



AGENDA
REGULAR MEETING OF THE WINDSOR HEIGHTS CITY
COUNCIL
MONDAY, AUGUST 6, 2018 – 6:00 P.M.
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66Th ST

Notice to the Public: Full detail and supporting documents for each item can be found at www.windsorheights.org. If you do not have web /internet access, and would like the supporting documents and information, please call City Hall by noon the day of the meeting. You will need to pick up and pay for your copy by 4:15 p.m. per charges in the City Hall fee schedule. In consideration of all, if you have a cell phone, please turn it off or put it on silent ring. The use of obscene and vulgar language, hate speech, racial slurs, slanderous comments, and any other disruptive behavior during the Council meeting will not be tolerated and the offender may be barred by the presiding officer from further comment before the Council during the meeting and/or removed from the meeting.

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of the Agenda**
4. **Public Hearing (s):**
 - A. Public Hearing on Issuance of Senior Housing and Medical Clinic Revenue Bonds in the amount not to exceed \$7,000,000 for the Calvin Community Project
 - i. Resolution No.18-0832 A Resolution Approving the Issuance of Senior Housing and Medical Clinic Revenue Bonds, Calvin Community Project
 - B. Public Hearing on Amendments to Chapter 40 pertaining to the Walnut Creek Trail hours
5. **Public Forum:** This is time set aside for comments from the public on topics of City business other than those listed on the agenda. No action may be taken. Please come to the podium, state your name and address for the record and keep your comments to no more than 5 minutes.
6. **Consent Agenda:** Any item on the Consent Agenda may be removed for separate consideration.
 - A. Approve Minutes of the Regular Council Meeting on July 16, 2018
 - B. Approve Payment of Cash Disbursements
 - C. Approve Resolution No.18-0729, A Resolution approving a 28E Agreement with the City of Des Moines to provide the Section 8 Housing Program
 - D. Liquor License Renewal, Hy-Vee Market Café
 - E. Liquor License Renewal, Ridgemont
7. **Old Business:**
 - A. Discussion and Appropriate Follow Up on Custom City Newsletter
 - B. 2017 Sidewalk Project – Kingston Services
 - i. Resolution No.18-0833, A Resolution approving the 2017 Sidewalk Project Substantial Completion
 - ii. Approve Pay Request No. 11 in the amount of \$54,568.47
 - C. 2018 HMA Resurfacing – Grimes Asphalt & Paving Corporation
 - i. Approve Change Order No. 2 in the amount of \$6,467.50
 - ii. Approve Pay Request No. 3 in the amount of \$159,041.86
 - D. Discussion and Appropriate Follow Up on Special Events

8. **New Business:**
 - A. Discussion and Appropriate Follow Up on Automatic Traffic Enforcement (ATE) Revenues and Expenses for FY 2018-19
 - B. Discussion and Appropriate Follow Up on Tobacco Policies
 - C. Discussion and Appropriate Follow Up on possible expansion of the Metro Home Program
 - i. Approve Resolution No.18-0834, A Resolution Approving a Memorandum of Understanding Regarding the Metro Home Improvement Program
 - D. Discussion and Appropriate Follow Up on Storm Water Rate Analysis
9. **Reports: City Administrator/Mayor/Council/Board, Committee, Commission updates**
10. **Adjourn to 6:00 pm on Monday, August 20, 2018, for a Regular Council Meeting at the Council Chambers.**

The agenda was posted on the official bulletin boards and email on August 2, 2018, in compliance with the requirements of the open meetings law.

Council Packet Memo
August 2, 2018

4. PUBLIC HEARING (S)

A. Resolution Approving Issuance of Senior Housing and Medical Clinic Revenue Bonds for the Calvin Community Project: Attached you shall find a resolution approving conduit financing for Calvin Community. Staff, the City Attorney, Bond Counsel, and IPA recommend approval.

B. Public Hearing on amending Chapter 40 establishing hours the bike trail is open: Attached you shall find a prepared action form, which includes history, options and a staff recommendation. Staff recommends approving the use of trails in the City prohibited from 10:30 pm to 5:00 am and hold first reading on the ordinance amendment to section 40.08.01(3) on August 20, 2018.

6. CONSENT AGENDA

C. Approve 28E Agreement with DSM to provide Section 8 Housing: Attached you shall find a letter, 28E agreement, and an explanation from the City of Des Moines, which was requested by Council at the July 16th meeting. Legal and staff has reviewed and recommends approval.

7. OLD BUSINESS

A. Custom City Newsletter: Attached you shall find a prepared action form, which includes history, options and a staff recommendation. After Council discussion, if no additional information is needed, staff recommends approval of a monthly custom city newsletter from Akili.

B. 2017 Sidewalk Project – Kingston Services

i. A Resolution Approving Substantial Completion. Attached is the executed Substantial Completion Certificate. The Certificate indicates the City has acknowledged the contractor has met most of the contract requirements; thus the Project is Substantially Complete. Specific completion is of the sidewalk and driveway construction, signing and striping, retaining walls, intake construction and erosion control measures. Essentially, the sidewalk is open for users and its intended purpose. There remains some punch list items to be complete. See attached. Once complete, Bolton & Menk will review the work and upon acceptance will ask City Council to approve the project. Once acceptance has been done, the retainage amount would be sent after 30 days. Again, the 30 days starts after final acceptance not substantial completion.

ii. Approval of Pay Application No. 11 for Kingston Services for the Parking Lot Project in the amount of \$54,568.47: Kingston Services submitted the attached pay request for this project. The contract for this project is \$1,007,571.60. To date about ninety-four percent (94%) of the total project has been completed. This is not the final bill to complete the project. The contractor will seed in the fall; therefore will likely have some final quantity adjustments. Bolton & Menk and staff have inspected

the work and recommends holding 5% retainage and submitting payment of the remaining amount of \$54,568.47.

C. 2018 HMA Resurfacing Project - Grimes Asphalt & Paving Corporation

i. Approval of Change Order No. 2 increasing the contract amount by \$6,467.50: Grimes Asphalt and Paving Corporation submitted the attached change order request, which increases the contract due to additional subbase rock for full depth patches and an intake repair in the amount of \$6,467.50. Staff and BMI recommend approval.

ii. Approval of Pay Application No. 3 in the amount of \$159,041.86: Grimes Asphalt and Paving submitted the attached pay request for this project. The contract for this project is \$453,405.00. To date about ninety-five percent (95%) of the total project has been completed. Bolton & Menk and staff have inspected the work and recommends holding 5% retainage and submitting payment of the remaining amount of \$159,041.86.

D. Discussion and Appropriate Follow up on Special Events: Attached is a list of events with current and future dates for discussion.

8. NEW BUSINESS

A. Discussion and Appropriate Follow Up on Automatic Traffic Enforcement (ATE) Revenues and Expenses for FY 2018-19: Attached you shall find a prepared action form, which includes history, options and a staff recommendation. Staff recommends referring this back to staff to prepare a Resolution Authorizing the use of ATE Revenues to be expensed in FY 2018-19 per Council direction.

B. Discussion and Appropriate Follow up on Proposed Tobacco Policies: Attached you shall find a prepared action form, which includes history, options and a staff recommendation. Staff recommends referring to staff to prepare the appropriate documents for council consideration at an upcoming meeting per their direction.

C. Discussion and Appropriate Follow up on Memorandum of Understanding to possibly expand the Metro Home Program: Attached you shall find a prepared action form, which provides history, options and a staff recommendation. Also, you shall find a draft Resolution and Memorandum of Understanding to expanding the Metro Home Program for one year. Staff and the Development Committee recommend approval.

D. Discussion and Appropriate Follow up on the Storm Sewer Rate Analysis: Attached you shall find a prepared action form, which includes history, options and a staff recommendation. Schultz and staff recommend setting the public hearing and directing staff to prepare first reading to an ordinance with the proposed rate changes.

RESOLUTION NO. 18-0832

"PUBLIC HEARING AND RESOLUTION APPROVING PROCEEDING WITH THE ISSUANCE AND SALE OF SENIOR HOUSING AND MEDICAL CLINIC REVENUE BONDS (CALVIN COMMUNITY PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$7,000,000 OF THE CITY OF WINDSOR HEIGHTS, IOWA; THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN SAID CITY AND CALVIN COMMUNITY PROVIDING FOR THE REPAYMENT OF THE LOAN OF THE PROCEEDS OF SAID BONDS AND THE SECURING OF SAID REPAYMENT OBLIGATION; THE EXECUTION AND DELIVERY OF A PLEDGE AGREEMENT RELATING TO THE SECURITY INTEREST OF SAID BONDS; AND RELATED MATTERS."

WHEREAS, the City of Windsor Heights, Iowa, a political subdivision organized and existing under the Constitution and laws of the State of Iowa (the "Issuer"), is authorized by Chapter 419 of the Iowa Code, as amended (the "Act"), to issue revenue bonds for the purpose of defraying the cost of constructing and equipping a senior housing facility and a medical clinic, a "project", as that term is defined in the Act, including any land, buildings or improvements suitable for use as a facility for an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") and to refinance any existing indebtedness on a facility for a Tax Exempt Organization; and

WHEREAS, the Issuer has been requested by Calvin Community, an Iowa nonprofit corporation and a Tax Exempt Organization (the "Borrower"), to authorize and issue its bonds pursuant to the provisions of the Act for the purpose of (i) paying a portion of the costs of constructing and equipping a senior housing facility and a medical clinic (the "Project"), located at 4326 Hickman Road in Des Moines, Iowa within 8 miles of the boundaries of the Issuer and (ii) paying related costs, including costs of issuance of the Bonds; and

WHEREAS, pursuant to published notice of intention, this City Council has conducted a public hearing on this date, as required by Section 419.9 of the Act and Section 147(f) of the Code at the time and place as specified in said notice of hearing and any and all objections or other comments relating to such bonds have been heard; and

WHEREAS, the Issuer has determined to proceed with the issuance of not to exceed \$7,000,000 aggregate principal amount of Senior Housing and Medical Clinic Revenue Bonds (Calvin Community Project) Series 2018 (the "Bonds") to finance the costs of the Project and pay costs of issuance; and

WHEREAS, the Borrower has arranged for the sale of the Bonds to Great Western Bank (the "Purchaser").

NOW, THEREFORE, Be It Resolved by the City Council of the City of Windsor Heights, Iowa, as follows:

Section 1. It is hereby determined that it is necessary and advisable that the Issuer proceed with the issuance of its Senior Housing and Medical Clinic Revenue Bonds (Calvin Community Project) in an amount not to exceed \$7,000,000, as authorized and permitted by the Act, and to loan the proceeds of the sale of the Bonds to the Borrower all upon terms and conditions mutually satisfactory to the Issuer and the Borrower.

Section 2. At the public hearing conducted by this City Council, in accordance with the provisions of Section 419.9 of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, pursuant to published notice, all persons who appeared were given an opportunity to express their views for or against the proposal to issue said Bonds.

Section 3. It is hereby determined that any and all objections to the issuance of said Bonds are hereby overruled and this City Council shall proceed with the necessary proceedings relating to the issuance of said Bonds upon reasonable advance notice from the Borrower that satisfactory financing terms have been agreed upon with the proposed purchasers and the required documentation has been prepared by Bond Counsel, and approved by all other parties, including the Issuer.

Section 4. In order to provide for loaning the proceeds of the Bonds to the Borrower and to finance the costs of the Project and to pay costs of issuance, the Bonds are hereby authorized and ordered to be issued pursuant to the Loan Agreement (the "Loan Agreement") by and between the Issuer and the Borrower, in substantially the form as has been presented to this Council and containing substantially the terms and provisions set forth therein, with such changes therein as shall be approved by the officers of the Issuer executing the Bonds, and the forms, terms and provisions of the Bonds and the Loan Agreement are hereby approved, and the Mayor and the City Clerk are hereby authorized and directed to execute, attest, seal and deliver the Loan Agreement, and the Mayor and the City Clerk are further authorized and directed to execute, attest, seal and deliver the Bonds as provided in the Loan Agreement, including the use of facsimile signatures as therein provided; the Bonds shall be in an aggregate principal amount of not to exceed \$7,000,000 and shall bear interest at a variable interest rate determined in accordance with the Loan Agreement, shall be sold at such prices, shall mature on the dates and in the amounts and shall be subject to redemption on such dates and in such amounts as provided in the Loan Agreement. The execution and delivery by the Mayor and City Clerk of the Loan Agreement on behalf of the Issuer shall constitute approval by the Issuer of such interest rates, aggregate principal amount, and provisions thereof.

Section 5. Pursuant to a Pledge Agreement (the "Pledge Agreement") to be entered into between the Issuer and the Purchaser, the Issuer, among other things, will grant to the Purchaser a security interest in all of the Issuer's rights, title and interest in and to the Loan Agreement, including, but not limited to, the right to receive Loan Repayments (as defined in the Loan Agreement). A draft of the Pledge Agreement in substantially the form as has been presented to this Council and containing substantially the terms and provisions set forth therein, but with such changes therein as shall be approved by the officers executing the Pledge Agreement on behalf of the Issuer, is hereby authorized and approved and the form, terms and provisions of the Pledge Agreement are hereby approved, and the execution and delivery of the Pledge Agreement by the Mayor is hereby authorized and approved.

Section 6. The Tax Certificate and Agreement (the "Tax Certificate") among the Borrower and the Issuer, in substantially the form as has been presented to this Council and containing substantially the terms and provisions set forth therein, but with such changes therein as shall be approved by the officers executing the Tax Certificate on behalf of the Issuer, is hereby authorized and approved and the form, terms and provisions of the Tax Certificate are hereby approved, and the execution and delivery of the Tax Certificate by the Mayor or the City Clerk is hereby authorized and approved.

Section 7. The Bonds and interest and premium, if any, thereon shall never constitute a debt or indebtedness of the Issuer within the meaning of any constitutional or statutory provision or limitation and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, but the Bonds and interest and premium, if any, thereon shall be payable solely and only from the revenues derived from the Loan Agreement and the debt obligations of the Borrower thereunder; and no part of the cost of the Project will be payable out of the general funds or other contributions of the Issuer except the proceeds of the Bonds and any subsequent issues of bonds permitted under the Loan Agreement.

Section 8. Based upon data provided by the Purchaser, the amount necessary in each year to pay the principal of, premium, if any, and interest on the Bonds proposed to be issued is set forth in the Loan Agreement and the debt obligations of the Borrower thereunder insures that the Borrower is obligated to pay amounts sufficient to pay the principal of, premium, if any, and interest on the Bonds and the payment of such amounts by the Borrower pursuant to the Loan Agreement is hereby authorized, approved and confirmed.

Section 9. The Mayor and the City Clerk are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bonds and the execution and delivery of the Loan Agreement, the Tax Certificate and the Pledge Agreement, and to carry out the intent and purposes of this Resolution, including the preamble hereto; and the execution by the Mayor and, if required, the City Clerk, of the Bonds, the Loan Agreement, the Tax Certificate and the Pledge Agreement shall constitute conclusive evidence of their approval and this Council's approval thereof and of any and all changes, modifications, additions or deletions therein from the respective forms thereof now before this meeting.

Section 10. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as a "qualified tax exempt obligation" within the meaning of Section 265(b)(3) of the Code, the Issuer hereby makes the following factual statements and representations:

(A) The Issuer hereby designates the Bonds as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code;

(B) The reasonably anticipated amount of tax-exempt obligations (other than obligations described in clause (ii) of Section 265(b)(3)(c) of the Code) which will be issued by the Issuer (and all entities whose obligations will be aggregated with those of the Issuer) during this calendar year 2018 will not exceed \$10,000,000; and

(C) Not more than \$10,000,000 of obligations issued by the Issuer during this calendar year 2018 have been designated for purposes of Section 265(b)(3) of the Code.

The Issuer shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

Section 11. The provisions of this Resolution are hereby declared to be separable and if any action, phrase or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

Section 12. This Resolution shall become effective immediately upon its passage and approval.

Passed this 6th day of August, 2018.

CITY OF WINDSOR HEIGHTS, IOWA

(SEAL)

Mayor

Attest:

City Clerk

COUNCIL ACTION FORM

AGENDA ITEM: FIRST READING TO AN ORDINANCE AMENDING THE HOURS OF USE OF THE WALNUT CREEK TRAIL

HISTORY:

On June 13, 2018, a question arose through Council regarding the hours of use for the bike/walking trail along Walnut Creek. Contact was made with an elected official by someone using the trail after they were notified the trail was closed from sunset to sunrise. Sunset, according to the National Weather Service, for June 13th was 7:53 pm and the trail user indicated the time they were notified of the trail closure by law enforcement was around 8:30 pm.

Current City Code 40.08.01(3) prohibits any person from remaining in or on any City greenbelt trail, bike trail, or walking trail from sunset to sunrise. As a result of the inquiry, staff contacted other communities to determine hours of use for trails in other communities. The result of the polls were as follows:

- Des Moines – No limitations on use related to time of day;
- West Des Moines – Trails/Parks closed from 10:30 pm to 6:00 am;
- Clive – Trails/Parks closed from 10:00 pm to 6:00 am;
- Urbandale – Trails/Parks closed from 10:30 pm to 6:00 am.

As a result of the poll, and the varying time for sunset/sunrise, staff evaluated the option of recommending a change to City Code with regards to the hours of use for the trail. The current City Code 40.08.01 reads as follows:

40.08.01 PARK HOURS. *No person shall remain in any public park, community center, or City recreational facility during the periods of time set by this section unless special permission shall have been given by the City Administrator for such person or group of persons to remain there:*

1. *No person shall remain in or on any City park or the grounds thereof from 11:00 pm to 5:00 am (Sunday through Thursday).*
2. *No person shall remain in or on any City park or the grounds thereof from 12:00 midnight to 5:00 am (Friday and Saturday)*
3. *No person shall remain in or on any City greenbelt trail, bike trail, or walking trail from sunset to sunrise.*

Staff discussed factors related to the safety of those utilizing the trail and the hours the trail could be accessible. Some items of consideration included:

- Safety of those using the trail during night/low light hours;

Staff wants to ensure all residents and visitors using the trail are experiencing a safe and friendly environment for their recreational activities. Personal safety can become a concern with low light conditions, less traffic in the area, and increased transient/homeless persons using the trail and surrounding area as living space during the night. Some using the trail have recently reported some interaction with some of the transient population, as well as interactions with subjects who apparently have some mental health issues. Below are recent calls related to these issues:

- June 17, 2018 – Tent located along trail, unoccupied;
 - June 7, 2018 – Suspicious male on trail “popping out” and telling trail user he knew where the user lived;
 - May 10, 2018 – Report of someone driving on the trail every morning around 6:30 am;
- Safety of property surrounding the trail during night/low light hours;

Staff did have concerns related to safety of property surrounding the trail based on expanded/night/low light usage times. Public Works has recently experienced transient/homeless persons in the area of the Public Works shop. One subject made a comment to Public Works regarding the property stored behind the Public Works building.

Concerns also surround the residences along the trail if people are allowed to use the trail during night/low light hours. The police department has taken two residential burglary reports along the trail, on 75th, and a theft of a golf cart in July of 2017. Based on the investigations, officers believed the trail was the primary means of access to the properties affected by these crimes.

Based on the research of other communities, and the factors listed above, staff is comfortable with Council taking action to amend the City Code reflecting hours of use for the trail matching the hours of our neighbors in West Des Moines and Urbandale – closing the trail from 10:30 pm to 5:00 a.m. Staff would recommend against allowing use of the trail until midnight or 24-hours a day based on concerns noted above.

On July 16, 2018, Council reviewed the options for Trail Hours of Use. Council tabled the discussion pending answers to several questions as outlined below:

1. When was the Ordinance put into effect – when did staff start enforcing the code?
 - a. The date the Code was originally adopted is unknown.
 - b. The hours of use have always been enforced by patrol as they locate people on the trail after-hours. Staff is unaware of any citations being issued, only warnings thus far.
2. What impact will changing the hours have on staff?
 - a. Staff does not foresee any major impact on staff resulting from a change in the hours of use allowed for the trail.
3. Are there any additional safety issues Council should consider if expanding the hours (to say 12:00 a.m. to 5:00 a.m.)?
 - a. There are no fixed lights along the trail. The trail along Colby Park has ambient light from the park, but north of University to Hickman is dark. Extending the hours could allow for safety issues of those using the trail. Issues could include no light to see the trail; someone could take advantage of the darkness to harass those using the trail, and night hours allow more people to legally be in the dark areas behind the houses along the trail, which may lead to increased theft/vandalism.
4. Can you find out if they are giving citations in those other neighboring cities?
 - a. Clive – Issue warnings for violations of hours of use and they don't know they have ever issued a citation for the violation.
 - b. Urbandale – No attempt has been made to enforce the hours of use, and the Parks Department / City have no desire to enforce the ordinance.
 - c. West Des Moines – West Des Moines also issues warnings for violation of their hours of use. No known citations have been issued. **NOTE:** West Des Moines has history of calls involving sexual assaults and person crimes along the trails at night. In addition, West Des Moines added call boxes with emergency buttons along their trail in case someone needs help.
 - d. Des Moines – No prohibited hours of use.
5. What will be the costs to implementing the new code hours?
 - a. Staff does not foresee a cost related to implementing the new hours. Patrol is already on-duty, and unless an influx of problems arise that resulted in a significant time expenditure cost should not be an issue.

OPTIONS:

1. Vote on hours of use for trails in the City to include prohibiting such use from 10:30 pm to 5:00 am, and hold first reading on August 20, 2018 to an ordinance amendment to Code 40.08.01(3);
2. Vote on hours of use for trails in the City to allow for 24-hour use of trails, removing any prohibited use time frames, and hold first reading on August 20, 2018 to an ordinance amendment to Code 40.08.01(3);
3. Vote on hours of use for trails in the City to include prohibiting such use based on Council directive outside of option 1 or 2, and hold first reading on August 20, 2018 to an ordinance amendment to Code 40.08.01(3);
4. Take no action at this time.

STAFF RECOMMENDATION:

In order to be contiguous with the neighboring communities and the trail users, staff recommends amending City Code 40.08.01(3) to reflect use of trails in the City prohibited from 10:30 pm to 5:00 am.

Therefore, it is the recommendation of the City Administrator that Council approves Option #1, to vote on hours of use for trails in the City to include prohibiting such use from 10:30 pm to 5:00 am, and hold first reading on August 20, 2018 to an ordinance amendment to Code 40.08.01(3).

**City of Windsor Heights Regular Business Meeting Minutes
July 16, 2018- 6:00 p.m. Council Chambers**

1. Call to Order

Mayor Burgess called the meeting to order at 6:00 p.m.

2. Roll Call

Council members present: Michael Loffredo, Mike Jones, Joseph Jones and Threase Harms. Absent: Zachary Bales-Henry

Staff present: City Administrator Elizabeth Hansen, Deputy Clerk/Communications Specialist Jessica Vogel, Public Works Director Dalton Jacobus, Building and Zoning Official Sheilah Lizer, Park and Recreation Coordinator Michele Denkinger, City Attorney Matt Brick, and City Engineer Justin Ernst.

3. Approval of the Agenda

Mayor Burgess amended the agenda to remove item#8A. Threase Harms motioned to approve the agenda and Joseph Jones seconded the motion. After due consideration and discussion the roll was called. Motion passed unanimously on a roll call vote.

4. Report by Des Moines Water Works

Bill Stowe and Amy Kahler spoke on Windsor Heights and Des Moines Water Works relationship. Sue Huppert spoke on regionalization.

5. Public Comment:

Lauren Campbell, Chamber Board Member presented and provided a report of the 4th of July parade.

Michael Libbie, Chamber Executive Director spoke on Nights in the Heights and ACCE. Lunch and Learn on July 25th about University Avenue Re-Design.

Darren Skeries, 1441 64th, spoke on e-mails, communications, city administrator wages, fire department and flood issues.

Tracy Willits, 1911 76th St, spoke regarding flood issues and mitigation needs.

Eric Klein, Clive resident, spoke on debris in Walnut Creek.

Loffredo: Spoke on the flood and damage around the City.

Mike Jones: Spoke on Walnut Creek and having a conversation about flooding with surrounding communities.

Harms: Spoke on flooding issues, what the City can do, and volunteering.

6. Approval of the Consent Agenda:

Joseph Jones motioned and Threase Harms seconded the motion to approve the Consent Agenda with item#6D to be removed. After due consideration and discussion the roll was called. Motion passed unanimously on a roll call vote.

7. Old Business:

A. Approve Resolution No. 18-0627, A Resolution approving the City Administrator's appointment of City Clerk

Mike Jones and Joseph Jones seconded the motion to approve the resolution approving the appointment of City Clerk. Travis Cooke introduced himself to the Council. After due consideration and discussion the roll was called. Yays: Jones, Jones and Loffredo. Nays: Harms. Motion passed.

B. 2017 Sidewalk Project – Kingston Services

i. Approve pay request No. 10 in the amount of \$87,856.28

Joseph Jones and Mike Jones seconded the motion to approve pay request No.10 in the amount of \$87,856.28. After due consideration and discussion the roll was called. Motion passed unanimously on a roll call vote.

C. 2018 PCC Patching Project- Kingston Services

i. Approve pay request No. 1 in the amount of \$43,890

Threase Harms motioned and Michael Loffredo seconded the motion to approve the pay request No.1 in the amount of \$43,890. After due consideration and discussion the roll was called. Motion passed unanimously on a roll call vote.

D. 2018 HMA Resurfacing- Grimes Asphalt & Paving Corporation

i. Approve pay request No. 2 in the amount of \$91,913.31

Mike Jones motioned and Threase Harms seconded the motion to approve the pay request No.2 in the amount of \$91,913.31. After due consideration and discussion the roll was called. Motion passed unanimously on a roll call vote.

8. New Business:

A. Discussion and Appropriate Follow Up on Storm Water Analysis by UMB Bank

This item was removed for consideration on August 6, 2018.

B. Discussion and Appropriate Follow Up on Resolution No.18-0730 on approving the 28E agreement with Neighborhood Finance Corporation Housing Program

Stephanie Preusch, Executive Director for Neighborhood Finance Corporation provided answered some questions on the agreement. Joseph Jones motioned and Mike Jones seconded to approve the 28E agreement. After due consideration and discussion the roll was called. Motion passed unanimously on a roll call vote.

C. Discussion and Appropriate Follow Up on Chapter 40 pertaining to the Greenbelt Bike Trail hours

Joseph Jones motioned and Threase Harms seconded to set the public hearing for August 6, 2018 and direct staff to draft an amendment to Code 40.08.01(3) to reflect use of trails in the City based on Council directive. After due consideration and discussion the roll was called. Motion passed unanimously on a roll call vote.

D. Discussion and Appropriate Follow-Up on Resolution No.18-0731, A Resolution Approving the Temporary Waiver of Building Permit Fees for Flood Damaged Properties in Windsor Heights, Iowa

Mike Jones motioned and Michael Loffredo seconded to approve resolution 18-0731 to temporary waive building permit fees for flood damaged properties. After due consideration and discussion the roll was called. Motion passed unanimously on a roll call vote.

9. Reports:

City Administrator/Mayor/Council/Staff/Board, Committee, Commission updates

Joseph Jones: Working on Movies in the Park.

Loffredo: Nothing.

Mike Jones: Nothing.

Harms: Council Member Loffredo will be attending Metro Waste on Wednesday. Spoke on the elimination of the committees and the June 18th agenda.

10. Adjourn to Work Session immediately following the Regular Council Meeting at the Council Chambers.

Joseph Jones moved to approve and Michael Loffredo seconded the adjournment at 7:21 p.m. Motion approved unanimously on a roll call vote.

A. Work Session on Special Events

Council discussed a collaborative effort with the Chamber and Foundation as well with businesses within Windsor Heights. Council spoke on getting the events on the calendar. Relocating the fireworks to August 7th. Action items will be addressed on the next agenda. Work session ended at 7:50 p.m.

David Burgess, Mayor

ATTEST:

Jessica Vogel, Deputy City Clerk

City of Windsor Heights**Claims & Payroll****6/17-7/31/18**

AED ONE-STOP-SHOP	OP Supplies	91.95
AFLAC	AFLAC ACC-PRETX	599.74
AMERITAS LIFE INS. CORP.	VISION INS	334.32
ANKENY SANITATION	Garbage-Flood 2018 Mitigation	7,673.46
ARNOLD MOTOR SUPPLY	Gloves/Cleaning	66.45
AMERICAN TRAFFIC SOLUTIONS	ATE FEES	54,730.00
AUREON IT	Monthly IT	453
BAKER ELECTRIC INC.	Exterior Lighting CEC	2,788.44
BANKERS TRUST COMPANY	Bank fees	203.96
BENEFITS, INC	FLEX - BENEFITS	1826.9
BERGMAN, CATHY	Ball field reimbursement/Flood	100
BITUMINOUS MATERIALS	Street Supplies	175
BOLTON & MENK	2018 Street Rehabilitation/Sewer/General/l	58,593.00
BOOTS, SARAH	Office Supplies	17.06
BRAUCHT, JUDY	Pension	1,036.76
BRIGGS, ANDY	Ball field Reimbursement/Flood	100
CAPITAL CITY EQUIPMENT CO	Trackloader	1,799.00
CAPITAL CITY SLIDERS	Ball field reimbursement/Flood	70.1
CDW GOVERNMENT INC.	Supplies	78.72
CENTURY LINK	Monthly Phone	665.69
CINTAS	Medical supplies CEC	135.99
CONVENTION-VISITOR'S BUR	FY 2019 28E Agreement	1,500.00
COOKE,TRAVIS	Travel expenses	433.38
CRYSTAL CLEAR WATER CO.	Water	66
DAVE'S DOZING	Emergency Bike Trail Repair	12,700
DEPT OF PUBLIC DEFENSE	Range Training	75
DES MOINES REGISTER	Publications	491.65
DORSEY & WHITNEY LLP	Professional Services	3,196.50
FEDERAL TAX DEPOSIT	FED/FICA TAX	39,901.71
FENNER IRRIGATION	Sprinkler Repair@ Colby Park	320.1
FIRST CALL	Fuel	12.99
G & L CLOTHING	Clothing	114.26
GALLS QUARTERMASTER	OP Equipment/Supplies	447.43
GRIMES ASPHALT & PAVING	Asphalt	159,339.34
HANSEN, ELIZABETH	ILC Conference/Hotel	524.16
HOME DEPOT CREDIT SERVICES	OP supplies	22.22
HOTSY CLEANING SYSTEMS	Washer repair	240
HY-VEE ACCOUNTS RECEIVABLE	Plants for CEC & Park/FD Supplies	2,085.56
IA COMM. ASSURANCE POOL	General & Libility Insurance	55,356.59
ICMA	Annuities	1,503.68
ICMA RETIREMENT TRUST	Annuities	2,779.92
IOWA FIRE EQUIPMENT	Maintenance Check	184.73
IOWA LEAGUE OF CITIES	Clerk School	935
IOWA ONE CALL	Locates	71.1

IPERS	PROTECT IPERS	25,830.13
JACOBUS, DALTON	Cell Phone Reimbursement	200
KINGSTON SERVICES	2018 Sidewalk Project	54,568.47
KOCH BROTHERS	Office Supplies	374.07
KURTH, TIM	Cell Phone Reimbursement June	50
LEAF	Copier Agreement	173
LINCOLN NATIONAL LIFE	Annuity	110.49
MARTIN MARIETTA AGGREG.	Pipe bedding/Flood	1,501.30
MCCLUSKEY, CHAD	Moving Expense/ Relocation	5,000.00
METHODIST OCCUP HEALTH	Employment Screening	44
MIDAMERICAN ENERGY	Power	7077.94
MILLER, MICHAEL	Ball field reimbursement/Flood	50
MULCH MART LLC	Flood/Play Mat Colby Park	2,115.00
MUNICIPAL COLLECTIONS-AM	Collections	102
MVP PROSPECTS-TAI-DUONG	Ball field reimbursement/Flood	25
NAPA AUTO PARTS	Operating Supplies	119.99
NATIONWIDE RETIREMENT SOLUTION	Annuity	37.5
OVERHEAD DOOR COMPANY	Remote Transmitter	41
PALMER, HEIDI	Ball field reimbursement/Flood	50
PREMIER AUTOMOTIVE	A/C Maintence	130.4
PURCHASE POWER	Postage	208.99
QUEEN OF CLEAN, LLC	Spot Check and Cleaning	1310
RACOM CORPORATION	Communications	1951.91
RIGHTMAN PRINTING	July 2018 Newsletter	225
RICK'S TOWING AND TRANSP	Towing from 7100 Hickman	150
SAM'S CLUB DIRECT	Office Supplies	189.16
SANDSTOE, KIM	Ball field reimbursement/Flood	65
SENECA CORPORATION	Inspection of Lift	125
STANDARD INSURANCE COMPANY	EMP Insurance	1,147.81
STAR EQUIPMENT LTD	72' HYD Angle Broom	660
STIVERS FORD	Repair of 2015 Explorer	642.78
TEAMSTERS LOCAL 238	UNION DUES	689.16
TREASURER STATE OF IOWA	Indigent Defense Fees/State Tax	8,730.41
VERIZON WIRELESS	PD Toughbooks	570.07
WAL-MART	Office supplies	47.26
WELLMARK	Employee Insurance	37,983.49
WESTSIDE MECHANICS LLC.	Charge cooler tube	1,056.18
WIEDMAN, GARY	Sewer Repair	3,500.00
WINDSOR HEIGHTS, CITY OF	HEALTH PRETAX	3,712.88
WOODKE, MARCIA	Mileage	72.48
ZIMCO SUPPLY CO	50# Bag	630
ZWC CONDOMINIUM ASSOC	Condo Bldg. Insurance/Pest Control	817.06
PAYROLL CHECKS	PAYROLL CHECKS ON 7/27/2018	56,542.54
	CLAIMS TOTAL	632,468.33

GENERAL FUND	258,625.16
ROAD USE TAX FUND	25,930.98
EMPLOYEE BENEFITS FUND	40,160.61
POLICE PENSION FUND	1,036.76
2017/2018 CAPITAL PROJECTS FUND	57,463.97
UNIVERSITY AVENUE REDESIGN FUND	10,825.00
2018 HMA RESURFACING PROJECT FUND	191,100.36
SEWER FUND	9,126.55
LANDFILL/GARBAGE FUND	8,411.86
STORM WATER FUND	29,787.08
	<hr/>
	632,468.33

CHECK NO	DATE	EMP NO	PAY TO THE ORDER OF	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1			BANKERS TRUST	073000642			
1002	7/27/2018	100124	AMANDA A WOODS	1303.22			
1003	7/27/2018	100124	AMANDA A WOODS	400.00			
1004	7/27/2018	100124	AMANDA A WOODS	25.00			
1005	7/27/2018	100125	TAMMY L BREESE	1394.85			
1006	7/27/2018	100127	ROBBY L PEARSON	2142.48			
1007	7/27/2018	100141	DEREK L MEYER	2050.27			
1008	7/27/2018	100141	DEREK L MEYER	420.00			
1009	7/27/2018	100141	DEREK L MEYER	140.00			
1010	7/27/2018	100152	ANDREW S NISSEN	300.00			
1011	7/27/2018	100152	ANDREW S NISSEN	1580.96			
1012	7/27/2018	100154	CHAD E NORRIS	1779.72			
1013	7/27/2018	100157	MATTHEW PALMER	1845.92			
1014	7/27/2018	100159	JOSEPH ROETMAN	1791.55			
1015	7/27/2018	100162	MARK DAVISON	1810.18			
1016	7/27/2018	100164	MICHAEL IRLBECK	1671.56			
1017	7/27/2018	100165	CHRISTOPHER CLINGAN	1807.49			
1018	7/27/2018	100166	RYAN BOWERS	1642.96			
1019	7/27/2018	100167	KYLE JOHNSON	1568.23			
1020	7/27/2018	100169	ERIC CHAD MCCLUSKEY	2122.78			
1021	7/27/2018	400018	CLAYTON M GARCIA	4568.71			
1022	7/27/2018	400235	JAMES MEASE	330.74			
1023	7/27/2018	400241	KELLY MILLER	1044.07			
1024	7/27/2018	400251	NICHOLAS EVANS	1170.00			
1025	7/27/2018	400259	JEFF PRICE	1008.02			
1026	7/27/2018	400221	TIMOTHY F MAHER	309.63			
1027	7/27/2018	400229	GERRIT FOREMAN	726.85			
1028	7/27/2018	400238	SEAN LUNDE	135.41			
1029	7/27/2018	400242	SPENCER JOHNSON	135.41			
1030	7/27/2018	400252	JASON RUNGE	56.67			
1031	7/27/2018	400254	CHRISTOPHER WILLIAMS	136.00			
1032	7/27/2018	400255	JEREMY DIETCH	610.69			
1033	7/27/2018	400257	KYLE DYKSTRA	497.96			
1034	7/27/2018	400258	CHRISTIAN SETTLES	339.02			
1035	7/27/2018	400263	ZACHARY JONES	481.32			
1036	7/27/2018	400128	TIM R KURTH	1914.59			
1037	7/27/2018	100537	SHEILAH LIZER	1726.20			
1038	7/27/2018	100171	DANIEL MORGAN	979.28			
1039	7/27/2018	100183	PHILIP R NATIONS	41.65			
1040	7/27/2018	100183	PHILIP R NATIONS	791.28			
1041	7/27/2018	100195	CRAIG C STOECKER	10.00			
1042	7/27/2018	100195	CRAIG C STOECKER	1370.09			
1043	7/27/2018	100196	WILLIAM R GOODRICH	1486.31			
1044	7/27/2018	100226	DALTON JACOBUS	1572.79			
1045	7/27/2018	400158	DANIEL A SINCLAIR	240.90			
1046	7/27/2018	100534	SARAH BOOTS	588.69			
1047	7/27/2018	100541	OLIVIA DENKINGER	224.10			
1048	7/27/2018	100533	MICHELE DENKINGER	1364.50			
1049	7/27/2018	100519	DAVID J BURGESS	600.27			
1050	7/27/2018	100536	ELIZABETH HANSEN	200.00			
1051	7/27/2018	100536	ELIZABETH HANSEN	500.00			
1052	7/27/2018	100536	ELIZABETH HANSEN	250.00			
1053	7/27/2018	100536	ELIZABETH HANSEN	1999.30			
1054	7/27/2018	100543	TRAVIS COOKE	1014.83			

PRUPDT00 Tue Jul 24, 2018 5:00 PM *** CITY OF WINDSOR HEIGHTS IA *** OPER: MW PAGE 2
 06.01.18 PAID THROUGH 7/20/2018 CHECK REGISTER JRNL 2020
 CALENDAR 7/2018, FISCAL 1/2019 DATES 7/20/2018 --- 7/27/2018 2 PAY MONTH - LAST PAY

CHECK NO	DATE	EMP NO	PAY TO THE ORDER OF	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1055	7/27/2018	100525	MARCIA WOODKE	968.85			
1056	7/27/2018	100527	JESSICA VOGEL	1351.24			
			BANK TOTAL	56542.54			
			REPORT TOTAL	56542.54			



May 29, 2018

Dear Ms. Hansen:

Recently, you should have received a draft 28E agreement pertaining to future Section 8 payments. I wish to thank you for your patience and cooperation in this process. We received a number of comments and incorporated two major adjustments into the document, as well as a few minor ones. The first change limits the duration of the agreement to three years, with the option of extending the term by two additional three-year periods. The second major change was to add a paragraph defining "deficit" in terms of administering the Section 8 program.

Enclosed with this letter is an updated final version of the agreement. Please have it signed and notarized by your mayor and city clerk. I ask that you return it to me by June 15. Once the Des Moines City Council formally adopts it, we will send you a final copy.

If you have any questions or concerns, please do not hesitate to contact me at blfagen@dmgov.org or by phone at (515) 283-4271. Thank you for your time and attention on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Fagen", written over the printed name.

Robert Fagen
Finance Director

Attachment

CHAPTER 28E AGREEMENT

By and Between City of Windsor Heights, Iowa, and City of Des Moines, Iowa, Municipal Housing Agency, For Housing Choice Voucher Program (Section 8) Administration Payment

THIS AGREEMENT is entered into on this _____ day of _____, 2018, by and between the City of Windsor Heights, Iowa, a political subdivision of the State of Iowa (hereafter "Windsor Heights"), and the City of Des Moines, Iowa, Municipal Housing Agency, a public housing authority (hereafter "City").

WITNESSETH:

WHEREAS, the City provides administrative services and funding for the U.S. Department of Housing and Urban Development (HUD) Housing Choice Voucher Program (Section 8) (hereafter "Section 8" or "Section 8 Program") throughout Polk County; and

WHEREAS, there are 14 recipients of Section 8 vouchers located in Windsor Heights as of the effective date of this Agreement by which Windsor Heights receives the benefit of the City's services and funding, which number of recipients may fluctuate; and

WHEREAS, the City has requested and Windsor Heights has agreed that Windsor Heights will pay a portion of the City's annual deficit to administer the Section 8 Program, which amount shall reflect the population of, and number of Section 8 Program voucher recipients located in, Windsor Heights, in accordance with the terms of this Agreement.

NOW THEREFORE, Windsor Heights and the City (hereafter jointly referred to as "the parties") do hereby agree as follows:

Article I - Joint Exercise of Powers Under Chapter 28E of the Code of Iowa

1. Purpose – Payment for Section 8 Program Administration. Pursuant to Chapter 28E of the 2016 Code of Iowa, the parties do hereby agree that the sole purpose of this Agreement is to provide payment to City for the costs expended by City in administering the Section 8 Program to recipients located within the jurisdictional limits of Windsor Heights.

2. Effective Date and Duration. Pursuant to Section 28E.5 of the Code of Iowa, the parties agree that this Agreement shall be effective upon its approval and execution by both parties and its recording with the Secretary of State; and that the duration of this Agreement shall be for a period of three (3) years or until terminated in accordance with Paragraph 14. Windsor Heights and the City by mutual agreement may extend the term of this Agreement consistent with the provisions set forth herein, but not for more than two (2) additional three (3) year terms each.

3. Designated Administrator. The parties hereby agree that the City Manager of the City of Des Moines shall be designated as the administrator of this Agreement as provided by Section 28E.6 of the Code of Iowa.

4. No Entity. No separate entity is hereby created.

5. Individual Responsibility. Each party shall be solely authorized to supervise, direct, and manage its own activities and the activities of its respective employees and agents hereunder.

6. Funding. The City shall be solely responsible for any and all costs and expenses that are directly and indirectly related to the Section 8 Program, other than the costs to be paid by Windsor Heights to reimburse the City for administration located within Windsor Heights's jurisdiction as set forth in this Agreement.

7. Administration. The City shall be solely responsible for all administrative functions related to this Agreement and related to the Section 8 Program.

8. Deficit. An annual deficit of administering the Section 8 program occurs when the funding received by the City from HUD for the Section 8 program is less than the costs incurred by the City to administer the Section 8 program. These costs include, but are not limited to, salary and benefit costs of the personnel who administer the program; contractual costs including auditing fees and indirect costs; management and bookkeeping fees; advertising expenses; administrative and general expenses; travel expenses; and insurance premiums ("Section 8 Administration Costs").

Article II – Section 8 Project Administration Payment

9. Funding and Reimbursement of Costs by Windsor Heights. Windsor Heights shall reimburse the City for a portion of the City's annual deficit of administering the Section 8 Program in an amount that reflects the population of, and the number of Section 8 vouchers administered in, Windsor Heights, as set forth in this Article.

10. Timing of Invoice and Payment. Beginning in January 2019 and annually thereafter, the City will send an invoice to Windsor Heights setting forth the amount owed to City, which invoice shall be due and paid by Windsor Heights no later than March 1 of the same calendar year.¹ The invoice shall include a detailed itemization of the Section 8 Administration Costs.

11. Calculation of Amount Owed. The amount owed by Windsor Heights to City shall be calculated annually for the duration of this Agreement as follows and as shown in the example set forth in Exhibit A hereto:

Fifty percent (50%) of the amount owed = relative population of Windsor Heights²
Plus Twenty-five percent (25%) of the amount owed = percentage of vouchers held by Windsor Heights at midpoint of applicable fiscal year

¹ For example, an invoice provided in January 2019 shall be paid no later than March 1, 2019.

² To determine relative population of Windsor Heights, the number of residents of Windsor Heights stated in the latest U.S. Census Bureau is divided by the number of total residents in the greater Des Moines Metro area stated in the latest U.S. Census Bureau.

Plus Twenty-five percent (25%) of amount owed = percentage of vouchers held by Windsor Heights at end of applicable fiscal year

Equals Total Annual Amount Owed by Windsor Heights

Article III – General Provisions

12. Notices and Invoices. All notices, invoices, and payments which the parties are authorized or required to give one another pursuant to this Agreement shall be in writing and may be personally delivered or sent by ordinary mail to the addresses hereafter provided. Mailed notices and invoices shall be deemed to be received by the party to whom directed when they are postmarked. Such notices and invoices shall be delivered or mailed to the following persons at the addresses listed:

Notices to City:

City of Des Moines
c/o City Manager
400 Robert D. Ray Drive
Des Moines, IA 50309

Payments to City:

Des Moines Municipal Housing Agency
c/o Director
2309 Euclid Avenue
Des Moines, IA 50310

Notices and Invoices to Windsor Heights:

City of Windsor Heights
c/o City Administrator
1145 66th Street, Suite 1
Windsor Heights, IA 50324

13. Declaration of Default and Notice. In the event that either party determines that the other party has defaulted in the performance of its obligations hereunder, the aggrieved party may declare that default has occurred and give notice thereof to the defaulting party. Notice of default shall be given in writing, shall specify the nature of the default and the provision of the Agreement involved, and shall specify what action is required of the defaulting party to correct the default. The defaulting party shall have thirty (30) calendar days from the date of its receipt of the notice of default to correct the default. If at the end of said thirty (30) calendar-day period the default has not, in the opinion of the aggrieved party, been corrected, that party may terminate the Agreement as provided in Paragraph 14 of this Agreement.

14. Termination.

A. Either party may terminate this Agreement for default by the other party by giving written notice of termination, following notice and right to cure as set forth in Paragraph 13 above.

B. The City may terminate this Agreement in the event that (1) federal funding of the Section 8 Program is reduced, delayed, or eliminated for any reason, and/or (2) the City no longer administers the Section 8 Program for any reason.

C. Windsor Heights may terminate this Agreement in the event that no Section 8 Program vouchers are granted within the jurisdictional limits of Windsor Heights for a consecutive 3-calendar year period.

D. In any such event as set forth above, termination shall be effective on the thirtieth (30th) calendar day following the giving of notice.

15. Interpretation. If any section, provision or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision or part thereof not found to be invalid or unconstitutional.

16. Entire Agreement. This Agreement represents the entire agreement between Windsor Heights and the City related to the Section 8 Program. Any subsequent change or modification to the terms of this Agreement shall be in the form of a duly approved and executed amendment to this Agreement.

17. Governing Law, Attorney Fees and Court Costs. This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Iowa.

18. Co-Partnership Disclaimer. It is mutually understood that nothing in this Agreement is intended or shall be construed as in any way creating or establishing a partnership between the parties hereto, or as constituting either party as an agent or representative of the other for any purpose or in any manner, other than as specified herein.

Signed on this _____ day of _____, 20_____.

**CITY OF DES MOINES, IOWA
MUNICIPAL HOUSING AGENCY**

ATTEST:

Diane Rauh, City Clerk

T.M. Franklin Cownie, Mayor

APPROVED AS TO FORM:

Glenna K. Frank
Assistant City Attorney

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in the State of Iowa, personally appeared T.M. FRANKLIN COWNIE and DIANE RAUH, to me personally known, and who, being by me duly sworn did state that they are the Mayor and City Clerk, respectively, of City of Des Moines, Iowa, a municipal corporation; the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation and passed under Roll Call Number _____ of the Governing Board of the City of Des Moines, Municipal Housing Agency on the _____ day of _____, 2018, and that T.M. FRANKLIN COWNIE and DIANE RAUH acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in the State of Iowa

Signed on this _____ day of _____, 20____.

**CITY OF WINDSOR HEIGHTS,
IOWA**

ATTEST:

Marcia Woodke, City Clerk

David Burgess, Mayor

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this ____ day of _____, 2018, before me a Notary Public in and for said County, personally appeared David Burgess and Marcia Woodke to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively of the City of Windsor Heights, 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, 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 Public in the State of Iowa

Exhibit A

Population and Number of Section 8 Vouchers for Calculation						
	Population Jul 1, 2016		Section 8 Vouchers			
	#	%	Jan 1, 2017 #	%	Jun 30, 2017 #	%
City A	17,938	5.60%	50	1.93%	60	2.31%
City B	58,627	18.30%	80	3.09%	80	3.08%
City C	5,796	1.81%	10	0.39%	-	0.00%
City D	17,546	5.48%	20	0.77%	30	1.15%
City E	4,983	1.56%	130	5.02%	130	5.00%
Outside DSM	104,890	32.74%	290	11.20%	300	11.54%
Des Moines	215,472	67.26%	2,300	88.80%	2,300	88.46%
Total	320,362	100.00%	2,590	100.00%	2,600	100.00%

Population used is the latest estimate from the US Census Bureau.

Voucher numbers supplied by Des Moines Municipal Housing Agency at the mid-point and end of the fiscal year.

Amount to be Billed to Each Municipality	
Annual Section 8 Deficit:	\$ 100,000
Allocated by Population (50%):	\$ 50,000
Allocated by Mid Year Vouchers (25%):	\$ 25,000
Allocated by Ending Vouchers (25%):	\$ 25,000
City A	\$ 3,859
City B	\$ 10,692
City C	\$ 1,001
City D	\$ 3,220
City E	\$ 3,283
Outside DSM	\$ 22,054
Des Moines	\$ 77,946
Total	\$ 100,000

Elizabeth,

As per our conversation and your conversation with Bob Fagen, I am hoping this message can clarify the Section 8 allocation process. If not, we can proceed to meet as we discussed.

The initial step is determining whether there was a deficit for the fiscal year in the Section 8. The simple definition of this is when the cost of administering the program was greater than what we received from HUD in revenues. A fuller definition is in the 28E agreement:

“An annual deficit of administering the Section 8 program occurs when the funding received by the City from HUD for the Section 8 program is less than the costs incurred by the City to administer the Section 8 program. These costs include, but are not limited to, salary and benefit costs of the personnel who administer the program; contractual costs including auditing fees and indirect costs; management and bookkeeping fees; advertising expenses; administrative and general expenses; travel expenses; and insurance premiums.”

So, for FY2017, we received revenues of \$2,308,282 from HUD and incurred expenses of \$2,370,526, resulting in an actual deficit of \$62,244.

Once the deficit has been calculated the allocation process can begin. As shown in Section 11 of the agreement, 50% of the deficit is allocated based on each city's population in Polk County for the previous year. We have to use the previous year because that is always the latest available. The rest of the deficit is allocated based on the number of vouchers issued in each city: 25% based on the number at the middle of the year and 25% based on the number at the end of the year. These allocations are then combined, resulting in the total allocation for each city.

To apply this to the FY2017 deficit, **\$31,122 (50%)** was allocated to all participating cities based on population from 2016; **\$15,561 (25%)** was allocated based on the number of vouchers on January 1, 2017; and **\$15,561 (25%)** was allocated based on the number of vouchers on June 30, 2017.

The Polk County population of participating cities as of July 1, 2016 was 478,069. The total number of vouchers was 2,923 on January 1, 2017, and 2,931 on June 30. For Windsor Heights, the population was 4,983, and the voucher amounts were 16 and 14.

Here is how this applies to the calculation for **Windsor Heights**:

Population:	$4,983 / 478,069 = 1.04\%$ $1.04\% \times \$31,122 = \324.39
Vouchers on Jan 1:	$16 / 2,923 = 0.55\%$ $0.55\% \times \$15,561 = \85.18
Vouchers on Jun 30:	$14 / 2,931 = 0.48\%$ $0.48\% \times \$15,561 = \74.33
Total Allocation:	$\\$324.39 + \\$85.18 + \\$74.33 = \\483.90

By way of comparison, **Des Moines** had a population of 215,472, and voucher amounts of 2,360 and 2,378. Here is the calculation:

Population:	215,472 / 478,069 = 45.07%
	45.07% x \$31,122 = \$14,027.10
Vouchers on Jan 1:	2,360 / 2,923 = 80.74%
	80.74% x \$15,561 = \$12,563.79
Vouchers on Jun 30:	2,378 / 2,931 = 81.13%
	81.13% x \$15,561 = \$12,625.06
Total Allocation:	\$14,027.10 + \$12,563.79 + \$12,625.06 = <u>\$39,215.95</u>

The example that was attached to the 28E agreement was not for any specific cities. Instead, I used fictional numbers to illustrate the process. The designations of City A through City E did not refer to specific cities.

I hope this explanation is helpful. Please let Bob or I know if this will be sufficient or if you still will need us to attend the August 6 council meeting. Thank you.

Jay Carlson

Resolution No. 18-0729**RESOLUTION APPROVING A 28E AGREEMENT WITH CITY OF DES MOINES,
MUNICIPAL HOUSING AGENCY FOR HOUSING CHOICE VOUCHER PROGRAM
(SECTION 8) ADMINISTRATION PAYMENT**

WHEREAS, the City of Des Moines Municipal Housing Agency provides administrative services and funding for the U.S. Department of Housing and Urban Development (HUD) Housing Choice Voucher Program (Section 8) (hereafter "Section 8" or "Section 8 Program") throughout Polk County; and

WHEREAS, there are 14 recipients of Section 8 vouchers located in Windsor Heights as of the effective date of the Agreement, by which Windsor Heights receives the benefit of the City of Des Moines' services and funding, which number of recipients may fluctuate; and

WHEREAS, the City of Des Moines has requested that all cities in Polk County, including Windsor Heights, pay a portion of the City of Des Moines' annual deficit to administer the Section 8 Program, which amount shall reflect the population of, and number of Section 8 Program voucher recipients located in, Windsor Heights, in accordance with the terms of the Agreement; and

WHEREAS, the City Council of Windsor Heights has determined it to be in the best interest of the public and in support of the health, safety and general welfare of its citizens, to participate in the Agreement and support the funding of the Section 8 Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windsor Heights, Iowa, that the City Council approves the attached 28E agreement with the City of Des Moines, Municipal Housing Agency, For Housing Choice Voucher Program (Section 8) Administration Payment.

Passed and Approved this 6th day of August, 2018.

Dave Burgess, Mayor

Attest: Travis Cooke, City Clerk

Applicant License Application (LC0041147)

Name of Applicant: <u>Hy-Vee, Inc.</u>		
Name of Business (DBA): <u>Hy-Vee Market Cafe</u>		
Address of Premises: <u>7101 University Ave</u>		
City <u>Windsor Heights</u>	County: <u>Polk</u>	Zip: <u>50324</u>
Business <u>(515) 279-4225</u>		
Mailing <u>5820 Westown Pkwy</u>		
City <u>West Des Moines</u>	State <u>IA</u>	Zip: <u>50266</u>

Contact Person

Name Jackie Russo	
Phone: (515) 267-2874	Email jrusso@hy-vee.com

Classification Class C Liquor License (LC) (Commercial)
Term: 12 months
Effective Date: 09/01/2018
Expiration Date: 08/31/2019
Privileges:
Catering Privilege
Class C Liquor License (LC) (Commercial)
Outdoor Service
Sunday Sales
Status of Business

BusinessType: <u>Privately Held Corporation</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</u>

Ownership
Randy Edeker

First Name: <u>Randy</u>	Last Name: <u>Edeker</u>	
City: <u>Urbandale</u>	State: <u>Iowa</u>	Zip: <u>50322</u>
Position: <u>CEO, President</u>		
% of Ownership: <u>0.00%</u>	U.S. Citizen: <u>Yes</u>	

Stephen Meyer

First Name: <u>Stephen</u>	Last Name: <u>Meyer</u>	
City: <u>Des Moines</u>	State: <u>Iowa</u>	Zip: <u>50309</u>
Position: <u>Executive VP, Secretary</u>		
% of Ownership: <u>0.00%</u>	U.S. Citizen: <u>Yes</u>	

Michael Skokan

First Name: <u>Michael</u>	Last Name: <u>Skokan</u>
-----------------------------------	---------------------------------

City: Waukee **State:** Iowa **Zip:** 50263
Position: CFO, Treasurer
% of Ownership: 0.00% **U.S. Citizen:** **Yes**
Jeffrey Pierce
First Name: Jeffrey **Last Name:** Pierce
City: Waukee **State:** Iowa **Zip:** 50263
Position: Ass't Treasurer, Financial
% of Ownership: 0.00% **U.S. Citizen:** **Yes**

Insurance Company Information

Insurance Company: <u>DAKOTA FIRE INSURANCE COMPANY</u>	
Policy Effective Date: <u>09/01/2018</u>	Policy Expiration <u>09/01/2019</u>
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

Applicant License Application (LC0040663)

Name of Applicant: <u>Midwest Associates Brokerage</u>		
Name of Business (DBA): <u>Ridgemont</u>		
Address of Premises: <u>7460 Hickman Rd</u>		
City <u>Windsor Heights</u>	County: <u>Polk</u>	Zip: <u>50324</u>
Business <u>(515) 344-1125</u>		
Mailing <u>7460 Hickman Rd</u>		
City <u>Windsor Heights</u>	State <u>IA</u>	Zip: <u>50324</u>

Contact Person

Name Sean Stevens	
Phone: (515) 344-1125	Email seanstevens2727@gmail.com

Classification Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 07/20/2018

Expiration Date: 03/03/2019

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: <u>Limited Liability Company</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

Sean Stevens

First Name: <u>Sean</u>	Last Name: <u>Stevens</u>	
City: <u>Urbandale</u>	State: <u>Iowa</u>	Zip: <u>50322</u>
Position: <u>member</u>		
% of Ownership: <u>50.00%</u>	U.S. Citizen: <u>Yes</u>	

Dora Stevens

First Name: <u>Dora</u>	Last Name: <u>Stevens</u>	
City: <u>Urbandale</u>	State: <u>Iowa</u>	Zip: <u>50322</u>
Position: <u>member</u>		
% of Ownership: <u>50.00%</u>	U.S. Citizen: <u>Yes</u>	

Insurance Company Information

Insurance Company: <u>Founders Insurance Company</u>	
Policy Effective Date: <u>03/04/2018</u>	Policy Expiration <u>03/04/2019</u>

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

ITEM #7A

DATE:

COUNCIL ACTION FORM

AGENDA ITEM: Discussion and Appropriate Follow Up on Custom City Newsletter

HISTORY:

In January of 2010, the City began to use The Windsor Heights Living Magazine as a way to distribute a newsletter to its residents. Windsor Heights Living allowed the city to reach every household in Windsor Heights. In March 2018, Council chose to discontinue the newsletter in the Windsor Heights Living Magazine. The Windsor Heights Living Magazine contract for the next year would have been \$9,158/year.

The Des Moines Water Works (DMWW) newsletter is delivered to residents who receive their water bill in the mail. Eleven issues are included in the water billing (1,925 paper newsletters to be specific), sent out from DMWW at a cost of \$2,530/year. Those residents utilizing electronic billing do not receive the DMWW newsletter. This practice is clearly missing a significant number of the citizens of Windsor Heights. In addition, the senior living communities only receive one water bill for the entire complex, which is a significant number of citizens that the City is failing to reach.

Using the DMWW newsletter is further complicated by the DMWW annual water quality report. This is a mandatory report and the city's newsletter cannot be combined in the June mailing. This leaves a month with no print version for the City.

PURPOSE:

The staff is proposing to eliminate the DMWW newsletter and create a custom Windsor Heights City newsletter. This modification would allow the City to have better control of the appearance, character and most importantly, the release date of the communication. The city currently does not have a print newsletter that reaches every person in Windsor Heights. This new source would reach every physical address.

For the first year, every address in Windsor Heights would receive a mailed newsletter. The staff proposes that the twelfth issue include a postcard that residents can return to the city allowing them to provide feedback, and also give them an opportunity to opt out of the printed newsletter if they so choose. This would afford residents the option to continue with the mailed newsletter, or to receive the electronic newsletter. In the last thirty days, we have gained twenty-four new subscribers for the electronic newsletters and our total number of contacts is 1,474. Assuming this trend continues, it would result in fewer printed newsletters, and be more economical in the future. This provides the city an avenue to manage future costs as well as provide consistency and personal convenience to each resident. Staff will continue to post the newsletter electronically on our website and promote our additional electronic communication sources.

DISTRIBUTION DATE:

Currently, the DMWW newsletter is delivered to a printing company. The printer allows a week for printing and then delivers before the 1st of the month. Des Moines Water Works mails the water bills in different rounds between the 1st- 5th of each month. Therefore, some residents receive the newsletter in a timely manner, and some could receive it nine days later. For example, if the DMWW newsletter is delivered to the printer on July 23rd, on July 30th the printer

delivers to Des Moines Water Works, and then DMWW mails it anywhere between the 1st and the 5th. Some residents receive their bills around the 9th of the month, which means that it has been approximately three weeks since the newsletter was finalized.

With the proposed custom newsletter, the company would only need one week, and the newsletters would be released on the 1st of the month. For example, the newsletter will be delivered to the company on July 26th and mailed out on the 1st. This would allow for the content to be timelier and the newsletter to be received at the same time by each resident. In addition, the new timeline would allow information from both council meetings. The DMWW newsletter did not offer this continuity; Information from the 2nd council meeting would be pushed to the next newsletter and diminish the timeliness of valuable content.

CONTENT AND DESIGN SCHEDULE:

The newsletter will be four pages full color, 11x17 folded to 8.5x11. The format and design will be a new look. The newsletters will be distributed to all residents or all residents, business and the schools within Windsor Heights.

The staff would receive department updates by the 15th of the month, allowing them to be included in the newsletter for the following month. The staff requests city-affiliated organizations such as Keep Windsor Heights Beautiful, Windsor Heights Foundation, Windsor Heights Chamber of Commerce and Walnut Creek Watershed Coalition, to also provide any articles they would like in our newsletter by the 15th of the month. This timeframe will provide sufficient time to edit and format the information that has been provided. Staff will decide placement of the articles by priority and collaborate with the designer on formatting and design.

In the newsletter, staff would promote events the City is affiliated with, either as a partner or as a guest speaker. An example of an included event would be Nights in the Heights, as the City is partnering with the Windsor Heights Foundation. Other types of content may include project updates, calendar of events, recent news, budget updates and other departmental news.

The staff reached out to the Metro Communicators List Serve, inquiring who used a newsletter and what type of content was included. The cities follow the general rule of city-affiliated news and events.

City	Comment
Ankeny	Ankeny does not do a printed newsletter. They send the Ankeny Source out annually which is a magazine partnership with Big Green Umbrella. They also use e-notify through our website to send news and calendar items as well as Facebook, Twitter and NextDoor.
Bettendorf	Bettendorf does print a newsletter that is mailed to residents. They print City View twice a year, spring/summer and fall/winter.
Dubuque	Dubuque has a four-page newsletter distributed every other month in their utility bills (and a link to it is provided in electronic bills).
Johnston	Johnston Living – Monthly center spread. Each spring they have a 4-page insert about our spring clean-up efforts. City E-Newsletter – A weekly e-newsletter is sent out every Thursday morning and also monthly (the first of each month)

	<p>through Constant Contact.</p> <p>Utility Bills – Every month they add a message to the utility bills.</p> <p>Johnston/Urbandale Register – They send items to the Register about events/programs/activities going on in the community This is published every Tuesday and Friday.</p> <p>Johnston Adviser – This is published through the Big Green Umbrella and distributed throughout the city each week. They publish events/activities/programs going on.</p>
Waukee	<p>Waukee Living – monthly centerspread newsletter</p> <p>MyWaukee Magazine – bi-monthly two-page feature article</p> <p>City E-newsletter (Constant Contact) – bi-monthly</p> <p>Parks & Rec E-newsletter (ConstantContact) – monthly</p> <p>Waukee has utility bill inserts as they need them, but they are not usually full newsletters.</p>
Urbandale	<p>Urbandale Business Connection, which is a center spread that runs in the Business Record every month, very business-focused Urbandale news.</p> <p>Parks & Recreation e-newsletter, monthly</p> <p>Economic Development e-newsletter, usually every other month.</p> <p>Water bill inserts as needed (6-8 per year).</p> <p>This year Urbandale plans to launch/test/pilot an “annual report” magazine that is mailed to everyone, would be similar to Ankeny’s Source but designed in-house so they can have better control of the look, feel, and content.</p> <p>Mailed Newsletters.</p>

Staff is providing four pricing quotes. The quotes include design, layout, printing, postage, and mailing.

Quotes	Company	Monthly Cost	Yearly Total
Quote #1	Akili Design and Marketing	\$937.87- residents only (without copyediting)	\$11,254.44
Quote#2	Akili Design and Marketing	\$1,080.37- residents and businesses (without copyediting)	\$12,964.76
Quote #3	TwoTone Creative	\$1,303.24	\$15,638.88
Quote #4	JM impressions	\$1220	\$14,890.00 plus the one-time fee of \$250
Quote #5	Saturday MFG	\$1,745	\$22,140 plus the one-time fee of \$1,200 for a total

OPTIONS:

1. Accept the lowest quote from Akili Design and Marketing in the amount of \$11,254.44.

2. Accept the quote from Akili Design and Marketing that includes residents and businesses in the amount of \$12,964.76.
3. Choose an alternate quote provided.
4. Reject quote and ask staff to look into other alternatives.
5. Reject quotes and do nothing at this time and rebid it next year.

STAFF RECOMMENDATIONS:

Per our recent 2016 and 2017 Citizen Surveys, the newsletters were the number one source of information. To reach all of our residents, businesses and schools, a customized newsletter is the best solution. Furthermore, Akili Design and Marketing is located in Windsor Heights and has an excellent reputation.

Therefore, it is the recommendation of the City Administrator that Council approves: Quote#1, accepting the quote from Akili Design and Marketing in the amount of \$11,254.44 or Quote#2 accepting the quote from Akili Design and Marketing in the amount of \$12,964.76.



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Item#7B.i

309 E 5th Street
Suite 202
Des Moines, IA 50309-1981

Ph: (515) 259-9190
Fax: (515) 233-4430
Bolton-Menk.com

CERTIFICATE OF SUBSTANTIAL COMPLETION

DATE OF ISSUANCE July 31, 2018

OWNER City of Windsor Heights

CONTRACTOR Kingston Services

Contract:

Project: 2017 Sidewalk Improvement

OWNER'S Contract No.

ENGINEER'S Project No. A13.113494

This Certificate of Substantial Completion applies to all Work under the Contract Documents or to the following specified parts thereof:

Substantial completion includes all sidewalk construction, driveway construction, signing, and striping, retaining walls, intake construction and erosion control measures.

The sidewalk can be used for its intended purpose

To City of Windsor Heights

OWNER

And To Kingston Services

CONTRACTOR

The Work to which this Certificate applies has been inspected by authorized representatives of OWNER, CONTRACTOR, and ENGINEER, and that Work is hereby declared to be substantially complete in accordance with the Contract Documents on:

July 17, 2018

DATE OF SUBSTANTIAL COMPLETION

A tentative list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include an item in it does not alter the responsibility of CONTRACTOR to complete all Work in accordance with the Contract Documents.

EJCDC No. 1910-8-D (1996 Edition)

Prepared by the Engineers' Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

Bolton & Menk is an equal opportunity employer.



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309 E 5th Street
Suite 202
Des Moines, IA 50309-1981

Ph: (515) 259-9190
Fax: (515) 233-4430
Bolton-Menk.com

The following documents are attached to and made part of this Certificate:
Punchlist

This certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of CONTRACTOR's obligation to complete the Work in accordance with the Contract Documents.

Executed by ENGINEER on July 31, 2018
Date

Bolton & Menk, Inc.
ENGINEER
By: 
(Authorized Signature)

CONTRACTOR accepts this Certificate of Substantial Completion on July 17, 2018
Date

Kingston Services
CONTRACTOR
By: 
(Authorized Signature)

OWNER accepts this Certificate of Substantial Completion on _____
Date

OWNER
By: _____
(Authorized Signature)



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PUNCH LIST

Owner: City of Windsor Heights, IA **Date of Current Issue:** 7-27-2018

Project: 2017 Sidewalk Improvements **Date of Original Issue:** 5-22-2018

Owner Project No.: _____ **Comp. Date:** **Substantial** July 17, 2018 **Final** _____

Contractor: Kingston Services **BMI Project No.:** A13113494

Date(s) of Inspection(s): 5-17-2018 & 5-18-2018, 7-24-2018

Below is a partial list of items, which must be completed or corrected prior to final acceptance of the subject project. This list may not be final, additional items may be added at a later date.

Item No.	Reference	Item Description	Current Status	Accepted	
				By	Date
1	All	Seal driveway joints.	Not complete		
2	All	Thatch all yards.	Not complete		
3	Corner of 73 rd & Del Matro	Remove rocks from both corners, fill ruts, and seed.	Not complete		
4	7219 Del Matro	Remove rocks from yard and seed.	Not complete		
5	7218 Del Matro	Pick rocks, add fill in areas settled around driveway, and seed.	Not complete		
6	7214 Del Matro	Add fill in areas settled around driveway and seed. Overseed yard.	Not complete		
7	7208 Del Matro	Remove rocks in yard, remove weeds, add fill in settled areas around driveway, and overseed.	Not complete		
8	7200 Del Matro	Add fill in areas settled around driveway and seed. Remove rocks and overseed yard.	Not complete		
9	7122 Del Matro	Add fill in areas settled in yard and around driveway and seed. Remove rocks and overseed yard.	Not complete		
10	7118 Del Matro	Add fill in areas settled around driveway and seed.	Not complete		
11	7114 Del Matro	Replace cracked sidewalk panels. Regrade, remove rocks, and seed around curb stop.	Not complete		

**PUNCH LIST**

Owner: City of Windsor Heights, IA
Project: 2017 Sidewalk Improvements
Project No.: A13113494

Item No.	Reference	Item Description	Current Status	Accepted	
				By	Date
12	7108 Del Matro	Replace cracked sidewalk panel, west of driveway. Remove rocks in yard, backfill around driveway, and overseed.	Not complete		
13	7104 Del Matro	Regrade, remove rocks, and seed around curb stop.	Not complete		
14	7022 Del Matro	Regrade, remove rocks, and seed around curb stop. Add fill in areas settled around driveway and seed. Remove buried rock in yard. Route & seal crack in west side driveway flare.	Not complete		
15	7018 Del Matro	Add fill along front edge of sidewalk and overseed yard.	Not complete		
16	7014 Del Matro	Remove rocks in yard/along sidewalk and seed.	Not complete		
17	7008 Del Matro	Remove sidewalk panels west of driveway, due to settlement. Add fill in areas settled around driveway and seed. Seed around outlet pop-up grate in yard.	Not complete		
18	7004 Del Matro	Add fill in areas settled around driveway & sidewalk and seed. Remove rocks, add fill behind curb, and seed.	Not complete		
19	70 th & Del Matro	Replace settled turning space sidewalk panel at SE corner.	Not complete		
20	6926 Del Matro	Add fill in areas settled around driveway and seed. Seed around curb stop.	Not complete		
21	6916 Del Matro	Remove rocks, add fill, and seed in areas settled around driveway. Add fill along sidewalk edge and seed. Route & seal cracks in driveway.	Not complete		
22	6826 Del Matro	Add fill in areas settled around driveway & sidewalk and seed. Remove rocks in yard and overseed.	Not complete		
23	6816 Del Matro	Add fill in areas settled around driveway and seed. Seed along back of curb. Route & sea crack in curb flares.	Not complete		
24	6804 Del Matro	Add fill in areas settled around driveway and seed. Remove rocks in yard and overseed.	Not complete		



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PUNCH LIST

Owner: City of Windsor Heights, IA
Project: 2017 Sidewalk Improvements
Project No.: A13113494

Item No.	Reference	Item Description	Current Status	Accepted	
				By	Date
25	SE Corner of 68 th	Remove rocks and overseed.	Not complete		
26	6716 Del Matro	Add fill in areas settled around driveway and seed. Route & seal joint in driveway flare.	Not complete		
27	6708 Del Matro	Add fill in areas settled around driveway and seed. Add fill around curb stop and seed. Remove rocks in yard.	Not complete		
28	6704 Del Matro	Add fill in areas settled around driveway and seed. Remove rocks in yard and overseed. Remove west driveway flare due to crack.	Not complete		
29	SW Corner of Del Matro Ct.	Replace turning space sidewalk panel.	Not complete		
30	SE Corner of Del Matro Ct.	Cut back and replace curbs at the ADA ramp.	Not complete		
31	6616 Del Matro	Remove rocks in yard. Add fill in areas settled around driveway and seed. Add fill along sidewalk edge and seed.	Not complete		
32	6608 Del Matro	Replace east half of driveway, due to settlement. Remove rocks along curb and seed.	Not complete		
33	6604 Del Matro	Add fill in areas settled around driveway and seed. Remove rocks in yard and seed. Overseed yard.	Not complete		
34	SW Corner of 66 th	Ramp out of compliance, remove and replace. Fill behind curb and seed.	Not complete		
35	SW Corner of 66 th	Curb holding water at ramp, lower intake to get more grade.	Not complete		
36	6530 Del Matro	Remove rocks in yard and overseed.	Not complete.		
37	6510 Del Matro	Add fill in areas settled around driveway and seed. Remove rocks in yard, and overseed.	Not complete		
38	6506 Del Matro	Add fill in areas settled around driveway and seed. Remove rocks in yard, and overseed.	Not complete		
39	6502 Del Matro	Add fill in areas settled around driveway and seed. Remove rocks in yard, and overseed.	Not complete		

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PUNCH LISTOwner: City of Windsor Heights, IA
Project: 2017 Sidewalk Improvements
Project No.: A13113494

Item No.	Reference	Item Description	Current Status	Accepted	
				By	Date
40	6420 Del Matro	Add fill in areas settled around driveway and seed. Overseed yard.	Not complete		
41	6416 Del Matro	Add fill in areas settled around driveway and seed.	Not complete		
42	6412 Del Matro	Add fill in areas settled around driveway and seed. Add fill along sidewalk edge and seed.	Not complete		
43	6408 Del Matro	Add fill along sidewalk edge and seed. Overseed yard.	Not complete		
44	6404 Del Matro	Add fill in areas settled around driveway and seed. Add fill along sidewalk edge and seed.	Not complete		
45	NW & SW corner of 64 th	Add fill around curb lines and seed.	Not complete		
46	64 th St.	Re-seed all yards.	Not complete		
47	64 TH St	Add fill in areas settled around driveway and seed at the following locations: 1537, 1523, 1517, 1513, 1509, 1507, 1501, 1449, 1439, 1437, 1427, 1423, 1407, 1401, 1339, 1317, 1315, 1313, 1303, 1227, 1225, 1213, & 1205.	Not complete		
48	64 th St.	Overseed following yards: 1545, 1537, 1523, 1515, 1513, 1509, 1507, 1501, 1449, 1441, 1439, 1437, 1427, 1423, 1419, 1415, & 1411.	Not complete		
49	64 th St.	Remove rocks from following yards: 1537, 1523, 1509/1507, 1501, 1449, 1427, NE corner of Colby, 1423, 1419, 1415, 1407, 1403, 1401, 1339, 1317, 1315, 1311, 1303, 1231, 1227, 1225, 1213, 1205, 1201, NE & NW corners of University.	Not complete		
50	64 th St.	Add fill along sidewalk edge and seed at following locations: 1545, 1537, 1523, 1517, 1509, 1501, 1423, 1419, 1407, 1403, 1401, 1339, 1321, 1317, 1315, 1313, 1303, 1227, 1205, & 1201.	Not complete		
51	64 th St.	Adjust curb stop to finished grade: 1513, 1441, 1423, 1339, 1321, 1311, 1231, & 1213.	Not complete		
52	64 th St.	Seed from 1407 64 th St. to University Ave.	Not complete		



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PUNCH LIST

Owner: City of Windsor Heights, IA
Project: 2017 Sidewalk Improvements
Project No.: A13113494

Item No.	Reference	Item Description	Current Status	Accepted	
				By	Date
53	64 th St.	Route & seal driveway flare cracks at the following locations: 1515, 1513, 1411, 1407, 1403, & 1303.			
54	1449 64 th St.	Replace south driveway flare	Not complete		
55	1401 64 th St.	Due to settlement, replace two sidewalk panels south of driveway, and south half of driveway behind the sidewalk.	Not complete		
56	1227 64 th St.	Replace south half of driveway approach.	Not complete		
57	1205 64 th St.	Reset 'No Parking' sign.	Not complete		
58	1201 64 th St.	Regrade/shape yard to drain.	Not complete		
59	63 rd St.	Hand pick rocks along all of 63 rd St.	Not complete		
60	63 rd St.	Remove and replace sidewalk from 1234 to 1236 due to misalignment.	Not complete		
61	63 rd St.	Backfill & grade behind retaining wall at the following locations: 1236, 1314, 1330, 1512, & 1516	Not complete		
62	63 rd St.	Add rock to crack between sidewalk & wall: 1238, 1432/1434, & 1440/1444,	Not complete		
63	63 rd St.	Check that all curb stop caps are operable and clear of concrete.	Not complete		
64	63 rd St.	Set existing retaining wall blocks at 1336.	Not complete		
65	63 rd St.	Remove over-pour concrete between driveway at 1336 & 1400, and grade this area.	Not complete		
66	1400 63 rd St.	Remove & replace two cracked panels at south end of the driveway approach.	Not complete		
67	1404 63 rd St.	Rebuild existing wooden wall along driveway to the point where dirt is not exposed.	Not complete		
68	1406 63 rd St.	Replace cracked/broken curb at north of driveway.	Not complete		
69	1410 63 rd St.	Replace broken retaining wall blocks, near driveway. Extend wall back to bend in the existing railroad tie wall.	Not complete		

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PUNCH LIST

Owner: City of Windsor Heights, IA
Project: 2017 Sidewalk Improvements
Project No.: A13113494

Item No.	Reference	Item Description	Current Status	Accepted	
				By	Date
70	63 rd St.	Remove plastic from detectable warning panels at the following locations: SW corner of Colby and SW corner of College.	Not complete		
71	63 rd St.	Backfill hole at SW corner of Colby, by utility pole.	Not complete		
72	63 rd St.	Route & Seal crack in curb at NW corner of Colby.	Not complete		
73	1430 63 rd St.	Raise curb stop to grade	Not complete		
74	63 rd St.	Pull wall back next to driveway at the following locations: 1436, 1440, & 1516	Not complete		
75	63 rd St.	Add fill along sidewalk at the following locations: 1440, 6301 Sunset, 1504, 1508, 1512, 1516, 1534, & 1538	Not complete		
76	63 rd St.	SW corner of Sunset, curb lip greater than ½" ADA allowable rise. Remove and replace.	Not complete		
77	63 rd St.	Reset DART sign at NW corner of Sunset.	Not complete		

Resolution No. 18-0833

**A RESOLUTION APPROVING SUBSTANTIAL COMPLETION OF THE
2017 SIDEWALK PROJECT**

WHEREAS, the City of Windsor Heights approved the Plans, Specifications, and Form of Contract for the 2017 Sidewalk Improvement Project (the “Project”); and

WHEREAS, on the 19th day of June 2017, the City of Windsor Heights, Iowa, entered into a construction contract with Kingston Services PC, of Des Moines, Iowa, for the construction of such Project; and

WHEREAS, the contractor has substantially completed the construction of the public improvements in accordance with the terms and conditions of the Plans, Specifications, and Form of Contract, as shown by the certificate of the Engineer filed with the Clerk on July 31, 2018; and

WHEREAS, approval of this certificate of substantial completion does not activate any warranties for the Project, does not release the contractor from its obligation to complete the Project, and does not authorize the release of retainage monies that are currently being held by the City; and

WHEREAS, the amount of \$847,934.38 has been previously paid to Kingston Services PC and a retainage amount of \$47,500.15 will be retained and released 30 days after approval of final acceptance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF WINDSOR HEIGHTS, IOWA:**

That the report of the Engineer is hereby approved and adopted, and the public improvements are hereby approved and accepted as having been substantially completed in accordance with the plans, specifications and form of contract and the Mayor is authorized to sign the Certificate of Completion.

Passed and approved this 6th day of August, 2018.

Dave Burgess, Mayor

Attest: _____
Travis Cooke, City Clerk

CONTRACTOR'S PAY REQUEST

City of Windsor Heights, Iowa

2017 Sidewalk Improvements

BMI PROJECT NO.A13.113494

WORK COMPLETED THROUGH JULY 27, 2018

DISTRIBUTION:

CONTRACTOR (1)

OWNER (1)

ENGINEER (1)

BONDING CO. (1)

TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS	\$1,007,571.60
TOTAL, COMPLETED WORK TO DATE	\$950,003.00
RETAINED PERCENTAGE (5%)	\$47,500.15
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS)	\$0.00
NET AMOUNT DUE TO CONTRACTOR TO DATE	\$902,502.85
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	\$847,934.38
PAY CONTRACTOR AS ESTIMATE NO. 11	\$54,568.47

Certificate for Partial Payment

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

Contractor: Kingston Services PC
1444 Illinois Street
Des Moines, IA 50314

By  **Umesh Shetye** Sr. Project Mgr.
Name Title

Date **July 27, 2018**

CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:

ENGINEER: BOLTON & MENK, INC., ENGINEERS, 309 E. 5TH STREET, SUITE 202, DES MOINES, IA 50309.

By  , PROJECT ENGINEER

Date **7/31/2018**

APPROVED FOR PAYMENT:

OWNER:

By _____
Name Title Date

And _____
Name Title Date

CONTRACTOR'S PAY REQUEST

11

City of Windsor Heights, Iowa
2017 Sidewalk Improvements
BMI PROJECT NO.A13.113494
Del Matro Ave.

WORK COMPLETED THROUGH JULY 27, 2018

ITEM NO.	SUDAS REF NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE	
				ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
1	0	CLEARING AND GRUBBING	\$210.00	35 UNIT	\$7,350.00	22.90 UNIT	\$4,809.00	22.90 UNIT	\$4,809.00
2	0	TOPSOIL, COMPOST-AMENDED	\$46.00	210 CY	\$9,660.00	0.00 CY	\$0.00	0.00 CY	\$0.00
3	0	EXCAVATION, CLASS 10	\$19.00	466 CY	\$8,854.00	466.00 CY	\$8,854.00	466.00 CY	\$8,854.00
4	0	MODIFIED SUBBASE, 4 IN.	\$7.00	2249 SY	\$15,743.00	2,334.90 SY	\$16,344.30	2,334.90 SY	\$16,344.30
5	0	STORM SEWER, TRENCHED, PVC, 12 IN.	\$100.00	0 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
6	0	STORM SEWER, TRENCHED, RCP, 18 IN.	\$125.00	14 LF	\$1,750.00	14.00 LF	\$1,750.00	14.00 LF	\$1,750.00
7	0	ADJUSTMENT OF FIXTURES	\$1,000.00	2 EA	\$2,000.00	1.00 EA	\$1,000.00	1.00 EA	\$1,000.00
8	0	WATER CURB STOP ADJUSTMENT	\$550.00	16 EA	\$8,800.00	3.00 EA	\$1,650.00	3.00 EA	\$1,650.00
9	0	WATER SERVICE BOX	\$550.00	12 EA	\$6,600.00	5.00 EA	\$2,750.00	5.00 EA	\$2,750.00
10	0	ADJUST WATER SERVICE	\$2,100.00	0 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
11	0	FIRE HYDRANT ADJUSTMENT	\$3,500.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
12	0	FIRE HYDRANT RELOCATION	\$9,000.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
13	0	YARD DRAIN	\$750.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
14	0	INTAKE, SW-501	\$3,200.00	1 EA	\$3,200.00	1.00 EA	\$3,200.00	1.00 EA	\$3,200.00
15	0	MANHOLE ADJUSTMENT, MINOR	\$1,000.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
16	0	INTAKE ADJUSTMENT, MINOR	\$1,000.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
17	0	MANHOLE ADJUSTMENT, MAJOR	\$2,500.00	1 EA	\$2,500.00	1.00 EA	\$2,500.00	1.00 EA	\$2,500.00
18	0	CONNECTION TO EXISTING INTAKE	\$1,000.00	1 EA	\$1,000.00	1.00 EA	\$1,000.00	1.00 EA	\$1,000.00
19	0	CONNECTION TO EXISTING MANHOLE	\$1,200.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
20	0	PAVEMENT, PCC, 6 IN.	\$100.00	10 SY	\$1,000.00	14.60 SY	\$1,460.00	14.60 SY	\$1,460.00
21	0	STANDARD CURB, PCC, 6 IN.	\$60.00	25 LF	\$1,500.00	0.00 LF	\$0.00	0.00 LF	\$0.00
22	0	REMOVAL OF SIDEWALK	\$16.00	45 SY	\$720.00	39.00 SY	\$624.00	39.00 SY	\$624.00
23	0	REMOVAL OF DRIVEWAY	\$11.00	991 SY	\$10,901.00	1,070.00 SY	\$11,770.00	1,070.00 SY	\$11,770.00
24	0	REMOVE AND REPLACE CURB	\$62.00	300 LF	\$18,600.00	244.00 LF	\$15,128.00	244.00 LF	\$15,128.00
25	0	SIDEWALK, PCC, 4 IN.	\$68.00	1200 SY	\$81,600.00	1,195.30 SY	\$81,280.40	1,195.30 SY	\$81,280.40
26	0	SIDEWALK, PCC, 6 IN.	\$112.00	55 SY	\$6,160.00	56.40 SY	\$6,316.80	56.40 SY	\$6,316.80
27	0	DETECTABLE WARNING	\$32.00	120 SF	\$3,840.00	116.00 SF	\$3,712.00	116.00 SF	\$3,712.00
28	0	DRIVEWAY, PAVED, PCC, 6 IN.	\$52.00	994 SY	\$51,688.00	1,068.90 SY	\$55,582.80	1,068.90 SY	\$55,582.80
29	0	PAVEMENT REMOVAL	\$25.00	10 SY	\$250.00	14.60 SY	\$365.00	14.60 SY	\$365.00
30	0	TRAFFIC CONTROL	\$3,800.00	1 LS	\$3,800.00	1.00 LS	\$3,800.00	1.00 LS	\$3,800.00
31	0	TRAFFIC SIGNS	\$300.00	4 EA	\$1,200.00	4.00 EA	\$1,200.00	4.00 EA	\$1,200.00
32	0	PAINTED PAVEMENT MARKINGS, SOLVENT/WATERBORNE	\$100.00	11 STA	\$1,100.00	11.00 STA	\$1,100.00	11.00 STA	\$1,100.00
33	0	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING	\$6,000.00	0.5 AC	\$3,000.00	0.58 AC	\$3,480.00	0.58 AC	\$3,480.00
34	0	SWPP PREPARATION	\$1,200.00	1 LS	\$1,200.00	1.00 LS	\$1,200.00	1.00 LS	\$1,200.00
35	0	SWPP MANAGEMENT	\$2,100.00	1 LS	\$2,100.00	1.00 LS	\$2,100.00	1.00 LS	\$2,100.00
36	0	WATTLES, WOOD EXCELSIOR, 9 IN.	\$2.00	2400 LF	\$4,800.00	55.00 LF	\$110.00	55.00 LF	\$110.00
37	0	EROSION CONTROL MULCHING, HYDROMULCHING	\$2,100.00	0.5 AC	\$1,050.00	0.10 AC	\$210.00	0.10 AC	\$210.00
38	0	INLET PROTECTION DEVICE, FILTER SOCK, 9 IN.	\$175.00	4 EA	\$700.00	4.00 EA	\$700.00	4.00 EA	\$700.00
39	0	CHAIN LINK FENCE, BLACK PVC, 4'	\$125.00	0 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
40	0	MODULAR BLOCK RETAINING WALL	\$51.00	103 SF	\$5,253.00	193.80 SF	\$9,883.80	193.80 SF	\$9,883.80
41	0	REMOVE RETAINING WALL	\$25.00	10 LF	\$250.00	0.00 LF	\$0.00	0.00 LF	\$0.00
42	0	MOBILIZATION	\$5,200.00	1 LS	\$5,200.00	1.00 LS	\$5,200.00	1.00 LS	\$5,200.00
43	0	MAINTENANCE OF POSTAL SERVICE	\$1,500.00	1 LS	\$1,500.00	0.00 LS	\$0.00	0.00 LS	\$0.00
44	0	MAINTENANCE OF SOLID WASTE COLLECTION	\$1,500.00	1 LS	\$1,500.00	1.00 LS	\$1,500.00	1.00 LS	\$1,500.00

CONTRACTOR'S PAY REQUEST

City of Windsor Heights, Iowa
2017 Sidewalk Improvements
BMI PROJECT NO.A13.113494
Del Matro Ave.
WORK COMPLETED THROUGH JULY 27, 2018

ITEM NO.	SUDAS REF NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE	
				ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
45	0	CONCRETE WASHOUT	\$2,100.00	1	LS	\$2,100.00	1.00	LS	\$2,100.00
CO#1	0	INTAKE REPAIR, MAJOR	\$8,000.00	2	EA	\$16,000.00	2.00	EA	\$16,000.00
0	0		\$0.00	0	0	\$0.00	0.00	0	\$0.00
TOTAL AMOUNT:					\$294,469.00		\$268,680.10		\$268,680.10

CONTRACTOR'S PAY REQUEST

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City of Windsor Heights, Iowa
2017 Sidewalk Improvements
BMI PROJECT NO.A13.113494
64th St.

WORK COMPLETED THROUGH JULY 27, 2018

ITEM NO.	SUDAS REF NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE	
				ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
1	0	CLEARING AND GRUBBING	\$210.00	5 UNIT	\$1,050.00	27.20 UNIT	\$5,712.00	27.20 UNIT	\$5,712.00
2	0	TOPSOIL, COMPOST-AMENDED	\$46.00	180 CY	\$8,280.00	20.00 CY	\$920.00	20.00 CY	\$920.00
3	0	EXCAVATION, CLASS 10	\$19.00	313 CY	\$5,947.00	313.00 CY	\$5,947.00	313.00 CY	\$5,947.00
4	0	MODIFIED SUBBASE, 4 IN.	\$7.00	1553 SY	\$10,871.00	1,596.00 SY	\$11,172.00	1,596.00 SY	\$11,172.00
5	0	STORM SEWER, TRENCHED, PVC, 12 IN.	\$100.00	0 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
6	0	STORM SEWER, TRENCHED, RCP, 18 IN.	\$125.00	0 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
7	0	ADJUSTMENT OF FIXTURES	\$1,000.00	6 EA	\$6,000.00	0.00 EA	\$0.00	0.00 EA	\$0.00
8	0	WATER CURB STOP ADJUSTMENT	\$550.00	20 EA	\$11,000.00	6.00 EA	\$3,300.00	6.00 EA	\$3,300.00
9	0	WATER SERVICE BOX	\$550.00	15 EA	\$8,250.00	12.00 EA	\$6,600.00	12.00 EA	\$6,600.00
10	0	ADJUST WATER SERVICE	\$2,100.00	0 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
11	0	FIRE HYDRANT ADJUSTMENT	\$3,500.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
12	0	FIRE HYDRANT RELOCATION	\$9,000.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
13	0	YARD DRAIN	\$750.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
14	0	INTAKE, SW-501	\$3,200.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
15	0	MANHOLE ADJUSTMENT, MINOR	\$1,000.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
16	0	INTAKE ADJUSTMENT, MINOR	\$1,000.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
17	0	MANHOLE ADJUSTMENT, MAJOR	\$2,500.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
18	0	CONNECTION TO EXISTING INTAKE	\$1,000.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
19	0	CONNECTION TO EXISTING MANHOLE	\$1,200.00	0 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
20	0	PAVEMENT, PCC, 6 IN.	\$100.00	10 SY	\$1,000.00	0.00 SY	\$0.00	0.00 SY	\$0.00
21	0	STANDARD CURB, PCC, 6 IN.	\$60.00	15 LF	\$900.00	0.00 LF	\$0.00	0.00 LF	\$0.00
22	0	REMOVAL OF SIDEWALK	\$16.00	3 SY	\$48.00	17.40 SY	\$278.40	17.40 SY	\$278.40
23	0	REMOVAL OF DRIVEWAY	\$11.00	699 SY	\$7,689.00	744.30 SY	\$8,187.30	744.30 SY	\$8,187.30
24	0	REMOVE AND REPLACE CURB	\$62.00	180 LF	\$11,160.00	172.10 LF	\$10,670.20	172.10 LF	\$10,670.20
25	0	SIDEWALK, PCC, 4 IN.	\$68.00	870 SY	\$59,160.00	877.10 SY	\$59,642.80	877.10 SY	\$59,642.80
26	0	SIDEWALK, PCC, 6 IN.	\$112.00	17 SY	\$1,904.00	33.50 SY	\$3,752.00	33.50 SY	\$3,752.00
27	0	DETECTABLE WARNING	\$32.00	40 SF	\$1,280.00	64.00 SF	\$2,048.00	64.00 SF	\$2,048.00
28	0	DRIVEWAY, PAVED, PCC, 6 IN.	\$52.00	665 SY	\$34,580.00	685.40 SY	\$35,640.80	685.40 SY	\$35,640.80
29	0	PAVEMENT REMOVAL	\$25.00	10 SY	\$250.00	0.00 SY	\$0.00	0.00 SY	\$0.00
30	0	TRAFFIC CONTROL	\$4,000.00	1 LS	\$4,000.00	1.00 LS	\$4,000.00	1.00 LS	\$4,000.00
31	0	TRAFFIC SIGNS	\$300.00	4 EA	\$1,200.00	4.00 EA	\$1,200.00	4.00 EA	\$1,200.00
32	0	PAINTED PAVEMENT MARKINGS, SOLVENT/WATERBORNE	\$89.00	0 STA	\$0.00	0.00 STA	\$0.00	0.00 STA	\$0.00
33	0	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING	\$6,000.00	0.4 AC	\$2,400.00	0.20 AC	\$1,200.00	0.20 AC	\$1,200.00
34	0	SWPP PREPARATION	\$1,200.00	1 LS	\$1,200.00	1.00 LS	\$1,200.00	1.00 LS	\$1,200.00
35	0	SWPP MANAGEMENT	\$2,100.00	1 LS	\$2,100.00	1.00 LS	\$2,100.00	1.00 LS	\$2,100.00
36	0	WATTLES, WOOD EXCELSIOR, 9 IN.	\$2.00	3000 LF	\$6,000.00	2,392.00 LF	\$4,784.00	2,392.00 LF	\$4,784.00
37	0	EROSION CONTROL MULCHING, HYDROMULCHING	\$2,100.00	0.4 AC	\$840.00	0.25 AC	\$525.00	0.25 AC	\$525.00
38	0	INLET PROTECTION DEVICE, FILTER SOCK, 9 IN.	\$125.00	0 EA	\$0.00	4.00 EA	\$700.00	4.00 EA	\$700.00
39	0	CHAIN LINK FENCE, BLACK PVC, 4'	\$125.00	8 LF	\$1,000.00	0.00 LF	\$0.00	0.00 LF	\$0.00
40	0	MODULAR BLOCK RETAINING WALL	\$51.00	105 SF	\$5,355.00	350.60 SF	\$17,880.60	350.60 SF	\$17,880.60
41	0	REMOVE RETAINING WALL	\$25.00	8 LF	\$200.00	16.00 LF	\$400.00	16.00 LF	\$400.00
42	0	MOBILIZATION	\$4,800.00	1 LS	\$4,800.00	1.00 LS	\$4,800.00	1.00 LS	\$4,800.00
43	0	MAINTENANCE OF POSTAL SERVICE	\$1,500.00	1 LS	\$1,500.00	0.00 LS	\$0.00	0.00 LS	\$0.00
44	0	MAINTENANCE OF SOLID WASTE COLLECTION	\$1,500.00	1 LS	\$1,500.00	1.00 LS	\$1,500.00	1.00 LS	\$1,500.00

CONTRACTOR'S PAY REQUEST

City of Windsor Heights, Iowa
2017 Sidewalk Improvements
BMI PROJECT NO.A13.113494
63rd St.

11

WORK COMPLETED THROUGH JULY 27, 2018

ITEM NO.	SUDAS REF NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE	
				ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
1	0	CLEARING AND GRUBBING	\$210.00	26 UNIT	\$5,460.00	6.7 UNIT	\$1,407.00	6.70 UNIT	\$1,407.00
2	0	TOPSOIL, COMPOST-AMENDED	\$46.00	200 CY	\$9,200.00	0 CY	\$0.00	0.00 CY	\$0.00
3	0	EXCAVATION, CLASS 10	\$19.00	929 CY	\$17,651.00	929 CY	\$17,651.00	929.00 CY	\$17,651.00
4	0	MODIFIED SUBBASE, 4 IN.	\$7.00	1575 SY	\$11,025.00	1568.8 SY	\$10,981.60	1,666.70 SY	\$11,666.90
5	0	STORM SEWER, TRENCHED, PVC, 12 IN.	\$100.00	0 LF	\$0.00	0 LF	\$0.00	0.00 LF	\$0.00
6	0	STORM SEWER, TRENCHED, RCP, 18 IN.	\$125.00	0 LF	\$0.00	0 LF	\$0.00	0.00 LF	\$0.00
7	0	ADJUSTMENT OF FIXTURES	\$1,000.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
8	0	WATER CURB STOP ADJUSTMENT	\$550.00	17 EA	\$9,350.00	0 EA	\$0.00	0.00 EA	\$0.00
9	0	WATER SERVICE BOX	\$550.00	13 EA	\$7,150.00	15 EA	\$8,250.00	15.00 EA	\$8,250.00
10	0	ADJUST WATER SERVICE	\$2,100.00	50 LF	\$105,000.00	50 LF	\$105,000.00	50.00 LF	\$105,000.00
11	0	FIRE HYDRANT ADJUSTMENT	\$3,500.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
12	0	FIRE HYDRANT RELOCATION	\$9,000.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
13	0	YARD DRAIN	\$750.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
14	0	INTAKE, SW-50T	\$3,200.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
15	0	MANHOLE ADJUSTMENT, MINOR	\$1,000.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
16	0	INTAKE ADJUSTMENT, MINOR	\$1,000.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
17	0	MANHOLE ADJUSTMENT, MAJOR	\$2,500.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
18	0	CONNECTION TO EXISTING INTAKE	\$1,000.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
19	0	CONNECTION TO EXISTING MANHOLE	\$1,200.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
20	0	PAVEMENT, PCC, 6 IN.	\$100.00	10 SY	\$1,000.00	0 SY	\$0.00	0.00 SY	\$0.00
21	0	STANDARD CURB, PCC, 6 IN.	\$60.00	10 LF	\$600.00	0 LF	\$0.00	0.00 LF	\$0.00
22	0	REMOVAL OF SIDEWALK	\$16.00	7 SY	\$112.00	7 SY	\$112.00	7.00 SY	\$112.00
23	0	REMOVAL OF DRIVEWAY	\$12.00	750 SY	\$9,000.00	843.6 SY	\$10,123.20	843.60 SY	\$10,123.20
24	0	REMOVE AND REPLACE CURB	\$68.00	180 LF	\$12,240.00	170.1 LF	\$11,566.80	211.10 LF	\$14,354.80
25	0	SIDEWALK, PCC, 4 IN.	\$72.00	755 SY	\$54,360.00	719.6 SY	\$51,811.20	741.70 SY	\$53,402.40
26	0	SIDEWALK, PCC, 6 IN.	\$144.00	16 SY	\$2,304.00	16.6 SY	\$2,390.40	16.60 SY	\$2,390.40
27	0	DETECTABLE WARNING	\$32.00	40 SF	\$1,280.00	40 SF	\$1,280.00	40.00 SF	\$1,280.00
28	0	DRIVEWAY, PAVED, PCC, 6 IN.	\$76.00	804 SY	\$61,104.00	832.6 SY	\$63,277.60	908.40 SY	\$69,038.40
29	0	PAVEMENT REMOVAL	\$25.00	10 SY	\$250.00	0 SY	\$0.00	0.00 SY	\$0.00
30	0	TRAFFIC CONTROL	\$4,700.00	1 LS	\$4,700.00	1 LS	\$4,700.00	1.00 LS	\$4,700.00
31	0	TRAFFIC SIGNS	\$300.00	0 EA	\$0.00	0 EA	\$0.00	0.00 EA	\$0.00
32	0	PAINTED PAVEMENT MARKINGS, SOLVENT/WATERBORNE	\$89.00	0 STA	\$0.00	0 STA	\$0.00	0.00 STA	\$0.00
33	0	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING	\$12,000.00	0.7 AC	\$8,400.00	0 AC	\$0.00	0.00 AC	\$0.00
34	0	SWPP PREPARATION	\$1,200.00	1 LS	\$1,200.00	1 LS	\$1,200.00	1.00 LS	\$1,200.00
35	0	SWPP MANAGEMENT	\$2,100.00	1 LS	\$2,100.00	0 LS	\$0.00	0.00 LS	\$0.00
36	0	WATTLIES, WOOD EXCELSIOR, 9 IN.	\$3.00	2100 LF	\$6,300.00	490 LF	\$1,470.00	490.00 LF	\$1,470.00
37	0	EROSION CONTROL MULCHING, HYDROMULCHING	\$4,200.00	07 AC	\$2,940.00	0 AC	\$0.00	0.35 AC	\$1,470.00
38	0	INLET PROTECTION DEVICE, FILTER SOCK, 9 IN.	\$175.00	8 EA	\$1,400.00	5 EA	\$875.00	5.00 EA	\$875.00
39	0	CHAIN LINK FENCE, BLACK PVC, 4'	\$125.00	96 LF	\$12,000.00	0 LF	\$0.00	0.00 LF	\$0.00
40	0	MODULAR BLOCK RETAINING WALL	\$51.00	1175 SF	\$59,925.00	718.9 SF	\$36,663.90	1,604.10 SF	\$81,809.10
41	0	REMOVE RETAINING WALL	\$25.00	10 LF	\$250.00	0 LF	\$0.00	0.00 LF	\$0.00
42	0	MOBILIZATION	\$8,900.00	1 LS	\$8,900.00	1 LS	\$8,900.00	1.00 LS	\$8,900.00
43	0	MAINTENANCE OF POSTAL SERVICE	\$2,500.00	1 LS	\$2,500.00	0 LS	\$0.00	0.00 LS	\$0.00
44	0	MAINTENANCE OF SOLID WASTE COLLECTION	\$2,500.00	1 LS	\$2,500.00	0.25 LS	\$625.00	0.25 LS	\$625.00

CONTRACTOR'S PAY REQUEST

11

City of Windsor Heights, Iowa
2017 Sidewalk Improvements
BMI PROJECT NO.A13.113494
63rd St.

WORK COMPLETED THROUGH JULY 27, 2018

ITEM NO.	SUDAS REF NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE		
				ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	
45	0	CONCRETE WASHOUT	\$2,100.00	1	LS	\$2,100.00		1.00	LS	\$2,100.00
CO 2	0	CURB STOP VALVE REPLACEMENT	\$1,650.00	2	LS	\$3,300.00		2.00	LS	\$3,300.00
		TOTAL AMOUNT:			\$425,601.00		\$343,684.70		\$401,125.20	

CHANGE ORDER

No. 002

PROJECT: 2018 HMA Resurfacing Project

OWNER: City of Windsor Heights

ENGINEER'S Project No.: A13.115164

CONTRACTOR: Grimes Asphalt

ENGINEER: Bolton & Menk, Inc.

You are directed to make the following changes in the Contract Documents.

Description:

Install modified subbase rock for full depth patches.

99.35 Tons at \$50/Ton.

Modified Subbase: \$4,967.50

Intake repair at Colby Ave. & 70th St.: \$1500**Reason for Change Order:**

Added items.

Attachments: (List documents supporting change)

N/A

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price	Original Contract Times
<u>\$426,336.50</u>	0
Net changes from previous Change Orders No. <u>0</u> to No. <u>1</u>	Net changes from previous Change Orders No. <u>0</u> to No. <u>1</u>
<u>\$20,601</u>	0
Contract Price Prior to this Change Order	Contract Times prior to this Change Order
<u>\$446,937.5</u>	0
Net <u>Increase</u> of this Change Order	Net Increase of this Change Order
<u>\$6,467.50</u>	0
Contract Price with all approved Change Orders	Contract Times with all approved Change Orders
<u>\$453,405</u>	August 31, 2018

RECOMMENDED:

By: 

Engineer (Authorized Signature)

Date: 7/31/2018

APPROVED:

By: _____

Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: 

Contractor (Authorized Signature)

Date: 7/27/18

EJCDC No. 1910C8-B (1990 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America.

City of Windsor Heights
2018 HMA ResurfacingChange Order 1
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CONTRACTOR'S PAY REQUEST

City of Windsor Heights, Iowa
2018 HMA Resurfacing

BMI PROJECT NO.A13.115164

DISTRIBUTION:

CONTRACTOR (1)

OWNER (1)

ENGINEER (1)

BONDING CO. (1)

TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS	\$453,405.00
TOTAL, COMPLETED WORK TO DATE	\$431,826.62
RETAINED PERCENTAGE (5%)	\$21,591.33
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS)	\$0.00
NET AMOUNT DUE TO CONTRACTOR TO DATE	\$410,235.29
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	\$251,193.43
PAY CONTRACTOR AS ESTIMATE NO. 3	\$159,041.86

Certificate for Partial Payment

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

Contractor: Grimes Asphalt & Paving Corporation
5550 NE 22nd Street
Des Moines, IA 50313

By

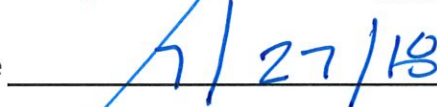


Name

Title

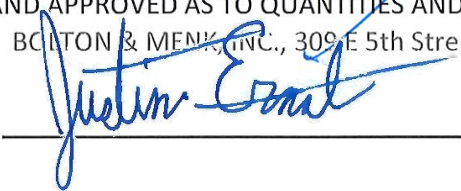
P.M.

Date


CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:

ENGINEER: BOULTON & MENK, INC., 309 E 5th Street, Ste 202, Des Moines, IA 50309.

By



, PROJECT ENGINEER

Date **7/31/2018****APPROVED FOR PAYMENT:**

OWNER:

By

Name

Title

Date

And

Name

Title

Date

3

2018 HMA Resurfacing

WORK COMPLETED THROUGH JULY 27, 2018

[illegible]

SPECIAL EVENTS UPDATE

Here are the notes from the July 16th work session with the City, Windsor Heights Chamber of Commerce and Windsor Heights Foundation:

The group wanted to establish dates in 2018 and 2019 of all current and former events that are being planned, managed and implemented by each individual entity listed:

Event	Organization Responsible/Chair	2018 Date(s) 2019 Date (s)
Nights in the Heights	WH Chamber/Foundation	June 26, July 3, July 10, July 17, July 24, July 31, August 7 (Alt), 2018
4 th of July Parade	WH Chamber	July 4, 2018
Annual Golf Outing Fundraiser	WH Chamber	June 28, 2018
Citizen and Business of the Year Program	WH Chamber	February 20, 2018
Shop Local First Event	WH Chamber	November 23, 2018
Annual Celebration Dinner	WH Chamber	February 20, 2018
Nights in the Heights (joint with WH Chamber)	WH Chamber/Foundation	June 26, July 3, July 10, July 17, July 24, July 31, August 7 (Alt), 2018
Ice Cream Socials	WH Foundation	August 26, 2018
National Night Out	WH Police Association	August 7, 2018 August 6, 2019
Pancake Breakfast Fundraiser	WH Fire Association	May 5, 2018 May 18, 2019
Santa on the Street	WH Fire Association	December 2, 2017 December 8, 2019
Easter Egg Hunt	WH Fire Association	March 31, 2018 April 20, 2018
Spring Cleanup Event	Keep Windsor Heights Beautiful	April 21, 2018
Garden Tour (every other year)	Keep Windsor Heights Beautiful	June 9, 2018
Yappy Hour 2018	City Parks and Recreation/ Michele Denkinger	September 7, 14, 21, and 28, 2018
Veteran's Day Celebration	City Parks and Recreation/ Michele Denkinger	November 9, 2018 November 8, 2019
Fireworks	City of Windsor Heights	August 7, 2018
Walnut Creek Watershed Festival/Octoberfest	Walnut Creek Coalition/ Darren Fife	October 5-6, 2018 October 4-5, 2019
Yappy Hour 2019	Lauren Campbell	
Winter Wonderland	Threase Harms	
Movies in the Park	Joseph Jones	
City-wide Garage Sale	Mike Jones	June 1, 2019

At the last meeting, the group agreed that the City will continue to plan Veteran's Day Celebration, the Chamber and Foundation will continue to jointly plan the Nights in the Heights Events, and all three entities will collaborate on each of the current sub-events for the 4th of July, such as Fireworks, the Parade and Music/Vendors only.

The City will be able to manage Yappy Hour for 2018, the annual Veteran's Day Celebration and annual Fireworks without an Event Coordinator and upcoming requested action of Council would be to consider a Multi-Year Fireworks Agreement. And since the City is not adding activities or events, staff will survey competitors for a fireworks agreement this fall to determine if there are better alternatives for the City to consider.

In the meantime, staff is suggesting to budget \$10,000 for Fireworks and Insurance each year.

As a reminder, the following are considered the top three (3) Priority Events:

1	4 th of July or Summer Festival Chamber – Parade WH Foundation – Music/Vendors City - Fireworks
2	Nights in the Heights (Foundation with City in-kind services)
3	Veteran's Day Celebration

COUNCIL ACTION FORM

**AGENDA ITEM: DISCUSSION AND APPROPRIATE FOLLOW UP ON FY2018-19
AUTOMATIC TRAFFIC ENFORCEMENT (ATE) REVENUES AND PROPOSED
EXPENDITURES**

HISTORY:

During the budget process last fall, Council directed staff not to include Automatic Traffic Enforcement (ATE) revenues in the FY19 budget since the State Legislature had several bills related to eliminating or restricting local government's use of revenues from ATE programs.

Recent court decisions have allowed continued opportunity for ATE revenues to be used by municipalities in the State of Iowa. Goals of the community, and the Council, have been noted as improved street maintenance/repair, focusing on a stable or reduced tax levies, and maintaining quality public safety.

As a result of the available ATE funding and revisiting the community and City Council goals, staff has compiled the following list of recommended budget add-in items utilizing ATE revenues.

EXPECTED REVENUES:

Staff reviewed ATE revenue history, including payments from the ATE vendor as well as payments from collections and state offset accounts over the past year. Staff used conservative estimates and assumptions in these calculations.

SOURCE	Monthly Estimated Revenue	Yearly Estimated Revenue
ATS (ATE Vendor)	\$181,500	\$2,178,000
Collections / State Offset	\$25,000	\$300,000
TOTAL ESTIMATED REVENUES	\$206,500	\$2,478,000
ATS Program Fees	\$82,400	\$988,800
TOTAL ESTIMATED NET REVENUES	\$124,100	\$1,489,200

As a result of the estimated revenues from the ATE program, staff recommends adding the following estimated expenses to the FY19 budget, expending ATE revenues:

ITEM		AMOUNT
1	Street Repairs – Per the Capital Improvement Plan approved by the Council on January 15, 2018, the Plan includes \$250,000 of ATE General Funds be transferred into an account for future street improvement projects each year. It is also being proposed that \$550,000 transferred into University Avenue Project. Street striping needs to be done every few years to maintain safe travel on public roads in the amount of \$25,000.00. Professional stripping services deliver a far superior product that lasts at least 3 times longer than if staff were to do it.	\$825,000.00
2	Equipment Revolving Plans (ERPs) – ERP's were setup as part of the budgeting process in FY18 to fund capital equipment replacement cycles. (See attached ERP's per department)	\$365,000.00
3	Public Safety Transaction Window – This was budgeted for FY18, however due to competitive bidding and scheduling, this project was unable to be completed in FY18 and is now may be scheduled for FY19.	\$5,000.00
4	Public Safety Contract Employee – The Public Safety Department utilizes a contract employee as a records clerk. The full-time clerk is behind on her duties due to the lack of a second clerk. The second contract employee will assist with records, retention and ATE program management.	\$30,000.00
5	Public Safety HVAC Repair – One of the HVAC units at the Public Safety Building stopped working in July and had to be replaced. This will reinstate our budgeted funds expended on this unexpected failure of the HVAC system.	\$6,000.00
6	Police Vehicle Repair Line – The repair line in the budget for Police Vehicles was reduced during the budget by \$5,000.00 with the thought ATE funds could be added into the line item to bring the funding in line with actual department needs.	\$5,000.00
7	K9 Expenses Line Item – Line item reduced by \$1,000 at time of budget with desire to add \$1,000 back in for zero-based budgeting with ATE funds.	\$1,000.00
8	Colby Park Bio-Swale – The area between the north and south parking area at Colby Park needs complete renovation with regards to landscaping as it is overgrown by weeds due to the recent flood events. Staff found that grants sought will likely award for new projects; not maintenance or replacement.	\$8,500.00
9	Public Works Roof Replacement – The public works building roof replacement was bid as part of a Space Needs Study. The facility is home to very expensive equipment and records storage. The new roof will come with a 20-year warranty.	\$47,000.00
10	Trail / Sink Hole Repair – As a result of the June 30, 2018 flash	\$20,000.00

	flooding, the bike trail behind the DNR building required a new HMA overlay, and the sink hole that developed under I-235 required emergency repairs and overlay. This addition reflects the estimated cost to fund those repairs.	
11	Emerald Ash Borer Management Plan – The Public Works Department is requesting funding for the EAB Management Plan that the City Council decided on at their meeting on June 18, 2018. The money will be used to remove ash trees on City property and within the ROW that are not good candidates for treatment and to treat ash trees within the City ROW that can be saved. The first year of the EAB Plan is the most costly.	\$18,000.00
12	Zoning Code Review Consultant – In the August 21, 2017 meeting, the Council adopted the Economic Development Plan prepared by RDG. One of the actions items is to revise the zoning code for uniformity with the Comprehensive Plan and future land use map. The future land use map for Windsor Heights envisions broad development types that should occur within specific areas over time. Zoning is the tool that makes the future land use map a reality. The Planning and Zoning Commission recommends approval.	\$45,000.00
13	City Hall Transaction Window – This was planned in 2017; however, the funds were not expended due to the bid process and work scheduling extending beyond the FY18 budget cycle. The work will be scheduled, once approved, and expended out of FY19 ATE funds.	\$3,500.00
14	ADA Accessible Ramp Replacement at CEC – The Public Works Department would like to improve access to our primary event center and park area by redesigning the current pathway to the main and rear entrances. The improvements will follow the 2010 ADA Standards for Accessible Design, set forth by the Americans with Disabilities Act and will provide safe accessibility to the community venue, which is shared by our residents and adjoining communities.	\$50,000.00
15	Metro Home Program - From the December 2017 goal setting session, the City Council voted on the top new initiatives. Tied for Goal #5 is: Develop Neighborhood Preservation/Enhancement Program – Reviewing the Neighborhood Finance Corporation Program and Metro Home and possibly create our own. Create incentive program for owner-occupied home renovation. This amount would double the number of projects that could be funded from three to six. We currently have a waiting list. The Council Development Committee recommends approval.	\$37,500.00
16	Fireworks for July, 2019 – This amount would be set to fund the City Fireworks show for July, 2019.	\$10,000.00
	Total	\$1,476,500.00

OPTIONS:

1. Accept the Resolution Authorizing the use of ATE Revenues to be expensed per the recommendation of Staff;
2. Refer back to Staff for alternative expenditures;
3. Take no action at this time.

STAFF RECOMMENDATION:

Staff has completed due diligence in compiling the above estimated revenues, and the above listed expenditures while ensuring these recommendations follow guidance from Council, the Comprehensive Plan, Strategic Goals, and Capital Improvement Plans of the City of Windsor Heights.

Therefore, it is the recommendation of the City Administrator that Council approve Option #1, approval of the Resolution Authorizing the use of ATE Revenues to be expensed per the recommendation of Staff as presented.

Windsor Heights Equipment Revolving Plan FY 2018-19

Systems & Technology		Items	Fiscal Year	
			Revenues	Expenses
Revenues			2018-19	
		Transfer In GF	\$75,000	
Expenses				
400-615-6727 -- Office Equipment		Server 4		\$4,000
		Labor - Server/Network		\$7,000
		Firewall		\$1,500
		Desktops (4)		\$2,800
		Laptops (3)		\$3,900
		Monitors (6)		\$775
		Fire MDT's (3)		\$25,000
		Public Works Cameras		\$5,000
		City-wide Phone System		\$10,000
		Council Mics/Speakers		\$12,000
			Total IT	\$71,975

Police		Items	Fiscal Year	
			Revenues	Expenses
Revenues			2018-19	
		Transfer In GF	\$85,000	
Expenses				
400-110-6710 -- Auto Equipment 400-110-6727 -- Other Capital Equipment		2014 Ford Utility Police (7224) w/equip		\$55,000
		Total Station (Forensic Mapping)		\$25,000
		Laser Radar Unit		\$3,000
		Civil Disobedience Kits		\$3,000
		SWAT ballistic helmet		\$1,700
		Plate Carriers and Panels		\$2,000
		Patrol Ballistic Helmets		\$1,300
		Weapon Replacement with Holster		\$6,500
		Total Police		\$97,500

Fire & EMS		Items	Fiscal Year	
			Revenues	Expenses
Revenues			2018-19	
		Transfer In GF	\$100,000	
		Bond Proceeds		
Expenses				
400-150-6727 -- Other Capital Equipment		Turnout Gear (3)		\$7,400
		Heart Monitor		\$20,000
		Total Fire/EMS		\$27,400

Streets		Items	Fiscal Year	
			Revenues	Expenses

Windsor Heights Equipment Revolving Plan FY 2018-19

Revenues		2018-19	
	Transfer In RUF	\$30,000	
	Transfer In GF	\$50,000	
Expenses			
810-210-6710 -- Auto Equipment	1991 Boom Truck (w/used)		\$40,000
	Sewer Jet Counter		\$1,500
	Skid Steer Broom		\$4,500
	Total Streets		\$46,000
Parks	Items	Fiscal Year	
		Revenues	Expenses
Revenues		2018-19	
	Transfer In GF	\$55,000	
Expenses			
400-430-6710 - Auto Equipment	JD 1445 Riding Mower		\$30,000
	JD 47" Heavy Duty Snow Blower		\$2,000
	JD 60" PTO Mower Deck		\$3,000
	Zero Turn Mower		\$11,500
	JD 60" Heavy Duty Rotary Broom		\$3,500
400-430-6727 -- Other Capital Equipment for Parks	Brinley Broadcast Spreader		\$500
	Colby Park (Bio-Swale)		\$8,500
	2 Picnic table Replacement		\$1,100
	Total Park		\$60,100
CEC	Items	Fiscal Year	
		Revenues	Expenses
Revenues		2018-19	
	Transfer In Community Center Reserve	\$15,000	
Expenses			
400-480-6727 -- Other Capital Equipment for CEC	(2) 72" Round Tables		\$1,800
	(10) Cushion Top Chairs		\$1,500
	6' Rectangular Nesting Table		\$700
	(2) 8' Rectangular Table		\$200
	Total CEC		\$4,200
TOTAL ERP FOR FY19		\$410,000	\$307,175
Total GF		\$365,000	

Draft Ordinance

**SMOKE-FREE AND TOBACCO-FREE CITY FACILITIES
POLICY FOR THE CITY OF WINDSOR HEIGHTS, IOWA**

**Chapter 40 Public Offenses
Subchapter 40.02 Public Health and Safety**

WHEREAS, Section 142D.3 of the Code of Iowa (the Smokefree Air Act) prohibits smoking in public places, including the following outdoor areas: (a) the seating areas of outdoor sports arenas and (b) the grounds of any public buildings owned or under the control of a city;

WHEREAS, Section 142D.4 of the Code of Iowa establishes certain areas where smoking is not regulated, such as outdoor areas that are places of employment, except where smoking is prohibited by Section 142D.3;

WHEREAS, Section 142D.5 of the Code of Iowa permits anyone having custody or control of an area otherwise exempt from the smoking prohibitions to declare the entire area as a nonsmoking place;

WHEREAS, establishing smoke-free areas is the only effective way to ensure that secondhand smoke exposure does not occur, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke;

WHEREAS, the City of Windsor Heights, Iowa, maintains recreational areas for the use and enjoyment of its citizens, their families and people who visit the community. The City has a unique opportunity to create and sustain an environment that supports the health and wellness of its citizens in such areas through a tobacco-free policy;

WHEREAS, tobacco use in the presence of and in proximity to those engaging in or observing recreational activities serves to diminish the enjoyment derived from the use of the city's recreational facilities; and

WHEREAS, tobacco use in recreational facilities is detrimental to individuals' health and can be dangerous to those using such grounds, including the dangers of secondhand smoke and the discarded material which can be handled and ingested by children;

NOW THEREFORE, it is the intent of the City Council in enacting this ordinance to provide for the public health, safety, and welfare of all persons in the City by discouraging the inherently dangerous behaviors of smoking and other forms of tobacco use around non-tobacco users, especially children and youth; by protecting the public from exposure to secondhand smoke where they live, work, and play; by reducing the potential for children and youth to wrongly associate smoking and tobacco use with a healthy lifestyle; and by affirming and promoting a healthy environment in the City.

40.02.15 Smoking and Tobacco Use Prohibited at City Facilities.

1. Definitions.
 - a. City facilities. The term “city facilities” means all property, whether or not enclosed, under the control of the City of Windsor Heights (City). City facilities include, but are not limited to, all: work areas; employee lounges; restrooms; conference rooms; classrooms; cafeterias; meeting rooms; elevators; stairways; parking garages; parking lots; automobiles owned, rented, or leased by the City; and any public or private area open to the public for recreational purposes, such as fairgrounds; athletic fields; beaches; gardens; parks; parklets; plazas; skate parks; swimming pools; trails; outdoor picnic tables; and grassy areas.
 - b. Electronic smoking device. The term “electronic smoking device” means any device that can be used to deliver aerosolized or vaporized nicotine or other substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.
 - c. Smoking. The term “smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. “Smoking” also includes the use of an electronic smoking device.
 - d. Tobacco product. The term "tobacco product" means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. “Tobacco product” also includes electronic smoking devices. “Tobacco product” does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
2. Smoking and Tobacco Use Prohibited. Smoking and tobacco use is prohibited in all City facilities at all times. No person shall smoke, use, sell or distribute any tobacco product at or on any City facilities.
3. Violations. Violations of this section are declared to be municipal infractions pursuant to [Chapter 4](#) of this Code of Ordinances. Any person who smokes or uses tobacco in an area where smoking and tobacco use is prohibited by the provisions of this section shall be guilty of a municipal infraction, punishable by a fine not exceeding fifty dollars (\$50) for a first offense and one hundred (\$100) for any repeat offense.
4. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.
5. Severability. If any provision, clause, sentence, or paragraph of this section or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this section which can be given

effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.

6. Effective Date. This section shall be effective thirty (30) days from and after the date of its adoption.

Draft Ordinance

**SMOKE-FREE AND TOBACCO-FREE CITY FACILITIES
POLICY FOR THE CITY OF WINDSOR HEIGHTS, IOWA**

**Chapter 40 Public Offenses
Subchapter 40.02 Public Health and Safety**

~~40.02.15 Smoking and Tobacco Use Prohibited at City Facilities.~~

~~1. Findings and Intent.~~

~~a.~~ WHEREAS, Section 142D.3 of the Code of Iowa (the Smokefree Air Act) prohibits smoking in public places, including the following outdoor areas: (a) the seating areas of outdoor sports arenas and (b) the grounds of any public buildings owned or under the control of a city;

~~b.~~ WHEREAS, Section 142D.4 of the Code of Iowa establishes certain areas where smoking is not regulated, such as outdoor areas that are places of employment, except where smoking is prohibited by Section 142D.3;

~~c.~~ WHEREAS, Section 142D.5 of the Code of Iowa permits anyone having custody or control of an area otherwise exempt from the smoking prohibitions to declare the entire area as a nonsmoking place;

~~d.~~ WHEREAS, establishing smoke-free workplaces areas is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke;

~~e.~~ WHEREAS, the City of Windsor Heights, Iowa, maintains recreational areas for the use and enjoyment of its citizens, their families and people who visit the community. The City has a unique opportunity to create and sustain an environment that supports a non-tobacco norm the health and wellness of its citizens in such areas through a tobacco-free policy;

WHEREAS, tobacco use in the presence of and in proximity to those engaging in or observing recreational activities serves to diminish the enjoyment derived from the use of the city's recreational facilities; and

~~f.~~ WHEREAS, tobacco use in recreational facilities is detrimental to individuals' health and can be dangerous to those using such grounds, including the dangers of secondhand smoke and the discarded material which can be handled and ingested by children;

~~g.~~ NOW THEREFORE, it is the intent of the City Council in enacting this ordinance to provide for the public health, safety, and welfare of all persons in the City by discouraging the inherently dangerous behaviors of smoking and other forms of tobacco use around non-tobacco users, especially children and youth; by protecting the public from exposure to secondhand

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smoke where they live, work, and play; by reducing the potential for children and youth to wrongly associate smoking and tobacco use with a healthy lifestyle; and by affirming and promoting a healthy environment in the City.

40.02.15 Smoking and Tobacco Use Prohibited at City Facilities.

2.1. Definitions.

- a. **City facilities.** The term “city facilities” means all property, whether or not enclosed, under the control of the City of Windsor Heights (City). City facilities include, but are not limited to, all: work areas; employee lounges; restrooms; conference rooms; classrooms; cafeterias; meeting rooms; elevators; stairways; parking garages; parking lots; automobiles owned, rented, or leased by the City; and any public or private area open to the public for recreational purposes, such as fairgrounds; athletic fields; beaches; gardens; parks; parklets; plazas; skate parks; swimming pools; trails; outdoor picnic tables; and grassy areas.
- b. **Electronic smoking device.** The term “electronic smoking device” means any device that can be used to deliver aerosolized or vaporized nicotine or other substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.
- c. **Smoking.** The term “smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. “Smoking” also includes the use of an electronic smoking device.
- d. **Tobacco product.** The term “tobacco product” means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. “Tobacco product” also includes electronic smoking devices. “Tobacco product” does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

- e. ~~Working hours. The term “working hours” means during paid work time including paid work breaks and while traveling for business.~~

3. ~~Smoking and Tobacco Use Prohibited.~~ Smoking and tobacco use is prohibited in all City facilities at all times. No person shall smoke, use, sell or distribute any tobacco product at or on any City facilities.

4. ~~Notice. Notice of this section shall be communicated in the following ways.~~

- a. ~~Tobacco-Free signs that conform to the requirements of Section 142D.6 of the Code of Iowa shall be posted in all City facilities where smoking and tobacco use is prohibited, and shall communicate that smoking and tobacco use are prohibited.~~

- b. ~~The community will be notified about this section through the city website, media releases, and appropriate signage.~~

Comment [CR1]: This definition is very broad and would likely include all city streets and sidewalks under the control of the city, and would mean that people using tobacco while driving on the streets or walking on public sidewalks would be in violation. If that extends the policy further than intended, then it could be narrowed by including this sentence at the end of this subparagraph: “City facilities do not include streets and sidewalks used only as pedestrian or vehicular thoroughfares, unless otherwise prohibited by this section or other law.”

Comment [CR2]: A definition of “working hours” was added to clarify when and how employees would be disciplined for violations (see paragraph 4(b) below).

Comment [EC3]: I would recommend addressing employee conduct in the handbook and/or city policies, not via ordinance

Comment [CR4]: For clarity, smoking was added as prohibited conduct.

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Comment [CR5]: Specific methods of community notification were added. Other methods could be included, such as social media or city newsletter.

~~e. City staff and volunteers will be notified about this section by the effective date of this section through the City intranet site, employee handbook, training, and orientation.~~

Comment [CR6]: Additional methods of communicating the policy to employees and volunteers were added to ensure the policy is communicated.

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~~5. Enforcement. The provisions of this section shall be enforced in the following ways:~~

~~a. City officials, City employees, parents, coaches, and recreational area and park users are asked to help enforce compliance with this section by bringing the section to the attention of the persons violating the section.~~

~~b. Any employee found violating this section during work hours will be subject to disciplinary action in accordance with personnel policies contained in the employee handbook. This disciplinary action is in addition to any other punishment for a violation of this ordinance that is otherwise applicable.~~

Comment [CR7]: This ensures that employees found in violation of the policy during working hours are disciplined as employees and if they violate during non-work hours, they could be penalized as a municipal infraction.

~~c. The manager, operator, lessee, or employee of an area regulated under this section shall direct any person found violating this section to cease smoking or use of tobacco, or leave the City facility. If the person in violation refuses to leave when requested, the manager, operator, lessee, or employee shall contact a law enforcement agency.~~

~~2.~~

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~~6.3. Violations. Violations of this section are declared to be municipal infractions pursuant to Chapter 4 of this Code of Ordinances. Any person who smokes or uses tobacco in an area where smoking and tobacco use is prohibited by the provisions of this section shall be guilty of a municipal infraction, punishable by a fine not exceeding fifty dollars (\$50) for a first offense and one hundred (\$100) for any repeat offense.~~

Comment [CR8]: This was the violations subparagraph in other similar sections of the code so was repeated here for consistency. The first offense is punishable with a civil penalty not to exceed \$750. A fine of \$50 is reasonable in this context but could be higher.

~~4. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.~~

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~~7.5. Severability. If any provision, clause, sentence, or paragraph of this section or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.~~

Comment [CR9]: A severability clause was added because an ordinance with a severability clause protects and upholds other components of the law if a successful legal challenge prevails against any part of the law.

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~~8.6. Effective Date. This section shall be effective thirty (30) days from and after the date of its adoption.~~

CITY OF WINDSOR HEIGHTS, IOWA
RESOLUTION _____

**A RESOLUTION ESTABLISHING A TOBACCO-FREE CITY FACILITIES
POLICY FOR THE CITY OF WINDSOR HEIGHTS, IOWA**

WHEREAS, Section 142D.3 of the Code of Iowa (the Smokefree Air Act) prohibits smoking in public places, including the following out-door areas: (a) the seating areas of outdoor sports arenas and (b) the grounds of any public buildings owned or under the control of a city; and

WHEREAS, Section 142D.4 of the Code of Iowa establishes certain areas where smoking is not regulated, such as outdoor areas that are places of employment, except where smoking is prohibited by Section 142D.3; and

WHEREAS, Section 142D.5 of the Code of Iowa permits anyone having custody or control of an area otherwise exempt from the smoking prohibitions to declare the entire area as a nonsmoking place; and

WHEREAS, establishing smokefree workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and

WHEREAS, the City of Windsor Heights, Iowa, maintains recreational areas for the use and enjoyment of its citizens, their families and people who visit our community. The City has a unique opportunity to create and sustain an environment that supports the health and wellness of its citizens in such areas through a tobacco-free policy; and

WHEREAS, tobacco use in the presence of and in proximity to those engaging in or observing recreational activities serves to diminish the enjoyment derived from the use of our recreational facilities; and

WHEREAS, tobacco use in recreational facilities is detrimental to individuals health and can be dangerous to those using such grounds, including the dangers of secondhand smoke and the discarded material which can be handled and ingested by children; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA, that the City of Windsor Heights Smoke-free and Tobacco-Free Policy is hereby approved and adopted and shall be incorporated into the City's Employment Handbook for enforcement.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Windsor Heights, Iowa, on this **X of X, 2018**.

CITY OF WINDSOR HEIGHTS, IOWA

RESOLUTION ~~13-0744~~ _____

A RESOLUTION ESTABLISHING A TOBACCO-FREE CITY FACILITIES
POLICY FOR THE CITY OF WINDSOR HEIGHTS, IOWA

Defined:

- a. ~~City facilities. The term “city facilities” means all property, whether or not enclosed, under the control of the City of Windsor Heights (City). City facilities include, but are not limited to, all: work areas; employee lounges; restrooms; conference rooms; classrooms; cafeterias; meeting rooms; elevators; stairways; parking garages; parking lots; automobiles owned, rented, or leased by the City; and any public or private area open to the public for recreational purposes, such as fairgrounds; athletic fields; beaches; gardens; parks; parklets; plazas; skate parks; swimming pools; trails; outdoor picnic tables; and grassy areas.~~
- b. ~~Electronic smoking device. The term “electronic smoking device” means any device that can be used to deliver aerosolized or vaporized nicotine or other substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e cigar, e pipe, vape pen, or e hookah.~~
- c. ~~Smoking. The term “smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. “Smoking” also includes the use of an electronic smoking device.~~
- d. ~~Tobacco product. The term “tobacco product” means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. “Tobacco product” also includes electronic smoking devices. “Tobacco product” does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.~~
- e. ~~Working hours. The term “working hours” means during paid work time including paid work breaks and while traveling for business.~~

Comment [CR1]: This definition is very broad and would likely include all city streets and sidewalks under the control of the city, and would mean that people using tobacco while driving on the streets or walking on public sidewalks would be in violation. If that extends the policy further than intended, then it could be narrowed by including this sentence at the end of this subparagraph: “City facilities do not include streets and sidewalks used only as pedestrian or vehicular thoroughfares, unless otherwise prohibited by this section or other law.”

Rationale:

WHEREAS, Section 142D.3 of the Code of Iowa (the Smokefree Air Act) prohibits smoking in public places, including the following out-door areas: (a) the seating areas of outdoor sports arenas and (b) the grounds of any public buildings owned or under the control of a city; and

WHEREAS, Section 1-42D.4 of the Code of Iowa establishes certain areas where smoking is not regulated, such as outdoor areas that are places of employment, except where smoking is prohibited by Section 1-42D.3; and

WHEREAS, Section 142D.5 of the Code of Iowa permits anyone having custody or control of an area otherwise exempt from the smoking prohibitions to declare the entire area as a nonsmoking place; and

WHEREAS, establishing smokefree workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and

WHEREAS, the City of Windsor Heights, Iowa, maintains recreational areas for the use and enjoyment of its citizens, their families and people who visit our community. The City has a unique opportunity to create and sustain an environment that supports the health and wellness of its citizens in a non-tobacco norm such areas through a tobacco-free policy; and

WHEREAS, tobacco use in the presence of and in proximity to those engaging in or observing recreational activities serves to diminish the enjoyment derived from the use of our recreational facilities; and

WHEREAS, tobacco use in recreational facilities is detrimental to individuals health and can be dangerous to those using such grounds, including the dangers of secondhand smoke and the discarded material which can be handled and ingested by children; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA, ~~that pursuant to the authority granted by Section 142D.5 of the Code of Iowa, tobacco use is prohibited in all City of Windsor Heights facilities at all times. No person shall smoke or use any tobacco product at or on any City facilities. Tobacco Free signs that conform to the requirements of Section 142D.6 of the Code of Iowa shall be posted in all City facilities where smoking and tobacco use is prohibited.~~

~~IT IS FURTHER RESOLVED~~ that this Policy will be enforced in the following ways: ~~(a) Appropriate signs shall be posted in the above specified areas; (b) The community will be notified about this Policy; (c) City staff and volunteers will be notified about this policy through the employee handbook; (d) City officials, City employees, parents, coaches and park users are asked to help enforce compliance with this Policy by bringing the Policy to the attention of the persons violating the Policy; (e) Any employee found violating this Policy will be subject to disciplinary action in accordance with personnel policies contained in the employee handbook; and (f) Any person found violating this Policy will be asked to cease smoking or use of tobacco, or leave the City facility.~~ that the City of Windsor Heights Smoke-free and Tobacco-Free Policy is hereby approved and adopted and shall be incorporated into the City's Employment Handbook for enforcement.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Windsor Heights, Iowa, on this **X of X, 2018**.

City of Windsor Heights Smoke-free and Tobacco-Free Policy

Purpose

Tobacco use is widely recognized as a major preventable cause of disease and death in smokers and nonsmokers alike. As the City of Windsor Heights is committed to providing a safe, healthy, comfortable and productive environment for all who visit or work in and around our City, all City Facilities are designated as a tobacco-free.

Defined

- a. **City facilities.** The term “city facilities” means all property, whether or not enclosed, under the control of the City of Windsor Heights (City). City facilities include, but are not limited to, all: work areas; employee lounges; restrooms; conference rooms; classrooms; cafeterias; meeting rooms; elevators; stairways; parking garages; parking lots; automobiles owned, rented, or leased by the City; and any public or private area open to the public for recreational purposes, such as fairgrounds; athletic fields; beaches; gardens; parks; parklets; plazas; skate parks; swimming pools; trails; outdoor picnic tables; and grassy areas.
- b. **Electronic smoking device.** The term “electronic smoking device” means any device that can be used to deliver aerosolized or vaporized nicotine or other substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.
- c. **Smoking.** The term “smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. “Smoking” also includes the use of an electronic smoking device.
- d. **Tobacco product.** The term “tobacco product” means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. “Tobacco product” also includes electronic smoking devices. “Tobacco product” does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
- e. **Working hours.** The term “working hours” means hours of paid work time including paid work breaks and while traveling for business.

Comment [CR1]: This definition is very broad and would likely include all city streets and sidewalks under the control of the city, and would mean that people using tobacco while driving on the streets or walking on public sidewalks would be in violation. If that extends the policy further than intended, then it could be narrowed by including this sentence at the end of this subparagraph: “City facilities do not include streets and sidewalks used only as pedestrian or vehicular thoroughfares, unless otherwise prohibited by this section or other law.”

Policy

Smoking and the use of tobacco products at or on city facilities is strictly prohibited at all times. The distribution or sale of all tobacco products is also prohibited. All employees, visitors, vendors, volunteers or any person at or on City facilities must comply with this policy. Any employee who violates this policy during working hours will be subject to disciplinary action in accordance with the written personnel policies contained in the employee handbook and enforced by human resources and the employee’s direct supervisor. Penalties for violations may include verbal warnings, written warnings, and termination of employment. Additionally, employee

violating this policy may be subject to the civil penalties under City of Windsor Heights Code of Ordinances Section 40.02.15.

This policy is in compliance with Iowa Statutes Section 142D.5, which supports worksite policies that are stronger than state law.

Comment [CR2]: Any employee violating this policy will be subject to employment disciplinary procedures and may also face civil penalties. An employee would face similar parallel penalties if, for example, they violated traffic laws in the city vehicle during working hours.

Procedures

- The tobacco-free City facilities policy will be communicated to all employees and volunteers through the City intranet site, employee handbook, training, and orientation. The tobacco free City facilities policy will be communicated to all current employees before the implementation date.
- Job applicants and interviewees will be informed that the City has a smoke-free and tobacco-free facilities policy.
- New employees will be advised of the provisions of this policy during new employee orientation.
- All employees are authorized and encouraged to communicate and reinforce the City's smoke-free and tobacco-free facilities policy with courtesy and diplomacy to any person whom they see violating the policy.
- Managers and direct supervisors are responsible for keeping their employees informed, and ensuring employee violations of the policy are handled promptly, consistently, and in accordance with terms of personnel policies contained in the City's employee handbook.
- Tobacco-free signs will be posted in common areas for all employees, vendors, visitors and guests of the City.
- Tobacco cessation resources will be made available by the City for employees wanting to quit.

Responsibility

All City employees are expected to support this policy and cooperate in its implementation and enforcement. City employees and visitors violating this policy should be courteously reminded to remain tobacco-free during work hours while at, in, or on City facilities and during work hours. Any violations should be reported to the human resources department.

Effective Date

XXXXXX, XX, 2018

COUNCIL ACTION FORM

AGENDA ITEM: Discussion and Appropriate Follow up on Tobacco Policies

HISTORY:

From the December 2017 goal setting session, the City Council voted on the top new initiatives. Tied for Goal #2 is: Consider Tobacco Free Healthy City Policies.

On March 30, April 20 and June 26, 2018, the Tobacco Ad Hoc Committee held work sessions. The Committee includes Mayor Burgess, Council member Harms, Iowa Public Health Director Jeneane Moody, American Lung Association Health Promotions Manager Beth Turner and American Heart Association Government Relations Director Stacy Frelund and staff.

The committee looked into the following policies for:

1. Tobacco-free Parks
2. City-owned Property
3. City Employee Workplace
4. Tobacco Retailer

Attached is a draft Ordinance for Smoke-Free and Tobacco-Free City Facilities, and also a draft Resolution approving and Employee Smoke-Free and Tobacco-Free Policy, which were provided by Beth Turner of the American Lung Association and reviewed by City Attorney Clanton. Clanton states the action will need to be in ordinance form if the City plans to issue citations as outlined in the drafts.

One of the above listed policies the committee was looking at was a tobacco retailer model ordinance and materials, but the group was waiting for the Attorney Generals' office to provide review and feedback.

Turner advised that the Public Health Law Center provided feedback and she left some of their comments to note in the first attachment. One specifically addressed a committee conversation regarding streets and sidewalks. Beth stated that the Tobacco Control Legal Consortium does not lobby, nor does it provide legal representation or advice. However, based on their experiences with regulation of tobacco products throughout the country, they are able to provide Council with their observations and other educational information. This information is for educational purposes only; they do not request that a policymaker take any specific action in regard to the comments, nor should their comments be considered a replacement for legal advice.

According to Turner, the State confirmed the draft ordinance qualifies for free signage. If the policy were to change, the Committee would want to make sure it still has all components required to receive this benefit.

OPTIONS

1. Refer to staff to prepare the appropriate documents for council consideration at an upcoming meeting per their direction;
2. Refer back to the Tobacco Ad Hoc Committee for additional information or alternatives;
3. Take no action at this time.

STAFF RECOMMENDATION:

The proposed policies are provided for Council discussion. Therefore, it is the recommendation of the City Administrator that Council approves Option #1, to refer to staff to prepare the appropriate documents for council consideration at an upcoming meeting per their direction.

ITEM #8C
DATE: 8/6/18

COUNCIL ACTION FORM

AGENDA ITEM: Discussion and Appropriate Follow up on possible expansion of the Metro Home Improvement Program

HISTORY:

On January 7, 2002, West Des Moines, Clive, Urbandale, Johnston and Windsor Heights agreed to enter into a 28E agreement to participate in the West Help Housing Program to provide Owner-Occupied Rehabilitation incentives to homeowners in Windsor Heights.

On October 6, 2006, the cities of Altoona, Ankeny, Bondurant, Grimes, Pleasant Hill and Polk City joined the others and expanded the program with the help of the Polk County Housing Trust Fund and renamed the program the Metro Home Improvement Program. Each city is a party to the agreement and budgets for the operating costs and remits payment to the City of West Des Moines, which serves as the program administrator.

Polk County Housing Trust Fund establishes the assessed value limit for eligible property owners. Currently, the assessed value of the home to be assisted must be assessed at or below \$183,000 to qualify for the Metro Home Improvement Program. You can find the attached **Program Information Sheet** on the program website and the link www.wdm.iowa.gov/mhip is on our website.

Currently, all cities listed above, except Clive, Johnston, and Pleasant Hill (due to lack of applications/interest) participates and offers the program to their residents.

To fund the program, each community pays \$20,000 every other year, which is matched by the Polk County Housing Trust Fund. The rationale for funding the program every other year is due to allowing enough time for the contractors to complete the projects. This allows enough money to fund three (3) grants for each city at \$12,500 each.

In addition to the program funds, the cities collectively pay for the annual administrative/operations costs. For Windsor Heights, annual operations cost a little over \$7,000 per year.

Program Administrator Christine Gordon from the City of West Des Moines (WDM) computes the administrative/operations costs and then sends it in a letter in the fall along with the invoice for that year. WDM tracks staff time spent on the program. Also the program pays WDM a percentage for the overall costs that are not directly charged to the program, including postage, office space, finance time to process checks, etc. See the attached copy of the **December 7, 2017 letter and invoice** from the City of West Des Moines.

From the December 2017 goal setting session, the City Council voted on the top new initiatives. Tied for Goal #5 is: Develop Neighborhood Preservation/Enhancement Program – Reviewing the Neighborhood Finance Corporation Program and Metro Home and possibly create our own. Create incentive program for owner-occupied home renovation.

On March 8, May 4 and June 14, 2018, the former Development Committee held work sessions. The group agreed that the Metro Home Program is well-managed and valuable. Upon review of the education efforts and waiting list of eleven (11) applicants, it is evident our residents are interested; therefore, the group recommended expanding on this existing program.

On July 30, 2018, the current Council Development Committee members, Mayor Burgess, Council members Zac Bales-Henry and Joseph Jones and staff met to review the attached **Memorandum of Understanding**, which was drafted by City Attorney Clanton and the current **28E Agreement** so they can make the recommendation to Council.

The Council Development Committee proposes increasing the contribution amount an additional \$37,500 for FY 2018-2019 to allow enough money to fund three (3) additional grants at \$12,500 each. Thus, Metro Home would award six (6) grants for residents of the City of Windsor Heights in FY 18-19.

In order to expand the program for one year, the City has one-time unexpected general fund revenues that could be utilized for this purpose. If not, the Council could wait until next year to revisit this after the City is able to budget for additional funds at that time.

Once approved, Staff will use our resources to promote the program via website, Facebook, e-newsletter, and newsletter etc.

OPTIONS

1. Approve a Resolution approving the Memorandum of Understanding (MOU) with the City of West Des Moines to enhance the Metro Home Program; or
2. Revisit this when the City is able to budget funding for the program; or
3. Refer back to the Council Development Committee to provide additional information or alternatives; or
4. Take no action at this time.

STAFF RECOMMENDATION:

The proposed program accomplishes the goal of enhancing our housing programs for those who need owner-occupied rehabilitation assistance. The Council Development Committee, Metro Home staff and City staff recommend approval.

Therefore, it is the recommendation of the City Administrator that Council approves Option #1, to approve a Resolution approving the MOU with the City of West Des Moines to enhance the Metro Home Program.



Metro Home Improvement Program

An Owner-Occupied Rehabilitation Program

The cities of Altoona, Ankeny, Bondurant, Grimes, Polk City, Urbandale, West Des Moines, and Windsor Heights have entered into a cooperative agreement with the purpose to preserve the existing affordable housing stock in their communities.

WHO IS ELIGIBLE FOR METRO HOME IMPROVEMENT PROGRAM?

- The property to be assisted must be located within Polk County portions of the participating cities.
- The property must be owner occupied.
- The assessed value of the house to be assisted must be at or below \$183,000 (includes both land and building value per the Polk County Assessor).
- Income limits of the household must fall at or below 80% of the median family income.

Number of Persons in Household	1	2	3	4	5	6	7	8+
Maximum Total Gross Household Income for Program	\$46,050	\$52,600	\$59,200	\$65,750	\$71,050	\$76,300	\$81,550	\$86,800

- The property must be one of the following: (1) single family residence; (2) condominium; (3) townhouse
- The property to be assisted must be the homeowner's primary residence.
- Property taxes and/or mortgage payments must be current and paid-to-date

WHO DOES THE REHABILITATION WORK?

The rehabilitation work is done by the Program's general contractor, HOME, Inc., a non-profit agency from Des Moines.

WHAT ARE THE FINANCIAL IMPLICATIONS TO THE HOMEOWNER?

The work is paid for by the Program through funding from the Polk County Housing Trust Fund and the participating cities. The financial assistance from the Program is in the form of a forgivable loan. The maximum loan is \$12,500. The minimum loan is \$500 per household. The loan will be recorded as a second mortgage to the property, with a term of five (5) years, decreasing proportionately with the passage of time, bearing no interest. The loan only comes due if the homeowner sells the house in the five years following the time of participation.

Program Eligible Activities Include:

- 1) Sump pump installation and connection to storm sewer
- 2) Basic structural repairs: (a) Exterior walls; (b) Roof and roof structure; (c) Foundation; (d) Floor joists and ceilings
- 3) Building Systems: (a) Electrical; (b) Plumbing; (c) Heating
- 4) Weatherization: (a) Insulation; (b) Windows; (c) Siding
- 5) Handicap accessibility: (a) Exterior ramp; (b) Bathroom facilities

If you have questions or would like to request an application, please contact Christine Gordon or Kay Schoon at (515) 273-0770. Applications are also available at www.wdm.iowa.gov/mhip



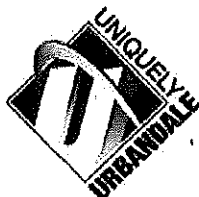
Program Administered by:

Community & Economic
Development Department
City of West Des Moines
4200 Mills Civic Parkway, Ste. 1A
P.O. Box 65320
West Des Moines, Iowa 50265-0320

Phone 515-273-0770
FAX 515-222-3459

www.wdm.iowa.gov
housing@wdm.iowa.gov

Participating Cities



December 7, 2017

Mayor Diana Willits
City of Windsor Heights
1145 66th Street, Ste. #1
Windsor Heights, IA 50324

RE: Metro Home Improvement Program Invoice for 2017-18 FY &
Budget Amount for 2018-19 FY

Dear Mayor Willits:

Enclosed is the invoice for your city's contribution to the Metro Home Improvement Program 2017-18 Fiscal Year. The total invoice is \$7,294.00; which is for the annual administrative fee.

Currently, the waiting list in each city is:

Altoona	0	Polk City	0
Ankeny	0	Urbandale	1
Bondurant	4	West Des Moines	15
Grimes	3	Windsor Heights	11

As you can see from the numbers above, some of the cities do not have a waiting list and other lists are relatively small. We will receive funding in January from Polk County Housing Trust Fund, Inc. to start processing new applicants. This is a great time to get the word out about the program. I would be happy to assist with that effort. Please contact me if you would like any assistance in getting the word out in your community.

For the 2018-19 fiscal year, the budget amount for this program will be \$27,512.00; \$7,512.00 for the annual administration fee and \$20,000 for the program match toward the housing rehabilitation.

If you have any questions about the invoice or the status of the program, please contact me at (515) 273-0770.

Respectively,

Christine Gordon
Housing Planner

Enclosure



INVOICE

CITY OF WINDSOR HEIGHTS
1145 66TH ST
STE 1
WINDSOR HEIGHTS, IA 50324

Description: Metro Home Improvement Program
Comments: Annual City Contribution -- Metro Home Improvement Program

FY 17-18

Billing Date	12/07/2017
Due Date	Upon Receipt
Invoice Number	CE - 2018-00010071
Total Due	\$7,294.00

Description	Quantity	Unit Price	Total Price
CE Billing	1	\$7,294.0000	\$7,294.00

Invoice Total: \$7,294.00
Prepaid Amount: (\$0.00)
Balance Due: \$7,294.00

Customer #	Billing Date	Due Date	Invoice Number	Total Due
51	12/07/2017	Upon Receipt	CE - 2018-00010071	\$7,294.00

Please include the Invoice Number on your check.

Billing Questions? Please Contact: Christine Gordon (515)273-0770 christine.gordon@wdm.iowa.gov	Make Payment to: City of West Des Moines Attn: Accounts Receivable P.O. Box 65320 West Des Moines, IA 50265-0320
---	---

Tax ID #42-6005359

MEMORANDUM OF UNDERSTANDING

Regarding the

METRO HOME IMPROVEMENT PROGRAM

WHEREAS, on or about April 1, 2015, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Grimes, the City of Johnston, the City of Pleasant Hill, the City of Polk City, the City of Urbandale, the City of West Des Moines, and the City of Windsor Heights, entered into a 28E Agreement to share certain costs for the operation of a Metro Home Improvement Program (hereinafter referred to as the "28E Agreement") for housing rehabilitation within their respective communities (hereinafter referred to as "Metro Home Improvement Program"); and

WHEREAS, currently, the City of Windsor Heights contributes \$20,000 every other year to the Metro Home Improvement Program;

WHEREAS, and the City of Windsor Heights also shares in the operating expenses of the program, which are approximately \$7,000 every year; and

WHEREAS, the Polk County Housing Trust Fund matches the City of Windsor Heights' \$20,000 biennial contribution; and

WHEREAS, given the high volume of citizens on the waiting list for Metro Home Improvement Program services within the City of Windsor Heights, its City Council would like to increase the amount of its contribution by \$37,500.00, for a total contribution of \$57,500.00 for the 2018-2019 fiscal year, plus standard operating expenses; and

WHEREAS, the City of Windsor Heights understands that the Polk County Housing Trust Fund would not match this increase.

NOW, THEREFORE, the parties agree as follows:

1. The City of Windsor Heights agrees to contribute \$57,500.00 to the Metro Home Improvement Program for the 2018-2019 fiscal year.
2. The City of Windsor Heights will continue to be responsible for its share of operating expenses as calculated pursuant to the 28E Agreement.
3. The term of this Memorandum of Understanding is for fiscal year 2018-2019 only, unless otherwise extended with approval of the parties.
4. The City of Windsor Heights understands that the Polk County Housing Trust Fund will not allocate additional funds to match this increased contribution.

5. All other terms of the 28E Agreement are unchanged by this Memorandum of Understanding and continue in full force and effect.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective officers.

CITY OF WINDSOR HEIGHTS

By: _____
Mayor

By: _____
City Clerk

STATE OF IOWA)
)ss:
COUNTY OF _____)

On this _____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ and _____ to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk of the City of Windsor Heights, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said _____ and _____ as such officers acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public

Commission Expires:

METRO HOME IMPROVEMENT MANAGEMENT COMMITTEE

By: _____

Its: Chairperson

STATE OF IOWA)
)ss:
COUNTY OF _____)

On this _____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ to me personally known, who, being by me duly sworn, did state that they are the Chairperson for the Metro Home Improvement Management Committee; that said instrument was signed on behalf of said Committee by authority of its members; and that the said Chairperson acknowledges the execution of said instrument to be the voluntary act and deed of said Committee, by it and by them voluntarily executed.

Notary Public

Commission Expires:



Paul D. Pate
Secretary of State
State of Iowa

28E Agreement

FOR OFFICE USE ONLY:

FILED

M510680

2/1/2018 11:01:10 AM

PLEASE READ INSTRUCTIONS ON BACK BEFORE COMPLETING THIS FORM

Item 1. The full legal name, organization type and county of each participant to this agreement are:

	Full Legal Name	Organization Type	*County
Party 1	Altoona	City	Polk
Party 2	Ankeny	City	Polk
Party 3	Bondurant	City	Polk
Party 4	Grimes	City	Polk
Party 5	Pleasant Hill	City	Polk

*Enter "Other" if
not in Iowa

Item 2. The type of Public Service included in this agreement is: 540 Housing
(Enter only one Service Code and Description) Code Number Service Description

Item 3. The purpose of this agreement is: (please be specific)
Metro Home Improvement Program

Item 4. The duration of this agreement is: (check one) ☐ Agreement Expires _____ ☒ Indefinite Duration
[mm/dd/yyyy]

Item 5. Does this agreement amend or renew an existing agreement? (check one)

☒ NO

☐ YES Filing # of the agreement: _____

(Use the filing number of the most recent version filed for this agreement)

The filing number of the agreement may be found by searching the 28E database at: <http://sos.iowa.gov/28e>.

Item 6. Attach two copies of the agreement to this form if not filing online.

Item 7. The primary contact for further information regarding this agreement is: (optional)

LAST Name Jacobson FIRST Name Ryan
Title City Clerk Department City Clerk
Email ryan.jacobson@wdm.iowa.gov Phone 515-222-3603

28E AGREEMENT

THIS AGREEMENT made and entered into the 1st day of April, 2015, by and between the CITY OF ALTOONA (hereinafter referred to as “Altoona”), the CITY OF ANKENY (hereinafter referred to as “Ankeny”), the CITY OF BONDURANT (hereinafter referred to as “Bondurant”), the CITY OF GRIMES (hereinafter referred to as “Grimes”), the CITY OF JOHNSTON (hereinafter referred to as “Johnston”), the CITY OF PLEASANT HILL (hereinafter referred to as “Pleasant Hill”), the CITY OF POLK CITY (hereinafter referred to as “Polk City”), the CITY OF URBANDALE (hereinafter referred to as “Urbandale”), the CITY OF WEST DES MOINES (hereinafter referred to as “West Des Moines”), and the CITY OF WINDSOR HEIGHTS (hereinafter referred to as “Windsor Heights”): The above-named cities will be referred to individually as an “Authority Member” and collectively referred to as “Authority Members”. This Agreement shall replace the previously filed 28E Agreement, which was made on February 12, 2007, and filed with the Polk County recorder on April 19, 2007 (Book 12154, Page 45).

WHEREAS, the cities of Altoona, Ankeny, Bondurant, Grimes, Johnston, Pleasant Hill, Polk City, Urbandale, West Des Moines, and Windsor Heights are municipal corporations organized and existing under the laws of the State of Iowa and are public agencies as defined by Iowa Code Chapter 28E; and

WHEREAS, each city is willing to share certain costs for the operation of a Metro Home Improvement Program for housing rehabilitation within their respective communities (hereinafter referred to as “Metro Home Improvement Program”); and

WHEREAS, public agencies may enter into an agreement for joint and cooperative action pursuant to Iowa Code Chapter 28E; and

WHEREAS, all cities find that joint and cooperative action will be to their mutual advantage; and

WHEREAS, all cities believe that an agreement pursuant to Chapter 28E of the Iowa Code should be entered into with regard to the Metro Home Improvement Program, which agreement will be to their mutual advantage.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements hereinafter contained, it is hereby agreed by and between Altoona, Ankeny, Bondurant, Grimes, Johnston, Pleasant Hill, Polk City, Urbandale, West Des Moines, and Windsor Heights that:

1. DEFINITIONS:

- A. PROGRAM: For the purposes of this Agreement, the term “Program” shall mean creation of office facilities for and operation of the Metro Home Improvement Program.
- B. SERVICE AREA: For the purpose of this Agreement, the term “Service Area” shall mean the geographical area within the Authority Members’ combined corporate limits within Polk County as they exist on the effective date of this Agreement and as they may change in the future, as well as the geographical area of new Authority Members that may join the Agreement in the future.
- C. COORDINATING AGENCY: For purposes of this Agreement, the term “Coordinating Agency” shall mean West Des Moines.

2. MANAGEMENT COMMITTEE:

- A. **POWERS.** The Agreement shall be administered by the Management Committee, which, except where this Agreement delegates or reserves powers to one or all cities, or to an Authority Member, shall make the managerial decisions necessary to accomplish the purposes of this Agreement. In addition to powers thus implied, the Management Committee shall by means of the budget procedures provided in paragraph B below, recommend to each Council the initial levels of staffing and equipping of the Program and future staffing, equipment and budget. The Management Committee shall establish written policies pertaining to the operational procedures of the Program. The City of West Des Moines shall be responsible for daily operational decisions.
- B. **BUDGET.** Except for the initial year of operation, annually, at least 120 days prior to date City budgets are required to be filed with the County Auditor, the Coordinating Agency shall deliver to the City Manager/City Administrator of each Member for their review and approval a proposed Budget for the next fiscal year which shall be subject to the approval of the respective Authority Member City Councils. In the event the proposed Budget is not approved by all Authority Member City Councils, the Authority Budget for the current year, adjusted for inflation (Consumer Price Index for the U.S. average for all Midwest urban consumers) shall remain in effect until approval of the new Budget is given by all Authority Members' councils. The Budget may be amended with the approval of all Authority Members' councils.
- C. **COMPOSITION.** The Management Committee shall consist of one (1) representative from each Authority Member. Each Authority Member may designate alternate representative(s) to serve in the absence of management

Committee members.

- D. **MEETINGS.** The Management Committee shall meet at least once each calendar year and at such other times as it deems necessary. A special meeting may be called by the Coordinating Agency or any three (3) representatives of the Committee. At any meeting, each representative shall have one (1) vote. A quorum shall consist of a number equal to fifty percent (50%) of the total Management Committee's voting representatives plus one (1). Except as otherwise provided herein, decisions of the Management Committee shall be made by a majority vote of the Committee representatives present constituting a quorum. Minutes of all meetings shall be taken by the Coordinating Agency who shall cause all minutes to be forwarded to the representative of Authority Member. Because the Management Committee and the Sub-Committees thereof are created by Authority Member City Councils, and make budget and other recommendations, the Management Committee and Sub-Committees thereof shall be deemed to constitute governmental bodies subject to the open meetings and open records law of Iowa, to wit: Chapters 21 and 22, Code of Iowa.
- E. **PROFESSIONAL SERVICES:** The Management Committee shall have authority within the appropriate budget to engage legal and other professional services as may be necessary.
- F. **SUB-COMMITTEES:** The Management Committee may establish any sub-committees it feels are necessary to operate the Program.

3. **COORDINATING AGENCY:** West Des Moines shall be the Coordinating Agency for the Program and hereby consents to such designation. Authority Members agree that:

- A. The Coordinating Agency shall act as the contracting authority for the Management Committee and will advertise for and hold the letting of all bids

required of this Project.

- B. Subject to review by the Management Committee, the Coordinating Agency shall employ under its Civil Service Rules and Procedures all regular and probationary employees needed for the operation of the Program to carry out the purposes of this Agreement.
- C. The Coordinating Agency shall manage all personnel pursuant to its employee and administrative policies and procedures, union contracts, civil service, city ordinances and other applicable laws.
- D. The Coordinating Agency shall have custody of and maintain all books and records of the Project on behalf of the individual Authority Members. Authority Members shall have the right, at any time upon reasonable notice, to review and inspect the books and records of the Project. The books and records of the Project shall be deemed to be the books and records of Authority Members individually with undivided ownership interests in proportion to their respective contributions to the Authority Budget plus original documented contributed capital, and neither the Authority nor the Coordinating Agency shall be deemed to possess an ownership interest by virtue of custody or the obligation to maintain said books and records.
- E. Pursuant to policies and procedures adopted by the Management Committee and the Authority's adopted budget, the Coordinating Agency shall, through its accounts payable system, pay all bills of the Authority.

4. PROGRAM COSTS:

- A. **OPERATING COSTS:** Annual operating costs shall include but not be limited to personnel, office equipment and supplies, computer and software, conferences

and training, travel and meeting expenses, financial audits, and such other costs as may be determined by the Management Committee.

- B. **GRANT FUNDS:** Any grant funds received for the Program shall be jointly shared by all communities. During each year this Agreement is in place, each Authority Member will contribute one eleventh (1/10) of the cost to administer the program. It is anticipated that all Authority Members will expend an equal allocation of grant funds and contribute a corresponding equal share to cover program costs. Semi-annually during the pendency of this Agreement, the Program Administrator will prepare a percentage comparison of the grant funds allocated to each of the Authority Members. If such analysis determines that any Authority Member is not utilizing its full share of grant funds; that Member may then elect to relinquish a portion of their funds to any of the other members per the direction of the Management Committee. In turn, that Member's cost assessment will be reduced and the receiving Members cost assessment will be increased by a percentage equal to the amount transferred.
- C. **INSPECTION COSTS:** Any cost incurred by any City in the preparation of work write-ups and inspection of work performed shall be the cost of each respective City.

5. **DIVISION OF ANNUAL OPERATING COSTS:** Each party to the Agreement shall annually budget for operating costs. Each City will remit payment to West Des Moines on an annual basis its share of annual operating costs; each cities' share being equal to the total operating cost divided by ten (10). Any difference between actual and budgeted expenditures shall be an adjustment to the following year's payment of costs on a pro-rata basis based on the percentage of actual dwelling units assisted in each City.

6. **INDEMNIFICATION:** Each party agrees to indemnify and to hold the other parties,

their elected officers, agents, employees and successors and assigns, harmless from and against all claims, demands, actions and/or causes of actions, judgments, settlements, or other costs, including reasonable attorney's fees, which the other party, its successors and assigns, may incur or sustain a) by reason of the indemnifying party's breach of this Agreement or failure to legally or timely meet the responsibilities imposed herein (including, but not limited to, any fiscal obligations herein), or b) by reason of the torts of the indemnifying party. This Agreement shall not extend the liability of any Authority Member and each Authority Member and the Management Committee are authorized to insure any and all liabilities which may be incurred as a result of this Agreement or operations under it and where appropriate to accept insurance in lieu of other indemnification. West Des Moines' indemnification obligation shall not extend to actions by its personnel taken in its capacity as Coordinating Agency for or on behalf of the Authority rather than for on or behalf of West Des Moines. All actions by West Des Moines personnel in the performance of its functions as Coordinating Agency shall be the responsibility of Authority Members collectively.

7. AGREEMENT – METHOD OF APPROVAL: The parties hereto approve this Agreement by Resolution, which Resolution shall authorize the respective Mayors to execute this Agreement.

8. AGREEMENT – FILING WITH SECRETARY OF STATE: When this Agreement has been approved by the parties hereto, this Agreement shall be electronically filed with the Secretary of the State of Iowa in accordance with the provisions of Iowa Code Section 28E.8.

9. AGREEMENT – EFFECTIVE DATE: This Agreement shall become effective on April 1, 2015.

10. AGREEMENT – SUBJECT TO GRANT FUNDING: The terms of this Agreement are predicated and conditioned upon the ability of the City of West Des Moines to obtain grant

funding for the Program. Should this method of financing be unavailable or unacceptable, the City of West Des Moines may so notify the Cities of Altoona, Ankeny, Bondurant, Grimes, Johnston, Pleasant Hill, Polk City, Urbandale, and Windsor Heights and this Agreement shall be null and void.

11. DURATION AND TERMINATION: This Agreement shall be effective from the date herein provided until terminated as herein provided. An Authority Member wishing to terminate participation must give one-year advanced notice to all other members not later than December 31st of any given year. Otherwise, this Agreement shall continue until terminated by mutual agreement of the Authority Members.

12. NOTICES: Any notice under this Agreement shall be in writing and shall be deemed to be given when deposited in the United States Post Office.

- A. Notices to Altoona shall be addressed: City Administrator, City of Altoona, P. O. Box 338, Altoona, IA 50009
- B. Notices to Ankeny shall be addressed: City Manager, City of Ankeny, 410 W. 1st Street, Ankeny, IA 50023
- C. Notices to Bondurant shall be addressed: City Administrator, City of Bondurant, P.O. Box 37, Bondurant, IA 50035
- D. Notices to Grimes shall be addressed: City Administrator, City of Grimes, 101 N. E. Harvey Street, Grimes, IA 50111
- E. Notices to Johnston shall be addressed: City Administrator, City of Johnston, P.O. Box 410, Johnston, IA 50131-0410
- F. Notices to Pleasant Hill shall be addressed: City Manager, City of Pleasant Hill, 5160 Maple Drive, Suite A, Pleasant Hill, IA 50327
- G. Notices to Polk City shall be addressed: City Administrator, City of Polk City, P.O. Box 426, Polk City, Iowa 50226

- H. Notices to Urbandale shall be addressed: City Manager, City of Urbandale, 3600 86th Street, Urbandale, Iowa 50322
- I. Notices to West Des Moines shall be addressed: City Manager, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265
- J. Notices to Windsor Heights shall be addressed: City Administrator, City of Windsor Heights, 1133 66th Street, Windsor Heights, IA 50324
- K. If during the term of this Agreement any City shall change the address of its City Hall or seat of municipal government, it shall notify the others of said new address and the new address shall be by mutual agreement substituted for the address herein provided.

13. **ARBITRATION:** Should the parties be unable to agree upon the allocation of costs among them, or should any other dispute arise concerning the interpretation or operation of this Agreement which the parties are unable to resolve, then any such dispute shall be submitted to an arbitrator mutually agreeable to the parties; or, in the absence of such agreement, to an arbitrator chosen by the Chief Judge of the Fifth Judicial District of the State of Iowa. In either event, the determination of such arbitrator as to the dispute submitted to the arbitrator shall be final.

14. **SIGNATURE PAGES:** Each Participating Community approving this Agreement shall execute the separate signature page provided for it, and the parties hereto authorize the City Clerk of the City of West Des Moines to assemble the signature pages and append same to copies of this Agreement, and to electronically file the Agreement with the Secretary of State.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective officers, pursuant to full authority granted and given as of the day and year first above written.

CITY OF ANKENY

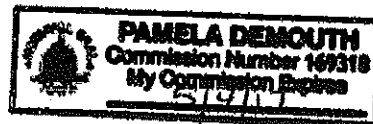
By: Gary Lorenz
Mayor

STATE OF IOWA)
COUNTY OF Polk)ss:

On this 1st day of June, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gary Lorenz to me personally known, who, being by me duly sworn, did state that they are the Mayor of the City of Ankeny, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Gary Lorenz as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Pamela Demouth
Notary Public

Commission Expires:



CITY OF ALTOONA

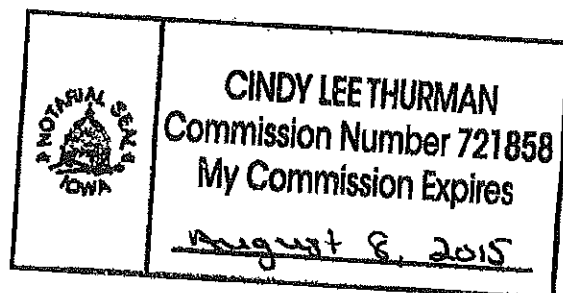
By: JM Skip Conking
Mayor

STATE OF IOWA)
)ss:
COUNTY OF Polk)

On this 30 day of March, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JM Skip Conking to me personally known, who, being by me duly sworn, did state that they are the Mayor of the City of Altoona, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Mayor as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Cindy Thurman
Notary Public

Commission Expires: August 8, 2015



CITY OF BONDURANT

By: _____

Mayor

STATE OF IOWA

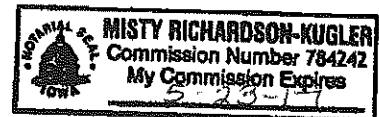
COUNTY OF POIK

)
)ss:
)

On this 9 day of April, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Keith Ryan to me personally known, who, being by me duly sworn, did state that they are the Mayor of the City of Bondurant, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Mayor as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Misty Richardson-Kugler
Notary Public

Commission Expires:




CITY OF GRIMES

By: 
Mayor Pro Tem Evans

STATE OF IOWA)
)ss:
COUNTY OF Polk)

On this 10 day of March, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tamara Evans to me personally known, who, being by me duly sworn, did state that they are the Mayor of the City Pro Tem of Grimes, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Tamara Evans, Mayor Pro Tem as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.




Notary Public

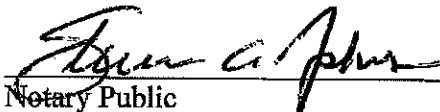
Commission Expires:

CITY OF PLEASANT HILL

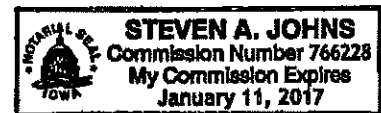
By: 
Mayor

STATE OF IOWA)
)ss:
COUNTY OF Polk)

On this 13th day of October, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Sara Kurovski to me personally known, who, being by me duly sworn, did state that they are the Mayor of the City of Pleasant Hill, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Sara Kurovski as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.


Notary Public

Commission Expires:
01-11-2017



CITY OF POLK CITY

By: _____

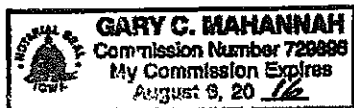
Mayor

STATE OF IOWA)

) ss:

COUNTY OF SAC)

On this 9th day of March, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JASON ADAMS to me personally known, who, being by me duly sworn, did state that they are the Mayor of the City of Polk City, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Mayor as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.



Notary Public

Commission Expires:

CITY OF URBANDALE

By: _____

Mayor

STATE OF IOWA)

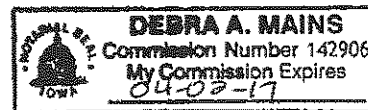
)ss:

COUNTY OF POLK AND DALLAS)

On this 31st day of March 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert D. Andreweg to me personally known, who, being by me duly sworn, did state that he is the Mayor of the City of Urbandale; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Mayor as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Debra A. Mains
Notary Public

Commission Expires:



CITY OF WEST DES MOINES

By: _____

Mayor

STATE OF IOWA)

COUNTY OF Folk)

ss:

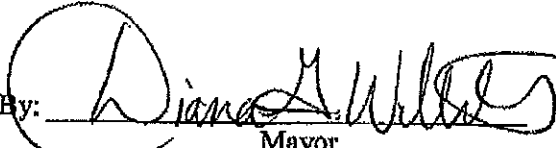
On this 1st day of June, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Steven Gaer to me personally known, who, being by me duly sworn, did state that they are the Mayor of the City of West Des Moines, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Steven Gaer as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Christine Gordon
Notary Public

Commission Expires:

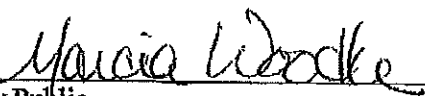


CITY OF WINDSOR HEIGHTS

By: 
Mayor

STATE OF IOWA)
)ss:
COUNTY OF _____)

On this 10 day of October, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Diana Willets to me personally known, who, being by me duly sworn, did state that they are the Mayor of the City of Windsor Heights, respectively, of said City; that no seal has been procured by the said City; that said instrument was signed on behalf of said City by authority of its City Council; and that the said Mayor as such officer acknowledge the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.


Notary Public

Commission Expires:



Resolution No. 18-0834

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING REGARDING THE METRO HOME IMPROVEMENT PROGRAM

WHEREAS, on or about April 1, 2015, the City of Altoona, the City of Ankeny, the City of Bondurant, the City of Grimes, the City of Johnston, the City of Pleasant Hill, the City of Polk City, the City of Urbandale, the City of West Des Moines, and the City of Windsor Heights, entered into a 28E Agreement to share certain costs for the operation of a Metro Home Improvement Program (hereinafter referred to as the “28E Agreement”) for housing rehabilitation within their respective communities (hereinafter referred to as “Metro Home Improvement Program”); and

WHEREAS, to fund the Metro Home Improvement Program, each community pays \$20,000 every other year, which amount is matched by the Polk County Housing Trust Fund; and

WHEREAS, in addition to the program funds, the cities collectively pay for the annual administration/operations costs, which amount to approximately \$7,000 per year for the City of Windsor Heights; and

WHEREAS, given the high volume of citizens on the waiting list for Metro Home Improvement Program services within the City of Windsor Heights, the City Council believes it to be in the best interest of its community to increase the amount of its contribution by an additional \$37,500.00, for a total contribution of \$57,500.00 for the 2018-2019 fiscal year;

WHEREAS, the City will also be obligated to pay its share of the annual administration/operations costs; and

WHEREAS, a copy of the 28E Agreement and proposed Memorandum of Understanding or Agreement is attached hereto and incorporated herein by reference; and

WHEREAS, The term of this Memorandum of Understanding is for fiscal year 2018-2019 only, unless otherwise extended with approval of the parties; and

WHEREAS, All other terms of the 28E Agreement are unchanged by this Memorandum of Understanding and continue in full force and effect; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windsor Heights, Iowa, that the City Council approves the attached Memorandum of Understanding regarding the Metro Home Improvement Program.

Passed and Approved this 6th day of August, 2018.

Dave Burgess, Mayor

Attest: Travis Cooke, City Clerk

CITY OF WINDSOR HEIGHTS, IOWA

STORM WATER UTILITY RATE ANALYSIS



DRAFT V.1 DATED
JULY 13, 2018

PREPARED BY:



TO: Honorable Mayor Dave Burgess and City Council Members
City Administrator Elizabeth Hansen; Public Works Director Dalton Jacobus
City of Windsor Heights, Iowa

FROM: Chip Schultz, Senior Vice President | Public Finance, UMB Bank, n.a.
Email: chip.schultz@umb.com; Telephone: 515.554.7266

DATE: Friday, July 13, 2018

RE: Summary of Analysis for Storm Water Public Infrastructure Funding

The purpose of this memorandum is to review an initial draft analysis pertaining to the City of Windsor Heights ("City") stated goal of generating additional annual revenue from its Storm Water Utility ("Utility") for the purpose of funding future Utility public infrastructure needs. This memo will also summarize the detailed analyses reflected in the attached planning models and provide an overview of the key factors which drive annual revenue of the City's Storm Water Utility.

Background. My understanding is that the City's Storm Water Utility was originally established in February of 2005 in order to generate funding for Storm Water infrastructure needs directly from a purpose-specific enterprise fund. The Storm Water Utility is a proven method of providing a reliable funding source for the management of storm water programs. This funding source is provided through a user fee, similar to fees collected for public water and wastewater services.

The City has updated its Storm Water user charges over time in order to generate adequate funding levels for the City's infrastructure needs, including recent fee ordinance adjustments in June of 2012, June of 2017 and January of 2018. In 2012, I understand the City worked with a consultant from a company named EOR which is a water resource-based engineering and environmental consulting firm. EOR staff worked on billing considerations with Des Moines Water Works' staff members in order to refine and implement the primary basis for billing the City's Storm Water Utility customers, the Equivalent Residential Unit, or ERU.

Factors Influencing Annual Revenue. The City currently charges a Storm Water Utility fee on all single family homes at the rate of \$5.50 per month or \$66 per year. For billing purposes, each single family home is considered "1" (one) Equivalent Residential Unit. I understand that EOR, the City's storm water consultant, worked with Des Moines Water Works and City staff to develop appropriate ERU billing units for each non-residential (commercial) customer, which information is listed in the attached Appendix A.

The fundamental factors driving the City's Storm Water Utility revenues are the dollar charges, based on the customer type and reflected in the City's ordinance, multiplied by the ERU for each particular customer.

As reflected in the attached Exhibit 1 and Exhibit 2, the City currently bills its customers at the follow levels on a monthly basis:

Category	Billing Rate (Monthly)
Residential	\$5.50 per ERU unit per month
Non-Residential, or Commercial	\$4.31 per ERU unit per month

For purposes of organizing the City's 2,073 Storm Water Utility *customers* into comprehensible segments, I have organized, purely for purposes of this analysis and not for billing purposes, the customers as shown in the following table.

Category	Number of Equivalent Residential Units (ERU) for Billing Purposes
Residential = 1 ERU per Single Family Home	1,977.000
Residential > 1 ERU per Account ⁽¹⁾	<u>218.906</u>
Residential Subtotal	2,195.906
Non-Residential, or Commercial	4,003.051
Aggregate Total ERUs (City Wide)	6,198.957

(1) Generally consists of apartments, multi-unit residences or larger single family lots.

Future Projects. In preparation for the City's two primary future Storm Water infrastructure projects, I have developed three initial scenarios for your review. All three scenarios are projected to provide adequate Storm Water Utility revenues - from now until the end of Fiscal Year 2021-22 - in order for the City to fully fund the 69th Street (Mott Avenue to School) and College Drive (73rd Street to Harbach) Storm Water Utility Projects as identified in the City's Capital Improvements Plan.

Exhibit 1 – Current Status Summary. This exhibit provides a general overview of the breakdown of customers, Equivalent Residential Units, current user rates and the calculated month and annual revenue figures, and the percentage allocation of current revenues between residential and commercial customers. This essential information provides the building blocks for the future planning model information used in Exhibit 2 and Appendix A.

Exhibit 2 - Recap of Current Rate Structure and Summary of Three Initial Scenarios. The City's current Storm Water user rate structure is provided in the medium-blue shaded area, including the billing rates, revenue per customer category, revenue percentage breakdown and certain select customer billing information. The information listed in the table is presented in a side-by-side format, relative to the proposed user rate scenarios, in order to allow efficient comparison of the potential scenarios.

Generally speaking, the City's overall Storm Water Utility revenue needs to approximately increase by 42% annually, or \$150,000 per year, in order to fund the future Storm Water Utility projects from cash on hand.

Scenario A The logic behind Scenario A is to provide an option for City Council review which maintains the same approximate revenue breakdown as currently exists, between residential and commercial. Specifically, Scenario A provides for residential customers covering 41.03% of annual Storm Water revenue, compared to current residential revenue at 41.18%. This scenario provides for commercial/non-residential customers to generate 58.97% of annual revenue, compared to 58.82% currently.

In Scenario A, a residential bill will move from its current level of \$5.50 per month to \$7.80 per month. The single largest Utility customer, Sam's Club would see their monthly bill move from \$2,265 to \$3,232.

Scenario B Scenario B is provided an option for City Council review in order to demonstrate a truly flat user rate structure for all Storm Water Utility customers, while generating \$150,000 in additional annual Utility revenue. A flat user charge of \$6.73 per ERU, applied exactly the same to all ERUs in the City would meet the additional revenue target.

Scenario C Scenario C is provided, in large part, as a hypothetical scenario in order to demonstrate the revenue increases needed which would be associated with a 50% residential / 50% commercial overall revenue breakdown. With this approach, a single family home would see their bill increase to \$9.53 per month which is a 73.24% increase over current rates. This scenario is instructive to contemplate but not likely to be acceptable.

Appendix A - Detailed Customer Billing and Revenue Information. Appendix A is provided in order to demonstrate the detail behind all of the calculations summarized in Exhibit 2. Please note that customer information for the 1,977 single family customers of the City are "hidden" so as to avoid this report printing out on 33 pages. The billing rates are the same for each of these customers so it is not material to see each row.

There are a significant set of numbers to review in this material and I look forward to having an initial discussion with the City Council regarding the content of our 'first draft' analyses. I also want to apologize for the amount of time this work has taken me to complete. Thank you for your patience and for the opportunity to serve the City of Windsor Heights.

CITY OF WINDSOR HEIGHTS, IOWA
Summary of Storm Water Utility Funding Model
Current Breakdown of Accounts, ERU, Revenue and Proposed Potential User Rate Adjustment Scenarios

CURRENT STATUS OF UTILITY

EXHIBIT 1

Date Prepared: 6/12/2018

A	B	C	D	E	F	G	H	I	J
1	SUMMARY OF CURRENT STORM WATER UTILITY RATES AND CUSTOMERS								
2	Prior Storm Water Utility rates were implemented or amended in June of 2012, June of 2017 and January of 2018 (current)								
3	ERU = Equivalent Residential Unit								
4	Description	Number of	Number of Equiv.	ERUs as % of Total	Current User	Calculated Revenue	Calculated Revenue	% of Overall	Remarks / Notes
5	User Category	Accounts	Resid. Units (ERU)	City-Wide ERU	Rates per ERU	Using Current Rates	Using Current Rates	Revenue (\$)	
6			(for billing #s)			(Monthly)	(Annually)		
7	<u>Residential</u>								
8	Single Residential ERU (1)	1,977	1,977.0000	31.89%	\$5.50	\$10,874	\$130,482	37.07%	
9	Residential >1 ERU	21	218.9060	3.53%	\$5.50	\$1,204	\$14,448	4.10%	
10	Total Residential	1,998	2,195.9060	35.42%	\$5.50	\$12,077	\$144,930	41.18%	
11									
12	Commercial / Non-Residential	75	4,003.0510	64.58%	\$4.31	\$17,253	\$207,038	58.82%	
13									
14	AGGREGATE TOTAL	2,073	6,198.9570	100.00%		\$29,331	\$351,968	100.00%	
15									

CITY OF WINDSOR HEIGHTS, IOWA
Summary of Storm Water Utility Funding Model

***Goal: Increase Annual Storm Water Fund Revenue by**
~\$150,000 from \$350,000 TO ~\$500,000
**** Overall Revenue Increase: ~42%**

ERU = Equivalent Residential Unit
 Date Prepared: 7/12/2018

EXHIBIT 2
\$150,000 Annual Revenue Increase

A B C D E F G H I J K

SUMMARY OF POTENTIAL USER ADJUSTMENT SCENARIOS									
Description	CURRENT FEE STRUCTURE		A. Same Revenue Proportions as Current Fee Billing		B. Flat Rate ERU (Residential = Commercial)		C. 50% Res. / 50% Comm. (More Residential \$)		Remarks / Notes
	Monthly	Annually	Monthly	Annually	Monthly	Annually	Monthly	Annually	
Purpose of Scenario:	Demonstrate Existing User Rates Currently in Place		Reflect an increase in approximately the same proportion as existing user rates		Bill Residential and Commercial ERUs at Exactly the Same Rate		Provide a scenario which provides an equitable 50%/50% split of revenue between residential and commercial		
Billing Rates per Unit									
Residential (=1 ERU)	\$5.50	\$66.00	\$7.80	\$93.60	\$6.730	\$80.76	\$9.53	\$114.34	
Residential (>1 ERU)	\$5.50	Varies by ERU	\$7.80	Varies by ERU	\$6.730	Varies by ERU	\$9.53	Varies by ERU	
Non-Residential/Commercial	\$4.31	Varies by ERU	\$6.15	Varies by ERU	\$6.730	Varies by ERU	\$5.20	Varies by ERU	
REVENUE (\$)									
Residential (=1 ERU)	\$10,874	\$130,482	\$15,421	\$185,047	\$13,305	\$159,663	\$18,837	\$226,042	
Residential (>1 ERU)	\$1,204	\$14,448	\$1,707	\$20,490	\$1,473	\$17,679	\$2,086	\$25,029	
Non-Residential/Commercial	\$17,253	\$207,038	\$24,619	\$295,425	\$26,941	\$323,286	\$20,816	\$249,790	
TOTAL REVENUE	\$29,331	\$351,968	\$41,747	\$500,962	\$41,719	\$500,628	\$41,738	\$500,861	
REVENUE (%) Breakdown									
Residential (=1 ERU)	37.07%	37.07%	36.94%	36.94%	31.89%	31.89%	45.13%	45.13%	
Residential (>1 ERU)	4.10%	4.10%	4.09%	4.09%	3.53%	3.53%	5.00%	5.00%	
Residential, Total	41.18%	41.18%	41.03%	41.03%	35.42%	35.42%	50.13%	50.13%	
Non-Residential/Commercial	58.82%	58.82%	58.97%	58.97%	64.58%	64.58%	49.87%	49.87%	
TOTAL	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	
User Rate Adjustment (%)									
Residential (=1 ERU)	0.00%	0.00%	41.82%	41.82%	22.36%	22.36%	73.24%	73.24%	
Residential (>1 ERU)	0.00%	0.00%	41.82%	41.82%	22.36%	22.36%	73.24%	73.24%	
Non-Residential/Commercial	0.00%	0.00%	42.69%	42.69%	56.15%	56.15%	20.65%	20.65%	
AVERAGE / AGGREGATE	0.00%	0.00%	42.33%	42.33%	42.24%	42.24%	42.30%	42.30%	
Customer Billing Summary									
Single Family Home = 1 ERU	\$5.50	\$66.00	\$7.80	\$93.60	\$6.73	\$80.76	\$9.53	\$114.34	
Windsor Chateau (>1 ERU)	\$265.70	\$3,188.39	\$376.81	\$4,521.72	\$325.12	\$3,901.43	\$460.29	\$5,523.46	
Windsor Woods Homes (>1 ERU)	\$179.83	\$2,157.94	\$255.03	\$3,060.35	\$220.04	\$2,640.53	\$311.53	\$3,738.33	
Wal-Mart Store (430 ERU)	\$1,853.69	\$22,244.31	\$2,645.06	\$31,740.72	\$2,894.51	\$34,734.15	\$2,236.47	\$26,837.68	1 of 2 Wal-Mart parcels
SAM'S CLUB (525 ERU)	\$2,265.35	\$27,184.19	\$3,232.46	\$38,789.50	\$3,537.31	\$42,447.70	\$2,733.14	\$32,797.63	1 of 2 Sam's Club parcels

WINDSOR HEIGHTS STORM WATER ANALYSIS - APPENDIX A

CITY OF WINDSOR HEIGHTS, IOWA -- Storm Water ERU Value Report Provided by Des Moines Water Works Date Provided by Des Moines Water Works: 4/3/2018 Account Group: Windsor Heights Billing Point Unit's >= 0; Active Accounts Only ERU = Equivalent Residential Units						** BACKGROUND WORK AND CALCULATIONS **							
						POTENTIAL NEW USER RATE SCENARIOS							
Class	Customer Name	Service Address	Property ERU's	District / Parcel #	Billing Point Units / ERU's	CURRENT FEE STRUCTURE		A. Same Revenue Proportions as Existing Billing		B. Revenue = Billing ERU (More Commercial \$)		C. 50% Res. / 50% Comm. (More Residential \$)	
						Monthly	Annually	Monthly	Annually	Monthly	Annually	Monthly	Annually
						Residential per ERU Unit	Residential per Year	Residential per ERU Unit	Per Year	Residential per ERU Unit	Per Year	Residential per ERU Unit	Per Year
SINGLE FAMILY RESIDENCES WITH ERU EQUAL TO "1"						\$5.50 per mo.		\$7.80 per mo.		\$6.730 per mo.		\$9.53 per mo.	
SUBTOTAL 1,981.0000 1,977.0000						\$10,874	\$130,482	\$15,421	\$185,047	\$13,305	\$159,663	\$18,837	\$226,042
Residential = 1 ERO as % of Total City Billing ERU's: 31.89%						37.07%	Res = 1 ERU	36.94%	Res = 1 ERU	31.89%	Res = 1 ERU	45.13%	Res = 1 ERU
% of Revenue						% of Revenue		% of Revenue		% of Revenue		% of Revenue	
Residential ERU = 1, Revenue Increase vs. Current:						0.00%	0.00%	41.82%	41.82%	22.36%	22.36%	73.24%	73.24%
						Residential per ERU Unit	Per Year	Residential per ERU Unit	Per Year	Residential per ERU Unit	Per Year	Residential per ERU Unit	Per Year
RESIDENTIAL WITH ERU GREATER THAN 1						\$5.50 per mo.		\$7.80 per mo.		\$6.730 per mo.		\$9.528 per mo.	
Res	Individual	1064 63rd ST WINDSOR HEIGHTS IA 503	2.0000	29200778000000	2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	1330 63rd ST WINDSOR HEIGHTS IA 503	2.0000	29200065001000	2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	1610 63rd ST WINDSOR HEIGHTS IA 503	2.0000	29201728001000	2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Sterling Investmensts LLC 1136	1136 68th ST WINDSOR HEIGHTS IA 503	2.0000	29200351000000	2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	1372 72nd ST WINDSOR HEIGHTS IA 503	2.0000	29200961000000	2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	1376 72nd ST WINDSOR HEIGHTS IA 503	2.0000		2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	1415 73rd ST WINDSOR HEIGHTS IA 503	2.0000	29200881001000	2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	7217 Del Matro AVE WINDSOR HEIGHTS	2.0000	29201360000000	2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	1511 Del Matro Ct Windsor Heights IA 503	2.0000		2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Hytel Boeland Properties, LLC	1519 Del Matro CT WINDSOR HEIGHTS IA 503	2.0000	29201410000000	2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	7111 Forest Ct Windsor Heights IA 5031	2.0000		2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	7117 Forest Ct Windsor Heights IA 5031	2.0000		2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	Individual	6450 Washington AVE WINDSOR HEIGHTS IA 503	2.0000		2.0000	\$11.00	\$132.00	\$15.60	\$187.20	\$13.46	\$161.52	\$19.06	\$228.67
Res	SIL LLC	1145 69th ST WINDSOR HEIGHTS IA 503	5.2800	29200352000000	5.2830	\$29.06	\$348.68	\$41.21	\$494.49	\$35.55	\$426.66	\$50.34	\$604.04
Res	Individual	901 64th St Windsor Heights IA 5032410	8.0000		8.0040	\$44.02	\$528.26	\$62.43	\$749.17	\$53.87	\$646.40	\$76.26	\$915.15
Res	Individual	930 63rd St Windsor Heights IA 50324	9.5400		9.5380	\$52.46	\$629.51	\$74.40	\$892.76	\$64.19	\$770.29	\$90.88	\$1,090.54
Res	Individual	1225 66th ST WINDSOR HEIGHTS IA 503	18.8600	29200391001000	18.8600	\$103.73	\$1,244.76	\$147.11	\$1,765.30	\$126.93	\$1,523.13	\$179.70	\$2,156.38
Res	PLANTATION MANNER	2226 68th ST WINDSOR HEIGHTS IA 503	29.5500	29201647004000	29.5460	\$162.50	\$1,950.04	\$230.46	\$2,765.51	\$198.84	\$2,386.13	\$281.51	\$3,378.17
Res	Windsor Woods Home	1235 66th ST WINDSOR HEIGHTS IA 503	32.7000	29202129500000	32.6960	\$179.83	\$2,157.94	\$255.03	\$3,060.35	\$220.04	\$2,640.53	\$311.53	\$3,738.33
Res	AMERICAN HOMES SALES	6300 School ST WINDSOR HEIGHTS IA 503	40.6700		40.6700	\$223.69	\$2,684.22	\$317.23	\$3,806.71	\$273.71	\$3,284.51	\$387.50	\$4,650.05
Res	WINDSOR CHATEAU	1250 73rd ST WINDSOR HEIGHTS IA 503	48.3100	29200891000000	48.3090	\$265.70	\$3,188.39	\$376.81	\$4,521.72	\$325.12	\$3,901.43	\$460.29	\$5,523.46
SUBTOTAL 218.9100 218.9060						\$1,203.98	\$14,447.80	\$1,707.47	\$20,489.60	\$1,473.24	\$17,678.85	\$2,085.74	\$25,028.84
Residential >1 ERU as % of Total City Billing ERU's: 3.53%						4.10%	Res >1 ERU	4.09%	Res >1 ERU	3.53%	Res >1 ERU	5.00%	Res >1 ERU
% of Revenue						% of Revenue		% of Revenue		% of Revenue		% of Revenue	
Residential ERU (>1) Revenue Increase vs. Current:						0.00%	0.00%	41.82%	41.82%	22.36%	22.36%	73.24%	73.24%

WINDSOR HEIGHTS STORM WATER ANALYSIS - APPENDIX A

						CURRENT FEE STRUCTURE		A. Same Revenue Proportions as Existing Billing		B. Revenue = Billing ERU (More Commercial \$)		C. 50% Res. / 50% Comm. (More Residential \$)	
Class	Customer Name	Service Address	Property ERU's	District / Parcel #	Billing Point Units / ERU's	Monthly	Annually	Monthly	Annually	Monthly	Annually	Monthly	Annually
						Commercial per ERU Unit	Commercial Per Year	Commercial per ERU Unit	Commercial Per Year	Commercial per ERU Unit	Commercial Per Year	Commercial per ERU Unit	Commercial Per Year
COMMERCIAL PROPERTIES						\$4.31 per mo.		\$6.15 per mo.		\$6.730 per mo.		\$5.20 per mo.	
Com	BBT Rentals, LLC	6502 Hickman RD WINDSOR HEIGHTS IA	1.0000		1.0000	\$4.31	\$51.72	\$6.15	\$73.80	\$6.730	\$80.76	\$5.20	\$62.40
Com	COLBY (TRUST A) R.	6571 University AVE WINDSOR HEIGHTS	1.2400	29200372000000	1.2380	\$5.34	\$64.03	\$7.61	\$91.36	\$8.33	\$99.98	\$6.44	\$77.25
Com	COLBY, R. TRUST	6573 University AVE WINDSOR HEIGHTS	1.8800	29200373000000	1.8760	\$8.09	\$97.03	\$11.54	\$138.45	\$12.63	\$151.51	\$9.76	\$117.06
Com	C. CLARKE (TRUSTEE)	6583 University Ave Windsor Heights IA	2.0900		2.0930	\$9.02	\$108.25	\$12.87	\$154.46	\$14.09	\$169.03	\$10.88	\$130.60
Com	COLBY INTEREST	6567 University AVE WINDSOR HEIGHTS	2.4700	29200371000000	2.4680	\$10.64	\$127.64	\$15.18	\$182.14	\$16.61	\$199.32	\$12.83	\$154.00
Com	H.B Development LLC	6587 University AVE WINDSOR HEIGHTS	3.2700	29200376001000	3.2730	\$14.11	\$169.28	\$20.13	\$241.55	\$22.03	\$264.33	\$17.02	\$204.24
Com	Zona Properties LLC	6555 University Ave Windsor Heights IA	3.3800	29200369000000	3.3780	\$14.56	\$174.71	\$20.77	\$249.30	\$22.73	\$272.81	\$17.57	\$210.79
Com	Matt Cale State Farm Agency	6733 University Ave Windsor Heights IA	4.0400	29200382002000	4.0440	\$17.43	\$209.16	\$24.87	\$298.45	\$27.22	\$326.59	\$21.03	\$252.35
Com	Premium Solutions	6735 University Ave Windsor Heights IA	4.0400	29200382002000	4.0440	\$17.43	\$209.16	\$24.87	\$298.45	\$27.22	\$326.59	\$21.03	\$252.35
Com	Dubay, D.	6561 University Ave Windsor Heights IA	4.8000		4.7980	\$20.68	\$248.15	\$29.51	\$354.09	\$32.29	\$387.49	\$24.95	\$299.40
Com	Community State Bank	7300 Hickman RD WINDSOR HEIGHTS IA	5.8500	29201617003002	5.8470	\$25.20	\$302.41	\$35.96	\$431.51	\$39.35	\$472.20	\$30.40	\$364.85
Com	KLASSIC KIDS DEVMNT	1237 73rd ST WINDSOR HEIGHTS IA 503	7.0600	29200921001000	7.0630	\$30.44	\$365.30	\$43.44	\$521.25	\$47.53	\$570.41	\$36.73	\$440.73
Com	SAMS CLUB #59-6344	1101 73rd St Windsor Heights IA 50311	0.0000	29200076601003	8.8240	\$38.03	\$456.38	\$54.27	\$651.21	\$59.39	\$712.63	\$45.88	\$550.62
Com	GREAT CLIPS	6601 University AVE Unit 101 WINDSOR	9.4200		9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	GROUND FOR CELEBRATION	6601 University AVE Unit 104 WINDSOR	9.4200		9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	CLASSIC TAN	6601 University AVE Unit 100 WINDSOR	9.4200		9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	Tran, N.	6601 University AVE Unit 102 WINDSOR	9.4200	29200378001000	9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	Skin & Body Zone	6601 University Ave Unit 103 Windsor H	9.4200		9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	Williams Turf Farms, INC	6601 University AVE WINDSOR HEIGHTS	9.4200	29200378001000	9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	Williams Turf Farms, INC	6611 University AVE Unit 102 WINDSOR	9.4200		9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	GATE HOUSE PICTURES	6611 University AVE Unit 104 WINDSOR	9.4200		9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	CB Management Group	6611 University AVE Unit 100 WINDSOR	9.4200	29200378001000	9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	Williams Turf Farms	6611 University AVE Unit 200 WINDSOR	9.4200		9.4220	\$40.61	\$487.31	\$57.95	\$695.34	\$63.41	\$760.92	\$48.99	\$587.93
Com	CLAIR PROP INC	1145 66th St Ste 2 Windsor Heights IA 50	9.5100	29202137000000	9.5080	\$40.98	\$491.75	\$58.47	\$701.69	\$63.99	\$767.87	\$49.44	\$593.30
Com	Windsor Heights City Hall	1145 66TH St Ste 1 Windsor Heights IA 50	9.5100	29202136000000	9.5080	\$40.98	\$491.75	\$58.47	\$701.69	\$63.99	\$767.87	\$49.44	\$593.30
Com	McManus, N.	6842 University AVE WINDSOR HEIGHTS	9.6200	29200354001000	9.6160	\$41.44	\$497.34	\$59.14	\$709.66	\$64.72	\$776.59	\$50.00	\$600.04
Com	West Side Group LLC	2110 63rd ST WINDSOR HEIGHTS IA 503	9.9300	29201622004000	9.9280	\$42.79	\$513.48	\$61.06	\$732.69	\$66.82	\$801.79	\$51.63	\$619.51
Com	TONG, QUAN	6720 Hickman RD WINDSOR HEIGHTS IA	9.9500	29201640000000	9.9450	\$42.86	\$514.36	\$61.16	\$733.94	\$66.93	\$803.16	\$51.71	\$620.57
Com	COLBY MANAGEMENT CO	6579 University AVE WINDSOR HEIGHTS	10.6500	29200374000000	10.6470	\$45.89	\$550.66	\$65.48	\$785.75	\$71.65	\$859.85	\$55.36	\$664.37
Com	A TO Z RENTAL	1220 73rd St Windsor Heights IA 503241	11.3600	29200895000000	11.3560	\$48.94	\$587.33	\$69.84	\$838.07	\$76.43	\$917.11	\$59.05	\$708.61
Com	Dr Hull,Langwith & Roush	7180 Hickman RD WINDSOR HEIGHTS IA	12.8900	29201885003004	12.8870	\$55.54	\$666.52	\$79.26	\$951.06	\$86.73	\$1,040.75	\$67.01	\$804.15
Com	GIGi's Playhouse Des Moines	6507 University AVE WINDSOR HEIGHTS	14.2600	29200366001000	14.2580	\$61.45	\$737.42	\$87.69	\$1,052.24	\$95.96	\$1,151.48	\$74.14	\$889.70
Com	NETWORK INC	2255 73rd ST WINDSOR HEIGHTS IA 503	14.2700	29202000101002	14.2740	\$61.52	\$738.25	\$87.79	\$1,053.42	\$96.06	\$1,152.77	\$74.22	\$890.70
Com	ANDERSON, S.	980 73RD St Windsor Heights IA 503121	16.4700	29201555002000	16.4670	\$70.97	\$851.67	\$101.27	\$1,215.26	\$110.82	\$1,329.87	\$85.63	\$1,027.54
Com	Davidson Motoyama LLC	1251 73rd ST WINDSOR HEIGHTS IA 503	16.5600		16.5620	\$71.38	\$856.59	\$101.86	\$1,222.28	\$111.46	\$1,337.55	\$86.12	\$1,033.47
Com	Westgate Adelphic Lodge 509	1141 69th ST WINDSOR HEIGHTS IA 503	16.8200	29200348000000	16.8190	\$72.49	\$869.88	\$103.44	\$1,241.24	\$113.19	\$1,358.30	\$87.46	\$1,049.51
Com	FLOWERAMA OF AMER INC	7301 University AVE WINDSOR HEIGHTS	20.3600	29200894003000	20.3570	\$87.74	\$1,052.86	\$125.20	\$1,502.35	\$137.00	\$1,644.03	\$105.86	\$1,270.28
Com	BETTY HILL DANCE STUDIO	1233 73rd St Windsor Heights IA 503241	20.6400	29200920001000	20.6370	\$88.95	\$1,067.35	\$126.92	\$1,523.01	\$138.89	\$1,666.64	\$107.31	\$1,287.75
Com	B-BOPS	1105 73rd St Windsor Heights IA 503241	24.8200	29200076606000	24.8190	\$106.97	\$1,283.64	\$152.64	\$1,831.64	\$167.03	\$2,004.38	\$129.06	\$1,548.71
Com	KIK PROPERTIES	1239 73rd ST WINDSOR HEIGHTS IA 503	25.0700	29200935000000	25.0700	\$108.05	\$1,296.62	\$154.18	\$1,850.17	\$168.72	\$2,024.65	\$130.36	\$1,564.37
Com	Pharmco Properties, LLC	6900 Hickman RD WINDSOR HEIGHTS IA	28.9500	29201646005000	28.9520	\$124.78	\$1,497.40	\$178.05	\$2,136.66	\$194.85	\$2,338.16	\$150.55	\$1,806.60
Com	WINDSOR HEIGHTS LUTHERAN CHURCH	1240 66th ST WINDSOR HEIGHTS IA 503	32.6700	29200380003001	32.6700	\$140.81	\$1,689.69	\$200.92	\$2,411.05	\$219.87	\$2,638.43	\$169.88	\$2,038.61
Com	NATIONAL DEVELOPMENT	6900 University AVE WINDSOR HEIGHTS	32.9800	29201819000000	32.9760	\$142.13	\$1,705.52	\$202.80	\$2,433.63	\$221.93	\$2,663.14	\$171.48	\$2,057.70
Com	Windsor Crossing Sr. Apts. LLC	6336 Hickman RD WINDSOR HEIGHTS IA	33.2700	29201631000000	33.2710	\$143.40	\$1,720.78	\$204.62	\$2,455.40	\$223.91	\$2,686.97	\$173.01	\$2,076.11
Com	WAL-MART STORE #011764	1003 73rd ST WINDSOR HEIGHTS IA 503	33.4900	29200076604000	33.4950	\$144.36	\$1,732.36	\$205.99	\$2,471.93	\$225.42	\$2,705.06	\$174.17	\$2,090.09
Com	Windsor Heights City Hall	1133 66th ST WINDSOR HEIGHTS IA 503	33.8500	29200496000000	33.8490	\$145.89	\$1,750.67	\$208.17	\$2,498.06	\$227.80	\$2,733.65	\$176.01	\$2,112.18
Com	KUM & GO #98	7229 University AVE WINDSOR HEIGHTS	36.2200	29200896001000	36.2170	\$156.10	\$1,873.14	\$222.73	\$2,672.81	\$243.74	\$2,924.88	\$188.33	\$2,259.94
Com	EYM KING OF IOWA	1107 73rd St Windsor Heights IA 50311	36.7200	29200076605000	36.7200	\$158.26	\$1,899.16	\$225.83	\$2,709.94	\$247.13	\$2,965.51	\$190.94	\$2,291.33
Com	Unity Point Northwest Family Practice	6400 Hickman RD WINDSOR HEIGHTS IA	40.0000	29201630001000	40.0000	\$172.40	\$2,068.80	\$246.00	\$2,952.00	\$269.20	\$3,230.40	\$208.00	\$2,496.00
Com	Windsor Presbyterian	6301 University AVE WINDSOR HEIGHTS	41.3500	29200644000000	41.3490	\$178.21	\$2,138.57	\$254.30	\$3,051.56	\$278.28	\$3,339.35	\$215.01	\$2,580.18
Com	Colby National Development Trust	6939 University AVE WINDSOR HEIGHTS	42.7100		42.7120	\$184.09	\$2,209.06	\$262.68	\$3,152.15	\$287.45	\$3,449.42	\$222.10	\$2,665.23
Com	QUIK TRIP #503	7220 Hickman Rd Windsor Heights IA 50	45.6200		45.6230	\$196.64	\$2,359.62	\$280.58	\$3,366.98	\$307.04	\$3,684.51	\$237.24	\$2,846.88
Com	REMAX UNIVERSITY LLC	6600 University Ave Windsor Heights IA	46.1400	29200189000000	46.1440	\$198.88	\$2,386.57	\$283.79	\$3,405.43	\$310.55	\$3,726.59	\$239.95	\$2,879.39
Com	BBT Rentals, LLC	6500 Hickman RD WINDSOR HEIGHTS IA	50.5700	29201635003003	50.5690	\$217.95	\$2,615.43	\$311.00	\$3,731.99	\$340.33	\$4,083.95	\$262.96	\$3,155.51
Com	Bankers Trust	7000 University AVE WINDSOR HEIGHTS	50.7300	29200079003000	50.7340	\$218.66	\$2,623.96	\$312.01	\$3,744.17	\$341.44	\$4,097.28	\$263.82	\$3,165.80
Com	Walnut Creek Community Church	900 64th St Windsor Heights IA 503241C	52.4200		52.4200	\$225.93	\$2,711.16	\$322.38	\$3,868.60	\$352.79	\$4,233.44	\$272.58	\$3,271.01

WINDSOR HEIGHTS STORM WATER ANALYSIS - APPENDIX A

						CURRENT FEE STRUCTURE		A. Same Revenue Proportions as Existing Billing		B. Revenue = Billing ERU (More Commercial \$)		C. 50% Res. / 50% Comm. (More Residential \$)		
Class	Customer Name	Service Address	Property ERU's	District / Parcel #	Billing Point Units / ERU's	Monthly	Annually	Monthly	Annually	Monthly	Annually	Monthly	Annually	
57	Com	Sherwood Forest Co	7690 Hickman RD WINDSOR HEIGHTS IA	53.7400		53.7390	\$231.62	\$2,779.38	\$330.49	\$3,965.94	\$361.66	\$4,339.96	\$279.44	\$3,353.31
58	Com	J KOESTER PROPERTIES	6500 University AVE WINDSOR HEIGHTS	55.1000	29200478002000	55.1030	\$237.49	\$2,849.93	\$338.88	\$4,066.60	\$370.84	\$4,450.12	\$286.54	\$3,438.43
59	Com	Immanuel Pathways Central Iowa	7700 Hickman RD WINDSOR HEIGHTS IA	58.3200	29201097001000	58.3150	\$251.34	\$3,016.05	\$358.64	\$4,303.65	\$392.46	\$4,709.52	\$303.24	\$3,638.86
60	Com	CITYWIDE HTG & AIRCOND	1300 73rd St Windsor Heights IA 503241	71.4000	29200888001000	71.4020	\$307.74	\$3,692.91	\$439.12	\$5,269.47	\$480.54	\$5,766.43	\$371.29	\$4,455.48
61	Com	APPLE VALLEY	7100 University AVE WINDSOR HEIGHTS	73.4000	29200079004000	73.4030	\$316.37	\$3,796.40	\$451.43	\$5,417.14	\$494.00	\$5,928.03	\$381.70	\$4,580.35
62	Com	COWLES SCHOOL	6401 College Ave Windsor Heights IA 50	73.6600		73.6620	\$317.48	\$3,809.80	\$453.02	\$5,436.26	\$495.75	\$5,948.94	\$383.04	\$4,596.51
63	Com	MCR INVESTMENTS I LLC	801 73rd ST WINDSOR HEIGHTS IA 5031	82.1100	29200080002000	82.1090	\$353.89	\$4,246.68	\$504.97	\$6,059.64	\$552.59	\$6,631.12	\$426.97	\$5,123.60
64	Com	APPLE VALLEY #2	7204 University Ave Windsor Heights IA	88.6400		88.6420	\$382.05	\$4,584.56	\$545.15	\$6,541.78	\$596.56	\$7,158.73	\$460.94	\$5,531.26
65	Com	Sherwood Forest Co	7400 Hickman RD WINDSOR HEIGHTS IA	89.9800	29201617002000	89.9790	\$387.81	\$4,653.71	\$553.37	\$6,640.45	\$605.56	\$7,266.70	\$467.89	\$5,614.69
66	Com	Windsor Square	900 65th St Windsor Heights IA 503241	93.3700	29202037001000	93.3720	\$402.43	\$4,829.20	\$574.24	\$6,890.85	\$628.39	\$7,540.72	\$485.53	\$5,826.41
67	Com	TKG IA STORAGE LLC W1060	6525 Center St Windsor Heights IA 5032	111.4500	29202038001000	111.4530	\$480.36	\$5,764.35	\$685.44	\$8,225.23	\$750.08	\$9,000.94	\$579.56	\$6,954.67
68	Com	TKG IA STORAGE LLC W1051A	6600 Hickman RD WINDSOR HEIGHTS IA	112.4700	29201636000000	112.4660	\$484.73	\$5,816.74	\$691.67	\$8,299.99	\$756.90	\$9,082.75	\$584.82	\$7,017.88
69	Com	WEST DES MOINES SCHOOL	1600 73rd ST WINDSOR HEIGHTS IA 503	145.6900	29200008000000	145.6880	\$627.92	\$7,534.98	\$895.98	\$10,751.77	\$980.48	\$11,765.76	\$757.58	\$9,090.93
70	Com	Sherwood Forest Co	7502 Hickman Rd Windsor Heights IA 50	154.1700		154.1740	\$664.49	\$7,973.88	\$948.17	\$11,378.04	\$1,037.59	\$12,451.09	\$801.70	\$9,620.46
71	Com	ELECTRICAL ENG & EQUIP	953 73rd St Windsor Heights IA 503241	202.5800	29200080004000	202.5770	\$873.11	\$10,477.28	\$1,245.85	\$14,950.18	\$1,363.34	\$16,360.12	\$1,053.40	\$12,640.80
72	Com	HY-VEE FOOD STORE	7101 University AVE WINDSOR HEIGHTS	239.2900	29200906003000	239.2880	\$1,031.33	\$12,375.98	\$1,471.62	\$17,659.45	\$1,610.41	\$19,324.90	\$1,244.30	\$14,931.57
73	Com	BP Hickman 79 LLC	7900 Hickman RD WINDSOR HEIGHTS IA	307.4600	29201097002000	307.4600	\$1,325.15	\$15,901.83	\$1,890.88	\$22,690.55	\$2,069.21	\$24,830.47	\$1,598.79	\$19,185.50
74	Com	Wal-Mart Store #011764	1001 73rd ST WINDSOR HEIGHTS IA 503	430.0900	29200076602002	430.0910	\$1,853.69	\$22,244.31	\$2,645.06	\$31,740.72	\$2,894.51	\$34,734.15	\$2,236.47	\$26,837.68
75	Com	SAM'S CLUB	1101 73rd St Windsor Heights IA 50311	0.0000	29200076601003	525.6030	\$2,265.35	\$27,184.19	\$3,232.46	\$38,789.50	\$3,537.31	\$42,447.70	\$2,733.14	\$32,797.63
			SUBTOTAL		3,468.6200	4,003.0510	\$17,253	\$207,038	\$24,619	\$295,425	\$26,941	\$323,286	\$20,816	\$249,790
			Commercial % of Total City Billing ERU's:		64.58%	58.82%	(Commercial) % of Revenue	58.97%	(Commercial) % of Revenue	64.58%	(Commercial) % of Revenue	49.87%	(Commercial) % of Revenue	
			Commercial-Only Revenue Increase vs. Current:			0.00%	0.00%	42.69%	42.69%	56.15%	56.15%	20.65%	20.65%	

COUNCIL ACTION FORM

AGENDA ITEM: Discussion and Appropriate Follow up on the Storm Water Analysis

HISTORY:

On August 2017, for the first Council Budget Committee meeting for the FY 2018/19 Budget, we discussed the need to do a full analysis of our storm water rates so we cover operations and debt over the next 5-10 years included in the approved Capital Improvement Plan (CIP Plan). The CIP Plan indicates the need to build the rates to secure almost \$600,000 in needed infrastructure improvements over the next five (5) years.

Staff asked for a quote from our City Engineers and also reached out to Chip Shultz from UMB Bank, who was the underwriter in our recent bond sale. Schultz agreed to do the study at no cost to the City.

The scope of work included the following items:

- Identify Pricing & Program Objectives
- Evaluation of Current Storm Water Drainage Utility
- Comparison of Neighboring Cities' SW Drainage Utility
- Preliminary Evaluation of Possible Rate Structures
- Recommendation of Rate Structure
- Determination of Funds Needed
- Stakeholder Engagement
- Evaluation of Special Circumstances
- Rate Calculation
- Preparation of Report
- Presentation of Study results to City; and
- Implementation Phase – Ordinance preparation.

Over several months staff met with and gathered information for Schultz in order to provide the attached **Storm Water Utility Rate Study and Summary**. Exhibit 2 provides several options for discussion.

Schultz is prepared to be present to the next several meetings, when council holds the public hearing and readings of the ordinance to amend the rates.

OPTIONS:

1. Set the public hearing for August 6, 2018 and direct staff to prepare first reading to an ordinance with the proposed rate changes illustrated on Exhibit 2 as Option A.
2. Set the public hearing for August 6, 2018 and direct staff to prepare first reading to an ordinance with the proposed rate changes illustrated on Exhibit 2 as Option B.

3. Set the public hearing for August 6, 2018 and direct staff to prepare first reading to an ordinance with the proposed rate changes illustrated on Exhibit 2 as Option C.
4. Refer back to staff to look into other alternatives.
5. Do nothing at this time.

STAFF RECOMMENDATION:

In order to ensure coverage of the utilities operations and debt expenses over the next five to ten year term, our financial advisor and staff recommends increasing the storm sewer rates, effective immediately.

Therefore, it is the recommendation of the City Administrator that Council approves Option #1, to set the public hearing for August 6, 2018 and direct staff to prepare first reading to an ordinance with the proposed rate changes illustrated on Exhibit 2 as Option A.

Administrator's Report As of August 2, 2018

PROJECT UPDATES: Check out the projects page and e-newsletter articles for weekly updates.

Flood Response and Recovery:

On July 13th, PWD Jacobus and I attended a meeting with Polk County Public Works to hear about their plans to offer a flood assistance program to residents of the county impacted by the recent floods. Since last Friday, Polk County conducted four training sessions for City staff and the information on the program was shared. As you may have seen in the Flood Impact Report in the last packet and on KCCI, Polk County launched the program offering financial help with replacing electricity, furnaces and water heaters for flood victims. This program is in addition to other resources that have already been offered. Income guidelines do apply, and the process starts with the city. Staff has been trained and is ready. If you have inquires please have them call City Hall for assistance. The program information was posted on the website, Facebook, and e-newsletter. It will also be the feature story on the front page of the DMWW newsletter. The impact list of property owners, applications and supplemental information was provided to Mayor Burgess on July 19th. He is coordinating with those Council members who responded to the call for volunteers to make personal contact with affected property owners.

On July 16th, Captain Meyer and I attended a meeting at the Polk County Emergency Operations Center. One of the discussion points was the need to make a decision in regards to what type of federal assistance programing to request from the state and FEMA. Specifically, the decision is being asked of the commission whether or not to request FEMA IA (individual assistance grant) as is doesn't appear the state will meet eligibility requirements. While that may seem black and white the context is the state's ability to frame hardship with consideration to the gap for eligibility requirements. PSD McCluskey, Captain Meyer, Mayor Burgess and Mayor Pro Temp and EMS Alternate Mike Jones held a conference call on July 19th to discussion points was the need to make a decision in regards to what type of federal assistance programing to request. They will bring their decision to apply for all assistance programs to the commission meeting on July 27th.

Also, on July 16th, Council approved waiving permit fees. Staff put out a notice on our website, e-newsletter, DMWW monthly newsletter and social media.

On July 17th, PWD Jacobus, Captain Meyer and Mayor Burgess met with FEMA to complete our public assistance assessment, including materials, labor and equipment used.

On July 19th, I attended a meeting at the Polk County Emergency Operations Center regarding Individual Assistance. Subsequently, Mayor Burgess hosted FEMA, Iowa Homeland Security and SBA representatives to conduct private damage assessment to properties as a result of the flood.

Colby Park/Dog Park/Trail/Creek: As you already know, Colby Park is open. The Dog Park remains closed. P&R Coordinate Denkinger and Communications Specialist Vogel launched a volunteer event to clean the dog park on July 26th. We are pleased that nearly 30 volunteers, including staff, Mayor Burgess, Council members Mike Jones and Joseph Jones, and many residents in and surrounding Windsor Heights who helped rake and clear debris from the fence and park area. We got done within an hour and a half. Public Works Staff replaced the mulch and they are hopeful to have the park open in a week or so. The two sections of Trail next to Colby Park were patched back and opened up this week. They are 100% open to bikers and are safe to travel freely. Public Works has some restoration work to do on these that will get done

in-house to save some money, but time does not allow them to do for a few weeks. The section of the trail near the DNR building south of the Hickman Bridge has not been patched back yet. Staff is following up with Grimes Asphalt to see what the schedule looks like for that. For Walnut Creek, Public Works spent the afternoon of July 26th cutting the large log that lied across the creek behind the properties at 77th and Marilyn Drive. Staff is continuing to work on assessing what the entire region is doing on the cleanup efforts of the creek.

On July 27th, Emergency Management Commission voting members PSD McCluskey and Mayor Burgess attended the Commission meeting at the Polk County Emergency Operations Center. They voted unanimously to approve both the FEMA Individual Assistance Program and the SBA program simultaneously. This assistance is in addition to the Public Assistance grants applied for.

Polk County 2018 Flood Assistance Program: As you know, Polk County launched the program offering financial help with replacing electricity, furnaces and water heaters for flood victims and City Staff has been trained and is ready. If you have inquires please have them call City Hall for assistance. You can find the program information on the website, Facebook, and recent e-newsletter. It will also be the feature story on the front page of the upcoming DMWW newsletter. In the meantime, there was a desire by the Mayor and a few Council members to obtain the impact list of property owners, applications and supplemental information, which was provided to Mayor Burgess on July 19th. He coordinated with those Council members to make personal contact with affected property owners over the weekend of July 20th -22nd. Mayor Burgess reached out for an update, but at the time of this email no update was yet received.

Central Iowa Capital Crossroads Development Initiatives – Governance: Central Iowa Mayors and City Managers identified Storm Water and Affordable Housing are the region's top two priorities. There is list of education meetings, including a Storm water Conference on October 2nd. All meeting are held from 1-4:30 p.m. Mayor Burgess, BMI and staff attended the meeting on August 1st called *What are the costs of stormwater management on private property?*

Storm Water Review: A City-Wide Storm Water Review is the city's #1 goal. On March 19th, the City Council approved requesting BMI to begin working on this review. BMI has a copy of the city's Storm Water Management Plan adopted in 2012. BMI will provide ways the residents, businesses and city can improve our properties. Once complete, BMI will educate the public and incorporate the findings in the Infrastructure Master Plan. Staff, BMI and the Council Budget Committee will utilize the objective master plan in the CIP planning process beginning in August. Council approves the CIP in December and the entire budget in March 2019.

Sanitary Slip Lining:

In an effort to be proactive in dealing with problems related to infiltration of storm water into sanitary sewer lines and the condition of aging sewer lines, the City has included slip lining in the attached Capital Improvement Plan. Furthermore, the Urbandale-Windsor Heights Sanitary Sewer District (UWHSSD) has already agreed to fund this annual project. The PW Department will coordinate with the City of Urbandale PW Department to bid this work in the winter for a spring 2019 project.

Storm Water Utility Rate Study:

In August 2017, for the first Council Budget Committee meeting for the FY 2018/19 Budget, we discussed the need to do a full analysis of our storm water rates so we cover operations and debt over the next 5-10 years included in the approved Capital Improvement Plan (CIP)

Plan). The CIP Plan indicates the need to build the rates to secure almost \$600,000 needed for infrastructure improvements over the next five (5) years. Chip Shultz from UMB Bank, who was the underwriter in our recent bond sale, agreed to do the study at no cost to the City and plans to present the study at the next Council meeting.

2017 Sidewalk Project:

Kingston Services has completed the sidewalk on 63rd Street. Next rehabilitation will need to be conducted for all sections. All work is weather dependent. Last week, BMI and staff walked all sidewalks installed in 2017 and 2018 on Del Matro, 64th, and 63rd and put together a punch list of items.

The 2017 Sidewalk Project contract included interim completion dates. The first was the completion of Del Matro and 64th needing substantial completion by November 30th. They met that requirement. The second was substantial completion of 63rd by June 30th of this year; they were not completed until July 17th. There will be damages accrued in that time. The contract requires all work to be completed by July 31st. They will be accruing damages at that point as well.

As stated above, the sidewalk construction is complete on 63rd Street. However, we are not in seeding dates right now so that area was hydro-mulched to prevent erosion and keep it prepared for final seeding. Fall seeding dates are August 10th – September 30th. Seeding did occur on Del Matro this spring, but will be done again in the fall in areas not taking. The contractor has stated he will be thatching Del Matro for rock removal. The holes in the yard are on the punch list and will be addressed before accepted. In order for the contractor to enter private property, they will need to obtain new agreements with those impacted. The majority of the right-of-entry requirements were to place new driveways, we anticipate minimal residents being impacted but will have some. The contractor is responsible for watering and fertilizing of all seed. However, if a property owner wishes to water, they can water as well. BMI will monitor the seeding for germination and the soil for removals of rock. Until this is satisfied, we will continue to hold retainage. Release will likely occur next spring. Also, we attached is the punch list of remaining work to be complete with council agenda packet item B.i. Once complete, Bolton & Menk will review the work and upon acceptance will ask City Council to approve the project. Once acceptance has been done, the retainage amount would be sent after 30 days. Again, the 30 days starts after final acceptance not substantial completion.

2018 Street Rehabilitation Project: Now that Grimes Asphalt has completed the phase one project, they will now begin working on several other streets that came off the city master street plan that we added to Grimes list of repairs. Those blocks specifically include Mott from 69th Street to 66th Street, School Street from 64th to 65th, 65th Street from School to Lamar PI and Lamar PI from 65th to 64th S. A map can be found on the Projects page on our website. Quantities will be reviewed by our City Engineers and a change order will come before the Council once complete. Depending on the unforeseen extra work needed on 69th Street near Washington Avenue, that may decrease the amount of excess funds available for additional paving. See Public Works Director Jacobus's monthly report for more details on certain project updates.

2018 PCC Patching Project:

Work will begin soon on 70th Street between Colby Avenue and Hickman Road. Once we get a timeframe, staff will let all know the roadway will be closed to thru traffic for the duration of the work. A marked detour will be in place for motorists to follow.

Public Works/City Hall/Lion's Park Parking Lot Projects: The HMA resurfacing and PCC replacement is finished at the Public Works Maintenance Facility. The Lions Park parking lot is finished, but there are a few punch list items remaining. Staff has a call into the contractor to get a timeframe.

Economic Development:

DART/Walmart Transition Station: See Building and Zoning Official Lizer's monthly report for an update on this project status from the Board of Adjustment meeting held on August 1st.

Urban Revitalization Planning: The Council Development Committee met with Bond Counsel John Danos on July 30th to review the Iowa Code Section on Urban Revitalization Projects and the process a community would have to go through if a Tax Abatement Program was of interest. The Committee will continue working and a recommendation will come to the City Council for consideration.

Economic Development Pitch book: Saturday Manufacturing is working on final drafts of the booklets for the development folder. Staff got drone footage to share with the designers and we are reaching out to local photographers to get some more recent classic photos to incorporate.

MEETINGS:

Iowa City Manager's Association Summer Conference: I attended several sessions on Thursday, July 12th and 13th in Altoona, relating to Economic Development, Lessons Learned in Ferguson, MO, Nuisance Abatement, Successful Referendums.

DART Funding/Metro Manager's Meeting: As part of the Metro City Manager's monthly meeting, we were hosted by DART on July 18th to discuss several options for funding DART. Windsor Heights is at the maximum allowed amount of property tax, where no other city in the metro is paying the max. If all cities were paying the max, DART would still need another source of revenue to be successful after 2025. See attached presentation and copy of the Des Moines Transit Funding Study.

Meeting with the Iowa Interstate Railroad: Iowa Interstate Railroad leases from the Norfolk Southern Railyard. BMI's Justin Ernst and I met with a representative of Iowa Interstate Railroad to assist Justin with putting together a scope for services for the alignment of a connect trail or sidewalk along 73rd street to connect Windsor Heights at Buffalo Road to West Des Moines at Center Street. Justin and I were advised about minimum standards and what to include in a presentation to get Norfolk Southern Railroad's approval. BMI and staff thought we should seek their approval in the beginning of the process prior to a full project design is complete. This project is included in the Capital Improvement Plan.

Central Iowa Shelter: Mayor Burgess and I met with Melissa O'Neil from Central Iowa Shelter and Services on July 24th. They would like a donation from the City for a Building Project that they have. For a \$6.5 m project, they are just under \$2 million left to raise in order to complete the building and have funds invested in the Greater Des Moines Community Foundation to cover 10 years of operational costs. The Mayor will appoint a Council Budget Committee and this will be an item for their discussion and then a recommendation will come before the City Council.

Meeting with Clive City Manager: We have not met for a while since the former City Manager retired and the change of leadership. I met with Matt McQuillen on July 24th to discuss storm

water mitigation efforts to Walnut Creek. I also gave him an update on our recent management team hires as we continue to find ways to collaborate with our neighboring communities.

Budget and Capital Improvement Planning: Attached is the FY 19/20 Budget Timeline. Staff has a meeting set up with Gallagher on our insurance renewal and also with Public Works Director Jacobus and Matt and Justin from BMI to review the Street Master Plan and Capital Improvement Plan on August 27th. The first Council Budget Committee (Policy and Finance) meeting is set for September 17th.

Council Communications Committee: The Communications Committee met on July 30th to discuss a custom city newsletter and prepare a recommendation for Council consideration.

Meeting with Banker's Trust: City Clerk Cooke and I met with Betty Ridout from Banker's Trust on August 1st.

DEPARTMENT UPDATES:

Public Safety:

- PSD McCluskey met with Cowles Principal Todd Johnson and IDOT's Clayton Burke on July 31st regarding an IDOT construction overlay project on 63rd from University Avenue north to Hickman Road. The original dates cited of September 10th through October 14th only indicate project start times, not the actual length of the project. Once the project starts, Clayton stated the project is supposed to be completed within 10-days, if not sooner. There will be a pre-construction meeting hosted by IDOT and Clayton will invite Principal Johnson and PSD McCluskey to attend that meeting to ensure we aren't missing something. In addition, Clayton will be notified 10-days before the actual start date and he will, in turn, notify me so we can push that date out to Johnson and Communications Specialist Vogel for communication to the community. Based on the discussion this morning, the plan at this point is to close 64th north of Del Matro and funnel all northbound traffic west on Del Matro for the duration of the project. The barricade will be set just north of Del Matro, which allows the sidewalk on the east side of 64th to be used by pedestrians, and that crossing will be north (behind) the barricade. Staff and emergency vehicles will still have access to 64th to get to the school. The school will conduct discussions with parents for dropping their children off further south on 64th. If that does take place and the kids use the east sidewalk, they should encounter minimal traffic at the intersections as 63rd will be closed and only the residents east of 64th will be in that area. Once traffic turns west on Del Matro, they can go to 70th and go north or south to intersections with traffic lights. We discussed turning the vehicles around in Cowles lot and sending them back south on 64th, but that would become a traffic issue at University should anyone try to make a left turn without a traffic signal, so this appears to be the best alternative. There are also sidewalks on the north side of Washington. The school discussed possibly setting up another walking school bus program on Washington, east of 66th, to alleviate traffic getting stuck on Washington west of 63rd. This plan seemed to address all issues and put everyone involved at ease a little.
- Attached is a personal "thank you" from the City of Clive for the assistance of the Windsor Heights Fire Department on the rescue efforts they assisted with during the recent flood event.

Public Works:

- We have an addition to the Public Works (and City) family. Hazel Lara Jacobus arrived on July 29th.
- With the help of Parks and Recreation Coordinator Denkinger and Public Works Director Jacobus, we submitted a Metro Waste Authority Environmental Enhancement Grant for 20 trash receptacles along the trail and just received notice of reward.
- See PWD Jacobus's monthly report, which provides project and operational updates.

COMMUNITY EVENTS:

National Night Out: The annual National Night Out Against Crime is on August 7th from 5:00 p.m. -7:00 p.m. in Colby Park. There will be food, inflatables, helicopter display, stickers, coloring books, face painting, spin art, barrel train rides, K-9 demo, prizes and drawings and a jaws of life demo. National Night Out is designed to heighten crime and drug prevention awareness, generate support and participation in local anti-crime programs, such as Neighborhood Watch, strengthen neighborhood spirit and police-community partnerships and send a message to criminals letting them know that neighborhoods are organized and fighting back.

Nights in the Heights: The July 3rd activities have been moved to August 7th. Abby Normal will perform from 6:30-9:30 p.m. Fireworks will display at 9:45 p.m. Visit <https://www.facebook.com/events/2054384004828335/> for more information or the Nights in the Heights Facebook page.

PERSONNEL:

Department Head Meeting: The department heads met on Monday, July 30th at City Hall. See attached agenda so that the Council is aware of items discussed with the staff.

Public Works Equipment Operator: Justin Heth joined the Public Works Department as an Equipment Operator on July 30th.

What Meetings are Coming Up and When I may not be in the Office:

Currently, I do not have any appointments out of office for the coming two weeks.

1 Executive Summary

The Greater Des Moines Partnership (The Partnership) recognizes the vital role that transit plays in the region's growth and development. The Partnership is working in collaboration with the Des Moines Area Regional Transit Authority (DART) to develop a long-term transit investment strategy.

HNTB supported The Partnership and DART in the first phase of this process, developing a sophisticated, spreadsheet-based financial model, evaluating future transit funding options and ultimately defining a preferred funding strategy. Three stakeholder meetings resulted in substantial agreement among participants on financial assumptions, strategies for a path forward and a transit funding plan.

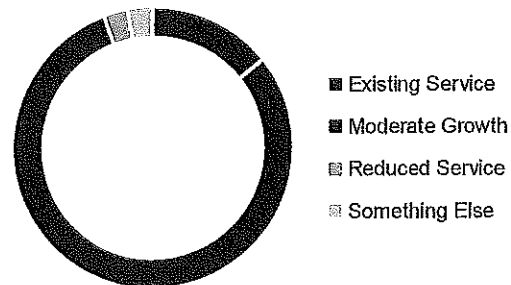
The financial model is a complex analysis tool using historical trends and assumptions about the future to predict transit costs and revenues. The model forecasts future cash flows for DART based on existing service, and assesses the long-term revenue outlook for a corresponding property tax, sales tax, vehicle registration tax or hotel/motel tax. A variety of inputs—such as the timing and amount of future service increases—were used to develop the Greater Des Moines Transit Funding Study model.

At the final stakeholder meeting in October 2017, participants reached substantial agreement on a long-term transit service growth and funding strategy that includes a new revenue source. After reviewing various funding scenarios, funding expansion with a dedicated sales tax received the greatest level of support. See the keypad polling results in Figure 1. Because the preferred strategy will take time to implement and would follow communities' Local Option Sales Tax efforts, participants recommended the DART Commission continue increasing existing property tax levies as necessary along with pursuing supplemental funding through tax increment financing (TIF) and private contributions as a near-term strategy while a dedicated funding source, such as sales tax, is pursued through state legislation.

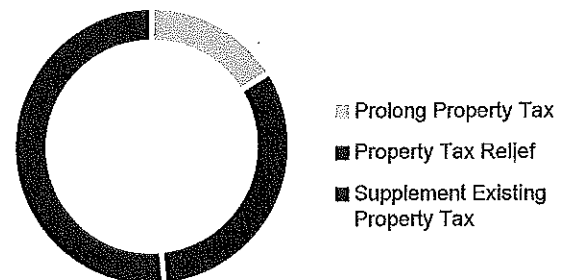
Section 2 provides an overview of the Greater Des Moines Transit Funding Study process. Section 3 describes DART's recent investments and historical financial trends. Sections 4, 5 and 6 summarize the baseline funding analysis, potential funding sources, and funding scenarios respectively. Section 7 discusses implementation steps and Section 8 highlights emerging mobility considerations.

FIGURE 1: STAKEHOLDER WORKSHOP 3 POLLING RESULTS

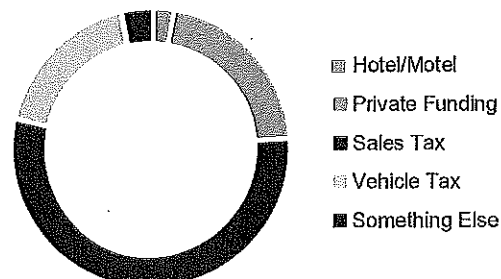
What is the preferred service level for the future?



What funding type is the best approach for DART?



Which supplemental funding option is preferred?



2 Transit Funding Study

PURPOSE

The DART Board of Commissioners requested that The Partnership collaborate with DART to develop the Transit Funding Study and evaluate future transit funding and mobility options for the fast-growing Greater Des Moines region. Planning for future mobility is crucial to connecting growing communities and supporting economic development.

The DART Board of Commissioners concurrently initiated a Governance Task Force in January 2017. The Governance Task Force evaluated DART's governance structure and provided recommendations that included expanding representation by including one representative per member community and enacting a voting system that would give each community representative a vote.

The majority of DART's operating revenue comes from a property tax levy imposed on each of its member cities. The levy varies by city, currently ranging from \$0.537 per \$1,000 taxable value in unincorporated Polk County, to \$0.95 per \$1,000 in the City of Windsor Heights. By law, the levy cannot exceed \$0.95 cents in any jurisdiction. As additional communities reach this cap, future levy increases will fall increasingly to the communities with remaining capacity.

The Greater Des Moines Transit Funding Study objectives include understanding DART's existing financial outlook, researching potential alternative funding sources, engaging with stakeholders to discuss options for the future of DART service and how to fund it and looking at the potential role of emerging technology.

Project tasks included:

- Data collection
- Stakeholder workshops
- Potential funding sources
- Scenario modeling
- Future impact of ridesourcing and automation on transit
- Recommendations and documentation

STAKEHOLDER WORKSHOPS

The following stakeholder workshops were held on July 27, Sept. 6, and Oct. 5, 2017:

- Workshop 1 focused on establishing how success of the study would be measured, including levels of consensus, reasonable tax rates, regional versus local outlook and actionable strategies to implement the study's recommendations.
- Workshop 2 provided a detailed look at DART's financial outlook and structural deficit, presented the ridesourcing and automation analysis results and emerging mobility considerations and solicited the feedback necessary to develop funding scenarios.
- Workshop 3 presented an extensive series of potential funding options which were voted on by participants using keypad polling.

A meeting was also held on Aug. 25, 2017 with local city and county managers. This meeting was convened to achieve consensus on the technical approach and a common understanding of DART's current financial outlook.

A list of stakeholder workshop participants is provided in Table 1.

TABLE 1: PARTICIPATING ORGANIZATIONS

AARP

Greater Des Moines Partnership Affiliate Chambers
Atlantic Coca-Cola Bottling Co.
Bankers Trust
Brick Gentry Law
Capital Crossroads
Catch Des Moines
City of Altoona
City of Ankeny
City of Bondurant
City of Carlisle
City of Clive
City of Des Moines
City of Johnston
City of Pleasant Hill
City of Polk City
City of Urbandale
City of West Des Moines
City of Windsor Heights
Community Foundation of Greater Des Moines
DART
Des Moines Area MPO
Des Moines Bicycle Collective
Des Moines Public Schools
Des Moines University
DMACC

DMARC

Drake University
Easter Seals Iowa
Food Bank of Iowa
Goodwill of Central Iowa
Grand View University
Greater Des Moines Partnership
Hubbell Realty Company
Iowa Department of Transportation
Kum & Go
McClure Engineering Company
Mercy Medical Center - Des Moines
Nationwide
PolicyWorks
Polk County
Polk County Continuum of Care Board
Polk County Housing Trust Fund
Principal
Taxpayers Association of Central Iowa
U.S. Bank
United Way of Central Iowa
UnityPoint Health – Des Moines
Urban Land Institute
Wells Fargo
Young Professionals Connection

3 DART Today

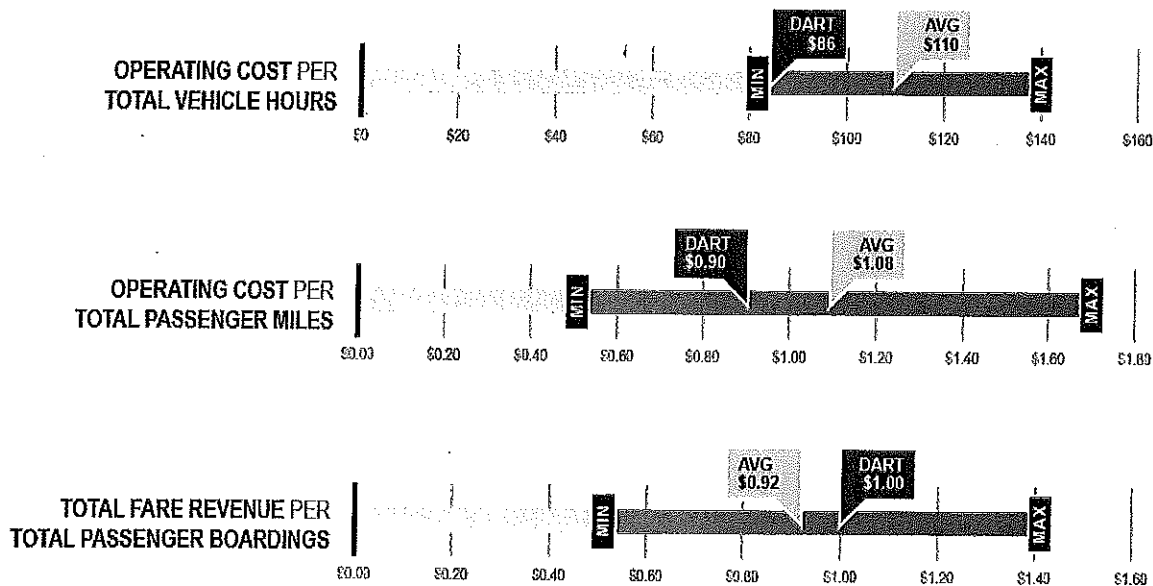
DART revenues have grown more slowly than expenses resulting in a “structural deficit.” This is not unique to DART and affects many local governments relying on property tax, as property valuations declined following the 2007 recession and housing market crisis.

DART’s costs have grown in part due to one-time major investments in its facilities, technology, and services. With long-term regional growth in mind, DART made significant capital investments, such as the opening of DART Central Station in 2012, implementation of a new dispatch and vehicle tracking system, the launch of real-time technology in 2013 and a new enterprise asset management system. DART also implemented significant service increases in 2012 and 2013, created new positions to staff DART Central Station, and is now investing in mobile ticketing and new fareboxes. DART is also now properly funding its insurance reserves.

In recent years DART has reduced its growth in operating costs. Nevertheless, DART’s budgeted operating costs have grown 4.3% per year since 2014, while the taxable property values of its member cities have increased only 3.6% per year in the same period. In the absence of a different revenue source, property tax levies are likely to continue rising until they reach the limit of \$0.95 allowed under Iowa law.

In spite of recent cost growth, DART is efficient and cost effective compared to its peer agencies around the United States. The American Bus Benchmarking Group (ABBG) benchmarks performance for North American mid-sized bus agencies (see Figure 2).

FIGURE 2: AMERICAN BUS BENCHMARKING GROUP KEY PERFORMANCE INDICATORS



4 Baseline Financial Analysis

BASELINE FUNDING ANALYSIS

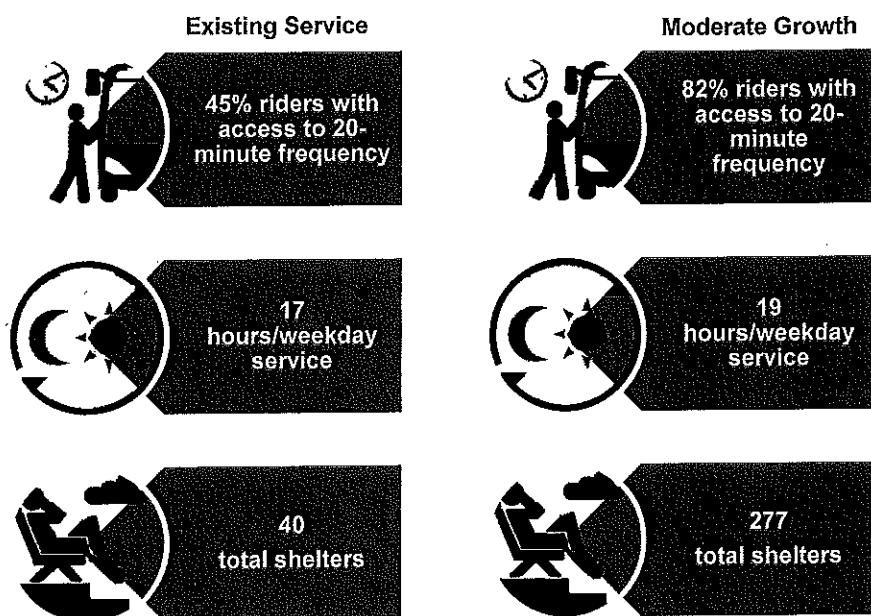
The financial model establishes a baseline to provide information for framing the discussion of other potential funding scenarios. This does not represent potential strategies based on stakeholder feedback. The following two baseline scenarios were developed to identify the necessary levy increases to maintain existing service or the necessary service cuts to maintain existing levies:

- To **maintain existing service levels**, incremental annual levy increases would continue until all member cities reach the maximum rate allowed under DART's enabling legislation (\$0.95 per \$1,000 of taxable property value), resulting in a **funding shortfall by 2025**.
- Conversely, **freezing levies at current FY 2018 levels** would require a **20% cut in service** in FY 2019, in order to maintain positive cash flow for at least five years following.

BASELINE SERVICE OPTIONS

Two service scenarios, "Maintain Existing Service" and "Moderate Growth," were tested for the potential funding scenarios described in Section 6. The moderate growth plan will provide enhanced service on existing corridors, new routes on major corridors and a robust bus shelter and mobility hub program. Existing service and moderate growth statistics are provided in the figures below.

FIGURE 2: DART SERVICE STATISTICS



5 Potential Funding Sources

The Transit Funding Study began by identifying and vetting potential sources of transit funding at the stakeholder workshops. The process included the development of a comprehensive “long list” of potential sources used by transit agencies around the country, and analysis of each funding source’s long-term reliability, sustainability, geographic alignment and permissibility under current Iowa law.

The long list of potential funding sources included the following taxes:

- | | |
|----------------|--------------|
| ■ Property Tax | ■ Income Tax |
| ■ Sales Tax | ■ Fuel Tax |
| ■ Vehicle Tax | ■ VMT Tax |
| ■ Parking Tax | ■ Impact Fee |

Stakeholder feedback indicated that further scenario development should include only local funding sources that are currently permitted in Iowa. Workshop participants believed that legislative changes to existing revenue sources may be feasible (i.e. make sales tax available to DART). Most stakeholders supported increasing revenues and opposed service reductions. A large majority of stakeholders preferred a combination of more than one local funding source for DART. Most participants opposed increasing the current property tax cap but most also did not overwhelmingly support full repeal, either. The baseline scenario analysis indicates that existing services levels would result in a funding shortfall in 2025. The region has several years to permanently solve the structural funding deficit, but property tax levies are likely to continue rising in the meantime.

Stakeholders identified the “short list” of potential funding sources in the following table as priorities for further evaluation. Implementation options are included for each.

Potential Funding Source	Implementation Options
Sales Tax	<ul style="list-style-type: none"> ■ Voter referendum and agreement between cities/county and DART to split new revenue, OR ■ Modify state law to allow dedicated DART tax
Vehicle Tax	<ul style="list-style-type: none"> ■ Voter referendum and agreement between county and DART to split new revenue, OR ■ Modify state law to allow dedicated DART tax
Hotel/Motel Tax	<ul style="list-style-type: none"> ■ Agreement with cities to redirect existing tax revenue to DART, OR ■ Modify state law to raise 7% cap and/or allow dedicated DART tax
Property Tax	<ul style="list-style-type: none"> ■ Modify state law to increase \$0.95 cap
Private Funding	<ul style="list-style-type: none"> ■ DART staff seeks additional partnerships, potentially requiring additional staff

6 Funding Scenarios

The financial model was used to analyze the short list of potential funding sources prioritized by workshop participants. Analysis results were presented in four funding scenario groups: 1. Baseline, 2. Prolong Property Tax, 3. Supplement Property Tax and 4. Property Tax Relief. Each group included multiple scenarios that varied based on the tax rate assumptions. For example, some scenarios assumed that rates would continue to vary by city and some scenarios assumed a universal rate for all DART members. Results for each scenario were presented using both the existing service level and the moderate growth plan. A summary of scenario results is provided in the following tables.

Funding Scenario Group	Description	DART Property Tax Rate	Results	
			Existing Service	Moderate Growth
1. Baseline	1.a Maintain Existing Service (Increase levies as needed)	<ul style="list-style-type: none"> Varies by city Increase each year to max of \$0.95 	Shortfall in 2025	NA
	1.b Maintain Existing Levies (Service cuts as needed)	<ul style="list-style-type: none"> Varies by city Freeze 2018 property tax rates 	20% Service Cut	NA
2. Prolong Property Tax	2.a Exceed the \$0.95 Property Tax Cap	<ul style="list-style-type: none"> Varies by city Uncapped 	Min \$1.30 Max \$1.71 by 2040	Min \$2.03 Max \$2.44 by 2040
		<ul style="list-style-type: none"> Universal flat property tax rate enacted in 2019 Uncapped 	\$1.17 in 2019-2040	\$1.98 in 2019-2040
	2.b Property Tax with TIF (9.6% Multiplier for TIF)	<ul style="list-style-type: none"> Varies by city Increase each year to max of \$0.95 	Shortfall in 2028	Immediate Shortfall
	2.c Property Tax with Other Levies (For DART FICA/IPERS; Other Employee Benefits; Liability, Property, and Self Insurance)	<ul style="list-style-type: none"> Varies by city Increase each year to max of \$0.95 Hits cap in 2025 	Shortfall in 2028	Immediate Shortfall

Funding Scenario Group	Description	DART Property Tax Rate	Supplemental Funding Rate*	
			Existing Service	Moderate Growth
3. Supplement Property Tax	3.a Property Tax + Vehicle Tax	<ul style="list-style-type: none"> Varies by city Freeze 2018 tax rates 	\$22 Flat Rate (indexed) begins in 2019	\$63 Flat Rate (indexed) begins in 2019
	3.b Property Tax + Hotel/Motel Tax	<ul style="list-style-type: none"> Varies by city Freeze 2018 tax rates 	2.85% begins in 2019	8.35% begins in 2019
	3.c Property Tax + Sales Tax	<ul style="list-style-type: none"> Varies by city Freeze 2018 tax rates 	0.10% begins in 2019	0.28% begins in 2019
	3.d Property Tax + Business Partnerships	<ul style="list-style-type: none"> Varies by city Freeze 2018 tax rates 	\$2 million in 2019; increases thereafter	\$7.5 million in 2019; increases thereafter
4. Property Tax Relief	4.a Universal Property Tax and Sales Tax	<ul style="list-style-type: none"> Reduce property tax levy to a universal flat rate 	Property: \$0.45 in 2019 Sales: 0.15% begins in 2019	Property: \$0.45 in 2019 Sales: 0.34% begins in 2019
	4.b Replace property tax with universal sales tax	<ul style="list-style-type: none"> Fully repeal property tax 	0.26% sales tax in 2019	0.44% sales tax in 2019

* Supplemental funding rates are based on FY19 implementation and could change if implemented later.

WHICH FUNDING TYPE IS THE BEST APPROACH FOR DART?

52% Supplement Existing Property Tax (3)

32% Property Tax Relief (4)

WHICH SUPPLEMENT TAX FUNDING OPTION IS PREFERRED?

55% Sales Tax (3.c)

21% Private Funding (3.d)

Participants preferred supplementing the existing property tax (Option 3) rather than increasing or eliminating it, and the preferred supplemental funding sources were a new sales tax (3.c) or private funding (3.d). While there was widespread agreement that this was a viable approach to funding system expansion, there was also significant concern on the part of many communities that any sales tax referendum in Polk County is already committed to other uses. Communities indicated that the funds they would receive from a local option sales tax if approved by voters are intended for either property tax relief or other investments, and DART would be a late addition to a discussion that has been ongoing for many years. Stakeholders concluded sales tax is the preferred revenue source, but agree this option must be part of the long-term legislative strategy.

Ultimately, the DART Commission and communities will have to determine the funding source and strategy to pursue it in order for services to be sustained or for growth to occur.

7 Implementation Steps

Stakeholders supported a legislative strategy that enables DART to seek a new, dedicated funding source, such as a sales tax. A successful legislative approach would require:

- A united effort on the part of both the business community and the DART member cities; and
- An engagement and educational campaign by DART to the individual communities about the benefits of public transit and what moderate transit growth would mean for those communities.

A strategy that ends with new state legislation expanding DART's local funding options will begin by laying the foundation and establishing the need for new funding with legislators and local stakeholders. The educational phase should begin immediately, but discussion of a specific funding source or legislative strategy should not commence until after the completion of ongoing efforts to pass a local option sales tax in Polk County. Thereafter, a legislative strategy to secure additional funding options for DART is expected to take two to three years.

Recognizing that a sales tax or other new funding source will take several years to implement, workshop participants agreed that the DART Commission should feel empowered to:

- Continue increasing levies as needed to meet current service commitments;
- Work with member cities to pursue supplemental funding through the release of TIF funds as needed; and
- Seek to expand DART's successful private partnerships to sustain and expand service and also fund incremental capital improvements.

While DART has historically used partnerships with private employers to support operations, there was general support from participants that capital improvements such as bus shelters, mobility hubs and facilities could also be partially funded through public-private partnerships.

The Partnership Investors and Affiliate Members will be key leaders in the drive to develop a broad coalition of community and stakeholder support for DART. DART's role will be education, initially focusing on communicating with member cities so they have the information necessary to support a future funding push.

WHAT IS THE PREFERRED SERVICE LEVEL FOR THE FUTURE?

80% Moderate Growth

WHICH FUNDING TYPE IS THE BEST APPROACH FOR DART?

52% Supplement Existing Property Tax

WHICH SUPPLEMENT TAX FUNDING OPTION IS PREFERRED?

55% Sales Tax

8 Emerging Mobility Considerations

Ridesourcing platforms (e.g. Uber and Lyft) have made taxi-like service less expensive, potentially complementing or competing with traditional fixed route transit. HNTB assessed the impact of shared mobility services (including autonomous vehicles) on DART's future funding needs. The analysis examined relative competitiveness at a variety of hypothetical trip costs, comparing different DART bus routes and times of day. As costs decline, there are larger portions of DART's network for which it may be beneficial to shift from fixed route transit service to technology-based on-demand service, especially in suburban areas at off-peak times.

**SHOULD DART CONTINUE TO PURSUE NEW
MOBILITY TECHNOLOGIES?**

88% Yes
12% No

Based on today's shared ride ridesourcing (e.g. UberPool and LyftLine) fare structure, up to 10% of DART's bus trips could be beneficially replaced, yielding up to \$1 million of net annual operating cost savings for DART. However, if DART offers subsidized fares for shared ride services, it is possible that induced demand for this service could result in substantial cost increases which would be difficult to predict or budget. The majority of DART's network remains cost effective as fixed route service and could potentially see increased ridership from connecting "first and last mile" services. Cost-effective replacement of some fixed-route service with on-demand services will become more viable as driverless technology reduces the cost of transportation, likely five to 10 years away at minimum.

Near-term recommendations for addressing new mobility technology were recommended, including a ridesourcing partnership pilot and integration of ridesourcing with the MyDART app. A significant majority (88%) of workshop attendees felt that DART should continue pursuing new mobility technologies.

**FY 19/20 Budget,
TIF, Equipment Replacement
and Capital Improvement Planning Timeline
August 2018 – March 2019**

8/27/18	<p>Meet with Gallagher and Employee Insurance Committee on Insurance Renewal.</p> <p>Staff, City Engineer and Public Works Committee begins CIP.</p> <p>Equipment Replacement (5-15 year outlook) and Capital Improvement Project worksheets go out to the department heads.</p>
9/10/18	Equipment Replacement (5-15 year outlook) and Capital Improvement Project worksheets due. One-on-one meetings with City Administrator. Probable costs from City Engineer due.
9/11/18	City Administrator to meet with DMWW, MidAmerican and City Engineer.
9/17/18	City Administrator, City Clerk and Financial Advisor to meet with Council Budget Committee (Mayor Burgess, Jones and Jones) to review and discuss an overview of the city's financial position and long-term financial plan and confirm insurance renewal. Meet at 3:30 – 5:30 p.m.
10/8/18	Budget worksheets go out to department heads.
11/12/18	<p>Budget worksheets due from the department heads.</p> <p>City Administrator and City Clerk to Meet. City staff to prepare TIF Projections CIP, and ERP spreadsheets.</p>
11/19/18	<p>City Administrator to meet with each department head.</p> <p>City Administrator and City Clerk to meet with Council Budget Committee to finalize CIP Projects, ERP and TIF Projections. Meet at 3:30 - 5:30 p.m.</p>
12/17/18	<p>Council Budget Committee and Staff will present recommendations on CIP Projects, ERP and TIF Projections.</p> <p>Council set the PH on the CIP for January 14, 2018.</p>
1/2/19	City Administrator and City Clerk to meet regarding all budget docs.
1/7/19	City Administrator to meet with each department head.
1/14/19	Council holds the PH on the CIP and Council approval of such.
2/11/19	Special Council Meeting – Budget Work Session at 6:00 p.m.
2/18/19	Set the Public Hearing for March 4 th to discuss and direct appropriate follow-up on the FY 2019/20 Budget and authorize publication. Publish Notice 2/22.
3/4/19	Public Hearing to discuss and request approval of the FY 2019/20 Budget.
3/15/19	Filing deadline of FY 2019/20 Budget with Polk County.



July 23, 2018

Administration
Phone 515-223-6220
1900 NW 114th Street
Clive, IA 50325-7077
Fax 515-457-3091

Community
Development
Phone 515-223-6221
1900 NW 114th Street
Clive, IA 50325-7077
Fax 515-457-3091

Parks & Recreation
Phone 515-223-5246
1900 NW 114th Street
Clive, IA 50325-7077
Fax 515-457-3092
Aquatic Center
Phone 515-440-0599

Public Library
Phone 515-453-2221
1900 NW 114th Street
Clive, IA 50325-7077
Fax 515-453-2246

Fire Administration
Phone 515-223-1595
8505 Harbach Boulevard
Clive, IA 50325-1029
Fax 515-223-6457

Police Administration
Phone 515-278-1312
8505 Harbach Boulevard
Clive, IA 50325-1029
Fax 515-278-6066

Public Works
Phone 515-223-6231
2123 NW 111th Street
Clive, IA 50325-6917
Fax 515-223-6013

www.cityofclive.com

Tim Kurth, Acting Fire Chief
Windsor Heights Fire Department
1133 66th Street
Windsor Heights, IA 50324

RE Thank You for Assisting Clive – June 30 Flooding

Chief Kurth

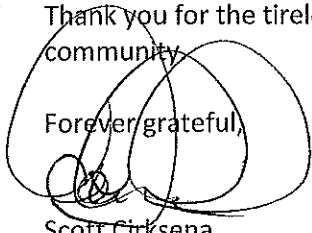
On behalf of the City of Clive, we extend a heartfelt thank you for the assistance provided during the June 30 flooding event. During torrential rain, horrific conditions, and record flooding, the Windsor Heights Fire Department responded without pause and assisted with rescue efforts that involved 6 agencies and totaled 33 rescues by boat and 37 rescues by foot.

North Walnut Creek endured a 500 year flood event that evening that quickly caught residents and commuters off guard. The response required a regional effort and rapid coordination unlike any flash flooding event we have seen.


The City of Clive was very fortunate to receive immediate rescue assistance from the Windsor Heights Fire Department.

Thank you for the tireless commitment and lifesaving services you provided to our community.

Forever grateful,


Scott Cirksema
Mayor


Matt McQuillen
City Manager


Rick Roe
Fire Chief

Copy Dave Burgess, Mayor
City of Windsor Heights
1145 66th Street, Suite 1
Windsor Heights, IA 50324

Distinct by Nature

STAFF MEETING AGENDA

Monday, July 30, 2018

9:00 – 10:30 A.M.

City Hall – Conference Room

- A. Welcome/Handouts: Welcome Travis Cooke!
- B. Council Meeting Agenda: All packet materials and agenda items are due by noon on Wednesday. If not received, the item will be postponed until the following meeting. Invoices need to be coded and returned to staff by Monday's staff meeting to make the claims list; therefore **Claims are due today**.
 - 1. Staff Reports a. 1st Meeting – Dalton and Sheilah b. 2nd Meeting – Chad, Travis and Jess
 - 2. Board Meeting preparation and presentation – Emergency items not included in report

Old Business

- A. Cooperation/Teamwork:
 - One Organization – How have you helped another department this last week? How can you help in the next few?
 - 1. Email sign, website functionality
- B. Communications:
 - 1. DMWW Newsletter articles for the September newsletter is due on August 15 - Send to Jess
 - a. Chamber, WH Foundation and Community Events Update (Nights in the Heights now August 7 with Fireworks, Yappy Hour, National Night Out) - Jess
 - b. University Avenue Update – Jess and Liz
 - c. Open Burning Reminder – Tim
 - d. 2018 Streets Rehab Projects
 - e. Introduce City Clerk
 - f. Economic Development Grant
 - g. Iowa One Call
 - 2. Quarterly Reviews – Web (all), Fee Schedule (all) and Goals (all)
- C. Projects Update: Dalton to provide when returns.
 - a. Sunset Terrace –
 - b. 2017 Sidewalk Project –
 - c. 2018 Streets Rehab –
 - d. Parking Lot repairs, etc. –
- D. Safety:
 - Meeting and Next Training: The next quarterly training will be in October. Staff discussed CPR, AED and Blood borne Pathogens training.
- E. Personnel Management:
 - Team building Opportunity: Breakout Games-Escape Room

New Business

- A. Financial Management: FY19 Budget timeline.

Updates

- A. Police Department – Attended Nights in the Heights, continue flood documenting and reporting, working on uniform provider issues, attended character counts luncheon at Drake, working on police policy updates, continue compiling workload statistics for analysis, worked on trail ordinance, firework violations issues and ATE/Budget Amendment.
- B. Fire/EMS/Safety – Imagetrend set up for Building and Zoning, changed status for flexibility in paramedic coverage, sending one FTE to paramedic school, updating personnel information profiles, PSD and LT attended Fire Chief's meeting.
- C. Public Works –Trail updates on Monday.
- D. Building and Zoning – BOA on 8/1 for DART terminal, P&Z reviewing signs ordinance, Polk County training and Mid-Iowa Code group met.
- E. Communications/Special Events – Payroll, Sams registration, and newsletter template.
- F. Administration – Travis went to IMPI

Adjourn: Next Meeting: Monday, August 13, 2018 at 9:00 a.m. at City Hall.



July 30, 2018

Mayor Diana Willits
City of Windsor Heights
1133 66th Street
Windsor Heights, IA 50324

Dear Mayor Willits,

The purpose of this letter is to inform you that, on or about September 1, 2018, Mediacom will be implementing the following rate adjustments:²⁰

Product:	Old Rate:	New Rate:	Net Change:
Xtream Bronze Package	\$159.98	\$169.98	\$10.00
Xtream Silver Package	\$179.98	\$189.98	\$10.00
Xtream Gold with HBO Package	\$199.98	\$209.98	\$10.00
Xtream Gold with Showtime/Starz Package	\$199.98	\$209.98	\$10.00
Xtream Platinum Package	\$219.98	\$229.98	\$10.00
TV Essentials 60 Triple Play Package	\$139.98	\$149.98	\$10.00
Family 60 Triple Play Package	\$159.98	\$169.98	\$10.00
Family 60 Triple Play with HBO Package	\$179.98	\$189.98	\$10.00
Family 60 Triple Play with Showtime/Starz Package	\$179.98	\$189.98	\$10.00
Family 60 Triple Plus Package	\$199.98	\$209.98	\$10.00
Additional TiVo Receiver	\$5.00	\$6.00	\$1.00
Internet 60 with 150 GB Data Allowance	\$34.99	\$39.99	\$5.00
Internet 60 with 250 GB Data Allowance	\$54.99	\$59.99	\$5.00
Late Payment Charge	\$8.50	\$10.00	\$1.50
Local Broadcast Surcharge	\$12.07	\$12.07	\$0.00

²⁰ Depending on the terms of their offer, customers in certain promotional packages may not be impacted by the changes to the Xtream, TV Essentials or Family 60 packages until the conclusion of their respective promotional period.

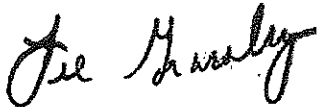
The decision to make price adjustments is always a difficult one. However, our programming expenses, particularly with respect to broadcast television and sports channels, are escalating at a pace well in excess of inflation. Other costs, such as health insurance, employee wages, postage and certain operating expenses continue to increase, necessitating some changes in what we charge our customers.

Mediacom has long believed that the best way to serve our communities is to constantly reinvest in our network. As part of a 3-year, \$1 billion capital investment plan announced in 2016, Mediacom aggressively installed the newest generation of broadband technology throughout its entire internet service territory. As a result, virtually all of the 3 million homes and businesses across our 22 state footprint now have access to 1 Gig broadband speeds.

In addition, Mediacom has broadly launched a low-cost high-speed internet service for low-income customers featuring 10 Mbps download speeds for \$9.95 per month. The service, called Connect2Compete, is offered in partnership with EveryoneOn and is available to families with students participating in the National School Lunch Program. Additional information is available at www.mediacomc2c.com.

Mediacom appreciates the opportunity to continue to serve your community's telecommunications needs. If you have any questions, please contact me directly at (319) 395-9699 ext. 3461 or lgrassley@mediacomcc.com.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Lee Grassley", written in a cursive style.

Lee Grassley
Senior Manager, Government Relations

Planning and Building Report for July 2018

Hazard Mitigation Plan

As you may know, Polk County has a countywide FEMA approved Hazard Mitigation Plan. This plan was developed in accordance with the Disaster Mitigation Act of 2000 which requires all local governments and special districts to develop a plan to assess their risks to hazards and identify actions that can be taken in advance to reduce future losses. The law requires Hazard Mitigation Plans to be updated every five years in order for jurisdictions to maintain eligibility for certain FEMA Hazard Mitigation Assistance grants. I attend the Mitigation Planning meeting on Monday, July 16th at 2PM. This planning process is important for one, the obvious of planning and goals but for two, it is necessary for federal funding reimbursement. At this session we were instructed to state how strongly certain events were likely to occur in the region and would that impact our region.

After the rain event our mitigation plan will need to be revised. Sink hole were rated as a hazard that would likely never happen. After the rain Windsor Heights had a large sinkhole on the trail system.

Planning and Zoning Commission (PZC)

The PZC held a meeting on Chapter 175 signs. PZC would like more clarification from legal on some of the items that are changing; specifically, racial or offensive language. They find that the changes are not strong enough to prevent someone from putting up a sign that could say anything that the person wanted. Staff will work with our legal team to get them the answers to their questions.

Polk County Flood Recovery

On Tuesday July 17th I had training on the flood recovery program offered through Polk County. The county will reimburse members of the community for electric panels, water heaters and a furnace. Applicants will need to meet an income eligibility guideline to qualify. To date we only have one person who applied and will qualify for the program.

Mid Iowa Code Consortium (MICC)

On Thursday July 26th the MICC group held a meeting. At this meeting focused on flood mitigation and how communities are assisting individuals and where other resources might be found.

The Central Iowa Code Consortium (CICC) meeting will begin soon after the school year begins. The 2018 International Codes will be discussed throughout the year to determine which sections to include or amend.

Sweet Swirls Rolled Ice Cream

Sweet swirls is scheduled to open in Apple Valley on August 1st. Their final inspection is scheduled for July 31st.

Board of Adjustment

Board of Adjustment met on August 1st to approve a Conditional Use Permit for Transportation Terminal for DART. The Board of Adjustment approved the Conditional Use Permit with the conditions. See attached staff report that was provided to Board of Adjustment for more information and attached drawings.

Conditions:

1. Dart must supply to the City of Windsor Heights a copy of the executed signature page of the lease agreement before construction can commence.
2. Dart must supply Engineer stamped drawings to the City of Windsor Heights Building Official before construction can commence.

Code Enforcement

This is a table from the Request Tracker located on our website. If someone creates an account they will receive emails on the status of their complaint. It is an excellent tool for tracking and maintaining code complaints.

	7/1/2018 - 7/31/2018					As of 7/31/2018	
	Total Requests		Average Requests Per Day		Avg. Time to Close a Request (hours)	Summary	
	Submitted	Closed	Submitted	Closed		Open	Closed
Administration	0	0	0	0	0	0	10
Code Items	17	19	0.548	0.613	600.579	12	119
Fire Department	0	1	0	0.032	830	0	4
iPhone	0	0	0	0	0	1	0

Police	2	2	0.065	0.065	30	0	7
Public Works	4	1	0.129	0.032	1260	4	35
Total:	23	23	0.742	0.742	589.609	17	175

Administration							
Request Type	7/1/2018 - 7/31/2018					As of 7/31/2018	
	Total Requests		Average Requests Per Day		Avg. Time to Close a Request (hours)	Summary	
	Submitted	Closed	Submitted	Closed		Open	Closed
City Ordinances/Resolutions	0	0	0	0	0	0	2
Council meeting information	0	0	0	0	0	0	1
Other	0	0	0	0	0	0	5
Records Request	0	0	0	0	0	0	0
Request for Public Records	0	0	0	0	0	0	1
Trash/Recycling/Yard Waste	0	0	0	0	0	0	1
Total:	0	0	0	0	0	0	10

Code Items				
Request Type	7/1/2018 - 7/31/2018			As of 7/31/2018
	Total Requests	Average Requests Per Day	Avg. Time to	Summary

	Submitted	Closed	Submitted	Closed	Close a Request (hours)	Open	Closed
Abandoned / inoperable motor vehicles on private property	1	2	0.032	0.065	1011.5	0	11
Building inspections	1	1	0.032	0.032	423	0	1
Dead or diseased trees	0	0	0	0	0	3	4
Illegal signs	0	0	0	0	0	0	1
Illegal use of property or business	0	0	0	0	0	0	1
Nuisance or junk / debris / garbage	2	3	0.065	0.097	564.667	3	22
Other	2	4	0.065	0.129	487.75	0	20
Potholes	0	0	0	0	0	1	0
Records Request	0	0	0	0	0	0	1
Sidewalks in disrepair	0	0	0	0	0	0	0
Signs	1	1	0.032	0.032	0	0	3
Snow not cleared from sidewalks or parking areas	0	0	0	0	0	0	8
Trash/Recycling/Yard Waste	0	0	0	0	0	0	1
Tree trimming or tree removal on private property	1	0	0.032	0	0	1	1
Unsafe building or structure	0	0	0	0	0	0	1
Unsafe construction	0	0	0	0	0	0	1

activities							
Vehicles parked on grass	3	3	0.097	0.097	422	1	23
Weeds / tall grass	6	5	0.194	0.161	810.8	3	20
Total:	17	19	0.548	0.613	600.579	12	119



STAFF REPORT
BOARD OF ADJUSTMENT
August 1, 2018

TO: Board of Adjustment Members
FROM: Sheilah Lizer, Building and Planning Official
SUBJECT: CUP 2018-03 Application for Transportation Terminal

GENERAL INFORMATION:

Applicant: Des Moines Area Regional Transit (DART)
Location: 1101 73rd St., Windsor Heights, Ia.
Zoning: CC, Community Commercial
Current use: Parking
Requested Action: Conditional Use Permit
Code Section:

167.10 TRANSPORTATION USE TYPES. Transportation use types include the use of land for the purpose of providing facilities supporting the movement of passengers and freight from one point to another

3. Transportation Terminal. Facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, and public transit facilities.

180.06-Standards for Approval

1. The Board of Adjustment shall review the proposed development for conformance to the following Standards for Approval:

A. Compatibility. The proposed buildings or use shall be constructed, arranged and operated so as to be compatible with the character of the zoning district and immediate vicinity, and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations. The proposed development shall not be unsightly, obnoxious or offensive in appearance to abutting or nearby properties.

Applicant Response: *The proposed project is compatible with the Community Commercial zoning district and immediate vicinity because it compliments existing commercial uses; improves general operating, safety and aesthetic conditions by creating designated areas for transit boarding and customer waiting; and would not result in an increased intensity of use. The project area currently experiences a moderately high level of traffic and pedestrian activity, and is appropriate for this intensity of use given proximity to major arterials and role as a commercial hub serving multiple neighborhoods and the region*

Staff Response: *Applicant meets this criterion.*

B. Transition. The development shall provide for a suitable transition, and if necessary, buffer between the proposed buildings or use and surrounding properties.

Applicant Response: *We do not believe this section is applicable because no buildings are proposed.*

Staff Response: *This is a shopping district that uses several types of traffic. The location is in the existing parking lot surrounded by pavement, parking stalls and shopping. This criterion is commonly used with differing zoning use types.*

C. Traffic. The development shall provide for adequate ingress and egress, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.

Applicant Response: *The project improves safety and general vehicle circulation by creating designated areas for transit customer waiting and transit vehicle boarding and alighting. Buses will no longer block the aisle while they board and alight passengers. All sight distances will be adequate to ensure traffic safety.*

Staff Response: *Unloading and loading will be off of the main road creating a safer environment for pedestrians and vehicles. Traffic flow will be improved by the inlet bus parking path and loading.*

D. Parking and Loading. The development shall provide all off-street parking and loading areas as required by this Ordinance, and adequate service entrances and areas.

Appropriate screening shall be provided around parking and service areas to minimize visual impacts, glare from headlights, noise, fumes or other detrimental impacts.

Applicant Response: *The project would convert approximately 72 parking stalls for the creation of transit boarding islands and landscaping. An additional 25 parking stalls to the west of the boarding islands would be designated as “Park and Ride” spaces for use by transit customers.*

Staff Response: *The bus will pull off of the main road to drop off/ pick up passengers. This will improve the flow of traffic on this road. It should prove to be a major improvement from the pickup area that is located on the main road next to Buffalo Road. Applicant meets this criterion.*

E. Signs and Lighting. Permitted Signage shall be in accordance with the applicable district regulations and shall be compatible with the immediate vicinity. Exterior lighting, if provided, shall be with consideration given to glare, traffic safety and compatibility with property in the immediate vicinity.

Applicant Response: *The project will include standard DART bus stop signs. The area is currently lit by large overhead light poles, which will not change. Each bus shelter would have an internal light, and bollard lighting will also be added to help distinguish the edges of the bus boarding islands and provide pedestrian scale lighting. All lighting additions will be directed away from traffic to minimize glare.*

Staff Response: *Applicant meets this criterion.*

F. Environmental Protection. The development shall be planned and operated in such a manner that will safeguard environmental and visual resources. The development shall not generate excessive noise, vibration, dust, smoke, fumes, odor, glare, groundwater pollution or other undesirable, hazardous or nuisance conditions, including weeds.

Applicant Response: *The project will not result in increased vehicle trips, and apart from the duration of construction, will not generate greater noise or vibrations beyond existing conditions, nor will it result in other hazardous or nuisance conditions. The project will feature landscaping with durable, climate-appropriate plantings and rock mulch to control weeds. The project will result in a net addition of 3,300 square feet of permeable surface area.*

Staff Response: *Applicant meets this criterion.*

Recommendations for BOA:

The Board of Adjustment can:

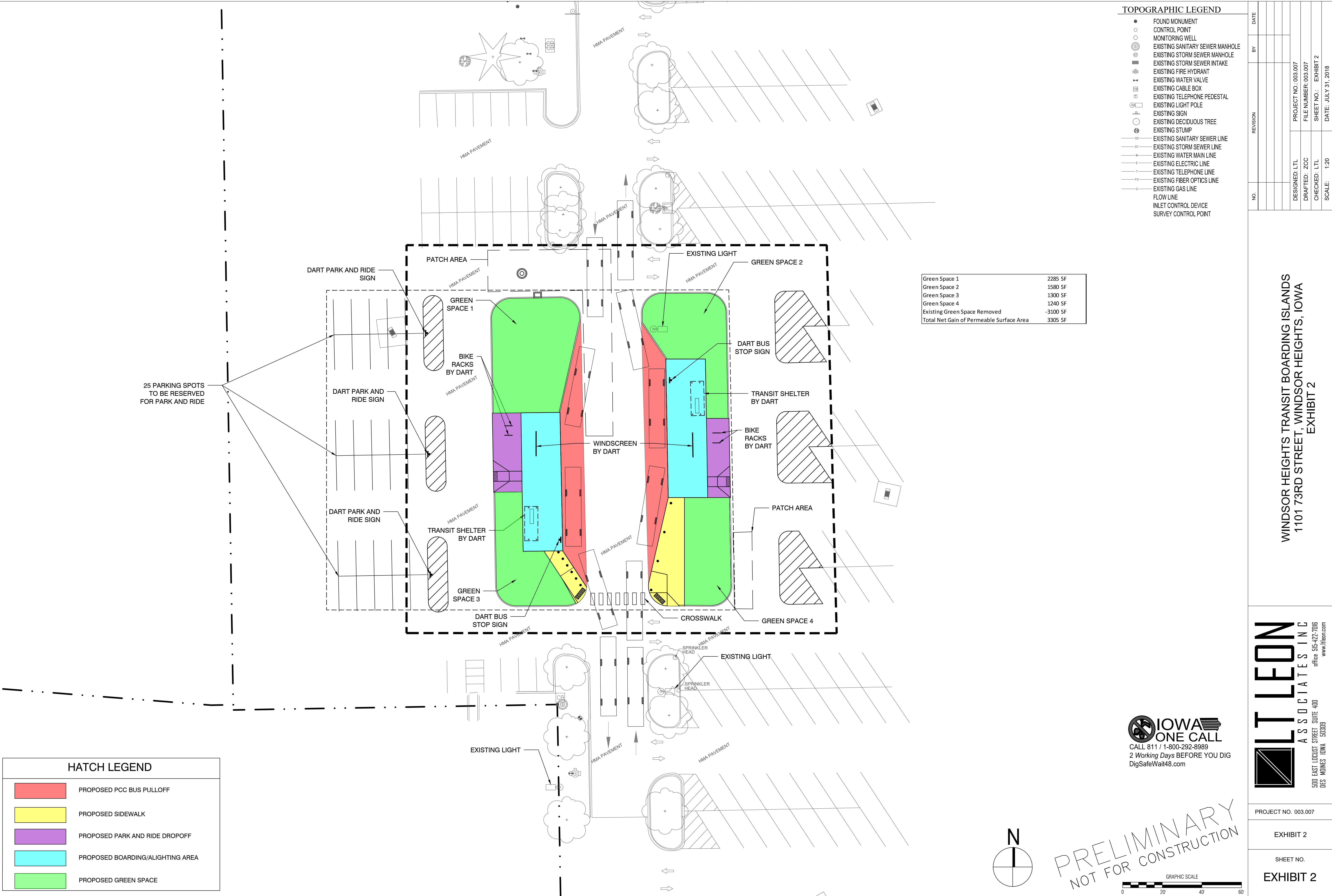
1. Recommend approval of the application
2. Recommend denial of the application
3. Recommended approval of the application subject to conditions.

Staff recommendation:

Staff recommends approval of the application subject to conditions.

Conditions:

1. Dart must supply to the City of Windsor Heights a copy of the executed signature page of the lease agreement before construction can commence.
2. Dart must supply Engineer stamped drawings to the City of Windsor Heights Building Official before construction can commence.



Public Works Staff Report for 6 August 2018 Council Meeting

Report filed on 7/31/2018

Projects:

- HMA Resurfacing
 - We asked Grimes to patch back the two portions of the trail that were affected by the flooding.
 - While we had them doing the repair work, we had them install an 8 foot trail connection at the end of School Street. The existing 5 foot sidewalk was in poor condition and was too narrow to accommodate more than one cyclist in each direction.
 - Repair work is being completed on 66th Street and other streets in town where water ponding has occurred.
- 63rd Street Sidewalks:
 - BMI and PW staff walked the project the afternoon of 24 July and put together a punchlist of items that must be addressed before the project can be closed out.
 - The punchlist put together included everything from cracked sidewalk panels to restoration to retaining walls. Overall, the quality of the concrete work on the project looked great. The majority of the remaining work to be done is on restoration.
- EAB Management Plan
 - This project may end up being more expensive than originally thought. We gathered a bid and the price came in significantly higher than we had expected so we are seeking other bids to make sure that we get the best price.
 - We will also be removing more ash trees than originally planned. Our first bid indicated removing upwards of 20 trees instead of the 10 that we had anticipated. This is the largest reason for the significant increase in price.
 - We have form letters ready to go to affected residents as soon as we figure out if the ash tree adjacent to their property will be treated or removed. We will communicate with residents before any work is done.

Operations:

- Justin Heth started with the Public Works Department on July 30th as an Equipment Operator / Laborer. He is replacing the position left open by Dan Sinclair's resignation.
- There have been 6 complaints of dead or dying trees called in that we have worked through with residents. All residents have been responsive in getting these issues taken care of or providing a timeline for their removal.
- Dan Morgan attended the "Wastewater Collection System Workshop" at the Iowa Association of Municipal Utilities on July 17th. At this training, he learned about current trends in sewer maintenance, maintenance tracking, and technology available to operators. He reported that the training was very worthwhile and that he learned a lot.
- Because we were short on staff while backfilling Dan Sinclair's position, we were not able to get quite as much done towards the end of July as we were hoping. Our goal during early August is to focus heavily on streets and to get potholes filled around town before summer is over. Since last report, we have completed pothole repair on:
 - 69th Street
 - 68th Street
 - Marilyn Drive
 - School Street
 - 70th Street
 - 78th Street
 - In total, nearly 30 tons of asphalt was put down in July on pothole repairs.
- The Parks and Rec Coordinator did a fantastic job at putting together our Dog Park Clean Up event. The clean up brought in about 30 people and got the park nearly ready to open. After we are able to get a fencing contractor in to repair damages to the chain link fence sustained during the flooding, we will get the park opened. This will likely be in the next week or two. The Assistant Director of Public Works is currently in the process of gathering bids for this project.
- We had 3 driveway approach inspections since last report.
- Public Works Staff is going to be working with the Department of Public Safety in early August to get parking on the same side of the street as existing sidewalks whenever possible. This creates a safer sidewalk for pedestrians. We will be moving existing no parking signs to the other side of the street to get this done.
- Staff worked to remove a log that was laying across North Walnut Creek. It appeared that this log had started to catch more debris on its upstream side. Staff was made aware of this by an adjacent resident.
- The PW Director worked with Public Safety Director McCluskey and Captain Meyer to prioritize equipment needs. They also explained how the ERP works and how the ATE revenues work
- The City was awarded a \$10,000 grant from the Metro Waste Authority for an environmental enhancement grant. We will be installing 20 recycling containers along the trail and in Colby Park. The timing of this grant is perfect – we lost some trash liners along the trail with the flooding that needed to be replaced anyway.

- We found an odd sinkhole on 64th Street near the intersection of School Street. The pavement has given out at a small part of this intersection and the subgrade is supersaturated. We had the water from the hole that had formed tested at DMWW and they confirmed that it is not treated water so our guess is ground water. We patched the street back and will continue to keep an eye on the area.
- The flood clean-up is going pretty well. We are doing the work that we can in-house. We have got the debris off of the bridges as recommended from the inspection conducted by Calhoun and Burnes on July 2nd. We have fortunately had essentially no rain since the flood so our mowing has decreased significantly, allowing us to focus on clean up.
- Colby Park is back to pre-flood condition for the most part. There is minor debris along the trail that will still need to be addressed this fall but it is not of high priority.
- There is a storm pipe near the intersection of 73rd and Sunrise that needs replaced. It has been patched twice in the past and the patches haven't lasted more than a couple years each. We are in the process of gathering bids for this project.
- There are 5 or 6 other publicly owned storm sewer infrastructure items that are located on private property that will need to be repaired this fall. Public Works staff will be performing all of the work that we can in house and then will look into contracting what we can't do.

Information:

- Events and meetings to note since last report:
 - Interviewed Justin Heth for Equipment Operator / Laborer Position
 - Attended a flood assistance meeting at the Polk County Administration Building to learn about the County's program to help low to moderate income households affected by the flood.
 - Attended the Walnut Creek Watershed Management Authority meeting at Waukee Public Works to discuss flood impacts and hear what other communities are doing for clean up. We are on par with what our peers are doing for flood clean up.
 - Attended a Public Assistance Meeting with the Iowa Department of Homeland Security and Emergency Management and FEMA with Captain Meyer and Mayor Burgess. We discussed impact of flooding in Windsor Heights and made the case for federal assistance to be provided.
 - Attended a private utility coordination meeting for the University Avenue Redesign
- As the flood clean up winds down, we will start back up with a few items that got pushed towards the back burner:
 - Shop clean up and organization
 - We are trying to figure out how to more effectively use the space that we already have. This includes throwing away things that have no value and are never used and selling things that we don't use but are worth money. We will be using GovDeals to sell these items.
 - Safety Trainings and Checklist
 - We met with IMWCA about 6 weeks ago. At our meeting, we put together a list of items that we needed to get done to make our workplace safer. We need to triage safety corrections based on their cost and immediate threat. A lot of the fixes will be easy and cheap, but a few of them will be a bit more expensive.
 - Before the fall is here, we will be reviewing the City's snow removal policy. We also need to do a dry run of our snow routes.
- If there are questions you have for the Public Works Department that are not answered in my report, please contact Liz and I will get her the information.
- I was out of the office on Monday and Tuesday July 30th and 31st. A huge thank you to Bill Goodrich and Michele Denkinger for covering my phone calls and taking care of things when I was out with such short notice.