250.00	\$ 10,250.00	\$ 375.00	\$ 15,375.00	\$ 275.00	\$ 11,275.00	\$ 500.00	\$ 20,500.00
5.2		WATER MAIN, TRENCHED, RESTRAINED JOINT, C151, CLASS 52, 20 IN.	LF	54	\$ 350.00	\$ 18,900.00	\$ 390.00	\$ 20,520.00	\$ 175.00	\$ 9,450.00	\$ 500.00	\$ 27,000.00
5.3		WATER MAIN FITTINGS	LB	2,804	\$ 15.00	\$ 42,060.00	\$ 9.50	\$ 26,638.00	\$ 7.00	\$ 19,628.00	\$ 5.00	\$ 14,020.00
5.4		VALVE, BUTTERFLY WITH HANDWHEEL, 16 IN.	EA	2	\$ 2,500.00	\$ 5,000.00	\$ 6,900.00	\$ 13,800.00	\$ 4,600.00	\$ 9,200.00	\$ 5,000.00	\$ 10,000.00
<b>DIVISION 6 - STRUCTURES FOR SANITARY AND STORM SEWER</b>												
(Not Used)												
<b>DIVISION 7 - STREETS AND RELATED WORK</b>												
(Not Used)												
7.1		CURB AND GUTTER, REINFORCED PCC, 9 IN.	LF	30	\$ 50.00	\$ 1,500.00	\$ 63.00	\$ 1,890.00	\$ 60.00	\$ 1,800.00	\$ 80.00	\$ 2,400.00
7.2		DRIVEWAY, PAVED, REINFORCED PCC, 8 IN.	SY	456	\$ 70.00	\$ 31,920.00	\$ 74.00	\$ 33,744.00	\$ 65.00	\$ 29,640.00	\$ 140.00	\$ 63,840.00
7.3		PAVEMENT REMOVAL	SY	44	\$ 25.00	\$ 1,100.00	\$ 23.00	\$ 1,012.00	\$ 20.00	\$ 880.00	\$ 40.00	\$ 1,760.00
7.4		CURB GRINDING	LF	70	\$ 15.00	\$ 1,050.00	\$ 17.00	\$ 1,190.00	\$ 15.00	\$ 1,050.00	\$ 15.00	\$ 1,050.00
<b>DIVISION 8 - TRAFFIC SIGNALS AND TRAFFIC CONTROL</b>												
(Not Used)												
<b>DIVISION 9 - SITE WORK AND LANDSCAPING</b>												
(Not Used)												
9.1		HYDRAULIC SEEDING, FERT. & MULCH, TYPE 1 (PERM. LAWN MIX.)	ACRE	0.5	\$ 10,000.00	\$ 5,000.00	\$ 4,600.00	\$ 2,300.00	\$ 5,000.00	\$ 2,500.00	\$ 4,000.00	\$ 2,000.00
9.2		HYDRAULIC SEEDING, FERT. & MULCH, TYPE 2 (PERM. COOL SEASON)	ACRE	0.5	\$ 10,000.00	\$ 5,000.00	\$ 4,500.00	\$ 2,250.00	\$ 5,000.00	\$ 2,500.00	\$ 4,000.00	\$ 2,000.00
9.3		FILTER SOCK, INSTALLATION & MAINTENANCE	LF	250	\$ 2.00	\$ 500.00	\$ 2.60	\$ 650.00	\$ 2.50	\$ 625.00	\$ 2.00	\$ 500.00
9.4		FILTER SOCK, REMOVAL OF DEVICE	LF	250	\$ 1.00	\$ 250.00	\$ 0.50	\$ 125.00	\$ 1.00	\$ 250.00	\$ 0.50	\$ 125.00
9.5		SILT FENCE, INSTALLATION & MAINTENANCE	LF	500	\$ 2.00	\$ 1,000.00	\$ 2.50	\$ 1,250.00	\$ 2.50	\$ 1,250.00	\$ 2.00	\$ 1,000.00
9.6		SILT FENCE, REMOVAL OF DEVICE	LF	500	\$ 1.00	\$ 500.00	\$ 0.50	\$ 250.00	\$ 1.00	\$ 500.00	\$ 0.50	\$ 250.00
9.7		INLET PROTECTION DEVICE	EA	1	\$ 500.00	\$ 500.00	\$ 200.00	\$ 200.00	\$ 280.00	\$ 280.00	\$ 175.00	\$ 175.00
9.8		COMBINED CONCRETE RETAINING WALL, TYPE A	CY	1.5	\$ 1,000.00	\$ 1,500.00	\$ 3,500.00	\$ 5,250.00	\$ 3,000.00	\$ 4,500.00	\$ 2,000.00	\$ 3,000.00
<b>DIVISION 10 - DEMOLITION</b>												
(Not Used)												
<b>DIVISION 11 - MISCELLANEOUS</b>												
(Not Used)												
11.1		CONSTRUCTION SURVEY	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 1,700.00	\$ 1,700.00	\$ 25,000.00	\$ 25,000.00	\$ 1,500.00	\$ 1,500.00
11.2		CONCRETE WASHOUT	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 400.00	\$ 400.00	\$ 1,500.00	\$ 1,500.00	\$ 350.00	\$ 350.00
11.3		PUMP GAUGE	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 1,350.00	\$ 1,350.00	\$ 750.00	\$ 750.00	\$ 2,000.00	\$ 2,000.00
<b>DIVISION 12 - STRUCTURES</b>												
(Not Used)												
<b>TOTAL BASE BID</b>						\$ 174,392.00	\$ 182,470.00	\$ 178,252.00	\$ 208,805.00			
<b>Rid Bond/Check</b>					Corrected							

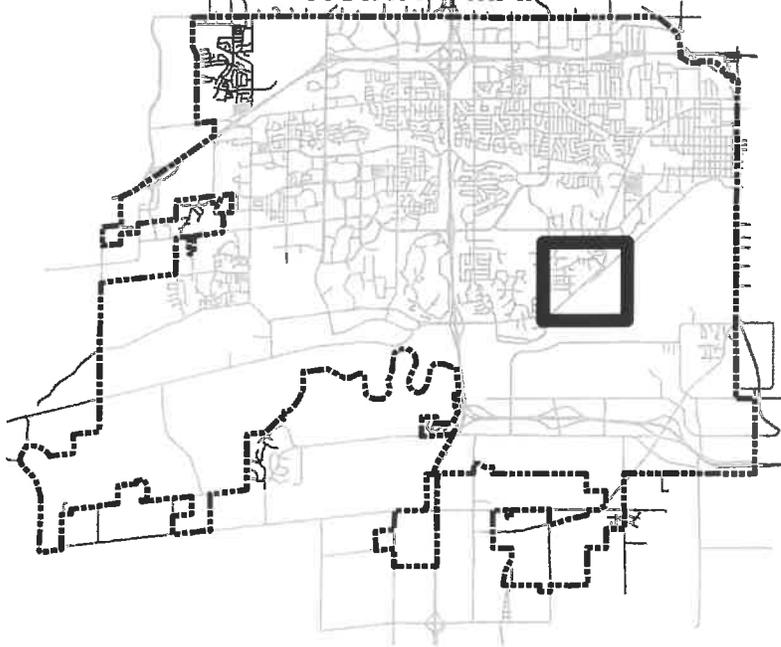
I hereby certify that this is a true and correct tabulation of bids received on February 13, 2019 for the Grand Avenue Stormwater Pumps.  
 City Project Number: 0510-073-2017 - West Des Moines, IA - 2019

*Joshua C. DeSower* License No. 20508 Date 02/13/2019  
 2/13/19

Foht Infrastructure Environment, LLC  
 8191 Birchwood Court, Suite L  
 West Des Moines, IA 50395  
 Phone: 515.254.1393  
 Fax: 515.254.1842



**VICINITY MAP**



**LEGEND**

PROJECT LOCATION



PROJECT:

**Grand Avenue Stormwater Pumps**

LOCATION:

**Grand Avenue West of Park Entrance**

DRAWN BY: JDR

DATE: 8/7/2017

PROJECT NUMBER : 0510-073-2017  
SUBDIVISION NAME:

SHT. 1 of 1

**CITY OF WEST DES MOINES  
OFFICE OF THE CITY ATTORNEY  
MEMORANDUM**

**TO:** Mayor and Council Members

**FROM:** Greta Truman, Assistant City Attorney 

**DATE:** February 19, 2019

**RE:** Public Hearing Item: Resolution – Approval of Assignment of Permanent Easement for Road Right-of-Way from the City of West Des Moines, Iowa to the City of Des Moines, Iowa for easement located at the northeast corner of HWY 28 and SW McKinley Avenue to the City of Des Moines, Iowa.

The incorrect date was published for the Public Hearing in the above matter. Notice was posted on the doors of City Hall advising anyone who appeared on that date that the hearing would be continued to March 4, 2019.

**Recommendation: Continue the public hearing item to the March 4, 2019, City Council meeting.**

CITY OF WEST DES MOINES  
CITY COUNCIL MEETING COMMUNICATION

DATE: February 19, 2019

**ITEM:** Willow Creek Villas, West Side of Veterans parkway North of SE Willow Creek Drive  
– Subdivide the Property into 64 Single Family Lots, One Lot for Future Multifamily  
Development, One Lot for Detention, Six Public Street Lots, and One Lot for a Future  
Park – Jerry’s Homes Inc. – PP-004032-2018

**RESOLUTION:** Approval of a Preliminary Plat

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** The applicant, Jerry’s Homes, represented by Brad Kuehl of Civil Design Advantage, is requesting approval of a Preliminary Plat for approximately 25.02 acres located west of Veterans Parkway north of SE Willow Creek Drive. The applicant proposes to subdivide the property into 64 single family lots, one lot for future multifamily lots, one lot for storm water detention, one lot for park use, and six public street lots (see Exhibit I - Attachment B – Location Map and Attachment C – Preliminary Plat)

Plan and Zoning Commission Action:

Vote: 6-0 approval, Commissioner Drake absent

Date: February 11, 2019

Motion: Adopt a resolution recommending the City Council approve the Preliminary Plat

**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 and Planning (November 12, 2018)*
- Staff Review and Comments
- Comprehensive Plan Consistency
- Findings
- Staff Recommendation and Conditions of Approval
- Owner/Applicant/Applicant Representative 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 adopt a resolution to approve the Preliminary Plat to create 64 single family lots, one lot for future multifamily development, one lot for detention, six public street lots, and one lot for a future park, subject to the applicant meeting all City Code requirements and the following:

1. The applicant providing final drawings of the preliminary plat which address staff comments.
2. Applicant acknowledging that the associated Final plat must be approved and released for recordation by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat.

Lead Staff Member: Kara Tragesser, AICP



**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	N/A
Date(s) Published	
Letter sent to surrounding property owners	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning Subcommittee		
Date Reviewed	November 12, 2018		
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  
Attachment B - Location Map  
Attachment C - Preliminary Plat
- Exhibit II - City Council Resolution  
Exhibit A – Conditions of Approval

**CITY OF WEST DES MOINES  
PLAN AND ZONING COMMISSION COMMUNICATION**

**Meeting Date:** February 11, 2019

**Item:** Willow Creek Villas, West Side of Veterans parkway North of SE Willow Creek Drive – Subdivide the Property into 64 Single Family Lots, One Lot for Future Multifamily Development, One Lot for Detention, Six Public Street Lots, and One Lot for a Future Park – Jerry's Homes Inc. – PP-004032-2018

**Requested Action:** Recommend Approval of Preliminary Plat

**Case Advisor:** Kara Tragesser, AICP 

**Applicant's Request:** The applicant, Jerry's Homes, represented by Brad Kuehl of Civil Design Advantage, is requesting approval of a Preliminary Plat for approximately 25.02 acres located west of Veterans Parkway north of SE Willow Creek Drive. The applicant proposes to subdivide the property into 64 single family lots, one lot for future multifamily lots, one lot for storm water detention, one lot for park use, and six public street lots (see Attachment B – Location Map and Attachment C – Preliminary Plat).

**History:** The property is undeveloped. The City Council approved a partial rezoning of the property for 19.26 acres to change from Residential Medium Density (RM-8) to Residential Single Family (RS-5) in order to plat full depth lots for single family detached dwellings. The remaining acreage remains Residential Medium Density (RM-8).

**City Council Subcommittee:** This development was presented to the Development and Planning City Council Subcommittee on November 12, 2018, the Subcommittee was supportive of the development.

**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.

**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.

**Findings:** This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that 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.
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.

5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the zoning designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

**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 the City Council approve the Preliminary Plat to create 64 lots for single family development, one lot for storm water detention, one lot for future multifamily development, six lots for public streets, and one lot for a park, subject to the applicant meeting all City Code requirements and the following:

1. The applicant providing final drawings of the preliminary plat which address staff comments.
2. Applicant acknowledging that the associated Final plat must be approved and released for recordation by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat;

**Applicant:** Jerry's Homes Inc.  
3900 Westown Parkway, Suite 100  
West Des Moines IA 50266  
Jay Cowan  
515-727-0356  
jayc@jerryshomes.com

**Owners:** Same as above

**Applicant's Representatives:** Brad Kuehl  
Civil Design Advantage  
3405 SE Crossroads Drive, Suite G  
Grimes IA 50111  
515-369-4400  
bradk@cda-eng.com

**ATTACHMENTS:**

- Attachment A - Plan and Zoning Commission Resolution  
Exhibit A – Conditions of Approval
- Attachment B - Location Map
- Attachment C - Preliminary Plat

RESOLUTION NO. PZC-19-015

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE A PRELIMINARY PLAT TO SUBDIVIDE PROPERTY INTO 64 LOTS FOR SINGLE FAMILY DEVELOPMENT, ONE LOT FOR FUTURE MULTIFAMILY DEVELOPMENT, ONE LOT FOR DETENTION, ONE LOT FOR FUTURE PARK AND SIX PUBLIC STREET LOTS**

**WHEREAS**, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Jerry's Homes, Inc., has requested approval for a Preliminary Plat (PP-004032-2018) to create 64 lots for single family development, one lot for future multifamily development, one lot for storm water detention, one lot for future park use, and six public street lots; and

**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; and

**WHEREAS**, on February 11, 2019, this Commission held a duly-noticed public meeting to consider the application for a Preliminary Plat.

**NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:**

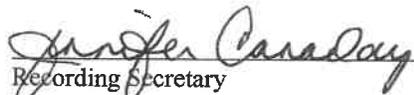
SECTION 1. The findings, for approval, in the staff report or as amended orally at the Plan and Zoning Commission meeting are adopted.

SECTION 2. The Preliminary Plat to subdivide the property into 64 single family development, one lot for future multifamily development, one lot for future park use, one lot for storm water detention, and six public street lots is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report including conditions added at the meeting, and attached hereto as Exhibit "A." 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 February 11, 2019.

  
\_\_\_\_\_  
Craig Erickson, Chair  
Plan and Zoning Commission

ATTEST:

  
\_\_\_\_\_  
Jennifer Canaday  
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 February 11, 2019, by the following vote:

AYES: **A N D E R S E N , C O S T A , C R O W L E Y , E R I C K S O N , H A T F I E L D , S O U T H W O R T H**

NAYS:

ABSTENTIONS:

ABSENT: **D R A K E**

ATTEST:

  
\_\_\_\_\_  
Jennifer Canaday  
Recording Secretary

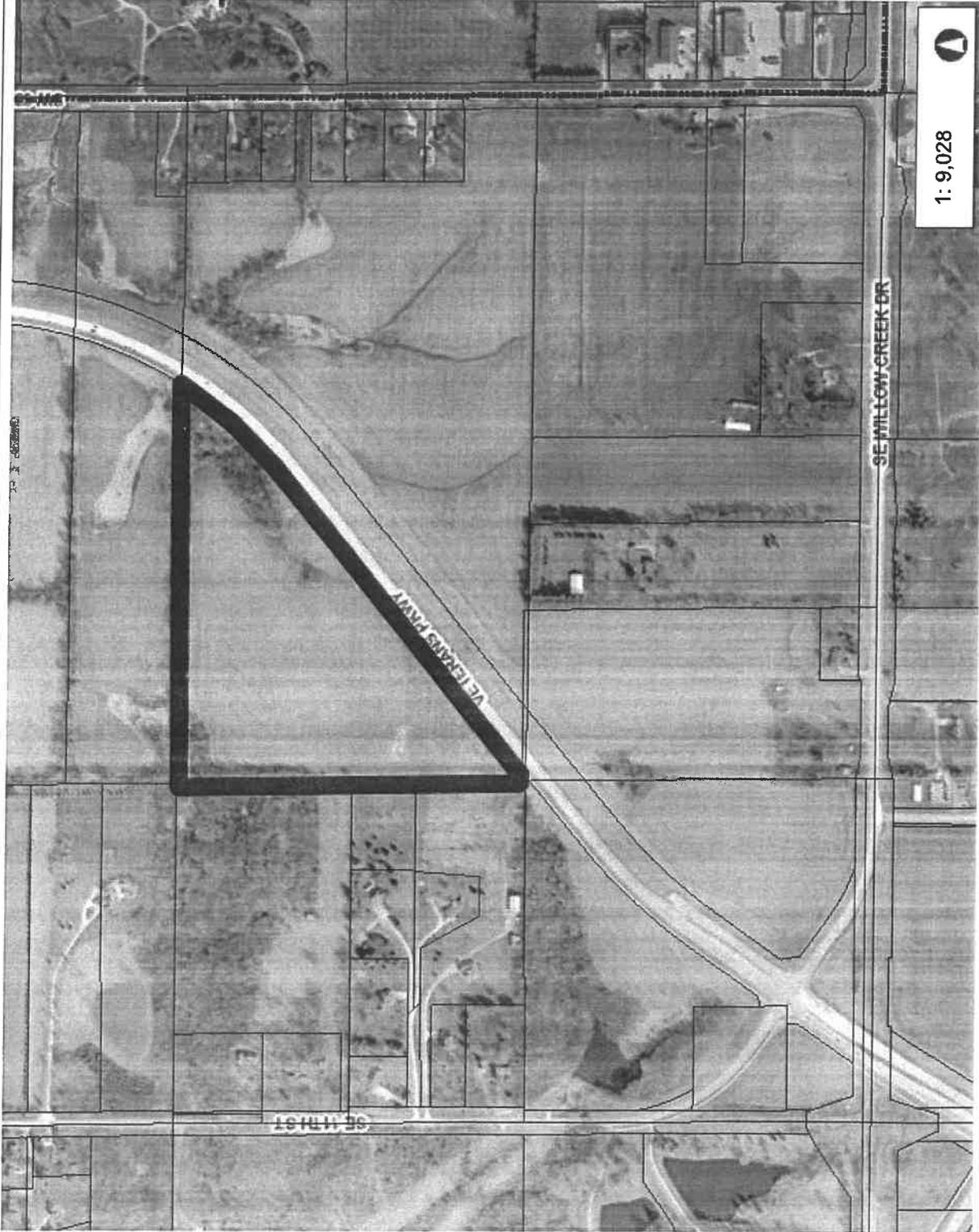
**Exhibit A**  
**CONDITIONS OF APPROVAL**

1. The applicant providing final drawings of the preliminary plat which address staff comments, prior to the construction of any improvements on the site.
2. Applicant acknowledging that the associated Final plat must be approved and released for recordation by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat;



- Legend**
-  Corporate Limits
  -  Parcels

# Willow Creek Villas



1 : 9,028



Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.  
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 © City of West Des Moines, Iowa

# PRELIMINARY PLAT FOR: WILLOW CREEK VILLAS

CITY OF WEST DES MOINES, COUNTY OF POLK, STATE OF IOWA

### PRELIMINARY PLAT DESCRIPTION

THAT PART OF THE NORTH HALF OF THE SEVENTH QUARTER OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIRST RANGE OF RANGE 25 WEST, COUNTY OF POLK, IOWA, NORTH AND WEST OF THE WEST LINE OF THE SURVEYED CORNER CONNECTED TO THE CITY OF WEST DES MOINES IN 1,352.7, PAGE 732 AND FILED OCTOBER 12, 2006, IN BOOK 102206, PAGE 592 IN THE OFFICE OF THE POLK COUNTY REGISTER.

PROPERTY CONTAINS 23.02 ACRES (1,089,831 SQUARE FEET). PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

### ZONING

EXISTING: RS-2, RESIDENTIAL SINGLE FAMILY  
R1-8, RESIDENTIAL MEDIUM DENSITY

### COMPREHENSIVE PLAN LAND USE

EXISTING: RESIDENTIAL SINGLE FAMILY (RS)  
RESIDENTIAL MEDIUM DENSITY (RD)

### PROJECT SITE ADDRESS

VETERANS PARKWAY

### VICINITY MAP

NOT TO SCALE



### OWNERS/APPLICANT

JERRY'S MOINES CONNA  
1840 NEW YORK AVENUE, SUITE C  
URBANDALE, IA 50322  
PH: (515) 721-0089

### ENGINEER/SURVEYOR

CIVIL DESIGN ADVANTAGE, LLC  
CONTACT: BRAD RUFER  
1000 UNIVERSITY AVENUE, SUITE G  
GRIMES, IOWA 50111  
PH: (515) 389-4400  
FX: (515) 389-4410

### DATE OF SURVEY

FEBRUARY 1, 2017

### BENCHMARKS

WEST DES MOINES CITY EMPLOY. STD. BM. 133  
ELEVATION: 1154.25  
FEET WEST OF CORNERLINE OF SOUTH 1ST STREET,  
ELEVATION: 1154.64  
WEST DES MOINES CITY BM. 101, STD. BM. 1094  
STREET & ARMY POST ROAD, 5.43 FEET NORTH  
OF CORNERLINE OF ARMY POST ROAD,  
ELEVATION: 1154.26

### CONSTRUCTION SCHEDULE

ANTICIPATED START DATE = JUNE 2017  
ANTICIPATED FINISH DATE = JUNE 2018

### SUBMITTAL DATES

NO. OF SHEETS: 10  
SUBMITTAL #1: 07/20/2016  
SUBMITTAL #2: 12/31/2016

### INDEX OF SHEETS

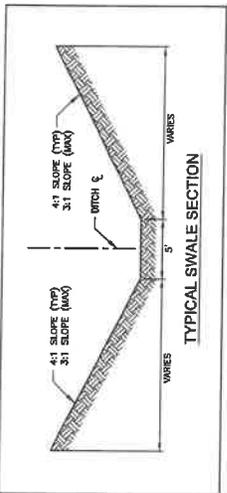
NO.	DESCRIPTION
1	COVER SHEET
2	DETAILS AND LANDSCAPE PLAN
3	OVERALL SITE LAYOUT
4 - 5	DIMENSION PLAN
6 - 7	GRADING AND UTILITY PLAN

### NOTES

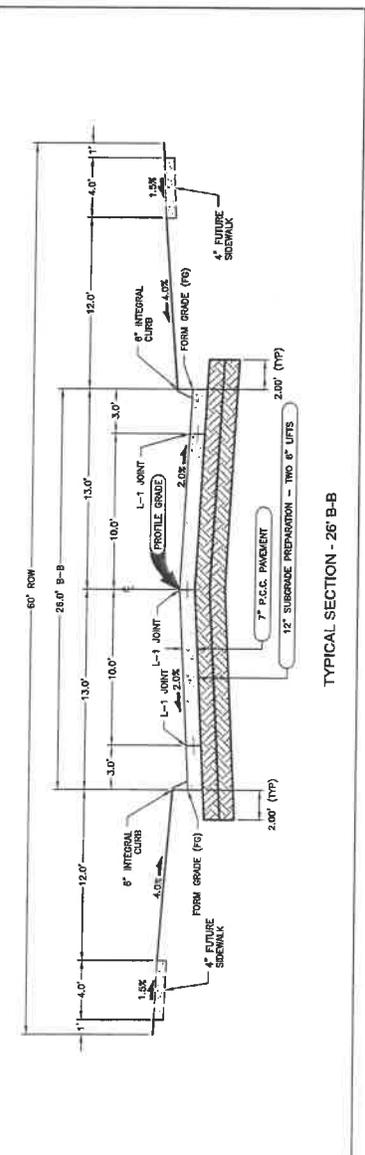
- NO INDIVIDUAL DRIVEWAY ACCESS TO VETERANS PARKWAY IS ALLOWED.
- REFER TO IMPACT TO WETLAND REPORT.
- ALL CONSTRUCTION WITHIN PUBLIC R.O.W./EASEMENTS, AND/OR ANY CONNECTION TO PUBLIC R.O.W./EASEMENTS, AND/OR WITHIN PUBLIC R.O.W./EASEMENTS, AND/OR ANY CONNECTION TO PUBLIC R.O.W./EASEMENTS, SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE IOWA STANDARD SPECIFICATIONS FOR SUBDIVISIONS, 2016 EDITION, EROSION CONTROL AND SOIL CONSERVATION APPLICABLE PORTIONS.
- ALL UTILITIES ARE PUBLIC UNLESS OTHERWISE NOTED.
- ALL CONNECTIONS TO THE PUBLIC SEWERS SHALL BE CORE DRILLED.
- THE STORMWATER DETENTION FACILITY AND PRIVATE STORM SEWERS WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- AT LEAST ONE WEEK PRIOR TO ANY CONSTRUCTION WITHIN PUBLIC R.O.W./EASEMENTS, AND/OR WITHIN PUBLIC R.O.W./EASEMENTS, AND/OR ANY CONNECTION TO PUBLIC R.O.W./EASEMENTS, AND/OR ANY CONNECTION TO PUBLIC R.O.W./EASEMENTS, THE CONTRACTOR SHALL CONTACT THE POLK COUNTY REGISTER TO OBTAIN NECESSARY PERMITS. IT IS IMPORTANT TO NOTE CITY APPROVAL OF THIS PLAN IS SUBJECT TO THE POLK COUNTY REGISTER'S REVIEW AND APPROVAL OF ALL NECESSARY PERMITS.
- ALL WATER WORKS SHALL BE DONE IN ACCORDANCE WITH WEST DES MOINES WATER WORKS STANDARD SPECIFICATIONS.
- CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS AT LEAST ONE WEEK PRIOR TO ANY CONSTRUCTION.
- BUILDING CONSTRUCTION.
- CONSTRUCTION OF ANY PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, PRIOR TO CONSTRUCTION OF ANY PUBLIC IMPROVEMENTS, SHALL BE SUBMITTED TO AND APPROVED BY THE CITY ENGINEER.
- CONSTRUCTION PLANS FOR SAID IMPROVEMENTS NEED TO BE SUBMITTED TO AND APPROVED BY THE CITY ENGINEER.
- CONTACT BUILDING INSPECTION (515-282-2830) A MINIMUM OF 24 HOURS IN ADVANCE FOR PERMITS FOR UTILITY INSTALLATION INSPECTIONS.
- ALL OUTLOTS ARE UNDEVELOPABLE.
- CONTACT PERSON RESPONSIBLE FOR ENGINEERING MID AND ROCK ARE CLEANED OFF THE STREETS AND REPAIRED BY PAPER STREET CONSULTANTS, 512-888-8884.
- STREETS ARE NO-BUILD AREAS WHICH PROMISE FENCES, PLANT STRUCTURES, SIGNS AND OTHER STRUCTURES.

### GENERAL LEGEND

PROPOSED	DESCRIPTION
(Symbol)	PROJECT BOUNDARY
(Symbol)	LOT LINE
(Symbol)	SECTION LINE
(Symbol)	CORNER LINE
(Symbol)	POINT OF ILL.
(Symbol)	PROPERTY EASEMENT
(Symbol)	TYPE 29-003 STORM INTAKE
(Symbol)	TYPE 29-004 STORM INTAKE
(Symbol)	TYPE 29-005 STORM INTAKE
(Symbol)	TYPE 29-001 STORM MANHOLE
(Symbol)	TYPE 29-002 STORM MANHOLE
(Symbol)	TYPE 29-003 STORM MANHOLE
(Symbol)	TYPE 29-004 STORM MANHOLE
(Symbol)	TYPE 29-005 STORM MANHOLE
(Symbol)	STORM/SANITARY CLEANOUT
(Symbol)	WATER VALVE
(Symbol)	TYPE 29-001 SANITARY MANHOLE
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(Symbol)	TYPE 29-267 SANITARY MANHOLE
(Symbol)	TYPE 29-268 SANITARY MAN



- LANDSCAPE NOTES**
1. LOCATE ALL UTILITIES BEFORE ANY PLANTING BEGINS.
  2. ALL CONSTRUCTION SHALL CONFORM TO THE MOST RECENT EDITION OF THE WEST DES MOINES CODE.
  3. THE SIZE AND QUANTITY OF PLANT MATERIAL SHALL CONFORM TO THE MOST CURRENT EDITION OF THE WEST DES MOINES CODE.
  4. ALL PLANT MATERIAL SHALL BE HEALTHY SPECIMENS WITHOUT DEFOLIATION, WOUNDS AND OPEN WOUNDS.
  5. CHARACTER OF SOILS TO BE DETERMINED AND SOIL TESTS SHALL BE CONDUCTED BY AN INDIVIDUAL LICENSED BY THE STATE OF IOWA.
  6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE WEST DES MOINES CODE.
  7. BACKFILL TO TOP OF CURB (MINIMUM 1 1/2" FOR 300, 4" FOR 600).
  8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE WEST DES MOINES CODE.
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  14. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE WEST DES MOINES CODE.

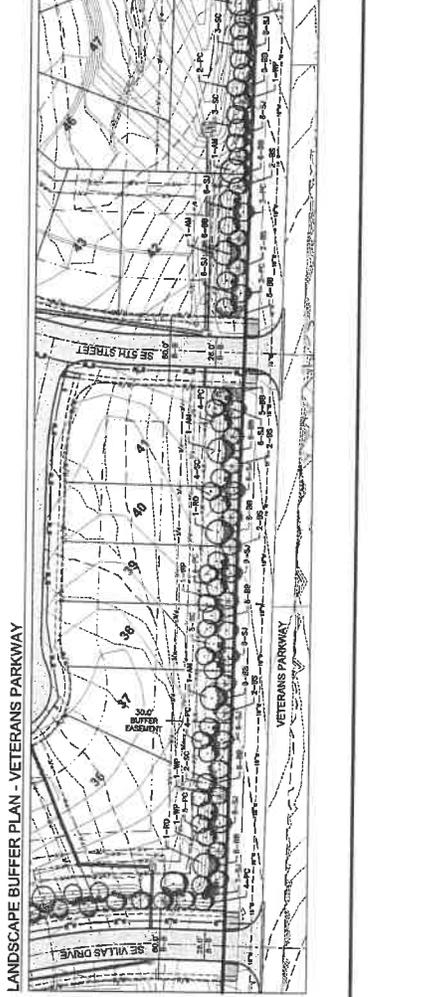
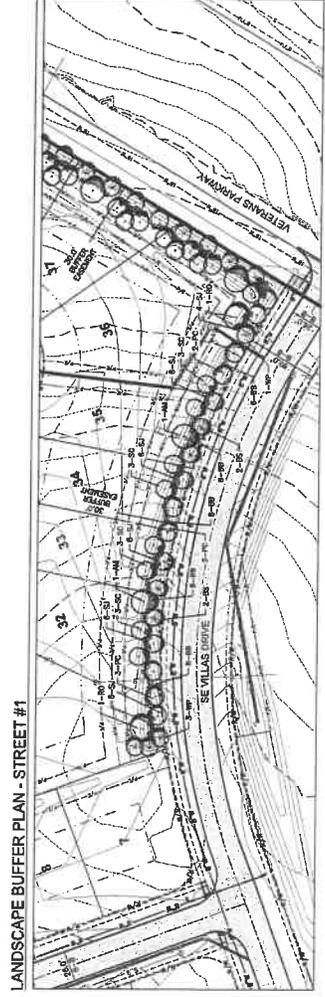


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**PLANT SCHEDULE**

PLANT	QUANTITY	PLANT	QUANTITY
OVERSTORY TREE	35	OVERSTORY TREE	12
EVERGREEN TREE	70	EVERGREEN TREE	24
ORNAMENTAL TREE	210	ORNAMENTAL TREE	72
SHRUBS		SHRUBS	

- LEGEND:**
- OVERSTORY TREE
  - EVERGREEN TREE
  - ORNAMENTAL TREE
  - SHRUBS









WILLOW CREEK VILLAS  
GRADING AND UTILITY PLAN

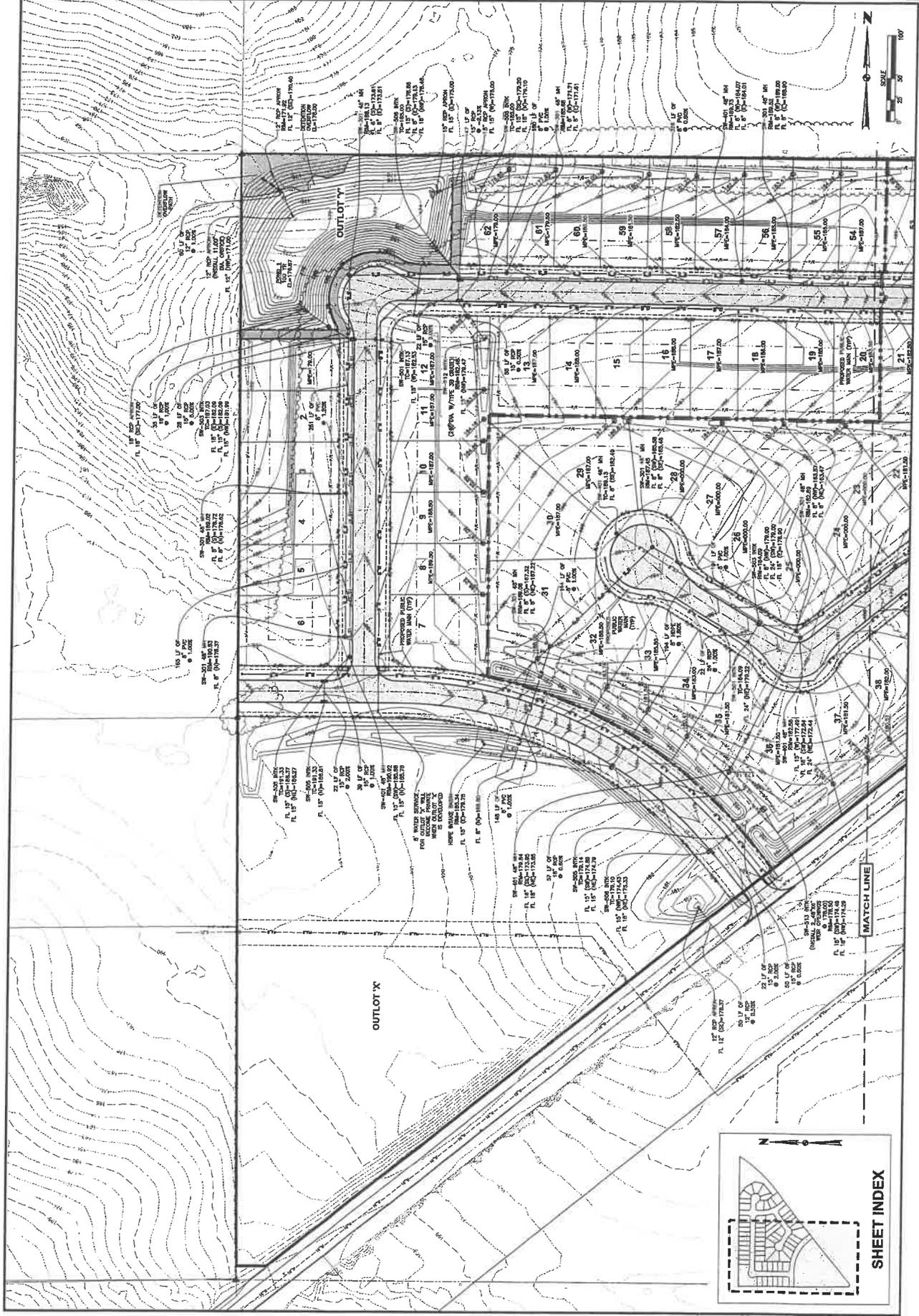
WEST DES MOINES, IOWA



ENGINEER, JAT

3405 S.E. CROSSROADS DRIVE, SUITE G  
GRAMES, IOWA 50111  
PHONE: (515) 369-4400 FAX: (515) 369-4410  
TECH: DSH

REVISIONS	DATE
SUBMITTAL #2 TO CITY	11/29/11
SUBMITTAL #1 TO CITY	02/29/11



SHEET INDEX

THIS PLAN IS THE PROPERTY OF CIVIL DESIGN ADVANTAGE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CIVIL DESIGN ADVANTAGE.



Prepared by: KTragesser City of West Des Moines 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 PRELIMINARY PLAT (PP-004032-2018) TO SUBDIVIDE THE PROPERTY INTO 64 SINGLE FAMILY LOTS, ONE LOT FOR FUTURE MULTIFAMILY DEVELOPMENT, ONE LOT FOR DETENTION, SIX PUBLIC STREET LOTS, AND ONE LOT FOR A FUTURE PARK**

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, Jerry's Homes requests approval for a preliminary plat to subdivide the property into 64 single family lots, one lot for future multifamily development, one lot for detention, six public street lots, and one lot for a future park for property legally described as:

**Legal Description of Property**

**PRELIMINARY PLAT DESCRIPTION**

**(PER DEED RECORDED IN BOOK 16205, PAGES 764-765)**

THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., WEST DES MOINES, POLK COUNTY, IOWA, LYING NORTH AND WEST OF THE WEST LINE OF THE SOUTHWEST CONNECTOR CONVEYED TO THE CITY OF WEST DES MOINES IN THE WARRANTY DEEDS FILED FEBRUARY 16, 2010 IN BOOK 13357, PAGE 732 AND FILED OCTOBER 12, 2009, IN BOOK 13236, PAGE 992 IN THE OFFICE OF THE POLK COUNTY RECORDER.

PROPERTY CONTAINS 25.02 ACRES (1,089,831 SQUARE FEET).

PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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 February 11, 2019, the Plan and Zoning Commission recommended to the City Council approval of the Preliminary Plat; and

**WHEREAS**, on February 19, 2019, this City Council held a duly-noticed meeting to consider the application for a preliminary plat.

**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 for the preliminary plat, or as amended orally at the City Council meeting on this date, are adopted.

**SECTION 2.** The Preliminary Plat to subdivide the property legally described above into 64 single family lots, one lot for future multifamily development, one lot for detention, six public street lots, and one lot for a future park is approved, subject to compliance with all the conditions in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

**PASSED AND ADOPTED** on February 19, 2019.

---

Steven Gaer, Mayor

ATTEST:

---

Ryan T. Jacobson  
City Clerk

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**

1. The applicant providing final drawings of the preliminary plat which address staff comments.
2. Applicant acknowledging that the associated Final plat must be approved and released for recordation by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat.

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

**DATE: February 19, 2019**

**ITEM:** Grand Living at West Des Moines, 540 S. 51st Street – Approval of Site Plan to Construct a Five-Story, 180 Unit Senior Living Facility – Ryan Companies US, Inc. – SP-004128-2018

**RESOLUTION:** Approval of Site Plan.

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** The applicant, Ryan Companies US, Inc., with permission of the property owner, Hy-Vee Inc, is requesting approval of a site plan to construct a five-story, 180 unit senior living facility to include independent, assisted, and memory care units at 540 S. 51st Street (see Exhibit I - Attachments B – Location Map, Attachment C – Site Plan, and Attachment D – Elevations).

Plan and Zoning Commission Action:

Vote: 6-0 approval, Commissioner Drake absent

Date: February 11, 2019

Motion: Adopt a resolution recommending the City Council approve the site plan.

**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):

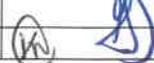
- Applicant’s Request
- History
- City Council Subcommittee – *Development and Planning (June 11, 2018)*
- Staff Review and Comments – *Parking, Setbacks, Architecture, Traffic, Sanitary Sewer*
- Comprehensive Plan Consistency
- Findings
- Staff Recommendation and Conditions of Approval
- Owner/Applicant/Applicant Representative 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 adopt a resolution to approve a Site Plan for construction of a five-story, 180 unit senior living facility, subject to the applicant meeting all City Code requirements and the following:

1. Provide final site plan drawings prior to obtaining a building permit;
2. Provide executed storm water facility management agreement, parkland dedication, sanitary sewer easement, and lot tie agreement, prior to obtaining a building permit.

Lead Staff Member: Kara Tragesser, AICP 

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

Published In	N/A
Date(s) Published	
Letter sent to surrounding property owners	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee	Development & Planning Subcommittee		
Date Reviewed	June 11, 2018		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

**ATTACHMENTS:**

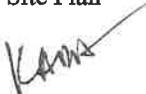
- Exhibit I - Plan and Zoning Commission Communication
  - Attachment A - Plan and Zoning Commission Resolution
  - Exhibit A – Conditions of Approval
  - Attachment B - Location Map
  - Attachment C - Site Plan
  - Attachment D - Elevations
  - Attachment E - Citizen Comments
- Exhibit II - City Council Resolution
  - Exhibit A – Conditions of Approval

**CITY OF WEST DES MOINES  
PLAN AND ZONING COMMISSION COMMUNICATION**

**Meeting Date:** February 11, 2019

**Item:** Grand Living at West Des Moines, 540 S. 51<sup>st</sup> Street – Approval of Site Plan to Construct a Five-Story, 180 Unit Senior Living Facility – Ryan Companies US, LLC – SP-004128-2018

**Requested Action:** Recommend Approval of Site Plan

**Case Advisor:** Kara V. Tragesser, AICP 

**Applicant's Request:** The applicant, Ryan Companies US, Inc, with permission of the property owner, Hy-Vee Inc, is requesting approval of a site plan to construct a five-story, 180 unit senior living facility to include independent, assisted, and memory care units at 540 S. 51<sup>st</sup> Street (see Attachments B – Location Map, Attachment C – Site Plan, and Attachment D – Elevations).

**History:** The property is undeveloped and is a part of the Wistful Vista Planned Unit Development as planning Parcel C. The Wistful Vista PUD provides for Parcel C to allow Support Commercial uses and Professional Commerce Park uses. The assisted living use, which is the predominate use in the building, is classified as SIC 805 and is considered a Permitted Conditional Use at this location. The use was reviewed by the Board of Adjustment at their November 28, 2018, meeting and the Board of Adjustment approved the use by a 3-0 vote without conditions.

**City Council Subcommittee:** This project was presented to Development and Planning Subcommittee on June 11, 2018. The Subcommittee is supportive of the project so long as there was sufficient parking.

**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:

**Parking:** Parking for the building was calculated on a per-bed basis for the assisted living and memory care units and on a per-bedroom on the units for independent living. There are 37 independent living units of either efficiency or one or two bedroom units. The remainder of the units are either memory care or assisted living. Based upon the calculations, the city code requirement is for a minimum of 120 parking spaces. The site plan provides for 96 surface parking spaces and 50 underground parking spaces for a total of 146 parking spaces, which exceeds the city code requirement.

**Setbacks:** The proposed building is five stories tall or about 66 feet in height. The allowed height in the Support Commercial zoning district is 36 feet with a provision that for every additional 12 feet in height an additional 10 feet of setback is required. The minimum setback for this parcel is 50 feet from the front property line, 50 feet from the rear property line, and 50 feet from the side property line, unless the side property line shares a boundary with property which is zoned the same. With another 36 feet in height an additional 25 feet in setback is required (66 total feet – 36 allowed height = 30 feet/12 feet = 2.5 x 10 feet = 25 feet additional setback for each side) resulting in the setback required being 75 feet. There is no minimum setback required on the south property line as the adjoining property also is zoned Support Commercial until you account for the height of the building over 36 feet. Then, the additional height to setback ratio applies and a minimum setback of 25 feet is required along the south boundary. Review of the site plan indicates that all setbacks are met or exceeded.

**Architecture:** To address the mass of a five-story building, the design team worked with staff to develop a building design that breaks down the building mass and provides human scale elements along the pedestrian areas. To add visual interest, a variety of materials and colors were used to visually reduce the bulk of a large building. The architect has varied the façade by providing dimensional bump outs, balconies, and changing roof forms. After the Board of Adjustment meeting, staff received a citizen comment related to the height of the building (see Attachment E – Citizen Comment). Staff notes that regardless of the use and so long as the building meets the additional setback requirements, the proposed design, including the height of the building meets all code requirements.

**Traffic:** Staff has received comments from when the Permitted Conditional Use permit was reviewed by the Board of Adjustment (see Attachment E – Citizen Comments); the main concerns are with traffic generation and with delay at the Hawthorne Drive intersection with S. 50th Street and the intersection of S 51<sup>st</sup> and Mills Civic Pkwy. Several traffic studies of the area have been done over the years for the area. The most recent was an analysis done for the 2010 Comprehensive Plan. Using the land use designation of Support Commercial and using our base estimate of uses, that analysis was compared to the propose use of a mixed senior and assisted living facility. The results are depicted in the table below:

**Table 1: Wistful Vista Plat 5 Lot 2 – trip generation**

ITE	Land Use	Est. Quantity	Units	Average Weekday Trip Ends		
				Daily	AM peak hour	PM peak hour
<b>2010 COMPREHENSIVE PLAN TRAFFIC ANALYSIS</b>						
-	Support Commercial	4.3	acres	2,994	213	220
<b>PROPOSED</b>						
252	Senior Adult Housing - Attached	35	du	115	7	11
254	Assisted Living	103	du	268	20	27
620	Nursing Home	34	du	230	19	20
<b>Total</b>				<b>613</b>	<b>46</b>	<b>58</b>
<b>Difference</b>				<b>-2,381</b>	<b>-167</b>	<b>-162</b>

As shown the table, the planned set of land uses is expected to generate less traffic than previously estimate for the site. Staff notes that an analysis of the intersection of Hawthorne Drive and S. 50<sup>th</sup> Street was not included in the study area. Engineering Staff indicates that they are aware of the growing traffic demand at that intersection and are watching for when it will meet warrants for improvements such as traffic signals, turn lanes, etc. Engineering Staff is also monitoring the S 51<sup>st</sup> and Mills Civic Parkway intersection and will consider improvements when warranted.

**Sanitary Sewer:** Staff requested that the site demonstrate that sanitary sewer can be put in place to serve the water tower site in the future. The site plan indicates that that service can be made along the north side of the site. This alignment is under the MidAmerican Energy (MEC) high power lines and there is an easement with MEC which prohibits certain activity within the easement. The applicant has provided documentation that MEC is willing to allow the sanitary sewer within the easement and drafting of the appropriate documentation is underway. Not only permission to construct the easement is needed, but a separate sanitary sewer easement with the City is required to allow the sanitary sewer to be constructed. That easement has been drafted and the applicant has agreed in principal to grant the easement.

**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.

**Findings:** This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that 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.
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.

3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the zoning designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

**Staff Recommendations and Conditions of Approval:** Based upon the preceding review and a finding of consistency with the Comprehensive Plan, staff recommends that the Plan and Zoning Commission adopt a resolution approving the site plan to construct a five-story, 180 unit senior living facility, subject to the applicant meeting all City Code requirements and the following:

1. Provide final site plan drawings prior to obtaining a building permit;
2. Provide executed storm water facility management agreement, parkland dedication, sanitary sewer easement, and lot tie agreement, prior to obtaining a building permit.

**Owner:** Hy-Vee Inc.  
 5820 Westown Parkway  
 West Des Moines IA 50266  
 515-327-2147  
 Peter Hosch  
 phosch@hy-vee.com

**Applicant:** Ryan Companies US, Inc  
 533 South 3<sup>rd</sup> Street, Suite 100  
 Minneapolis MN 55415  
 Jim Gooley  
 612-492-4229  
[Jim.gooley@ryancompanies.com](mailto:Jim.gooley@ryancompanies.com)

**Applicant Representative:** Bishop Engineering  
 3501 104<sup>th</sup> Street  
 Des Moines IA 50322  
 Chuck Bishop  
 515-276-0467  
[cbishop@bishpengr.com](mailto:cbishop@bishpengr.com)

**Attachments:**

Attachment A	-	Plan and Zoning Commission Resolution
Exhibit A	-	Conditions of Approval
Attachment B	-	Location Map
Attachment C	-	Site Plan
Attachment D	-	Elevations
Attachment E	-	Citizen Comments

RESOLUTION NO. PZC-19-014

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE GRAND LIVING AT WEST DES MOINES SITE PLAN (SP-004128-2018) TO CONSTRUCT A FIVE-STORY, 180 UNIT SENIOR LIVING FACILITY AT 540 S. 51<sup>ST</sup> STREET**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Ryan Companies US LLC, with permission from the property owner, Hy-Vee Inc, has requested approval for a Site Plan (SP-004128-2018) to construct a five-story, 180 unit senior living facility on that property located at 540 S 51<sup>st</sup> St; and

**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; and

**WHEREAS**, on February 11, 2019, this Commission held a duly-noticed public meeting to consider the application for a Site Plan.

**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, February 11, 2019, or as amended orally at the Plan and Zoning Commission meeting, are adopted.

SECTION 2. The Site plan to construct a five-story, 180 unit senior living facility is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report including conditions added at the meeting and attached hereto as Exhibit "A". 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 February 11, 2019.

  
\_\_\_\_\_  
Craig Erickson, Chair  
Plan and Zoning Commission

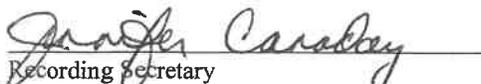
ATTEST:

  
\_\_\_\_\_  
Jennifer Canaday  
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 February 11, 2019.

AYES: *ANDERSEN, COSTA, CROWLEY, ERICKSON, HATFIELD, SOUTHWORTH*  
NAYS:  
ABSTENTIONS:  
ABSENT: *DRAKE*

ATTEST:

  
\_\_\_\_\_  
Jennifer Canaday  
Recording Secretary

**EXHIBIT A**  
**CONDITIONS OF APPROVAL**

1. Provide final site plan drawings prior to obtaining a building permit;
2. Provide executed storm water facility management agreement, parkland dedication, sanitary sewer easement, and lot tie agreement, prior to obtaining a building permit.

# Grand Living at West Des Moines



### Legend

- Corporate Limits
- Parcels



1:4,514

752.3 Feet

376.17

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752.3

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

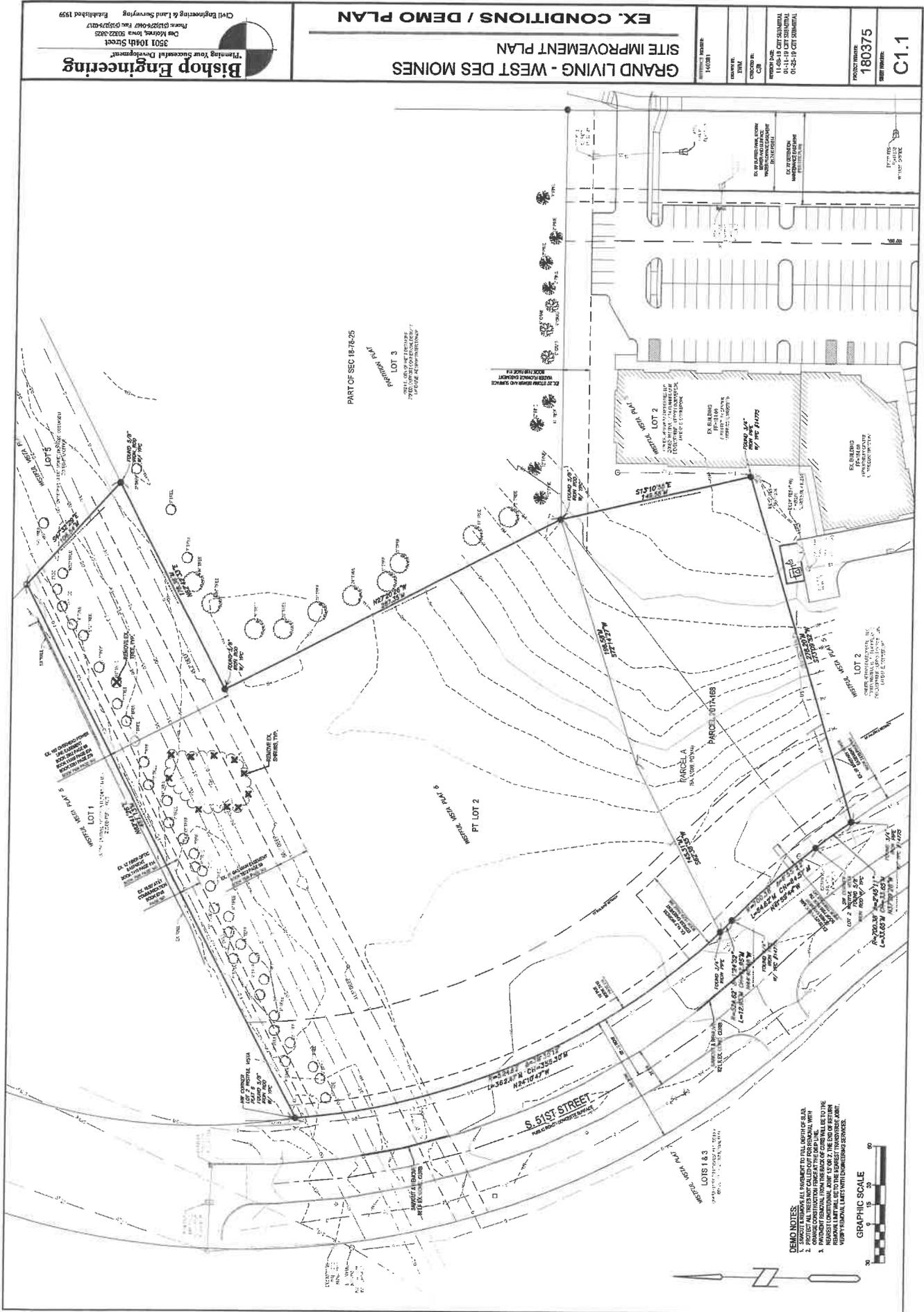
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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© City of West Des Moines, Iowa



# PRELIMINARY - NOT FOR CONSTRUCTION

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**DEMO NOTES:**  
 1. EXISTING ASPHALT PAVEMENT TO FULL DEPTH OF SUBGRADE TO BE REMOVED AND REPLACED WITH PORTLAND CEMENT CONCRETE.  
 2. EXISTING ASPHALT PAVEMENT TO BE REPAIRED WITH PORTLAND CEMENT CONCRETE.  
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## GRAND LIVING - WEST DES MOINES SITE IMPROVEMENT PLAN

### EX. CONDITIONS / DEMO PLAN

**Bishop Engineering**  
 "Planning Your Successful Development"  
 3501 104th Street  
 One Moine, Iowa 50323-2825  
 Phone (515)726-0467 Fax (515)726-1217  
 Civil Engineering & Land Surveying Established 1999

PROJECT NUMBER:	180375
DATE:	11-05-10
CLIENT:	GRAND LIVING - WEST DES MOINES
PROJECT:	GRAND LIVING - WEST DES MOINES
PROJECT NUMBER:	180375
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PROJECT:	GRAND LIVING - WEST DES MOINES

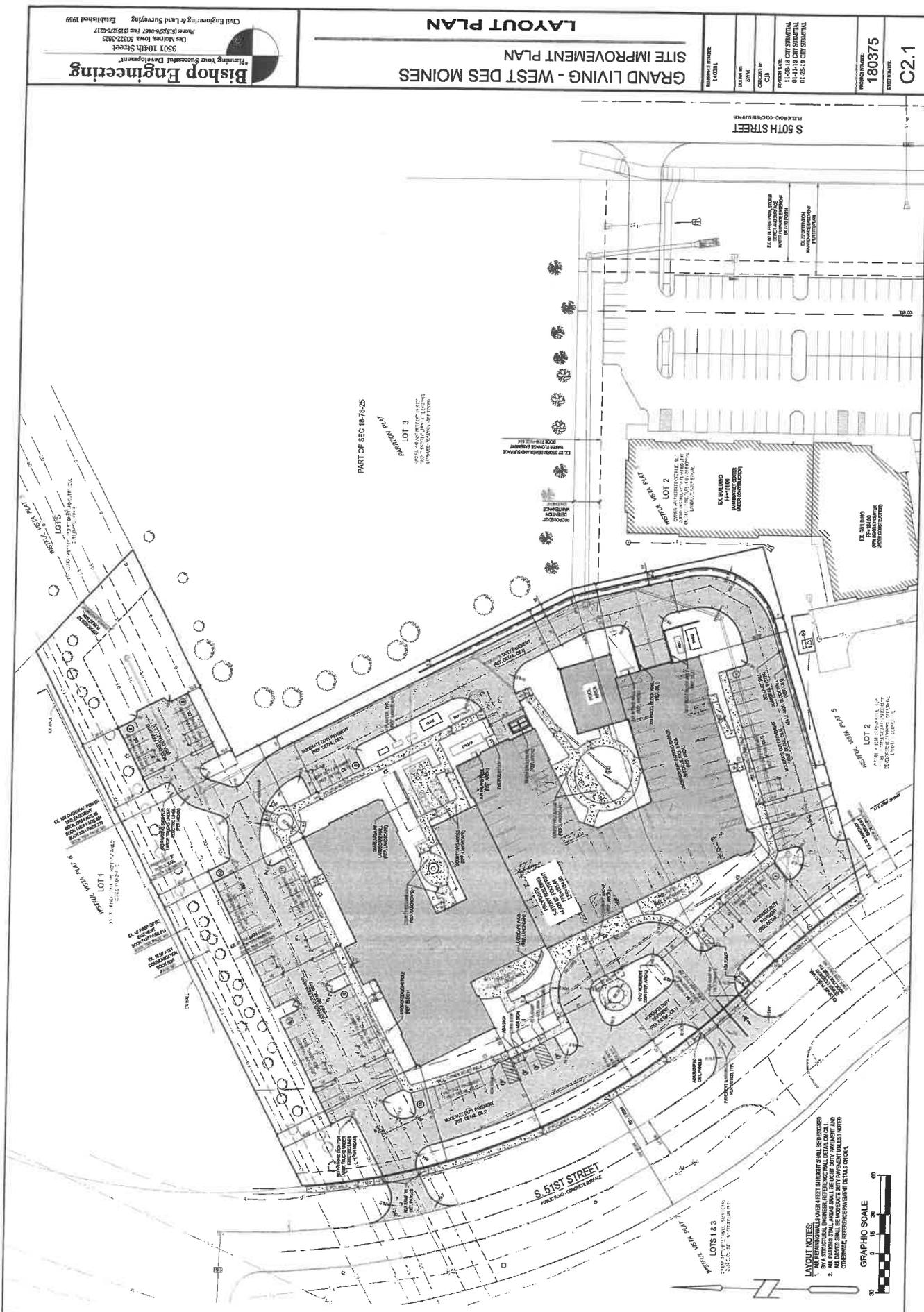
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# PRELIMINARY - NOT FOR CONSTRUCTION

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- LAYOUT NOTES:**
1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE SPECIFIED.
  2. ALL DIMENSIONS SHALL BE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED.
  3. ALL DIMENSIONS SHALL BE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED.
  4. ALL DIMENSIONS SHALL BE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED.

GRAPHIC SCALE



## GRAND LIVING - WEST DES MOINES SITE IMPROVEMENT PLAN LAYOUT PLAN

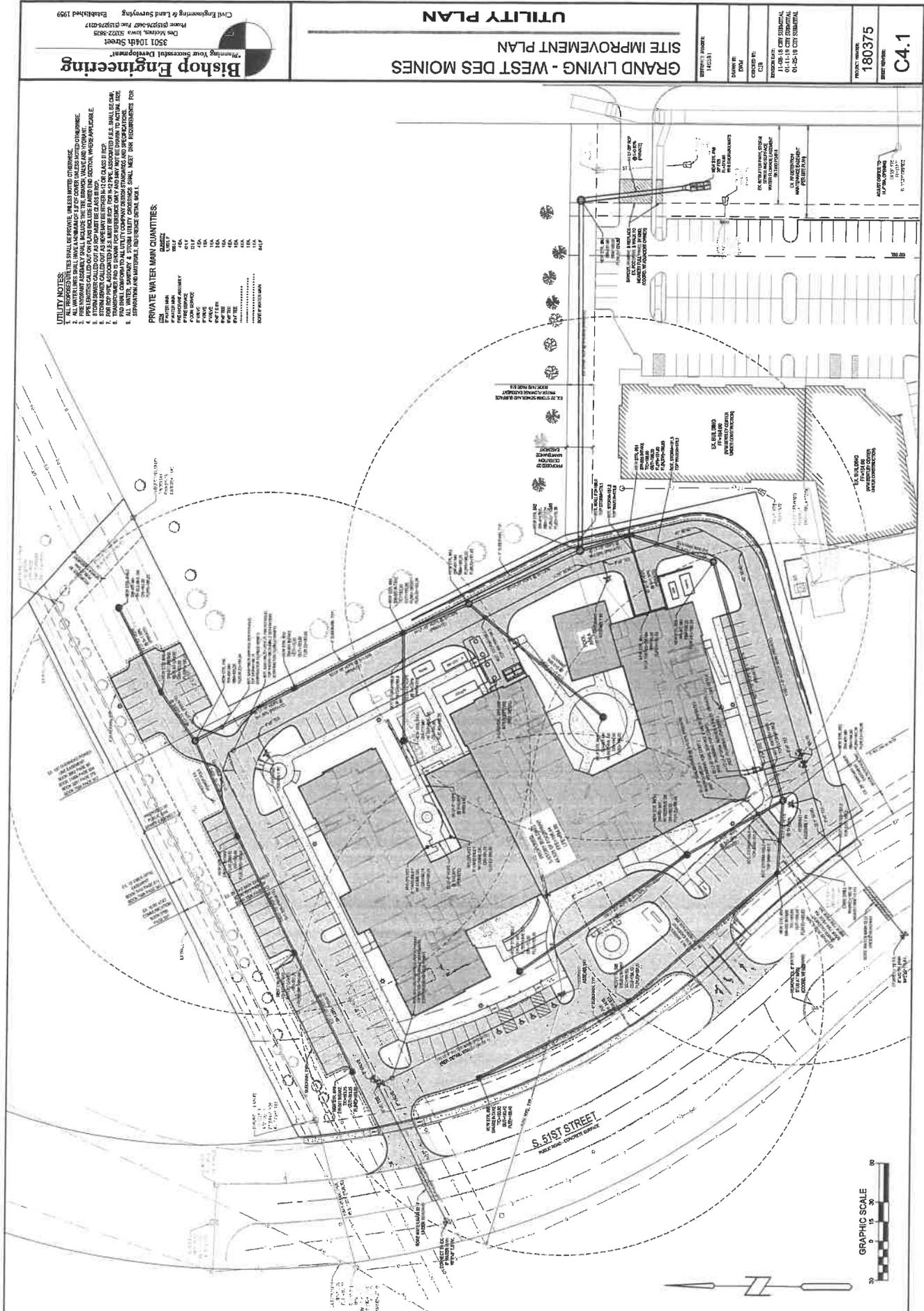
**Bishop Engineering**  
Planning Your Successful Development  
5501 114th Street  
Des Moines, Iowa 50322-2025  
Phone (515) 281-4277 Fax (515) 281-4217  
Civil Engineering & Land Surveying Established 1999

PROJECT NUMBER	180375
SHEET NUMBER	C2.1
TOWN	WEST DES MOINES
SECTION	14.00
PROJECT DATE	02/17/2018
DESIGNED BY	CJB
CHECKED BY	WLB
DATE	02/17/2018
SCALE	AS SHOWN
PROJECT	GRAND LIVING - WEST DES MOINES



# PRELIMINARY - NOT FOR CONSTRUCTION

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- UTILITY NOTES:**
1. ALL UTILITY LINES SHALL BE SHOWN UNLESS NOTED OTHERWISE.
  2. ALL UTILITY LINES SHALL BE SHOWN UNLESS NOTED OTHERWISE.
  3. FIRE TOWER ASSEMBLY SHALL INCLUDE THE BRACKET, WALKWAY AND TOWER.
  4. ALL UTILITY LINES SHALL BE SHOWN UNLESS NOTED OTHERWISE.
  5. STORM SEWERS CALLED OUT AS NOT TO BE CLASSIFIED.
  6. ALL UTILITY LINES SHALL BE SHOWN UNLESS NOTED OTHERWISE.
  7. ALL UTILITY LINES SHALL BE SHOWN UNLESS NOTED OTHERWISE.
  8. TRANSMISSION PIPES TO BE SHOWN FOR REFERENCE ONLY AND MAY NOT BE DRAWN TO ACTUAL SIZE.
  9. ALL WATER, SEWERAGE & STORM UTILITY CROSSINGS SHALL MEET ALL REQUIREMENTS FOR SEPARATION AND MATERIALS. REFER TO DETAIL DWG 1.

**PRIVATE WATER MAIN QUANTITIES:**

ITEM	QUANTITY
1.0" WATER MAIN	1000'
1.5" WATER MAIN	1000'
2.0" WATER MAIN	1000'
3.0" WATER MAIN	1000'
4.0" WATER MAIN	1000'
6.0" WATER MAIN	1000'
8.0" WATER MAIN	1000'
10.0" WATER MAIN	1000'
12.0" WATER MAIN	1000'
15.0" WATER MAIN	1000'
18.0" WATER MAIN	1000'
24.0" WATER MAIN	1000'

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## UTILITY PLAN

### SITE IMPROVEMENT PLAN

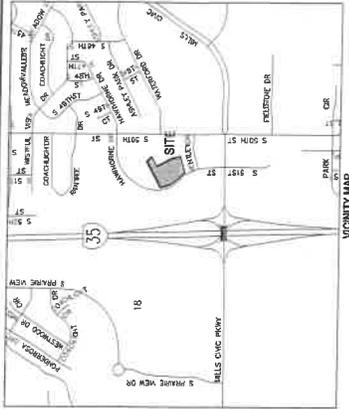
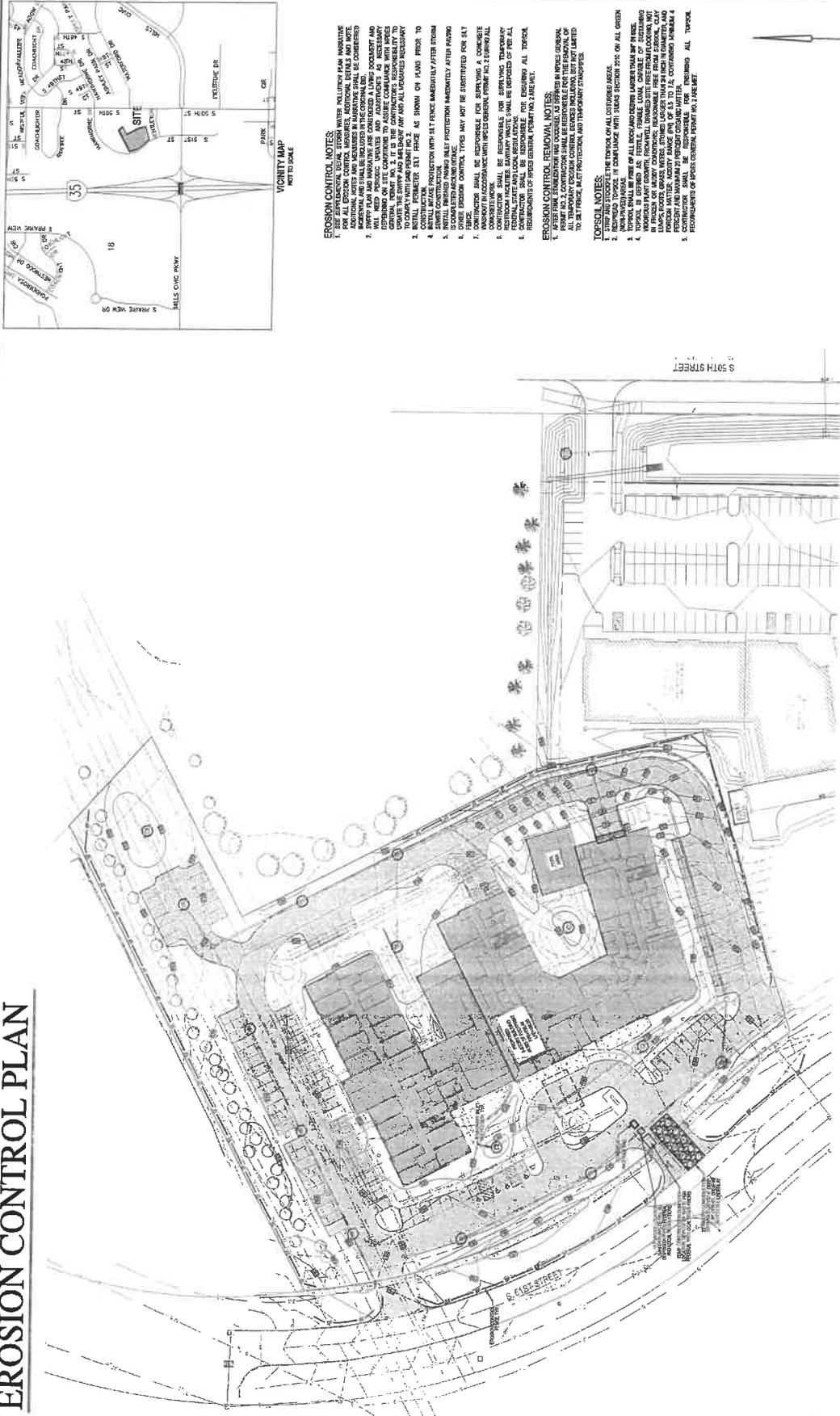
#### GRAND LIVING - WEST DES MOINES

PROJECT NUMBER: 180375  
 SHEET NUMBER: C4.1

DATE: 11-09-18  
 DRAWN BY: JCB  
 CHECKED BY: JCB  
 PROJECT: GRAND LIVING WEST DES MOINES  
 01-25-18 CITY SUBMITTAL  
 01-25-18 CITY SUBMITTAL



EROSION CONTROL PLAN



**Bishop Engineering**  
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 3501 104th Street  
 Des Moines, Iowa 50325-0217  
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 Established 1959

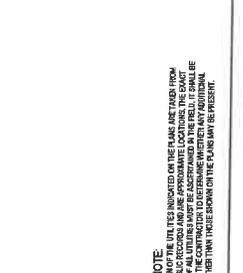
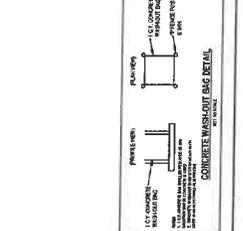
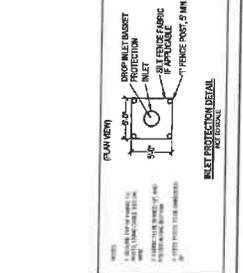
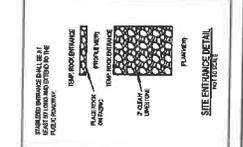
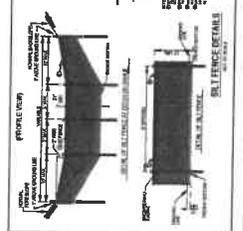
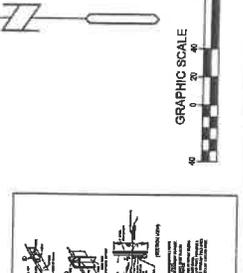
EROSION CONTROL PLAN  
 SITE IMPROVEMENT PLAN  
 GRAND LIVING - WEST DES MOINES

PROJECT NUMBER:	180375
SHEET NUMBER:	C7.1
DATE:	01-14-18
PROJECT NAME:	GRAND LIVING - WEST DES MOINES
PROJECT NUMBER:	180375
SHEET NUMBER:	C7.1

- EROSION CONTROL NOTES:**
- SEE SUPPLEMENTAL EROSION CONTROL PLAN INDICATIVE OF THE LOCATION OF ALL EROSION CONTROL MEASURES AND MEASURES IN THE CONSTRUCTION AREA. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED IN THE CONSTRUCTION AREA AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.
  - ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED AS NECESSARY TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION AREA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.
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- TOPSOIL NOTES:**
- TOPSOIL SHALL BE STORED IN A COVERED AREA TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION AREA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL TOPSOIL STORAGE AREAS THROUGHOUT THE CONSTRUCTION PERIOD.
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- EROSION CONTROL REMOVAL NOTES:**
- ALL EROSION CONTROL MEASURES SHALL BE REMOVED AS SOON AS PRACTICABLE AFTER THE COMPLETION OF THE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.
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**UTILITY NOTE:**  
 THE LOCATION OF UTILITIES INDICATED ON THE PLANS IS BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL UTILITIES THROUGHOUT THE CONSTRUCTION PERIOD.

**ONE CALL**  
 1-800-292-8889  
 www.onecall.com

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

PROJECT INFORMATION  
**GRAND LIVING -  
 WEST DES MOINES**

LOCATION  
**540 S 51ST ST  
 WEST DES MOINES, IOWA**

DESIGNED BY  
 RYAN A.E. INC.

DATE  
 11/05/09

CHECKED BY  
 JAMES RYAN

DATE  
 11/05/09

ISSUE #	DATE	DESCRIPTION
1	11/05/09	ISSUE FOR PERMIT
2	11/05/09	ISSUE FOR PERMIT
3	11/05/09	ISSUE FOR PERMIT
4	11/05/09	ISSUE FOR PERMIT
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**CITY REQUIREMENTS**

SCREENING OF OPEN UNIMPAVED MECHANICAL, ELECTRICAL, AND PLUMBING (MEPE) EQUIPMENT SHALL BE PROVIDED BY THE DEVELOPER. THE SCREENING SHALL BE A MINIMUM OF 6 FEET HIGH AND SHALL BE CONSTRUCTED OF SOLID MATERIALS. THE SCREENING SHALL BE CONSTRUCTED WITHIN 10 FEET OF THE MEPE EQUIPMENT. THE SCREENING SHALL BE CONSTRUCTED WITHIN 10 FEET OF THE MEPE EQUIPMENT. THE SCREENING SHALL BE CONSTRUCTED WITHIN 10 FEET OF THE MEPE EQUIPMENT.

THE PRINCIPAL BUILDING LANDSCAPE PLANNING REQUIREMENTS OF FREEDOMVILLE, IOWA, SHALL APPLY TO THIS PROJECT. THE PRINCIPAL BUILDING LANDSCAPE PLANNING REQUIREMENTS OF FREEDOMVILLE, IOWA, SHALL APPLY TO THIS PROJECT. THE PRINCIPAL BUILDING LANDSCAPE PLANNING REQUIREMENTS OF FREEDOMVILLE, IOWA, SHALL APPLY TO THIS PROJECT.

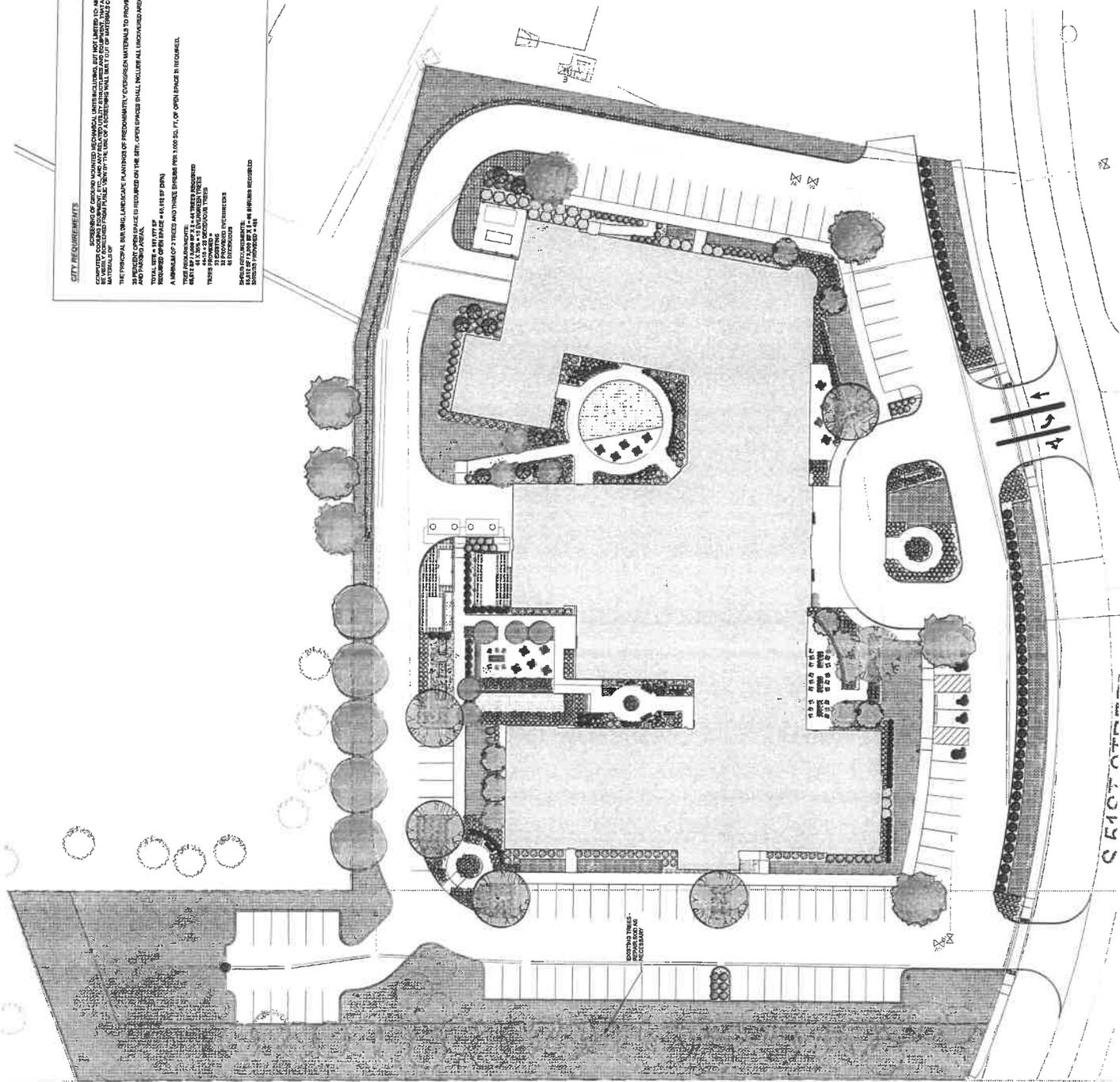
AND SHALL BE CONSTRUCTED WITHIN 10 FEET OF THE MEPE EQUIPMENT. THE SCREENING SHALL BE CONSTRUCTED WITHIN 10 FEET OF THE MEPE EQUIPMENT. THE SCREENING SHALL BE CONSTRUCTED WITHIN 10 FEET OF THE MEPE EQUIPMENT.

TOTAL SITE = 100,000 SQ. FT.  
 TOTAL OPEN SPACE = 40,000 SQ. FT.  
 A MINIMUM OF 7 TREES AND THREE SPREADER PINS 3,000 SQ. FT. OF OPEN SPACE IS REQUIRED.

THE FOLLOWING ARE THE REQUIREMENTS FOR THE LANDSCAPE PLAN SUBMITTED TO THE CITY OF FREEDOMVILLE, IOWA:

- ALL TREES SHALL BE 4 INCHES IN DBH AT 4.5 FEET TO UNIMPAVED TREES
- ALL TREES SHALL BE 2 INCHES IN DBH AT 4.5 FEET TO UNIMPAVED TREES
- ALL TREES SHALL BE 1 INCH IN DBH AT 4.5 FEET TO UNIMPAVED TREES
- ALL TREES SHALL BE 1/2 INCH IN DBH AT 4.5 FEET TO UNIMPAVED TREES
- ALL TREES SHALL BE 1/4 INCH IN DBH AT 4.5 FEET TO UNIMPAVED TREES

SEAL AND SIGNATURES:  
 DATE: 11/05/09  
 SCALE: AS SHOWN  
 SHEET: 1 OF 1



## PRELIMINARY NOT FOR CONSTRUCTION

PROJECT INFORMATION  
**GRAND LIVING -  
 WEST DES MOINES**

LOCATION  
 540 S 51ST ST  
 WEST DES MOINES, IOWA

DESIGNED BY  
 JAC  
 DATE  
 PROJECT NO.

ARCHITECT  
 RYAN AVE, INC.  
 533 SOUTH THIRD STREET, SUITE 100  
 WEST DES MOINES, IOWA 50309

CONTRACT NO.  
 DATE

SCALE

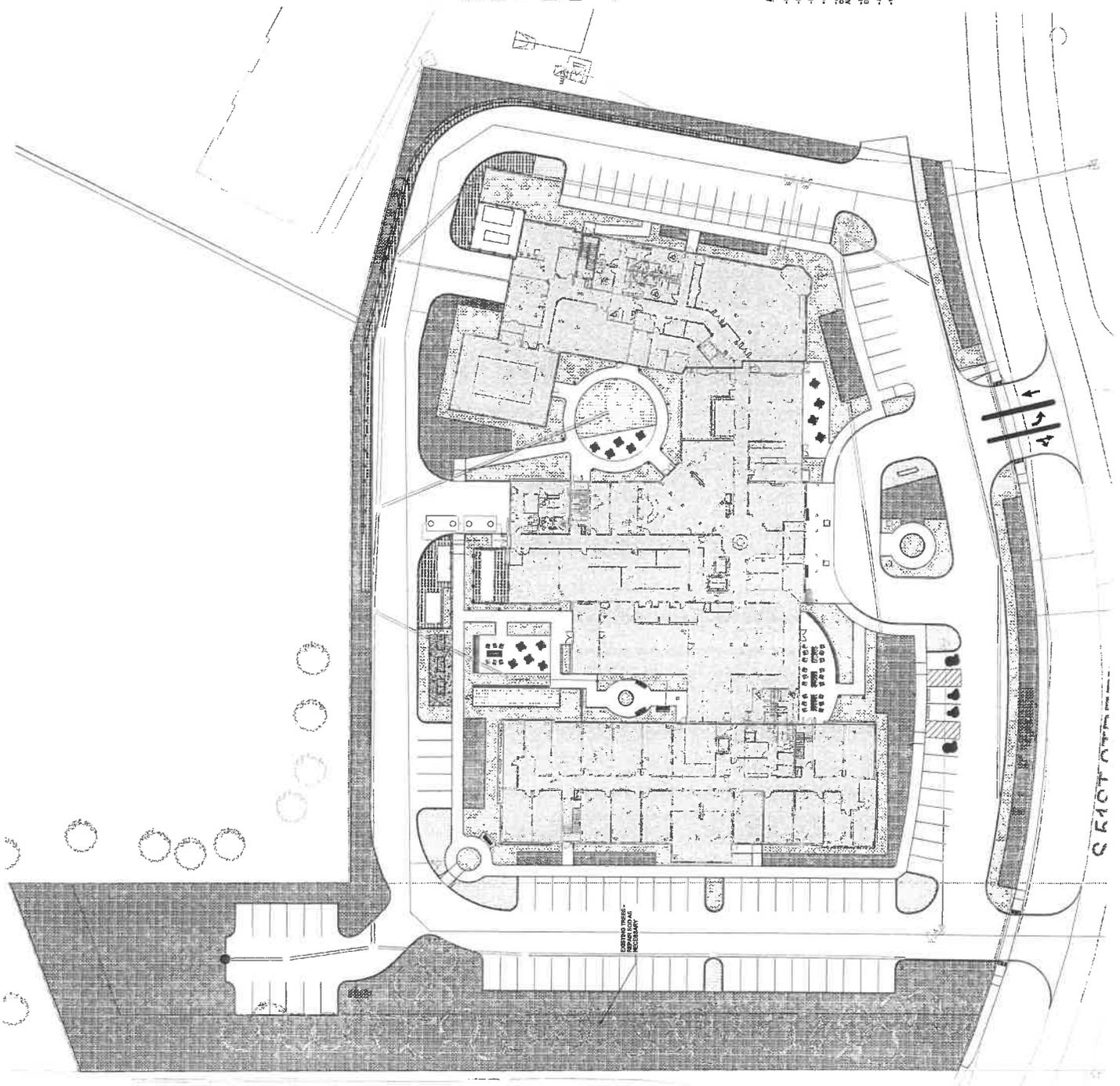
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4	11/17/18	ISSUE FOR PERMIT
5	11/17/18	ISSUE FOR PERMIT
6	11/17/18	ISSUE FOR PERMIT
7	11/17/18	ISSUE FOR PERMIT
8	11/17/18	ISSUE FOR PERMIT
9	11/17/18	ISSUE FOR PERMIT
10	11/17/18	ISSUE FOR PERMIT

- LEGEND**
- PERMITTED HAZARDOUS WASTE
  - TRAMP HOOD
  - SOIL
  - PAVEMENT RECONSTRUCTION
  - SPRINKLER RISERS BY RANGE
  - STRUCTURE FOR OCCUPANT SERVICE
  - ORIGINALLY EXISTING EXTERIOR
  - PROPERTY LINE
  - RECALCULATED CITY - 42

- KEY NOTES**
- REVISION
  - OF MATERIAL
  - INSTALLATION
  - CONSTRUCTION SHALL BE PROTECTED FROM CONSTRUCTION WITH FENCING. FENCE TO BE MAINTAINED.
  - CUSTOMER APPROVAL REQUIRED
  - CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING PLANT MATERIAL UNLESS OTHERWISE NOTED.
  - ALL PLANTING SHALL RECEIVE 4" BRUSHED HARDWOOD MULCH. MULCH OVER 4" IN HT. SHALL BE CUT OFF BY A STRUCTURAL EXISTENCE.

**NOTES**

- REFER TO EXISTING PLAN FOR LAYOUT AND EXISTING CONTROL.
- FOR UTILITY REFER TO CIVIL.
- FOR UTILITY REFER TO ELECTRICAL.
- ALL EXISTING PLANTING SHALL BE PROTECTED FROM CONSTRUCTION WITH FENCING. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING FENCING THROUGHOUT CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING FENCING AS NECESSARY. CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING PLANT MATERIAL UNLESS OTHERWISE NOTED.
- CONTRACTOR IS RESPONSIBLE FOR WATERING PLANT MATERIAL UNLESS OTHERWISE NOTED.
- ALL PLANTING SHALL RECEIVE 4" BRUSHED HARDWOOD MULCH. MULCH OVER 4" IN HT. SHALL BE CUT OFF BY A STRUCTURAL EXISTENCE.



PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

PROJECT INFORMATION  
 GRAND LIVING -  
 WEST DES MOINES

LOCATION  
 1125 15<sup>TH</sup> ST  
 WEST DES MOINES, IOWA

DESIGNED BY  
 JAMES CORTELL  
 ARCHITECTURE INC. DATE  
 LANDSCAPE

CHECKED BY  
 JAC DATE  
 JAC DATE  
 JAC DATE

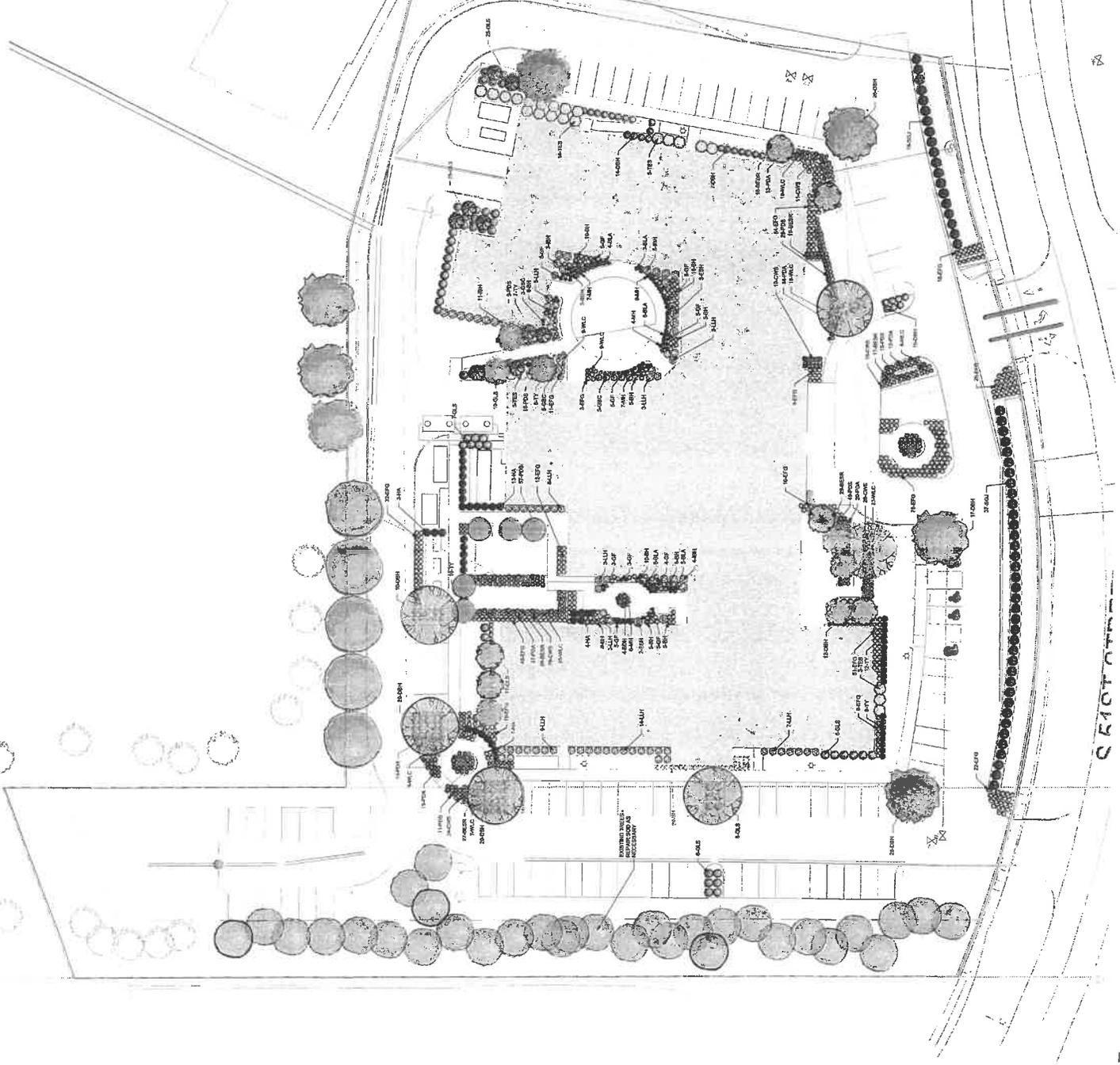
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50	11/15/11 11/15/11

CITY SUBMITTAL

112515  
 LANDSCAPE  
 PLANTING PLAN

L400

PLANT LIST	SYMBOL	QUANTITY	DATE
1. 12" DBL. SP. REDBUD	(Symbol)	22	07/11/11
2. 12" DBL. SP. REDBUD	(Symbol)	9	11/17/11
3. 12" DBL. SP. REDBUD	(Symbol)	6	11/17/11
4. 12" DBL. SP. REDBUD	(Symbol)	3	11/17/11
5. 12" DBL. SP. REDBUD	(Symbol)	5	11/17/11
6. 12" DBL. SP. REDBUD	(Symbol)	7	11/17/11
7. 12" DBL. SP. REDBUD	(Symbol)	10	11/17/11
8. 12" DBL. SP. REDBUD	(Symbol)	10	11/17/11
9. 12" DBL. SP. REDBUD	(Symbol)	10	11/17/11
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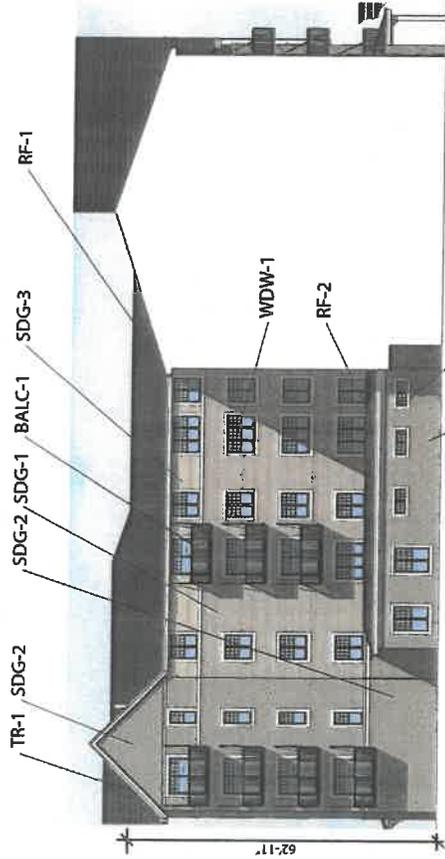




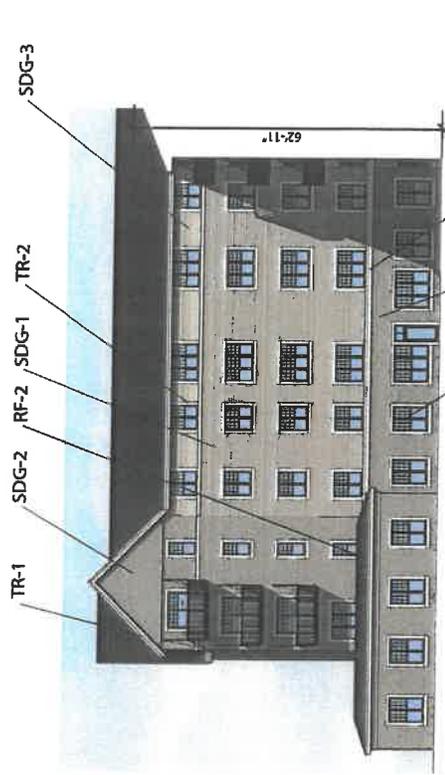


# GRAND LIVING AT WEST DES MOINES

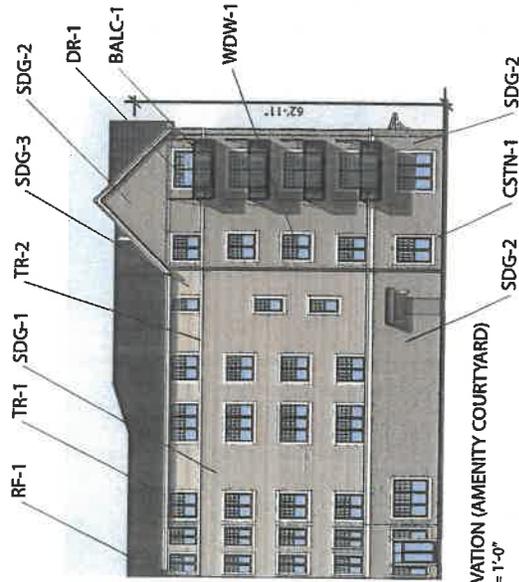
## BUILDING ELEVATIONS



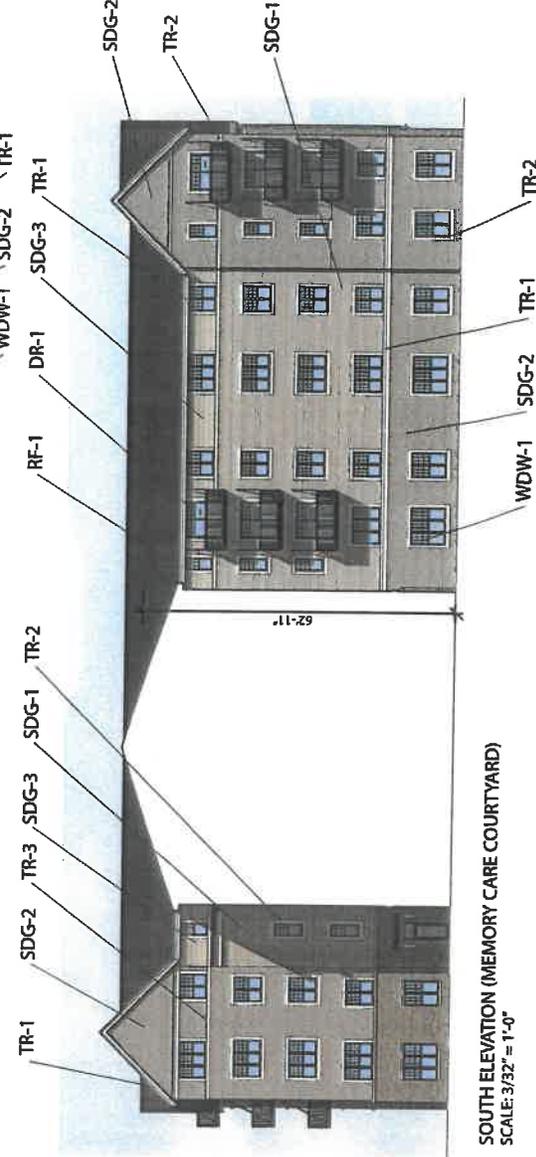
NORTH ELEVATION (MEMORY CARE COURTYARD)  
SCALE: 3/32" = 1'-0"



SOUTH ELEVATION (MEMORY CARE COURTYARD)  
SCALE: 3/32" = 1'-0"

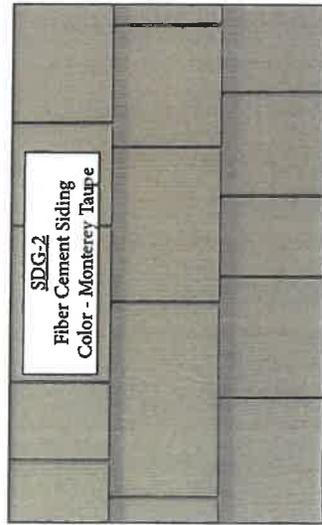
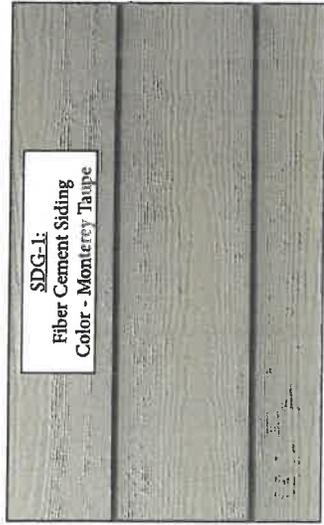


NORTH ELEVATION (AMENITY COURTYARD)  
SCALE: 3/32" = 1'-0"



SOUTH ELEVATION (AMENITY COURTYARD)  
SCALE: 3/32" = 1'-0"

FEBRUARY 1, 2019



**Additional Architectural Elements:**

**BALC-1:** Prefabricated Aluminum Balcony, Color: Gloss Black/Gray

**BKT-1:** Composite Decorative Bracket Type 1, Color: SW 7014 Eider White

**BKT-2:** Composite Decorative Bracket Type 2, Color: SW 7014 Eider White

**COL-1:** Composite Column, Color: SW 7014 Eide White

**DR-1:** Residential Unit Doors, Color: Black. TR-3 trim surround.

**SDG-4:** Flat Panel, Composite, Color: White

**RE-2:** Flat roof, sloped membrane

**TR-1:** 12" (12"x4") Built-up Trim Board - White

**TR-2:** 8" Fiber Cement Trim, Color: SW 7104 Eider White

**TR-3** Manufactured Stone Trim

**WDW-1:** Residential Unit Window, Color: Black. TR-3 trim surround.

**Tragesser, Kara**

---

**From:** David & Judy <judafarr2@gmail.com>  
**Sent:** Sunday, November 4, 2018 4:28 PM  
**To:** Tragesser, Kara  
**Subject:** Public hearing

Kara,

Regarding the hearing on Ryan Companies request for a senior living community on South 51st Street, my husband and I have concerns about the increase in traffic along Hawthorne and South 51st Street.

Currently, the intersection of Bentley and South 51st Street is very concerning considering southbound traffic from Mills with an immediate entrance to Wells Fargo Bank to the east, followed by the entrance to HyVee to the west.

Our question is has a traffic forecast study been completed to determine the safety of both drivers and pedestrians should this community be added. Traffic is already a challenge, during late afternoons when the day care is dismissing, and after work hours. A consideration of turn lanes may alleviate some of the concerns.

Thank you.

Dave and Judy Farrington  
Carriage Homes

6 Nov 18

To: Lynne Twardt, Development Services Director

I am writing to you in response to your letter, Notice of Public Hearing, regarding the Ryan Companies proposal of a senior living community at 540 S. 51<sup>ST</sup> ST.

I have no issue with the proposed project. However, the increased traffic at the corner of S. 50<sup>TH</sup> ST and Hawthorn will add to traffic issues at this corner.

This intersection has needed traffic lights since Hwy. opened years ago. Trying to turn left onto S. 50<sup>TH</sup> ST. from Hawthorn can be very difficult and time consuming as it is. The additional traffic generated by this project will make the situation worse.

There are times this isn't an issue, but early mornings, until about 8:30-9 AM, and again late afternoon from about 3:30-6 PM this is a serious issue.

Please install traffic lights at this intersection, whether or not this project moves forward, they are badly needed.

Thank you for your consideration. I apologize for the handwritten letter, but my iPad doesn't have a print capability, and I don't have a computer.

Sincerely Yours,

Irving H. Globstat

IRVING H. GLOBSTAT

495 S. 51<sup>ST</sup> ST, UNIT 15

West Des Moines, Iowa 50265

515-223-5802

email: Paperbus@icloud.com

## Tragesser, Kara

---

**From:** David & Judy <judafarr2@gmail.com>  
**Sent:** Saturday, December 8, 2018 10:00 AM  
**To:** Tragesser, Kara  
**Subject:** Re: Public hearing

Good morning, Kara.

I was disappointed in the City Planning meeting last week. The decision for this building had already been made. Seems that the City, Ryan Company and Hy-Vee Corporation had it all worked out. It is disturbing that the traffic study showed a drop in traffic with this additional building. Really? The size of the proposed building is over-whelming. Five stories? My understanding is that is within the guidelines of the city but one look around the area shows that it will dominate the landscape. Ryan Company is trying to minimize the size by adding the 'windows' to the fifth story, by their own description.

My opinion is the building would be more acceptable if it were kept to a three story height. Is there any alternative for the residents who will be directly effected by this addition to our neighborhood? Thank you for your time.

Judy Farrington  
Carriage Homes

Prepared by: KTragesser City of West Des Moines 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 SITE PLAN (SP-003748-2018) TO CONSTRUCT A FIVE-STORY, 180 UNIT SENIOR LIVING FACILITY AT 540 S. 51<sup>ST</sup> STREET**

**WHEREAS**, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, Ryan Companies US, Inc., with permission from Hy-Vee Inc. requests site plan approval to construct a five-story, 180 unit senior living facility at 540 S. 51<sup>st</sup> Street;

**Legal Description of Property**

PER TITLE COMMITMENT #ORTE744945  
PARCEL 2017-168 OF THE PLAT OF SURVEY OF LOT 2 IN WISTFUL VISTA PLAT 5, AN OFFICIAL PLAT RECORDED SEPTEMBER 28, 2017 IN BOOK 16660 AT PAGE 502 IN THE RECORDS OF THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA;  
LOT 2 IN WISTFUL VISTA PLAT 6, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, AN OFFICIAL PLAT RECORDED IN BOOK 7506 PAGE 343 OF THE RECORDS OF THE POLK COUNTY, IOWA RECORDER EXCEPTING THEREFROM PARCEL "A" OF LOT 2, WISTFUL VISTA PLAT 6, AS SHOWN ON PLAT OF SURVEY RECORDED IN BOOK 11009, PAGE 934, INSTRUMENT NO. 2005-00089404 OF THE RECORDS OF THE POLK COUNTY, IOWA RECORDED;  
PARCEL "A" OF LOT 2, WISTFUL VISTA PLAT 6, AS SHOWN ON PLAT OF SURVEY RECORDED IN BOOK 11009, PAGE 934, INSTRUMENT NO. 2005-00089404 OF THE RECORDS OF THE POLK COUNTY, IOWA RECORDED  
TOGETHER WITH THE BENEFIT OF ACCESS DRIVE AS DEPICTED IN DECLARATION OF EASEMENT, COVENANTS AND RESTRICTIONS DATED OCTOBER 20, 2016, FILED OCTOBER 21, 2016 IN BOOK 16234 PAGE 596.

**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; and

**WHEREAS**, on February 11, 2019, the Plan and Zoning Commission recommended to the City Council approval of the Site Plan; and

**WHEREAS**, on February 19, 2019, this City Council held a duly-noticed meeting to consider the application for a Site Plan.

**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 for the site plan, or as amended orally at the City Council meeting on this date, are adopted.

**SECTION 2.** The Site Plan (SP-004128-2018) to construct a five-story, 180 unit, senior living facility is approved, subject to compliance with all the conditions in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

**PASSED AND ADOPTED** on February 19, 2019.

---

Steven K. Gaer, Mayor

ATTEST:

---

Ryan T. Jacobson  
City Clerk

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**

1. Provide final site plan drawings prior to obtaining a building permit;
2. Provide executed storm water facility management agreement, parkland dedication, sanitary sewer easement, and lot tie agreement, prior to obtaining a building permit.

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

**DATE: February 19, 2019**

**ITEM:**

Resolution – Approval of Fuller Road Wall Agreement  
South 33rd Street & Fuller Road Retaining Wall Improvements

**FINANCIAL IMPACT:**

Construction of a modular block retaining wall along the north side of Fuller Road east of South 33rd Street is scheduled to be constructed with the Fuller Road Retaining Wall Improvements project. Payment will be made from account no. 500.000.000.5250.495 with ultimate funding intended to come from General Obligation Bonds.

**BACKGROUND:**

City Staff were notified by the general public in March 2017 that the existing railroad tie retaining walls along Fuller Road, east and west of South 33rd Street, may be in need of repair. The City of West Des Moines contracted with Calhoun-Burns & Associates, Inc. on April 7, 2017 to conduct a condition assessment and feasibility analysis of the existing retaining walls. On June 19, 2017 Public Services Council Committee (PSCC) recommended removal of the existing retaining walls and regrading the properties such that no retaining wall or minimal retaining wall be constructed, while working with the adjacent property owners to minimize impact. The City Council approved a Professional Services Agreement on August 7, 2017 with Calhoun-Burns & Associates, Inc. to conduct the necessary design and construction observation services for the project. Since that time, City Staff have met with affected property owners and PSCC members multiple times to discuss the project and how best to proceed. PSCC members were split on their decision at the January 28, 2019 PSCC meeting on whether or not to include any modular block retaining wall on the Benton & Heather Yost property at 616 South 33rd Street. PSCC members directed City Staff to generate an Agreement with the Benton and Heather Yost to address ownership and maintenance of the retaining wall proposed to be constructed by the City of West Des Moines within the City Roadway Easement, subsequent vacation of the Roadway Easement, dedication of any necessary temporary construction easements, and compensation for trees that may need to be removed within the temporary construction easement.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Resolution Approving Fuller Road Wall Agreement.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer *BH*

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., 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 Services		
Date Reviewed	January 28, 2019		
Recommendation	Yes	No	Split

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

**APPROVAL OF FULLER ROAD WALL AGREEMENT  
RELATED TO THE SOUTH 33RD STREET & FULLER ROAD WALL IMPROVEMENTS  
CONSTRUCTED BY THE CITY OF WEST DES MOINES**

**WHEREAS**, funding is available for the South 33rd Street & Fuller Road Wall Improvements project; and,

**WHEREAS**, City Staff and Benton & Heather Yost have reached an agreement for ownership and maintenance of a retaining wall to be constructed by the City of West Des Moines on private property; and,

**WHEREAS**, Benton & Heather Yost shall dedicate all necessary temporary construction easements; and,

**WHEREAS**, the City of West Des Moines shall compensate Benton & Heather Yost for any trees needing to be removed on private property within the temporary construction easements; and,

**WHEREAS**, it is in the best interest of the City to authorize and approve the Agreement; and,

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

1. The Agreement between the City of West Des Moines and Benton & Heather Yost is hereby accepted and approved.
2. The Mayor is authorized to sign the Agreement and the City Clerk is directed to attest to the Mayor's signature.

**PASSED AND APPROVED** on this **19th** day of **February, 2019**.

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

ATTEST:

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

Prepared by: G. Truman, Asst. City Attorney, City of West Des Moines, P.O. Box 65320, WDM, IA 50265-0320, 515-222-3673  
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320  
Address Tax Statement to: Not applicable

### **FULLER ROAD WALL AGREEMENT**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2019, by and between the **CITY OF WEST DES MOINES**, an Iowa municipal corporation ("City") and Benton A. Yost and Heather N. Yost ("Yost")(City and Yost together "Parties").

#### **RECTIALS**

- A. Yost is the owner of Lot 1 Parkhaven Plat 1, an official plat, City of West Des Moines, Polk County, Iowa ("Yost Lot").
- B. The Yost Lot currently abuts City owned right-of-way along Fuller Road and South 33<sup>rd</sup> Street ("City ROW") and is currently encumbered by a City owned Roadway Easement ("City Roadway Easement"), as depicted in Exhibit "A".
- C. The City currently owns a railroad tie retaining wall ("Old Retaining Wall") in City ROW that is need of removal or replacement.
- D. Yost has requested that the wall be replaced instead of removed.
- E. The City has agreed to construct a new retaining wall ("New Retaining Wall") in the City Roadway Easement, on the condition that Yost accepts ownership and maintenance of the New Retaining Wall; releases, indemnifies and holds harmless the City; and executes the attached temporary construction easement. The New Retaining Wall will consist of one or more tiers of stepped modular blocks.

#### **OBLIGATIONS AND RESPONSIBILITIES**

In consideration of the premises, the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged by Yost and the City, the Parties agree as follows:

1. In lieu of removing the Old Retaining Wall on City ROW and grading the City Roadway Easement, the City will construct the New Retaining Wall on City Roadway Easement.
2. Upon completion of the construction of the New Retaining Wall and formal acceptance by City Council, the City will vacate the portion of the City Roadway Easement containing the New Retaining Wall as depicted and described in Exhibit "EX-1".
3. Upon vacation of the portion of the City Roadway Easement containing the New Retaining Wall, Yost will accept ownership of, maintenance responsibilities for, and liability for the New Retaining Wall.

4. Upon transfer of the New Retaining Wall to Yost, the City shall transfer a four (4) year construction maintenance bond for the New Retaining Wall, at which time the City shall have no further right or obligation for enforcement of the bond, with such enforcement to be at the sole right and obligation of Yost, Yost's successors-in-interest and assigns. Yost understands and agrees that the New Retaining Wall will not be maintained, repaired or insured by the City and that the City shall have no responsibility for the New Retaining Wall whatsoever.

5. Yost agrees to release, indemnify, defend, and hold harmless the City, its officials, employees, agents and assigns, from any and all claims, demands, causes of action, liability, loss, damage, or injury, both to person and property, arising out of, related to, or connected with any claim related to this Agreement or the New Retaining Wall. This indemnification applies to and includes, but is not limited to, the payment of all penalties, fines, judgments, awards, decrees, attorney's fees, expert witness fees, investigation fees, settlements, related costs or expenses, interest, and any reimbursements incurred by or assessed to the City, and its officials, employees, agents, contractors and assigns. The terms and conditions of this Indemnity/Hold Harmless provision run with the land and the benefits and burdens are binding upon and inure to the successors-in-interest, assigns, lessees, heirs and estates.

6. Yost will execute the attached Temporary Construction Easement, Exhibit "B", as written, contemporaneously with this Agreement. Yost understands and agrees that Yost is not entitled to and will not receive any compensation for any trees and landscaping removed from the City Roadway Easement and the City ROW.

7. The Parties 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 Agreement and the Parties consent to the jurisdiction of Polk County, Iowa.

8. 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.

9. The term "City" as used herein shall refer to the City of West Des Moines, Iowa, its elected officials, agents, employees, officers, and contractors. The term "Yost" shall refer to Brenton A Yost and Heather N. Yost and all of their successors, assigns, heirs and estates.

10. It is the intent of the Parties that all terms and conditions of this Agreement, including benefits and burdens, run with the land and are binding upon and inure to the successors-in-interest, assigns, lessees, heirs and estates.

11. This Agreement will not be binding until it has received the final approval and acceptance by the City Council.

12. This Agreement and Exhibits, shall constitute the entire agreement between the Parties regarding the subject matter hereof, and no amendments or additions to this Agreement shall be binding unless in writing and executed by the Parties. This Agreement has been fully negotiated at arms length between the signatories hereto, and after advice by counsel and other representatives chosen by such signatories such signatories are fully informed with respect thereto; no such signatory shall be deemed the scrivener of this Agreement; and, based on the foregoing, the provisions of this Agreement and any Exhibits hereto shall be construed as a whole according to their common meaning and not strictly for or against any party.

13. This Agreement shall be recorded in the Office of the Polk County Recorder.

**IN WITNESS WHEREOF**, the parties hereto have executed this instrument as of the date first written above.

**Signatures on following pages.**

**Benton A. Yost and Heather N. Yost,  
PROPERTY OWNERS of Lot 1 Parkhaven Plat 1, City of West Des Moines, Polk County, Iowa**

\_\_\_\_\_  
Benton Yost

\_\_\_\_\_  
Heather N. Yost

STATE OF IOWA                    )  
  ) SS:  
COUNTY OF \_\_\_\_\_  )

This record was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by Benton A. Yost and Heather N. Yost.

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

**CITY OF WEST DES MOINES, IOWA**

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

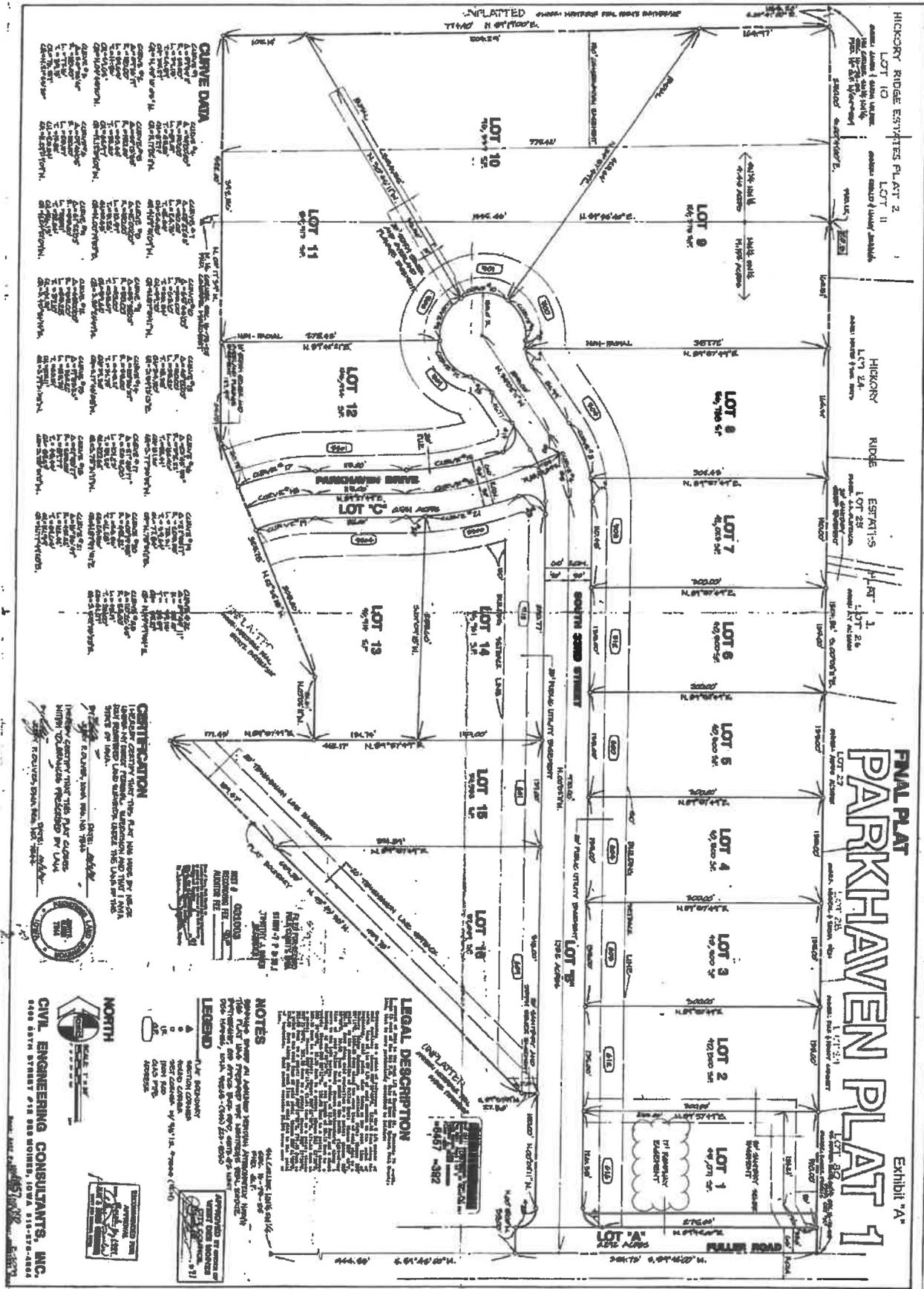
Attest:

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

STATE OF IOWA                    )  
  )SS:  
COUNTY OF POLK                )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven K. Gaer and Ryan T. Jacobson, to me known to be the Mayor and City Clerk, respectively, of the City of West Des Moines, Iowa; that the record was signed on behalf of the City, by authority of its City Council as contained in Resolution \_\_\_\_\_ passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the City Council of the City of West Des Moines, Iowa, and that the Mayor and City Clerk acknowledged the execution of the record to be their voluntary act and deed and the voluntary act and deed of the City, by it voluntarily executed.

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



PREPARED BY: VEENSTRA & KIMM, INC. - 3000 WESTOWN PARKWAY - WEST DES MOINES, IOWA 50266-1320 - (515) 225-8000  
 RETURN TO: VEENSTRA & KIMM, INC. - 3000 WESTOWN PARKWAY - WEST DES MOINES, IOWA 50266-1320 - (515) 225-8000

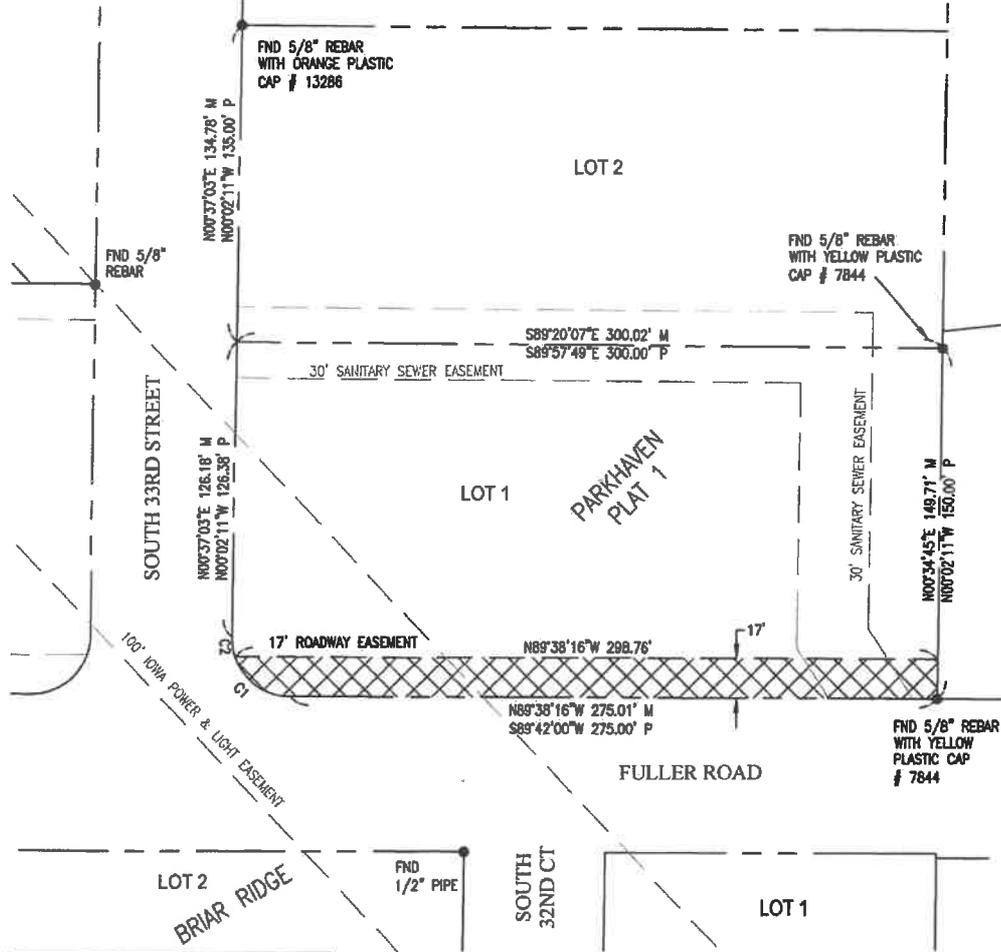
**OWNER:**  
 BENTON A. YOST  
 HEATHER N. YOST  
**BOOK 15146 PAGE 460**  
**PHYSICAL ADDRESS:**  
 616 S 33RD ST  
 WEST DES MOINES, IA 50265

# EASEMENT VACATION EXHIBIT

**PARCEL NO.:**  
 320-03857-500-001  
**MAILING ADDRESS:**  
 616 S 33RD ST  
 WEST DES MOINES, IA

LEGAL DESCRIPTION OF ROADWAY EASEMENT TO BE VACATED:  
 ALL OF THE ROADWAY EASEMENT OVER AND ACROSS THE SOUTH 17 FEET OF LOT 1 IN PARKHAVEN PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA AS SHOWN ON SAID PLAT RECORDED IN BOOK 6457 ON PAGE 392 IN THE POLK COUNTY RECORDER'S OFFICE.

DRAWN TJP CHECKED EJM APPROVED EJM DATE 01-02-18



CURVE TABLE				
CURVE	LENGTH	RADIUS	CHD. BRG.	CHORD
C1	39.38'	25.00'	S44°30'35\"E	35.43'
C2	8.25'	25.00'	N08°50'30\"W	8.22'

**LEGEND**

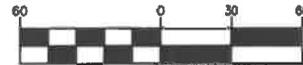
- ▲ SECTION CORNER MONUMENT FOUND (AS NOTED)
- PROPERTY MONUMENT FOUND (AS NOTED)
- (M) "AS MEASURED" DISTANCE OR BEARING
- (P) "AS PLATTED" DISTANCE OR BEARING



ROADWAY EASEMENT VACATION



GRID NORTH  
 IOWA STATE PLANE  
 COORDINATE SYSTEM  
 SOUTH ZONE



1 Inch = 60 ft.

ACTIVITY ID: 0510-037-2017  
 FULLER RD. RETAINING WALLS

VEENSTRA & KIMM, INC.  
 3000 WESTOWN PARKWAY  
 WEST DES MOINES, IOWA 50266-1320  
 515-225-8000

EXHIBIT EX-1

Rev/By

SHEET 1 OF 1

**TEMPORARY CONSTRUCTION EASEMENT**

**THE UNDERSIGNED, ON BEHALF OF, Benton A. Yost and Heather N. Yost, husband and wife**, hereinafter referred to as “Grantors”, owners of property upon which this easement is located, through the undersigned and in consideration of the sum of \$8,225.00 dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant to the **City of West Des Moines, Iowa**, a municipal corporation, hereinafter referred to as the “City”, a Temporary Construction Easement upon the real property shown and legally described in **Attachment “TE-3”** (hereinafter referred to as the “Easement Area”).

1. Use and Purpose of the Easement

This Temporary Construction Easement shall be for the purpose of permitting the City, its agents, contractors, employees and assigns an exclusive right of entry in, upon and onto the property described in **Attachment “TE-3”** for the purpose of transporting and storing materials and equipment, grading, shaping, removing trees, and access during construction of the **South 33<sup>rd</sup> Street & Fuller Road Retaining Wall Improvements, West Des Moines Project Number 0510-037-2017**.

- (a) The Temporary Construction Easement shall terminate the earlier of: eighteen (18) months from initiation of construction on Grantor’s property by the City, or upon acceptance of the Project by the City Council of the City of West Des Moines.
- (b) The City shall remove all materials and equipment from the Easement Area before the termination of this easement agreement as set forth in Section 1(a) above.
- (c) It is understood and agreed that the consideration above includes full compensation for the removal of four large deciduous trees, two mature deciduous trees, one mature evergreen tree, one six foot tall shrub and one small deciduous tree within the Temporary Construction Easement as shown marked with an “X” on Attachment “A”, and change of grade.
- (d) Nothing in this grant of temporary 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 other individuals or entities other than the City, its employees or contractors.
- (e) No structure or building of any kind whatsoever shall be erected upon property that is the subject of this Easement without the express written consent of the City during the period this Easement is in force.

2. Hold Harmless

Each party shall indemnify and hold harmless the other party from and against any loss, expense or claim asserted by third parties for damage to third party tangible property, or for bodily injury, or other injury or damages related to this agreement, to the extent such damage or injury is attributable to the negligence 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.

3. Successors and Assigns

The terms and conditions of this Temporary Construction Easement are binding upon the Grantors, including but not limited to future owners, developers, lessees or occupants. All provisions of this instrument, including benefits and burdens, are binding upon and inure to the heirs, assigns, successors, tenants and personal representatives of the parties hereto.

4. Lawful Authority

The Grantors covenant with the City that the Grantors hold the property by good and perfect title and that the Grantors have a right and lawful authority to make and execute this Temporary Construction Easement.

5. Jurisdiction and Venue

The Grantors 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 further consent to the jurisdiction of District Court of Iowa in and for Polk County, Iowa.

6. 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. The term "City" as used herein shall refer to the City of West Des Moines, Iowa, its elected officials, agents, employees, officers and contractors. The term "Grantor" shall refer to the undersigned, undersigned's heirs, assigns, successors in interest, or lessees, if any.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

By \_\_\_\_\_  
**Benton A. Yost**

By \_\_\_\_\_  
**Heather N. Yost**

STATE OF IOWA            )  
  ) SS  
COUNTY OF \_\_\_\_\_)

This record was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by **Benton A. Yost and Heather N. Yost.**

\_\_\_\_\_  
NOTARY PUBLIC

PREPARED BY: VEENSTRA & KIMM, INC. - 3000 WESTOWN PARKWAY - WEST DES MOINES, IOWA 50266-1320 - (515) 225-8000  
 RETURN TO: VEENSTRA & KIMM, INC. - 3000 WESTOWN PARKWAY - WEST DES MOINES, IOWA 50266-1320 - (515) 225-8000

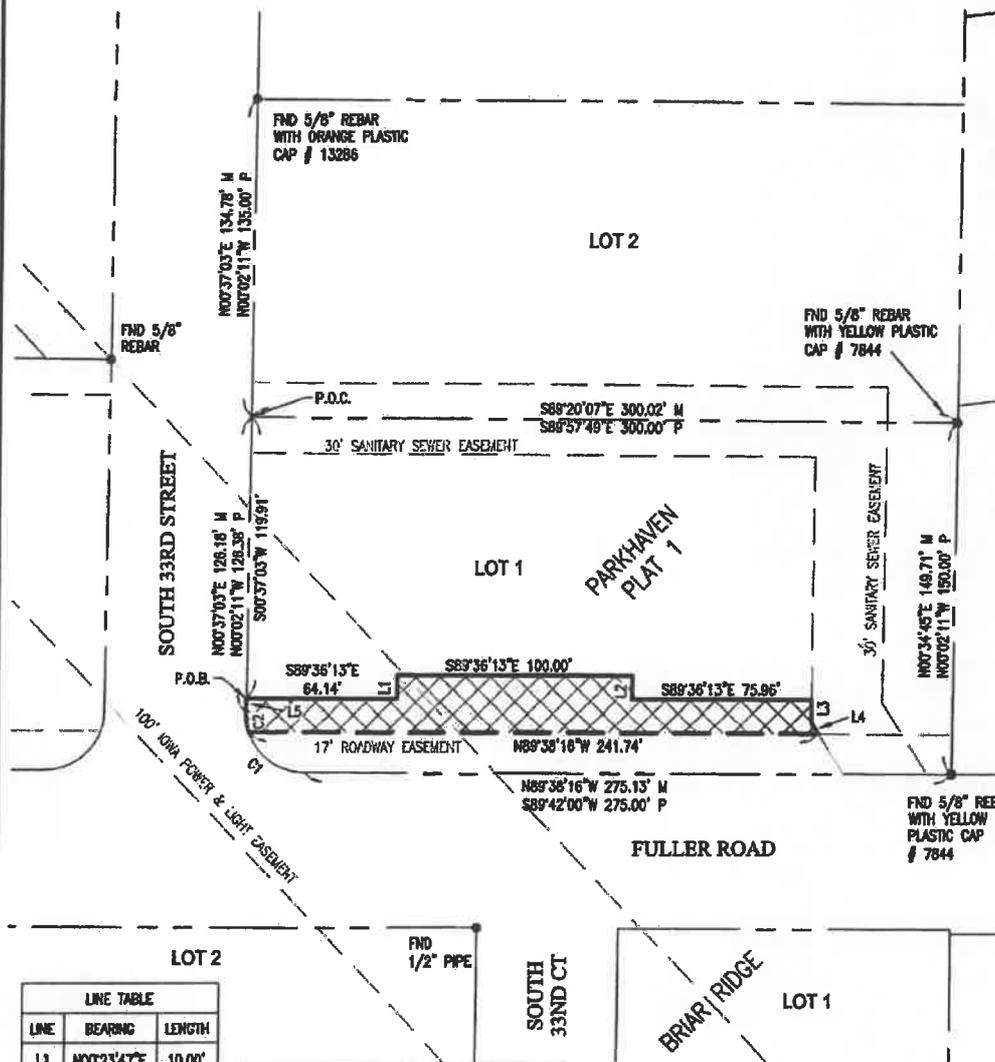
**OWNER:**  
 BENTON A. YOST  
 HEATHER N. YOST  
**BOOK 15146 PAGE 460**  
**PHYSICAL ADDRESS:**  
 616 S 33RD ST  
 WEST DES MOINES, IA 50265

# EASEMENT DRAWING

FOR TEMPORARY CONSTRUCTION EASEMENT  
 BEING CONVEYED TO THE  
 CITY OF WEST DES MOINES, IA

**PARCEL NO.:**  
 320-03857-500-001  
**MAILING ADDRESS:**  
 616 S 33RD ST  
 WEST DES MOINES, IA

DRAWN T.P. CHECKED B.M. APPROVED B.M. DATE 01-02-18



LINE	BEARING	LENGTH
L1	N00°23'47"E	10.00'
L2	S00°23'47"W	10.00'
L3	S00°34'45"W	9.66'
L4	S32°34'18"E	5.45'
L5	N00°37'03"E	6.27'

CURVE	LENGTH	RADIUS	CHD. BRG.	CHORD
C1	39.38'	25.00'	S44°30'35"E	35.43'
C2	8.25'	25.00'	N08°50'30"W	8.22'

**LEGEND**

- ▲ SECTION CORNER MONUMENT FOUND (AS NOTED)
- PROPERTY MONUMENT FOUND (AS NOTED)
- (M) "AS MEASURED" DISTANCE OR BEARING

- GRID NORTH IOWA STATE PLANE COORDINATE SYSTEM SOUTH ZONE
- (P) "AS PLATTED" DISTANCE OR BEARING
- TEMPORARY EASEMENT 4,440 SQUARE FEET



1 Inch = 60 ft.

ACTIVITY ID: 0510-037-2017  
 FULLER RD. RETAINING WALLS

I hereby certify that this land surveying document was prepared 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.

Signed Bobby J. Maddaleno 1/4/18 Date



Bobby J. Maddaleno, P.L.S.  
 Iowa License No. 19980  
 My license renewal date is December 31, 2019  
 Drawings covered by this seal: Sheet 1 of 2 & Sheet 2 of 2

VEENSTRA & KIMM, INC.  
 3000 WESTOWN PARKWAY  
 WEST DES MOINES, IOWA 50266-1320  
 515-225-8000

**EXHIBIT TE-3**

SHEET 1 OF 2

Rev/By

2922258

PREPARED BY: VEENSTRA & KIMM, INC. - 3000 WESTOWN PARKWAY - WEST DES MOINES, IOWA 50266-1320 - (515) 225-8000  
 RETURN TO: VEENSTRA & KIMM, INC. - 3000 WESTOWN PARKWAY - WEST DES MOINES, IOWA 50266-1320 - (515) 225-8000

**OWNER:**  
 BENTON A. YOST  
 HEATHER N. YOST  
**BOOK 15146 PAGE 460**  
**PHYSICAL ADDRESS:**  
 616 S 33RD ST  
 WEST DES MOINES, IA 50265

# EASEMENT DRAWING

FOR TEMPORARY CONSTRUCTION EASEMENT  
 BEING CONVEYED TO THE  
 CITY OF WEST DES MOINES, IA

**PARCEL NO.:**  
 320-03857-500-001

**MAILING ADDRESS:**  
 616 S 33RD ST  
 WEST DES MOINES, IA

**LEGAL DESCRIPTION:**

A temporary construction easement located in part of Lot 1 in PARKHAVEN PLAT 1, an Official Plat, now included in and forming a part of the City of West Des Moines, Polk County, Iowa. Said temporary construction easement is more particularly described as follows:

Commencing at the Northwest corner of said Lot 1; thence South 00°37'03" West (all bearings referenced to Grid North Iowa State Plane Coordinate System South Zone), 119.91 feet along the West line of said Lot 1 to the Point of Beginning; thence South 89°36'13" East 64.14 feet; thence North 00°23'47" East 10.00 feet; thence South 89°36'13" East 100.00 feet; thence South 00°23'47" West 10.00 feet; thence South 89°36'13" East 75.96 feet to the West line of an existing 30 feet Sanitary Sewer Easement as shown on the Final Plat of said PARKHAVEN PLAT 1 recorded in Book 6457 on Page 392 in the Polk County Recorder's Office; thence South 00°34'45" West 9.67 feet along said West line; thence South 32°34'18" East 5.45 feet along said West line to the North line of an existing 17 feet Roadway Easement; thence North 89°38'16" West 241.74 feet along said North line to the West line of said Lot 1, said point being the beginning of a non-tangent curve concave Easterly and having a radius of 25.00 feet, to which beginning a radial line bears South 71°41'57" West; thence Northerly along said curve and West line through a central angle of 18°55'06" an arc distance of 8.25 feet, said curve having a chord which bears North 08°50'30" West 8.22 feet; thence tangent to said curve along said West line North 00°37'03" East 6.27 feet to the Point of Beginning.

Containing 4,440 square feet, more or less.

DRAWN T.P. CHECKED B.A.M. APPROVED B.A.M. DATE 01-02-18

ACTIVITY ID: 0510-037-2017  
 FULLER RD. RETAINING WALLS

VEENSTRA & KIMM, INC.  
 3000 WESTOWN PARKWAY  
 WEST DES MOINES, IOWA 50266-1320  
 515-225-8000

EXHIBIT

TE-3

Rev/By

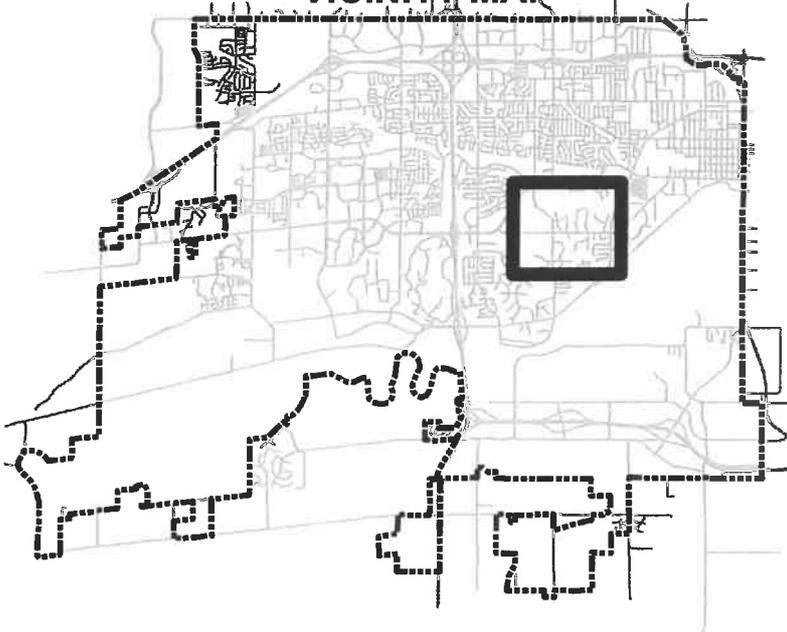
SHEET 2 OF 2

292288





**VICINITY MAP**



**LEGEND**

PROJECT LOCATION 



PROJECT: **S 33rd St & Fuller Rd Retaining Wall Improvements**

LOCATION: **South 33rd Street & Fuller Road**

DRAWN BY: JDR

DATE: 07/21/2017

PROJECT NUMBER : 0510-037-2017  
 SUBDIVISION NAME:

SHT. 1 of 1

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

**DATE: February 19, 2019**

**ITEM:**

Motion – Approving Amendment No. 1 to the Professional Services Agreement  
South 33rd Street & Fuller Road Retaining Wall Improvements

**FINANCIAL IMPACT:**

The original Professional Services Agreement included a maximum fee of \$60,295.00 for Basic Services of the Consultant and \$37,500.00 for Resident Consultant Services. Amendment No. 1 increases the Basic Services of the Consultant by \$38,550.00 and the Resident Consultant Services by \$5,700.00. The new maximum not-to-exceed fee thus becomes \$142,045.00. All costs for these services will be billed at standard hourly rates plus expenses and can be paid from account no. 500.000.000.5250.495 with ultimate funding intended to come from General Obligation Bonds.

**BACKGROUND:**

Calhoun-Burns & Associates, Inc. is working under an existing Agreement dated August 7, 2017 to perform the professional services necessary for the removal and/or replacement of the existing City-owned timber retaining walls on Fuller Road east and west of South 33rd Street. Amendment No. 1 includes additional Basic Services of the Consultant and Resident Consultant Services to accommodate a change in project design concept from only regrading to inclusion of some retaining wall, additional cost estimating, additional staking of easements, generation of additional easement documents, identification of trees to be saved/removed, inclusion of additional sidewalk replacement, and design of two tiers of modular block retaining wall east of South 33rd Street and associated geotechnical investigation. These additional scope items were not anticipated as part of the initial Agreement, but are being included to accommodate City Council desires for the project.

Approval of this Amendment No. 1 is subject to approval by the City Council of the Agreement with Benton & Heather Yost (property owners of 616 South 33rd Street) for the ownership and maintenance of a modular block retaining wall constructed by the City of West Des Moines on said property.

**OUTSTANDING ISSUES:** None.

**RECOMMENDATION:**

City Council Adopt:

- Motion Approving Amendment No. 1 to Professional Services Agreement for South 33rd Street & Fuller Road Retaining Wall Improvements.

**Lead Staff Member:** Brian J. Hemesath, P.E., City Engineer 

**STAFF REVIEWS**

Department Director	Brian J. Hemesath, P.E., 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 Services		
Date Reviewed	January 28, 2019		
Recommendation	Yes	No	Split

**AMENDMENT NO. 1  
TO THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES**

This AMENDMENT is made and entered into this 19th day of February, 2019, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and Calhoun-Burns and Associates, Inc., (Fed. I.D. #42-1175656), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "Consultant", hereby amends the original Agreement dated August 7, 2017 as follows:

**1. SCOPE OF SERVICES**

The Scope of Services as described in the original Agreement for the Fuller Road Retaining Wall Replacements at S. 33<sup>rd</sup> Street (Project No. 0510-037-2017), Attachment 1 are amended as follows:

The scope of replacement of the west retaining wall shall be modified from grading to a 4:1 slope to a portion being graded to 4:1 and transitioning to a portion being graded to 2:1. The scope of replacement of the east retaining wall shall be modified from grading to a 4:1 slope to the use of two lines of modular block retaining walls. The heights are to be limited to 4 feet and adequately separated to act independently. The use of 4:1 / 3:1 slopes are to be used to minimize retaining wall length. Approximately 540 lineal feet of additional sidewalk removal / replacement and grading will be completed beyond minimums needed for original retaining wall removals. Easement plats and field stakes will be adjusted as required. Geotechnical analysis will be completed in the vicinity of the modular block retaining walls. Per direction from the City a fence will not be included on the top of the retaining walls.

**2. SCHEDULE**

The Project Schedule of the professional services as described in the original Agreement, Attachment 2 is amended as follows: Due to delays in City / Landowner negotiations this project has been delayed approximately one (1) year. The revised schedule, which includes the work associated with this Amendment, is included in Attachment 2.

**3. COMPENSATION**

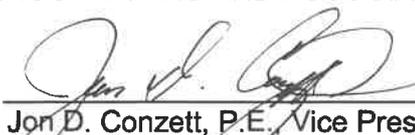
In consideration of the additional professional services provided, the City agrees to pay the Consultant the additional fees to increase the original sum NOT-TO-EXCEED, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in the original Agreement, Attachment 3.

	<u>Original Fee</u>	<u>Additional Fee</u>	<u>Total Fee</u>
I. Basic Services of the Consultant	\$60,295.00	\$38,550.00	\$98,845.00
II. Resident Consultant Services	\$37,500.00	\$5,700.00	\$43,200.00
<b>Total Services</b>	<b>\$97,795.00</b>	<b>\$44,250.00</b>	<b>\$142,045.00</b>

This AMENDMENT is subject to all provisions of the original Agreement. This AMENDMENT together with the Agreement represents the entire and integrated AGREEMENT between the City and Consultant, as executed on the date written above.

CALHOUN-BURNS AND ASSOCIATES, INC.

CITY OF WEST DES MOINES

BY:   
Jon D. Conzett, P.E., Vice President

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

# ATTACHMENT 1

## SCOPE OF SERVICES

Items modified from the original Agreement are noted as follows:

I. GENERAL – Refer to the Feasibility Report dated June 21, 2017.

- B. Project Intent. Replace west existing timber retaining walls with a graded 4:1 / 2:1 earthen slope (Option 2). ~~Minimal use of short (under 4' height), modular block retaining walls (Option 3); or short (under 5' height) combined retaining wall/sidewalk in a few select locations.~~ Replace east existing retaining wall with two lines of modular block retaining wall (Option 3) and/or a graded 4:1 / 3:1 earthen slope to minimize retaining wall length. Reconstruct adjacent sidewalk to existing location, width, line, and grade. Reconstruct ADA ramps at S.33rd Street to meet current criteria (East-West only). Existing Fuller Road and S. 33rd Street pavement to remain in place.

II. PRELIMINARY DESIGN PHASE

- C. Preliminary Design. Preliminary Design shall include plan and cross section sheets to depict the approximate limits of grading, locations for retaining walls, and sidewalk reconstruction. A preliminary set of plans consisting of a Title Sheet, Plan Sheets, and Cross Section Sheets will be prepared. Upon completion, the Consultant will attend one (1) coordination meeting with the City to review and discuss the approximate limits of the project and seek approval. Upon direction of the City additional options will be reviewed and revised preliminary plans and corresponding cost opinions prepared. This information is to be used for City coordination with land owners and City officials. Consultant to coordinate between subconsultants and City's land acquisition consultant on necessary changes as a result of alternate options considered. Once approval is granted, the revised Preliminary Plans will be finalized, including identifying the necessary additional areas of permanent ROW and/or Temporary Construction Easement, and submitted to the City. A revised Preliminary Opinion of Probable Construction Cost will be submitted with the final revised Preliminary Plans.
- G. ~~Geotechnical Investigation. It is anticipated the project will not require any geotechnical investigations to complete the design and plans. Should the City modify the intent of the project (i.e. different type and/or size and/or expanded use of retaining walls) the Consultant will coordinate and obtain necessary soil boring and geotechnical investigation required for preparation of the final plans and supplemental specifications through a Subconsultant. The Consultant will coordinate and obtain geotechnical investigation for use in the modular block retaining wall through a Subconsultant. Geotechnical analysis will include global stability of the two line retaining wall system.~~ All traffic control needed shall be coordinated by the Subconsultant. Consultant's additional services will be incorporated by Supplemental Agreement.

III. FINAL DESIGN PHASE

- A. Check Plans and Specifications. Consultant shall prepare Check Plans (85% complete) and specifications necessary for the project. Consultant shall submit Check Plans to the City for review and comment. This work shall include the design and detailing of the modular block retaining walls. Also includes additional sidewalk removal / replacement and grading.
- B. Easement and Property Acquisition Plat Preparation Services. This work, through a Subconsultant, will consist of preparing legal descriptions for permanent and construction easements necessary to construct the project. The work will include preparation of easement plats and acquisition plats for each affected property. The work includes any additional field survey and establishing and reestablishing property pins as required by applicable survey

standards for parcels for which permanent right-of-way and easements are acquired. Any temporary staking requested by the City will be completed following authorization through a separate Supplemental Agreement. This work shall include adjusting of up to three (3) plats, creation of one additional plat, field staking of original proposed easement, field staking of modified plats and field marking of trees for removal adjacent to the easements.

- IV. BID PHASE - The project will be let for bids by the City. City will provide Consultant with specific milestone dates. Anticipated goal is to have project awarded and ready for construction by ~~May 28, 2018~~ May 6, 2019.

V. CONSTRUCTION PHASE

- C. Construction Observation. Consultant will be on-site to observe construction activities and provide required material testing and documentation. This work shall include the modular block retaining wall.

## ATTACHMENT 2

### PROJECT SCHEDULE

#### FULLER ROAD RETAINING WALL REPLACEMENTS WEST AND EAST OF S. 33<sup>RD</sup> STREET

The following Milestone Schedule shall be dates for the Consultant to submit specified deliverables to the City:

- |  |                    |
|--|--------------------|
| 1. City Council Approval and Notice to proceed from City | February 19, 2019  |
| 2. Revised Preliminary Plans                             | March 1, 2019      |
| 3. Revised ROW Plats                                     | March 8, 2019      |
| 4. Check Plans   | March 25, 2019     |
| 5. Final Plans   | April 12, 2019     |
| 6. Plans to Contractors                                  | April 15, 2019     |
| 7. Letting   | May 1, 2019        |
| 8. Award Contract  | May 6, 2019        |
| 9. Construction Completed                                | September 30, 2019 |

**ATTACHMENT 3**  
**SCHEDULE OF FEES**

**CB&A HOURLY BILLING RATES (EFFECTIVE JULY, 2018)**

PRINCIPAL OF FIRM IV	\$ 204.00 / HOUR
PRINCIPAL OF FIRM III	\$ 196.00 / HOUR
PRINCIPAL OF FIRM II	\$ 188.00 / HOUR
PRINCIPAL OF FIRM I	\$ 180.00 / HOUR
SENIOR PROJECT MANAGER IV	\$ 165.00 / HOUR
SENIOR PROJECT MANAGER III	\$ 159.00 / HOUR
SENIOR PROJECT MANAGER II	\$ 153.00 / HOUR
SENIOR PROJECT MANAGER I	\$ 147.00 / HOUR
PROJECT MANAGER IV	\$ 154.00 / HOUR
PROJECT MANAGER III	\$ 145.00 / HOUR
PROJECT MANAGER II	\$ 137.00 / HOUR
PROJECT MANAGER I	\$ 128.00 / HOUR
SENIOR PROJECT ENGINEER IV	\$ 143.00 / HOUR
SENIOR PROJECT ENGINEER III	\$ 134.00 / HOUR
SENIOR PROJECT ENGINEER II	\$ 126.00 / HOUR
SENIOR PROJECT ENGINEER I	\$ 117.00 / HOUR
PROJECT ENGINEER IV	\$ 130.00 / HOUR
PROJECT ENGINEER III	\$ 122.00 / HOUR
PROJECT ENGINEER II	\$ 115.00 / HOUR
PROJECT ENGINEER I	\$ 107.00 / HOUR
SENIOR DESIGN ENGINEER IV	\$ 118.00 / HOUR
SENIOR DESIGN ENGINEER III	\$ 110.00 / HOUR
SENIOR DESIGN ENGINEER II	\$ 101.00 / HOUR
SENIOR DESIGN ENGINEER I	\$ 93.00 / HOUR
DESIGN ENGINEER IV	\$ 110.00 / HOUR
DESIGN ENGINEER III	\$ 100.00 / HOUR
DESIGN ENGINEER II	\$ 90.00 / HOUR
DESIGN ENGINEER I	\$ 80.00 / HOUR
ENGINEER INTERN	\$ 78.00 / HOUR
SENIOR TECHNICIAN IV	\$ 120.00 / HOUR
SENIOR TECHNICIAN III	\$ 115.00 / HOUR
SENIOR TECHNICIAN II	\$ 109.00 / HOUR
SENIOR TECHNICIAN I	\$ 104.00 / HOUR
TECHNICIAN IV	\$ 105.00 / HOUR
TECHNICIAN III	\$ 101.00 / HOUR
TECHNICIAN II	\$ 97.00 / HOUR
TECHNICIAN I	\$ 93.00 / HOUR
OFFICE MANAGER	\$ 132.00 / HOUR
ADMINISTRATIVE ASSISTANT IV	\$ 90.00 / HOUR
ADMINISTRATIVE ASSISTANT III	\$ 85.00 / HOUR
ADMINISTRATIVE ASSISTANT II	\$ 78.00 / HOUR
ADMINISTRATIVE ASSISTANT I	\$ 75.00 / HOUR

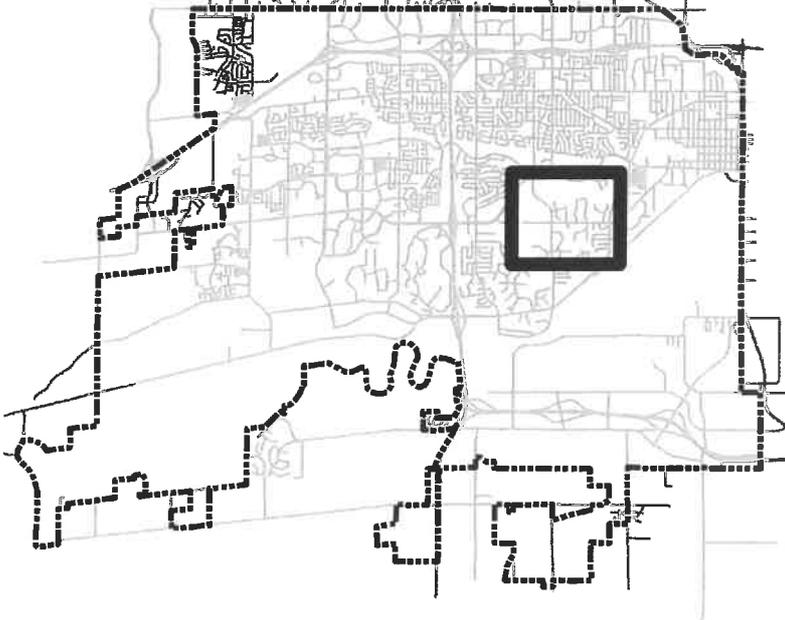
MILEAGE:  
EXPENSES:

CURRENT IRS STANDARD RATE  
ACTUAL COST

**HOURLY RATES SHALL BE ADJUSTED ANNUALLY IN ACCORDANCE WITH CONSULTING ENGINEERS' NORMAL BUSINESS PRACTICE.**

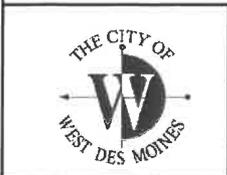


**VICINITY MAP**



**LEGEND**

PROJECT LOCATION 



PROJECT: **S 33rd St & Fuller Rd Retaining Wall Improvements**

LOCATION: **South 33rd Street & Fuller Road**

DRAWN BY: JDR

DATE: 07/21/2017

PROJECT NUMBER : 0510-037-2017  
SUBDIVISION NAME:

SHT. 1 of 1

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

**ITEM:** Resolution to Approve Contract with American Federation of State, County and Municipal Employees, Local 3861

**DATE:** February 19, 2019

**FINANCIAL IMPACT:**

Community & Economic Development, Development Services, Engineering Services, Parks & Recreation and Public Services Department Salaries and Benefits Line Items for FY19/20 at a cost of approximately \$73,531, FY20/21 at a cost of approximately \$92,855, FY21/22 at a cost of approximately \$96,372. Funding has been included in the FY19/20 budget to cover the proposed union increase.

**BACKGROUND:**

The City of West Des Moines negotiation team reached a tentative three-year agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 3861. The City's negotiation team was comprised of City staff and James C. Hanks of the Ahlers Law Firm. The tentative agreement was ratified by AFSCME members and the City was notified on February 8, 2019.

Detailed below is a brief overview of the financially related terms of the Tentative Agreement:

- 1. Wages. The Agreement is for three years and calls for across-the-board (ATB) increase of 2.75% - 3.00% - 3.00% for each respective year of the Agreement.

**OUTSTANDING ISSUES (if any):**

**RECOMMENDATION:**

City Council Adopt the Resolution approving the contract with the American Federation of State, County and Municipal Employees (AFSCME) Local 3861 for a three-year period of July 1, 2019 through June 30, 2022 and directing the Mayor and City Clerk to sign the contract on behalf of the City.

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

**STAFF REVIEWS**

Department Director	Jane Pauba Dodge	<i>JPDodge</i>
Appropriations/Finance		
Legal		
Agenda Acceptance		

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

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW (if applicable)**

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA APPROVING BARGAINING AGREEMENT WITH AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 3861**

**WHEREAS**, City staff has negotiated in good faith with members of the AFSCME Local 3861 for the purposes of finalizing a new bargaining agreement, and

**WHEREAS**, the City staff has reached a tentative agreement with AFSCME Local 3861 for a three year period of July 1, 2019 through June 30, 2022

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA** that a bargaining agreement with AFSCME Local 3861 for the period covering July 1, 2019 through June 30, 2022 is hereby approved, and the Mayor and City Clerk are hereby directed to sign the agreement on behalf of the City.

**PASSED AND ADOPTED** this 19th day of February, 2019.

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Steven K. Gaer, Mayor

ATTEST:

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Ryan Jacobson, City Clerk

## CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

**ITEM:** FY 2019-20 FY Hotel/Motel Tax Allocations

**DATE:** February 19, 2019

**FINANCIAL IMPACT:** The projected FY 2019-20 hotel/motel tax revenues are \$4,550,000 and allocated expenditures are \$4,550,00, so the Hotel/Motel Tax Ending Fund Balance is expected remain at \$1,171,822 during the fiscal year.

**BACKGROUND:** Although a significant portion of the City's annual Hotel/Motel Tax revenue has been previously committed through established policy or through previous Council action, the Council is able to use discretion when allocating the remainder. For the upcoming fiscal year, staff received applications from 15 non-profit organizations requesting discretionary funding.

The 15 organizations each made a presentation and answered questions regarding their funding request to members of the Finance and Administration Committee at meetings on January 9, 2019, January 16, 2019, and January 23, 2019. Members of the Committee reviewed the applications and notes following the January 23, 2019, meeting and their recommendations are included in the attached funding schedule. Highlights of the recommended allocation include:

- Tallgrass Theatre Company, a community theatre with performances held in the Rex Mathes auditorium, will receive \$10,000 for the integration and expansion of the existing network of technical devices, and equipment for the children's Seedling Program.
- The West Des Moines Chamber of Commerce & Development Connection will receive a total of \$75,000, which represents an increase of \$8,000 from the previous year.
- Des Moines Children's Museum will receive \$20,000 to be used for the creation of additional exhibits and upgrading current exhibits, providing restroom facilities, handwashing station and water fountain, and replacing flooring. They were a first-time applicant.
- Friends of the Terrain Therapy Garden Project will receive \$5,000 for a one-time project of constructing an outdoor 3-season physical therapy area at the VA Hospital located at 30<sup>th</sup> & Euclid in Des Moines. They were a first-time applicant, and the organization will disband after the completion of the project.
- The West Des Moines Historical Society will receive \$50,000 for improvements to the Jordan House and Bennett School.
- Innovation Collaboration Excellence (Valley Robotics Club) will receive \$2,500, the funding will be used for educational tools and marketing to bring events to the metro area.
- The Historic Valley Junction Foundation will receive \$125,000. Of this funding, \$100,000 is intended to support operating expenses and \$25,000 is for a two year district-wide lighting project that will replace the current holiday lighting. The foundation has enlisted VJ residents and lighting engineering experts at KCL Engineering to design and coordinate the project.

- Ballet Des Moines, located at 121 S.11<sup>th</sup> St, Suite 100, will receive \$16,500, an increase of \$2,500 and will be used for the purchase of costumes and set design for the upcoming “A Princess Mermaid Ballet” performance.
- The West Des Moines Girls Softball Association will receive \$25,000 to be used for the continued improvements of the playing fields at Holiday Park.
- The West Des Moines Soccer Club will receive \$20,000 for field and ADA related improvements at the Hidden Valley Soccer Complex.
- The West Des Moines Business Incubator will receive \$5,000 for marketing. They last applied for funding in FY 2017-18
- The West Des Moines Public Arts program will receive funding of \$120,000, which represents the “maximum” calculated contribution based on a previous Council directive.
- The West Des Moines Sister Cities Commission activities, budgeted at \$32,000 for FY 19-20, will be funded by the Hotel/Motel Tax fund.
- All other discretionary programs will be funded at the same level as FY18-19.

**OUTSTANDING ISSUES:** None

**RECOMMENDATION:** Motion approving the Finance and Administration Committee recommendations regarding FY19-20 allocation of Hotel/Motel tax revenues.

**Lead Staff Member:** Chris Hamlett, Budget Analyst CR

**STAFF REVIEWS**

Department Director	Tim Stiles, Finance Director <span style="color: blue;">TS</span>
Appropriations/Finance	
Legal	
Agenda Acceptance	<span style="color: blue;">KH</span>

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

Published In	n/a
Dates(s) Published	n/a

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Finance & Administration		
	January 9, 2019		
	January 16, 2019		
Dates Reviewed	January 23, 2019		
Recommendation	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">Yes</span>	No	Split

## Hotel Motel Tax

Activity/Organization	2016-17 Actual	2017-18 Actual	2018-19 Budget	2019-20 Recommended
<b>Hotel/Motel Tax Revenue</b>	<b>\$ 4,142,183</b>	<b>\$ 4,180,160</b>	<b>\$ 4,300,000</b>	<b>\$ 4,550,000</b>
<b>Contractual Agreements</b>				
Convention/Visitors Bureau (2/7ths)	1,176,498	1,165,830	1,228,571	1,300,000
BRAVO (2/7ths less IA Events Center)	1,111,498	1,100,830	1,163,571	1,300,000
Des Moines Performing Arts (ends FY 17/18)	16,500	16,500	-	-
Iowa Events Center (ends FY 18/19)	81,250	48,750	65,000	-
<b>Contractual Agreements Sub-Total</b>	<b>\$ 2,385,746</b>	<b>\$ 2,331,910</b>	<b>\$ 2,457,143</b>	<b>\$ 2,600,000</b>
<b>City Uses</b>				
City Entrance Signs			-	-
City Newsletter/WDM Magazine	145,126	149,201	160,000	162,000
Economic Development Emphasis	50,000	50,000	50,000	50,000
Holiday Park Baseball Improvements			-	-
July 4th Celebration	17,000	18,000	25,000	25,500
Public Art	120,000	120,000	120,000	120,000
Solheim Cup		27,994	-	-
Valley Junction Area Operations/Repairs	2,757	7,652	25,000	25,000
Vyvacity (BBE Partners)	15,000		-	-
Youth In-Parks			30,000	30,000
Parks Signage Upgrade			-	-
P&R Software (Perfectmind)	13,784		-	-
Sister Cities			32,000	32,000
MPO- Water Trails Study	20,779		-	-
EMS Trailer Solheim Cup	23,074		-	-
City Programs - Miscellaneous (2/7 less above city uses)	932,819	913,229	800,000	1,100,000
<b>Total City Uses</b>	<b>\$ 1,340,339</b>	<b>\$ 1,286,077</b>	<b>\$ 1,242,000</b>	<b>\$ 1,544,500</b>
<b>West Des Moines Based Organizations</b>				
Ballet Des Moines	-	-	14,000	16,500
Des Moines Children's Museum	-	-	-	20,000
Eddie Davis Community Center	15,000	15,000	15,000	15,000
Historic Valley Junction Foundation	95,000	175,000	125,000	125,000
Inovation Collaboration Excellence		-	-	2,500
National Speech and Debate Association		23,000	27,000	-
Tallgrass Theatre Company		14,000	10,000	10,000
Tiger Softball Club	2,000	2,000	2,000	2,000
WDM Business Incubator	9,220	10,000	-	5,000
WDM Chamber of Commerce/Development Connection	117,500	67,500	67,000	75,000
WDM Community Enrichment Foundation (approved 9/7/10)	10,000	-	10,000	10,000
WDM Girls Softball (resumes in FY 17-18)		20,000	20,000	25,000
WDM Historical Society	36,750	60,500	40,000	50,000
WDM Historical Society (\$15,000 for 4 yrs , thru FY 17/18)	15,000	15,000	-	-
WDM Soccer Club	30,000	20,000	20,000	20,000
<b>West Des Moines Sub-Total</b>	<b>\$ 330,470</b>	<b>\$ 422,000</b>	<b>\$ 336,000</b>	<b>\$ 376,000</b>
<b>Metro Based Organizations</b>				
Central Iowa Shelters & Services (\$12,000 for 5 yrs thru FY 17/18)	12,000	12,000	-	-
Friends of the Terrain Therapy Garden Project		-	-	5,000
Iowa Senior Games	10,000	10,000	10,000	10,000
Junior Achievement	10,000	5,000	5,000	5,000
<b>Metro Base Sub-Total</b>	<b>\$ 32,000</b>	<b>\$ 27,000</b>	<b>\$ 15,000</b>	<b>\$ 20,000</b>
<b>Total Expenses</b>	<b>\$ 4,088,555</b>	<b>\$ 4,066,987</b>	<b>\$ 4,050,143</b>	<b>\$ 4,540,500</b>
<b>Increase/(Decrease) In Fund Balance</b>	<b>\$ 53,628</b>	<b>\$ 113,173</b>	<b>\$ 249,857</b>	<b>\$ 9,500</b>
<b>Beginning Fund Balance</b>	<b>\$ 969,021</b>	<b>\$ 1,022,649</b>	<b>\$ 1,135,822</b>	<b>\$ 1,385,679</b>
<b>Ending Fund Balance</b>	<b>\$ 1,022,649</b>	<b>\$ 1,135,822</b>	<b>\$ 1,385,679</b>	<b>\$ 1,395,179</b>
<b>Accounts Payable (Sept Payments for 6/30 Receipts)</b>				
<b>Adjusted Ending Fund Balance</b>				

**Hotel Motel Tax  
FY 2019-20**

Date	Outside Organization	FY 19-20 Request	FY 19-20 Recommend
01/09/19	Tallgrass Theatre	12,000	10,000
01/09/19	WDM Chamber of Commerce/Development Connection	75,000	75,000
01/09/19	Iowa Senior Games ( Iowa Sports Foundation)	12,000	10,000
01/09/19	Des Moines Children's Museum	20,000	20,000
01/09/19	Friends of the Terrain Therapy Garden Project	25,000	5,000
01/16/19	WDM Historical Society	60,000	50,000
01/16/19	Eddie Davis Community Center	20,000	15,000
01/16/19	WDM Soccer Club	30,000	20,000
01/16/19	Innovation Collaboration Excellence (Valley Robotics Club)	10,000	2,500
01/16/19	Historic Valley Junction Foundation	150,000	125,000
01/23/19	Tiger Softball Club	2,000	2,000
01/23/19	Ballet Des Moines	19,000	16,500
01/23/19	Junior Achievement	5,000	5,000
01/23/19	WDM Girls Softball Association	30,000	25,000
01/23/19	West Des Moines Business Inubator	20,000-70,000	5,000
	National Speech and Debate Association	NA	NA
	<b>Total</b>	<b>540,000</b>	<b>386,000</b>