

FEB -9 2009

Date \_\_\_\_\_

Agenda Item 51A-D

Roll Call # \_\_\_\_\_

Monday, February 9<sup>th</sup>, 2009

City of Des Moines Mayor and Councilmembers  
401 Robert Ray Drive  
Des Moines, Iowa 50309

Dear Honorable Mayor and Council:

The City Council Personal Committee respectfully submits this letter and attachments to the Des Moines City Council, and requests the materials and report be *Received and Filed*. The materials contain materials related to the annual review of employees who report directly to the City Council. The four staff are:

- Rick Clark, City Manager
- Bruce Bergman, City Attorney
- Diane Rauh, City Clerk
- Rudy Simms, City Human Rights Director

The Committee consists of Chris Coleman (Chair), Christine Hensley, and Bob Mahaffey.

The work of the committee included:

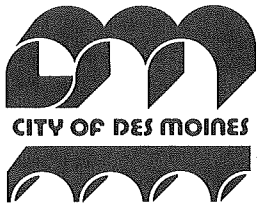
- A Self Evaluation by each employee
- A written evaluation opportunity for all seven Councilmembers / Mayor
- Community input following a story inviting comments regarding their appraisal
- Invitation to commissions to provide input

Attached to this report are some key documents that were used in the evaluation process. We are proud to conduct a thorough, complete and rigorous review.

The Council is proud of the hard work and commitment made by our staff. In a year marked with natural disaster, local budget issues, and a struggling economy, we end 2008 strong, knowing the leaders of the city shaped policy and work hard toward goals that stabilize our city government and the services we provide to our citizens.

The committee would like to mention a few specific things of note about 2008, 2009 Goals and our discussion with each staff:

- Our City Clerk, Diane Rauh, has enhanced communications with Council and public. This is now the most improved city service as measured by citizen satisfaction. We proudly collect more debt than ever thanks to Mr. Rauh's innovation and hard work. Further, Diane provided leadership during the flooding and recovery, and assisted with the development of the city's Wellness Program. All this while replacing the Deputy Clerk and another staff position.
- Our City is provided strong counsel by Mr. Bergman and his team. Importantly, they helped lower our liability in difficult situations, successfully advocated for improved state policy, and represented the Council with competence in the court room. Mr. Bergman's department drafted ninety new ordinances and defended more than 540 claims against the city. He is also the Regional Vice President of the Municipal Lawyers Association.
- The Human Rights Commission is more energized and respect than anytime in the past several years, thanks to Mr. Simms. The re-structured Friends



CHRISTOPHER J. COLEMAN  
COUNCIL MEMBER AT LARGE  
CITY HALL  
400 EAST FIRST STREET  
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ALL-AMERICA CITY 1949, 1976, 1981

of Human Rights is a key accomplishment for the future of the Commission. In addition, the Commission's ability to attract funding and staff for VISTA positions has increased the profile of the Commission's work. The Council is pleased with the growth and success of the Human Rights Annual Symposium.

- The past year, the leadership of the City Manager was significant. Given his supervisory role of our workforce, public services and finances, our conversations with Mr. Clark were more detailed and comprehensive. We discussed in detail the past year and some of the many accomplishments of the city:
  - Managing the flood and the recovery of it
  - Achieving an unprecedented high Bond Rating (AAA) affirming the solid financial management we have as a city
  - Receiving a "clean" audit without a single note of concern
  - Continuing the dramatic improvement of the city with economic development (Wellmark contract and groundbreaking); community development (downtown shuttle and Art Park); and neighborhood development (planning processes to address critical neighborhood concerns).
  - Negotiated many favorable intergovernmental agreements for the citizens of Des Moines.
  - Recommending a balanced budget in both last year and this current cycle. This has been achieved only with his firm leadership for transformational change within the organization.

We also conducted a second meeting with Mr. Clark to look at goals for 2009 which responded to discussion points in his review. Attached is a document that Mr. Clark created and presented as his 2009 Goals to address areas of discussion with the committee. In summary, these are:

- Quantity of communication with Council (and individual Council members). The committee worked with Mr. Clark to identify strategies to enhance regular ongoing communication with Council, civic groups, commissions, neighborhood groups and the business community. And to ensure a two-way communication line is open and utilized by all parties.
- Consistency in communication with and between Council. Everyone wants to be on the same page, so the Manager and Council have established goals to foster a greater sense of consistency with information among councilmembers and appropriate stakeholders involved in city projects.
- Succession Planning. There are some short term and long term decisions that Rick and Council can make to create a successful departmental and organizational Succession Plan. This is a common practice and should be worked on jointing during this year.

Most importantly, our meetings with the four staff convince the Committee that they recognize the serious moment the city finds itself in with a struggling economy, employment concerns inside the city organization and in the city, and with the rising cost of providing city services taking its toll on resident taxpayers.

Our Committee recognizes their understanding and willingness to accept the following recommendation from the Council Personal Committee.

- The Committee recommends that no salary or benefit increase be extended to these four city employees. It is imperative to the committee that Council, City Staff and our citizens understand that this is in no way a reflection of their work and commitment to the city. This reflects the reality of the times. While city positions are being eliminated, we recommend eliminating all increase in their compensation for 2009.

The Council Personal Committee also recommends action related to Council Compensation. As we have asked City Management to lead by example with no increase in compensation. Our role as Council requires us to lead by example as well: Not only is no increase recommended for Council compensation (there has been no increase for four years), the Committee recommend:

- Council Members and Mayor receive a 3% decrease in pay at the soonest possible time in accordance with state law. This amounts to the equivalent of a 10-day furlough. This decrease will be in affect until Council takes public action to revert to current levels at such time the economy improves and city finances are solidified. The Committee recognizes this totals a meager amount compared to the city budget. Rather, this action is intended to demonstrate our leadership in times that so many of our citizens and employees are struggling and vulnerable.
- State law requires "changes in compensation" to be affective only after a city council election for such seats. This means the action we take on Monday will be affective on January 1<sup>st</sup>, 2010. (I suspect this was instituted by the legislature with the belief that only increases would ever be enacted). This also means the reduction for the Mayor's position will be affective after the next election (2011) on January 1, 2012.
- The Council created a policy nearly six years ago, at the request of a councilmember, to allow any council member the option for foregoing any benefit (salary, health, retirement, etc) upon their request. While no Councilmember has exercised this option, it remains available to all council members.

The Committee requested Mr. Bergman summarize the State Code with respect to our options regarding our Council compensation. His memo and documentation is also attached to this report.

I present the following two motions for council consideration:

- To receive and file the City Council Compensation Committee's report including a resolution of the Council's to show its appreciation for the city's professional leadership through a difficult 2008 and for their acceptance of no change in compensation in 2009.
- To approve a change in compensation for Council members with a 3% decrease in salary effective at the soonest legal date.

I know I speak for Mr. Mahaffey and Mrs. Hensley when I say we are honored to serve on the committee. It is very important work and we take it seriously. The closed door sessions are engaging, constructive, and tough. Thank you for allowing us to serve the citizens of Des Moines in this capacity.

*Chris Coleman – on behalf of Christine Hensley, Bob Mahaffey and myself*

January 8, 2009

The Honorable Mayor  
and  
Members of the City Council  
City of Des Moines, Iowa

Thank you for the opportunity to discuss the City Clerk's Office.

This office is in constant contact with citizens and staff seeking information. We interact with many City departments on a daily basis, and others at least weekly. I take great pride in providing top-notch customer service to both citizens and staff.

I have been your City Clerk for 6 years, and prior to that I was the Chief Deputy for 10 years. My staff consists of 6 full-time (one position currently vacant) and 2 part-time employees. They are highly skilled and cross-trained in all divisions.

2008 was a staff-building year. With the departure of the former Mayor/Council Executive Administrative Assistant in December 2007, the position was vacant for almost 4 months. The Chief Deputy City Clerk retired in September after 32 years of service. Both are key positions and have been filled. Due to budget issues, I have reduced the Administrative Hearing Officer position to a 1/4 time position.

My on-going goals are:

- (1) That Council meetings/workshops run smoothly
- (2) That all citizens and staff who interact with us are treated courteously and fairly, and are processed quickly and accurately.
- (3) Aggressively collect debts owed to the City

Attached you will find the following documents:

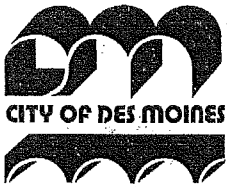
- Completed Self-Evaluation Appraisal Form
- List of City Clerk's Office functions
- Education/Certifications

Again, thank you for the opportunity to discuss my Department. I look forward to meeting with the Employee Evaluation Sub-committee next week.

Sincerely,



Diane Rauh  
City Clerk  
City of Des Moines



DIANE RAUH  
CITY CLERK  
CITY HALL-2ND FLOOR  
400 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309-1891  
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www.dmgov.org

PARKING TICKETS  
PET LICENSES  
BUSINESS LICENSES

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2003

**City of Des Moines**  
**Council Employee Evaluation Appraisal Form – 2008**

**Directions:**

- The Council Sub Committee will be Chris Coleman (Chair), Bob Mahaffey and Christine Hensley. Mayor Cownie will serve as an ex officio member. All materials and discussions are confidential as the process relates to personal and employment issues. A public document will be produced to summarize the process, findings and recommendations.
- Each Council Employee will conduct a single self assessment and return it to Chris Coleman in a sealed envelope by January 7<sup>th</sup>, 2009.
- Each Council Member will complete FOUR separate assessments; one for each of our direct reports (Manager, Attorney, Clerk, Human Rights Director). These will be returned to Chris Coleman in a sealed envelope by January 7<sup>th</sup>, 2009. Coleman will work with the Human Rights Commission Chair for additional information.
- The information will be compiled by January 12<sup>th</sup>. Individual meetings will occur between the Committee and each employee the week of January 12<sup>th</sup>.
- Recommendations will be provided to the Council by Thursday, January 22<sup>nd</sup>. It will be an action item on our January 26<sup>th</sup> agenda.

Employee: \_\_\_\_\_ Diane Rauh \_\_\_\_\_ Evaluator: \_\_\_\_\_ Diane Rauh \_\_\_\_\_

**Rating Scale:**

5. Exceptional, consistently exceeds expectations
4. Very Strong. Exceeds expectations often
3. **GOOD – Meets Expectations**
2. Fair, meets some expectations
1. Unsatisfactory, rarely meets expectations

**SECTION 1: Criteria for Success of City Leaders:**

**Communications:** Processes the appropriate level of oral and written communication skills to perform job at the highest level.

With the General Public: 4 With Employees: 4 With Council: 4

Comments: \_\_\_\_\_  
\_\_\_\_\_

**Teamwork:** Works well in team setting and leading. Accepts assignments beyond the job for the good of the team. Is seen as sharing an equal/fair burden of the work.

With the General Public: 4 With Employees: 4 With Council: 4

Comments: Not called upon often to lead, but do so willingly when asked. \_\_\_\_\_

**Customer Service:** Responds to internal and external needs and requests in a timely & appropriate manner. Treats all with dignity & respect. Is focused on solutions for the problems facing people.

With the General Public: 5 With Employees: 5 With Council: 5

Comments: I pride myself on my and my staff's excellent customer service. \_\_\_\_\_

## **SECTION 2: Strengths and Assets of the Employee:**

Please respond with all comments relative to the following questions:

What are the strengths of the employee in their position?

1. Excellent Customer Service
  2. Ability to innovate or to "make-do" when necessary
  3. Proficient multi-tasker
- 
- 

What are key accomplishments in 2008 by the employee?

1. Managed recruitment/replacement of 2 key staff positions
  2. Managed displacement by the flood without missing a beat
  3. Made changes to Transient Merchant Ordinance
  4. Assisted in the development of the new City Wellness Program
- 
- 

What qualities does the employee possess that are keys to their success in the position?

Honesty, integrity, loyalty, accuracy, "can-do" attitude

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## **SECTION 3: FUTURE ISSUES:**

What are three things the employee could/should do *more* of in the future to improve performance?

1. Create a workable process to streamline the Board appointment process, to better assist Mayor/Council with appointments
  2. Continue to reach out to the Action Center and other City Departments, to share employees/tasks
  3. Wait on the walk-in customers occasionally – to stay better in touch with the citizens
- 
- 

What are three things the employee could/should do *less* of in the future to improve performance?

1. Go to fewer meetings myself, when a staff member could adequately represent me
  2. \_Don't sweat the small stuff
  3. Continue to look for ways to use less paper
- 
-

# CITY CLERK'S OFFICE DUTIES

1-08-09

1.	Coordinate City Council agenda and summary preparation and distribution		
2.	Attend and record all Council meetings and workshops		
3.	Distribute various contracts/documents after Council approval		
4.	Maintain and update City Council/City Clerk Web site information twice per week		
5.	Process Treasurer's Office Citizen Walk-ins 6 hours per day		
6.	City Newsletter Editorial Board Member		
7.	Record official City documents with Warren and Polk County Recorders		
8.	Publish required public notices and ordinances in area newspapers		
9.	Post and distribute appropriate meeting notices for all City meetings		
10.	Street Use Team Member, coordinate approvals and issue permits for Liquor Licenses, graffiti permits etc., large events and block parties		
11.	Coordinate Municipal elections		
12.	<p>Coordinate inspections, collect fees, generate renewals, and issue 22 types of business licenses</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>• Cigarette</li> <li>• Coin Operated Machines</li> <li>• Dance</li> <li>• Entertainment District</li> <li>• Farmers Market</li> <li>• Going Out of Business</li> <li>• Graffiti</li> <li>• Haunted House</li> <li>• Liquor/Beer/Wine</li> <li>• Paint House Numbers on Curb</li> <li>• Designated Music Venues</li> </ul> <p>(minors exception certificates)</p> </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>• Pawnbroker</li> <li>• Peddler</li> <li>• Salvage Dealer</li> <li>• Sidewalk Sales</li> <li>• Snow Hauler</li> <li>• Solicit Funds</li> <li>• Solid Waste Hauler</li> <li>• Theater</li> <li>• Transient Merchant</li> <li>• Street Performers</li> <li>• After Hours Establishments</li> </ul> </td> </tr> </table>	<ul style="list-style-type: none"> <li>• Cigarette</li> <li>• Coin Operated Machines</li> <li>• Dance</li> <li>• Entertainment District</li> <li>• Farmers Market</li> <li>• Going Out of Business</li> <li>• Graffiti</li> <li>• Haunted House</li> <li>• Liquor/Beer/Wine</li> <li>• Paint House Numbers on Curb</li> <li>• Designated Music Venues</li> </ul> <p>(minors exception certificates)</p>	<ul style="list-style-type: none"> <li>• Pawnbroker</li> <li>• Peddler</li> <li>• Salvage Dealer</li> <li>• Sidewalk Sales</li> <li>• Snow Hauler</li> <li>• Solicit Funds</li> <li>• Solid Waste Hauler</li> <li>• Theater</li> <li>• Transient Merchant</li> <li>• Street Performers</li> <li>• After Hours Establishments</li> </ul>
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13.	Accept payments for Police/Fire false alarms, and snow removal fines, and coordinates with Collection Agency		
14.	1 employee with advanced (Super User) training for the Tidemark permitting software		
15.	Coordinator for street/pole banner permits		
16.	Process Animal License applications and coordinate renewals		
17.	Data entry for all rabies certificate information obtained from area Veterinarians		
18.	Process Parking Ticket payments via mail, in person, or via website, authorize towing and vehicle releases for habitual violators		
19.	Coordinate the State of Iowa Income Tax Offset Program for payment of parking tickets		
20.	Data entry of all hand-written parking tickets		
21.	Daily payment file transfers to and from the Collection Agency		
22.	State of Iowa Income Tax Offset Program for unpaid parking tickets		
23.	Parking Ticket Appeal Panel Chair		
24.	Administrator for Board and Commission Member database		
25.	Coordinate and staff Administrative Hearings (Clean-up, Nuisance, Vicious Animal, Impounded Vehicle, Specified Crime Properties, Snow Removal)		
26.	Provide microfilmed copies of resolutions and ordinances for city departments and citizens		
27.	Satellite office for Voter Registration		
28.	Accept court/legal documents from process servers and others		
29.	Coordinate use of room and presentation equipment in the Council Chambers		
30.	Coordinate Council meeting invocation		
31.	Receive and open sealed bids for public improvement projects and Housing Department property sales		
32.	Provide backup for Mayor/Council Assistant		
33.	Provide Language Line interpreter service, closed captioning and Braille documents		
34.	Provide Notary Public service for citizens and City departments		

**Diane Rauh**  
**1717 E. Thornton Avenue**  
**Des Moines, IA 50320**

### **Education/Certifications**

1975 - 1979	Martensdale-St.Mary High School
1979 - 1983	Grand View College, Des Moines, Iowa 1981 - AA-Communications 1983 - BA-Business Administration, accounting emphasis
March 1994	Certified Municipal Clerk training – Completed Level I Iowa State University, Municipal Clerk Institute
July, 1994	Certified Municipal Clerk training – Completed Level II Iowa State University, Municipal Clerk Institute
July, 1995	Certified Municipal Clerk training – Completed Level III Iowa State University, Municipal Clerk Institute Received designation as a “Certified Municipal Clerk”
June 2004	Completed the 1 <sup>st</sup> of 3 levels of the Master Municipal Clerk Academy International Institute of Municipal Clerks

### **Work History**

July 1984 - May 1989	City of Des Moines – Finance Department <b>Account Clerk</b>
May 1989 - February 1991	City of Des Moines – City Clerk’s Office <b>License Clerk</b>
February 1991 - September 1993	City of Des Moines – City Clerk’s Office <b>Senior License Clerk</b>
September 1993 - January 2003	City of Des Moines – City Clerk’s Office <b>Chief Deputy City Clerk</b>
January 2003 - present	City of Des Moines – City Clerk’s Office <b>City Clerk</b>
July 2004	20-year service recognition



Rudy Simms

**SECTION 2: Strengths and Assets of the Employee:**

Please respond with all comments relative to the following questions:

What are the strengths of the employee in their position?

his community contacts and his ability to use the outside resources

What are key accomplishments in 2008 by the employee?

making friends of DSM H/A High Collective Annual Symposium is now far reaching in Access + Training

What qualities does the employee possess that are keys to their success in the position?

"Personable" the ability to listen and understand what the problems are

**SECTION 3: FUTURE ISSUES:**

What are three things the employee could/should do more of in the future to improve performance?

fight for more resources / STAFF  
Complete H/A Training  
Aguire a mediator to help with Back log

What are three things the employee could/should do less of in the future to improve performance?

① needs to lessen public training and ② hire someone to that so it would free up time or ③ hire someone (for 500k) to mediate cases in Back log

## **Bruce Bergman – Performance Evaluation 2009**

**Mission:** To provide timely and accurate legal advice to the City Council, City Manager, City Clerk, city departments and employees.

### **Goals:**

- To provide timely, accurate and reliable legal advice that can be relied upon in planning and decision-making.
- To attract and retain personnel with the appropriate training, experience, judgment and skills necessary to achieve the mission of the Legal Department.
- To provide an organizational structure that is flexible, efficient and responsive to the diverse needs of the City.
- To provide effective monitoring of service delivery.

### **Objectives:**

- Attend all City Council meetings
- Review all Council agendas and alert Council members, City Manager and department heads to potential legal questions and issues
- Respond promptly to service requests from Council members, City Manager and department heads
- Review or provide staff to review all legislative bills of interest to the City
- Attend all department director's meetings
- Attend all City Council sub-committee meetings
- Attend all meetings of the Metropolitan Advisory Council
- Attend or provide staff to all closed session meetings of every city board or commission.
- Provide an atmosphere conducive to recruiting and retaining quality staff

### **2009 Specific Objectives:**

- Additional work on implementing an in-house continuing legal education program
- Succession planning
- Increase delegation to senior legal department staff for growth and to allow more focused work of city attorney on specific projects

## Accomplishments 2008

### City Ordinances:

- The Legal Department worked with Council and others to develop an ordinance which established revised transient merchant regulations adopted by the Council.
- The Legal Department worked with the Neighborhood Inspections Division to develop the necessary local legislation and procedures to collect unpaid fees, fines and penalties in the administration of the Neighborhood Inspection Rental Code as special assessments against rental property.

**Flood:** The Legal Department prepared proclamations for emergency operating procedures during the 2008 Flood.

### Legal Department training:

Implemented an in-house continuing legal education program

### Legislative:

In 2008 worked with Council Legislative Subcommittee, reviewed and provided assistance regarding a variety of legislation, including alternative revenue, open meetings and development and passage of the brownfield/grayfield bill.

### Library:

Negotiated an agreement for the replacement of pressure vessels (boilers) at Central Library building at no cost to the Library.

**Litigation** – Litigation Division successfully defended the City in several trials and appeals.

**Metropolitan Advisory Council:** Attended MAC meetings and provided legal assistance.

**Metropolitan Coalition:** Provided substantial assistance in the formation and organization of the Metropolitan Coalition, including the preparation of the Metropolitan Coalition Agreement and RFP for lobbying services.

### Workload Measures:

The Legal department drafted more than ninety new ordinances, reviewed more than five hundred state legislative bills and more than two thousand two hundred roll calls, and handled more than five hundred forty claims in the past year.

### Personal Accomplishments:

Re-elected Regional Vice-President of International Municipal Lawyer's Association [2004 - ]

**January 9, 2009**

**Council Employee Evaluation Sub-Committee:**

**Mr. Coleman (Chair)**

**Mrs. Hensley**

**Mr. Mahaffey**

**Councilmembers,**

**I cannot think of another time in my 35 years with the City where we have faced so many challenges of the magnitude and seriousness we have this year, from the flood in June, to the budget crisis we continue to battle. Despite these obstacles, the City has continued to deliver quality services and address the ever changing needs of our community, with great professionalism, patience, and creativity.**

**I respectfully submit the attached list of accomplishments. Please note that these accomplishments could not have been achieved without the concerted effort and leadership of the Mayor, Council and City staff.**

**The City is facing a very difficult period from a budget perspective. It appears that some positions will need to be eliminated to balance the budget next year. And our residents and businesses are also facing difficulties with an economy that is in recession. For these reasons, I have decided to request no increase in my base salary for the coming year.**

**Sincerely,**

**Richard A. Clark**

## **2008 Accomplishments – Richard Clark**

- ✓ **For the second year in a row the City received an unqualified (clean) opinion and no Management Letter Findings from McGladery and Pullen, our independent auditor.**
- ✓ **The City received a triple AAA bond rating from Standard and Poor's, the first time in about 20 years that our bonds received the highest rating from S&P. This is a confirmation that our fiscal management policies and performance are outstanding.**
- ✓ **The City's response to the floods of 2008 was exemplary by virtually all accounts. We averted disasters, acted appropriately to protect our citizens, maintained continuity of operation throughout a very disruptive period, initiated the first residential flood buyout program in the State, and developed a comprehensive flood protection plan with improvements to our levee and storm sewer systems.**
- ✓ **Developed an effective budget balancing strategy for Council's consideration that requires no increase in the tax rate, maintains essential public services, reduces number of employees, and results in a reduction in expenditures that helps address the City's structural deficit in future years.**
- ✓ **Facilitated development of a new ordinance to control transient merchants that won support from the neighborhood and met the needs articulated by Council.**
- ✓ **Developed a phased implementation and funding strategy for expansion of the ZOO and "Superblock".**
- ✓ **Lead efforts among metro City Managers to revise several intergovernmental agreements (DART, MPO, BRAVO) that will be advantageous to the City of Des Moines. The DART agreement will result in lower tax rates for Des Moines and enhance transit services over time.**
- ✓ **Addressed specific issues as identified by the Employee Evaluation Committee in January, 2008 including:**
  - **Initiated actions to address Council established goals including identification of specific objectives.**
  - **Compensation review.**
  - **Continued enforcement of vacation accruals in light of the "accrual reduction" administrative policy.**
- ✓ **Single Stream recycling was implemented resulting in lower operating cost and increased recycling.**
- ✓ **Continued environmental sustainability efforts including:**
  - **Increased use of soy-based biodiesel fuels, including B20 during summer months.**

- **Construction by City of its first LEED rated building (the Glendale West Zone Maintenance Building). The recently completed shelter and congregate meal site in MLK, Jr. Park has also been submitted for LEED certification. Other municipal buildings, such as the new Franklin Library branch and the Grandview Clubhouse, are being designed to achieve LEED certification.**
- **Use of economic development incentives to encourage LEED compliance in major projects such as the new Wellmark building which will be “gold” certified.**
- **Construction of a new house to a LEED standard as a demonstration project.**
- **Replacement of larger vehicles with smaller, more fuel efficient vehicles, switch to diesel engines to improve fuel efficiency, and purchase of 21 hybrid vehicles as a demonstration to evaluate cost effectiveness and environmental impact.**
- **Conversion of sewage sludge into biogas which contains methane that can be used to power generators.**
- **Replacement of incandescent traffic signals with more energy efficient LED bulbs at over 300 intersections.**
- **New WEB site to communicate sustainability efforts.**
- **Use of volunteer for various environmental clean-ups.**
- **Designation of an Assistant City Manager as “Sustainability Coordinator” in order to improve internal coordination and direction.**
- ✓ **Development of a Strategic Plan for the City’s Information Technology program, including a re-organization of internal IT staff to achieve more efficiency.**
- ✓ **Completion of “RFP” process for privatization of City Golf Courses that allows for substantial reduction in City dollars needed to subsidize operations.**
- ✓ **Completed a successful process to lease the old science center building for a school which brings a good use to the building, and helps sustain the neighborhood.**
- ✓ **Sustained significant progress on many economic development and community improvement projects including:**
  - **Several mixed use projects in the East Village, Pappajohn Sculpture Park, initiation of efforts with NDC for redevelopment of mobile home park on SE 14<sup>th</sup>, completion of Davis Brown Tower, completion of Joe’s Square, creation of Merle Hay TIF, completion of Downtown Plan and initiation of the major recommendations such as the “Tram” feasibility.**
- ✓ **Implemented a new City Logo (at minimal cost)**

# **Richard Clark - 2009 Goals**

- 1. Enhanced Council/City Manager Communications**
  - a. Current communications techniques need to be continued including weekly report on Pending City Council Requests (revised to shorten the text).
  - b. City Manager to schedule convenient periodic meetings with individual Council members (once every two weeks) to address any issues of interest on a face to face basis.
  - c. Use established Economic Development groups (3 members) to address major or controversial development issues as follows: Mayor, One At-large member, and the Ward Council member.
  - d. Review and strengthen Council liaison staff assignments.
  - e. Attend representative neighborhood meetings, schedule permitting, including those with Mayor or Councilmember.
  - f. If issues arise from any perspective over the next year they need to be brought to the attention of the Personnel Evaluation Subcommittee, and action taken immediately to address the issue.
- 2. Continue to focus on budget issues and identify long term balancing actions needed for FY 2011 and beyond.**
- 3. Aggressively pursue Federal and State stimulus dollars that may be available to the City of Des Moines.**
- 4. Continue emphasis on flood protection improvements, levees and sewer improvements.**
- 5. Keep forward movement on economic development opportunities as they arise:**
  - a. Downtown (Examples: completion of Wellmark, sculpture park, many smaller projects on east and west side including many apartment projects)
  - b. Ward 1 (Examples: Beaverdale, Hy-Vee, 6<sup>th</sup> Ave, Merle Hay)
  - c. Ward 2 (Examples: Eastgate, Guthrie Business Park such as Zenti and Doll Distributing, Baker office/light industrial park on Hubbell, and Highland Park)
  - d. Ward 3 (Examples: Ingersoll, Gray's Landing)
  - e. Ward 4 (Examples: Mobile Home Park redevelopment on SE 14<sup>th</sup>, SE 14<sup>th</sup>/ Army Post, Agrimergent, Water Park Hotel feasibility, Two Rivers district)
- 6. Move forward with initial implementation steps on Superblock (ZOO) project in accord with Council's direction.**
- 7. Expand the City's focus on cost effective sustainability or "Green" initiatives. Establish a "Sustainability coordinator in the City Manager's Office to add emphasis and direction to the City's effort.**
- 8. Complete study on downtown Tram, in conjunction with private sponsors and begin work on implementation strategy.**
- 9. Initiate City staff analysis of long term City space needs and establish overall directions and strategies in conjunction with Council.**

## Chris Coleman

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**From:** Bergman, Bruce E. [BEBergman@dmgov.org]  
**Sent:** Thursday, February 05, 2009 5:31 PM  
**To:** Brian Meyer (brianjmeyer@gmail.com); Chris Coleman; Christine.Hensley@bankofthewest.com; Frank Cownie; mahaffey@aedairy.com; Michael Kiernan; Tom Vlassis (vlassis3@mchsi.com)  
**Cc:** Clark, Richard A.  
**Subject:** compensation for council members  
**Attachments:** Council Salary applicable city and state code 2-5-2009.doc

Mayor and Council Members,

I have been asked by council subcommittee members to provide information regarding the issue of reducing compensation paid to the Mayor and Council. I have attached to this email the city code and state code laws that control this issue.

Simply put, the state statutory scheme is unusual. While the mayor and council can vote on a change in compensation, the specific language in Iowa Code Section 372.13, which is attached, would cause delay in the effective date of an ordinance change regarding council compensation. An explanation is below.

1. Any change in compensation of council members becomes effective for all council members at the council term which begins after the next council election. I have highlighted the state law language that is applicable. For Des Moines, this means an ordinance change in compensation can be voted on now, but only becomes effective for all council members in January, 2010. The apparent reason for the restriction is that the state law apparently only contemplated upward changes in compensation.
2. Again, because of peculiar statutory language, any change in compensation of the mayor "does not become effective during the term in which the change is adopted". Therefore, in Des Moines this means that an ordinance change in compensation for the mayor can be voted on now, but only becomes effective at the beginning of the term which begins after the next mayoral election, in January, 2012. Again, I have highlighted the applicable state law language in the attachment.
3. Des Moines City Code Section 2-62, which is attached, does provide that the Mayor and each council member may choose to decline any benefit provided by the city. This would not include salary. Any declination of a benefit in whole or in part would have to be implemented by the individual choice of the mayor and each council member. Under the terms of the ordinance, the declination of benefits must be in writing, and is effective from the date specified in writing, to the end of the current term of that mayor or council member, and is "deemed to cancel the entitlement to such benefits for the balance of the term."

Please feel free to contact me with any additional questions.

Bruce Bergman  
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515.283.4567 – office  
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2/6/2009



## Des Moines City Code

Sec. 2-62. Salary of mayor and councilmembers.

The mayor shall receive and be paid a salary at the rate of \$31,500.00 per annum and \$50.00 per week as allowance for expenses incurred on city business conducted in the city and all other members of the city council shall receive and be paid a salary at the rate of \$22,000.00 per annum and \$50.00 per week allowance for expenses incurred on city business conducted in the city, which salaries shall be payable as hereinafter provided. The mayor and members of the city council shall be entitled to longevity pay, group insurance benefits (including but not limited to life insurance, hospital and surgical expenses, medical expenses, major medical expenses, dental benefits and prescription drug benefits); participation in retirement plans to which they are eligible for participation, specifically the city deferred compensation program authorized by I.C. § 509A.12; education tuition reimbursement; and reimbursement of office related expenses incurred on city business, and in addition the mayor and members of the city council may receive life insurance benefits or deferred compensation contributions, in the event such benefits are made available to supervisory, professional and management employees generally. All benefits are subject to the provisions of section I.C. § 372.13(8), with respect to the time of commencement of entitlement to such benefits or to any increase thereof. The mayor and each council member may choose to decline any benefit provided for the position. However, the benefits shall be presumed to be applicable unless the mayor or council member declines the respective benefit in writing. Any written declination of benefits shall be effective from the date specified in such writing to the end of the current term of the mayor or council member, and shall be deemed to cancel the entitlement to such benefits for the balance of the term. In making any such declination each individual mayor and council member shall agree to assume any tax consequences resulting therefrom and to hold the city harmless from any such consequence.

(C42, § 3-2.01; O.5321, 5507; C54, § 2-29.01; O.6166, 6820; C62, § 2-29.01; O.7288, 7796, 7946; C75, C79, § 2-17; O.9645; C85, § 2-17; O.11,080; C91, § 2-17; O.11,740, 12,058, 13,721, 13,969, 14,499)

## Iowa Code

### 372.13 THE COUNCIL

8. By ordinance, the council shall prescribe the compensation of the mayor, council members, and other elected city officers, **but a change in the compensation of the mayor does not become effective during the term in which the change is adopted,** and the council shall not adopt an ordinance changing the compensation of the mayor, council members, or other elected officers during the months of November and December in the year of a regular city election. **A change in the compensation of council members becomes effective for all council members at the beginning of the term of the council members elected at the election next following the change in compensation.** Except as provided in section 362.5, an elected city officer is not entitled to receive any other compensation for any other city office or city employment during that officer's tenure in office, but may be reimbursed for actual expenses incurred. However, if the mayor pro tem performs the duties of the mayor during the mayor's absence or disability for a continuous period of fifteen days or more, the mayor pro tem may be paid for that period the compensation determined by the council, based upon the mayor pro tem's performance of the mayor's duties and upon the compensation of the mayor.