

Meeting Agendas/Info

CITY COUNCIL COMMUNICATION:	ITEM _____
01-618	OFFICE OF THE CITY MANAGER CITY OF DES MOINES, IOWA
AGENDA: DECEMBER 17, 2001	SYNOPSIS - Approval of an ordinance to amend the Municipal Code relating to the registration of right-of-way users, the establishment of an annual right-of-way management fee to be charged to all users of City street right-of-way, and relating permit fees to be charged to right-of-way users.
SUBJECT: ESTABLISHMENT OF AN ANNUAL RIGHT-OF-WAY MANAGEMENT FEE PROGRAM	FISCAL IMPACT - The current operating budget includes \$302,004 to begin implementation of the Right-of-Way Management Program. The proposed ordinance will allow the City to recoup a portion of the annual cost of the program from right-of-way users through an annual program management fee rather than a one-time registration fee. Permit fees to be charged to right-of-way users will cover the remaining portion of the program cost.
TYPE: RESOLUTION <u>ORDINANCE</u> RECEIVE/FILE	RECOMMENDATION - Approval.
SUBMITTED BY: FLOYD BENTZ, P.E. CITY ENGINEER	BACKGROUND - The proposed ordinance establishes an annual right-of-way management fee that will replace the registration fee, which is currently a one-time charge to users of the right-of-way collected at the time they register their utility systems with the City. The annual management fee will be calculated based on the proportion of the total equipment in the right-of-way that is owned and/or used by each user at the end of each fiscal year. Permit fees will be charged to right-of-way users for activities that they undertake in the right-of-way. The fee will also recover the costs activities imposed upon the City.

The annual management fee will be charged to all users of the right-of-way in proportion to the amount of equipment which each of them has in City street rights-of-way. These fees will be used to recover right-of-way management program costs that cannot be allocated to particular users. Because the non-allocable cost portion of the right-of-way management program is an ongoing cost which will vary from year to year, it is necessary that the annual management fee be calculated and collected on an annual basis.

Staff has developed an operating plan and is preparing to begin implementation of the Right-of-Way Management Program in the spring of 2002. Prior to that, staff will present the program to utility companies, telecommunications companies, and other right-of-way users to explain the program and advise them how they must register and annually report the amount of all of their equipment located in City right-of-way. Staff will also explain how the annual management fee will be determined based on each user's proportionate share of all equipment in the right-of-way.

The program will be operated under the City Engineer, with staff assigned from the Traffic and Transportation Division. During the first year, the program will focus on setting up the registration, permit and inspection functions; developing fee and insurance schedules; and developing the user database and permit forms. This work will also include establishing permit fees and annual management fees for approval by the City Council by resolution. During the second year, the program will start building the Geographic Information System (GIS) Mapping System that will become the core of this program.
