



Council Communication No. 97-355

SYNOPSIS –

City staff, the Des Moines Independent Community School District, and Clarke Company, Ltd. have negotiated an additional Iowa Code Chapter 28E Agreement which provides for the donation of land from Clarke Company, Ltd. to the School District, and also provides for the paving of East Virginia Avenue by the City prior to November 1, 1998.

FISCAL IMPACT –

It is anticipated that 100 percent of the project cost will be assessed as part of the 1998 Paving Program which is included in the 1997-98 CIP budget, page 279, City-wide Paving Program.

RECOMMENDATION –

Approval of this 28E Agreement with the School District and Clarke Company, Ltd.

BACKGROUND –

By Roll Call No. 95-4415 of November 20, 1995, the City Council approved a 28E Agreement between the City and the School District which states the City will assist the School District in the development of an elementary school to be located in the vicinity of S.E. 22nd Street and East Virginia Avenue.

Clarke Company, Ltd. has indicated a willingness to donate approximately nine acres of land to the School District to be used for the site of the new elementary school. Under the terms of the original 28E Agreement, the City has the option to purchase property from the School District for the paving of East Virginia Avenue from S.E. 22nd Street approximately 260' east to connect to that part of East Virginia Avenue which has already been constructed by Clarke Company, Ltd. as part of Clarke's development.

This new 28E Agreement for the paving of East Virginia Avenue between the City, School District, and Clarke provides for donation of land to the School District by Clarke and for the paving of East Virginia Avenue by the City prior to November 1, 1998. It is anticipated that the full project cost for paving of East Virginia Avenue, including right-of-way costs, will be assessed to adjacent property owners. There are only two adjacent property owners– Dale and Ilene Belieu (from whom the school property is being purchased) and the School District.

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