

★ Roll Call Number

Agenda Item Number

53

Date April 23, 2018

MOTION TO RECONSIDER ROLL CALL NO. 18-0567 OF APRIL 9, 2018

Moved by \_\_\_\_\_ to reconsider Roll Call No. 18-0567 of April 9, 2018 Approving Amendments to the Building and Fire Code Board of Appeals Procedural & Administrative Rules.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk

**CITY ATTORNEY**

Jeffrey D. Lester

**DEPUTY CITY ATTORNEYS**

Lawrence R. McDowell  
Carol J. Moser  
Kathleen Vanderpool

**SENIOR LITIGATORS**

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Shellie Mackel

**ASSISTANT CITY ATTORNEYS**

Roger K. Brown  
Lawrence F. Dempsey

**LUKE DESMET**

Ann M. DiDonato  
Thomas G. Fisher Jr.  
Glenna K. Frank  
Douglas P. Philip  
Jessica D. Spoden  
Lisa A. Wieland



**April 23, 2018**

**HONORABLE MAYOR AND MEMBERS  
OF THE DES MOINES CITY COUNCIL**

At its February 8, 2018 meeting, the Building and Fire Code Board of Appeals passed a motion to amend its rules and regulations by amending sections relating to time and place of meetings, agenda and minutes, appellant and citizen participation, actions and election of officers, and by deleting matters not on the agenda, and by renumbering various sections. The purpose of the amendments was to bring the rules and regulations in line with Des Moines City Code and State Law.

At the April 9, 2018 City Council meeting, the Council approved the amendments to the rules and regulations, but struck the word "appointed" from Section B, item 3 regarding quorum. By striking such term, the rules and regulations are in direct conflict with Des Moines City Code Section 26-121(c). The Legal Department respectfully requests the City Council reconsider its prior action by rescinding its prior approval in Roll Call no. 18-0567 and approve the amendments as presented.

Jessica D. Spoden  
Assistant City Attorney