



Roll Call Number

26-0436

Agenda Item Number

18

Date April 6, 2026

APPROVAL OF CONSTRUCTION DEFERMENT AGREEMENT AND ACCEPTANCE OF BOND FOR STREET AND PUBLIC UTILITY IMPROVEMENTS FOR DEVELOPMENT IN THE VICINITY OF 1803 COUNTY LINE ROAD

WHEREAS, a Site Plan, “The Harvest Academy – Phase One”, has been submitted by Harvest Academy (“Developer”), represented by Tim Krueger, for development of the first phase of a multi-phase project which will include a mix of commercial and residential uses on property located in the vicinity of 1803 County Line Road (“Property”); and

WHEREAS, street and public utility improvements are required as part of the Property development, which include grading and construction of a Partial Cross Section for County Line Road (a 2-lane local street equivalent within a 66’ right-of-way), streetlights, pavement markings, street signage, storm sewer improvements, and water main extension improvements; and

WHEREAS, the Developer has requested that construction of the required improvements be deferred to a later date due to anticipated construction costs and other development considerations; and

WHEREAS, the City and Des Moines Water Works are amenable to allowing the Developer to defer construction of the required street and public utility improvements and have negotiated a Construction Deferral Agreement with Harvest Academy as owner and developer of the Property to defer construction of the required improvements for a period not to exceed five (5) years from the effective date of the Agreement, provided the Developer agrees to and abides by certain terms and conditions including provision of a bond with a penal sum of not less than the estimated deferral costs; and

WHEREAS, the City Engineer has reviewed the estimated costs and approved the amount of the security for improvements; and

WHEREAS, the Developer has provided the City a bond in the amount of \$730,800.00 for installation of the required street and public utility improvements.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

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1. Bond number S051733 from Employers Mutual Casualty Company, and its rider dated March 6, 2026 in the amount of \$730,800.00 is hereby accepted and approved as adequate security for the completion of the required street and public utility improvements and the Mayor is hereby authorized and directed to sign the rider on behalf of the City.
2. The Construction Deferment Agreement with Harvest Academy as owner and developer of the Property, is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City.

Moved by Gatto to approve. Second by Voss.

Approved as to form:

/s/ Gary D. Goudelock Jr.
 Gary D. Goudelock Jr.
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
BARRON	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Connie Boesen

Mayor

Laura Baumgartner

City Clerk