

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: March 12, 2012
	Agenda Item No. 33 Roll Call No. <u>12-0408</u> Communication No. <u>12-125</u> Submitted by: Scott E. Sanders, Finance Director

AGENDA HEADING:

A. Approving amendments to Municipal Code Sections 102-661 and 102-709 relating to insurance requirements of right-of-way occupancy, amendments to Sections 102-708, 102-712, and 102-717 relating to bond requirements for right-of-way obstruction permits, and by further amending Section 102-717 and amending Section 102-718 to remove reference to city licensing of individual plumbers and address bond requirements for plumbing contractors.

B. Approving amendments to Municipal Code Section 26-319 relating to insurance and bond requirements for building obstruction permits.

SYNOPSIS:

Approving amendments to Municipal Code Sections 26-319, 102-661 and 102-709 relating to insurance requirements of right-of-way occupancy, amendments to Sections 26-319, 102-708, 102-712, and 102-717 relating to bond requirements for right-of-way obstruction permits, and by further amending Section 102-717 and amending Section 102-718 to remove reference to city licensing of individual plumbers and address bond requirements for plumbing contractors.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

The proposed language within Sections 26-319, 102-661, and 102-709 of the City of Des Moines, Iowa Municipal Code provides for changes to reflect the eventual restructuring of the risk management program and the removal of the Risk Manager position. The proposed language is more flexible and would allow the finance director or designee to specify the necessary liability insurance for individual obstruction and excavation permits issued under the City’s Building and Right-of-Way Management Codes (Code Chapters 26 and 102), rather than requiring the City Engineer by City Council resolution to establish such insurance coverage requirements.

The suggested amendments to Sections 102-708 and 102-712 will require insurance certificates to be filed with the City for obstruction permits as well as for excavation permits for work within City right-of-way. The amendments to Sections 102-708, 102-712 and 102-717 also allow for the City Engineer or designee to require contractors to post a surety bond in the minimum amount of \$5000.00 when applying for obstruction permits, in the event that City staff determine that the obstruction permit applicant’s proposed use of the City right-of-way poses a risk of damage to the right-of-way. Insurance and performance and maintenance bonds are currently required under the Municipal Code for excavation permit applicants.

Proposed revisions to Section 102-717 and 102-718 also remove references to licensing for individual plumbers to reflect updates to State of Iowa laws and practices for plumbing licensure, and clarify that plumbing contractors who do not perform street right-of-way restoration work may file a surety bond rather than a performance and maintenance bond when applying for excavation permits.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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