

★ Roll Call Number

15-1170

Agenda Item Number

46

Date July 13, 2015

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 102-657, 102-660, 102-711 and 102-766, relating to right-of-way management fees",

which was considered and voted upon under Roll Call No. 15-0957 of June 8, 2015; again presented.

Moved by Moore that this ordinance be considered and given second vote for passage, subject to the following: that Engineering and Legal staff (1) retain degradation cost as a recoverable cost under the proposed ordinance, but remove the degradation cost amount from the right-of-way management fee calculation in order to further review the inclusion of said cost in the City's right-of-way permitting fees, rather than management fees, (2) prepare a proposed right-of-way management fee schedule for implementation of a \$0.12 per equivalent lineal foot fee over a six-year period beginning fiscal year 2017-2018, and (3) consult with affected parties regarding the declaratory judgment process.

(Second of three required readings)

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| HENSLEY | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MOORE | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED APPROVED
T.M. Franklin Council 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.

Diane Rauh City Clerk