

POLK COUNTY BOARD OF SUPERVISORS AGENDA
POLK COUNTY ADMINISTRATIVE OFFICE BUILDING
111 COURT AVENUE - ROOM 120
SEPTEMBER 1, 2020 9:30 A.M.

1. Roll Call.
2. Action on the Minutes of the Previous Meeting(s).
3. Special Claims as submitted by the County Auditor, if any.
4. Action on the Bill List as submitted by the County Auditor.

PUBLIC HEARING

CHAPTER 4 AMENDMENT-CODE OF ORDINANCES
(Regulating Licensing of Dogs and Control of At-Large and Abandoned Dogs)

ORDINANCE
(FIRST READING)

5. Ordinance amending Chapter 4 of the Polk County Code of Ordinances Regulating Licensing of Dogs and Control of At-Large and Abandoned Dogs

ORDINANCE
(SECOND READING)

6. Ordinance Prohibiting Parking on the Polk County Secondary Road System.

7. **PUBLIC COMMENTS**

RESOLUTIONS

8. Resolution authorizing Auditor's Office to publish Notice of Public Hearing for September 15, 2020 on Disposal of County Interest in Real Estate (2223 Delaware Avenue).
9. Resolution authorizing Auditor's Office to publish Notice of Public Hearing for September 15, 2020 on proposed vacation of public utility easements (within Kenneth & Mary Rieck Estates Plat 1).
- *10. Resolution approving agreement with Iowa Department of Public Health for Care for Yourself WISEWOMAN (Cardiovascular) Program Funding.
- *11. Resolution delaying the Polk County Annual Tax Sale.
12. Resolution modifying positions within the Auditor's Office.
13. Resolution modifying position in the Medical Examiner's Office.
- *14. Resolution authorizing settlement of a civil litigation claim (Zamora/Linse).
- *15. Resolution conveying a vehicle to the United Upper Nile Southern Sudanese Community Association in Iowa.
16. Resolution authorizing Auditor's Office to publish Notice of Public Hearing for September 29, 2020 on proposed amendment to the FY 20/21 budget.

17. Resolution approving funding to Polk County Housing Trust Fund for COVID-19 related homeless prevention.
18. Resolution approving Community Betterment Grant awards.

COMMUNICATIONS

- *19. City of Grimes Voluntary Annexation, including non-consenting owners, within the urbanized area of the city of Johnston.
- *20. City of Johnston notice of public hearing to consider annexation proposal.

BUDGET ACTIONS

21. Memorandum of Budget Actions.

APPOINTMENTS

22. Memorandum of Appointments.

CLOSED SESSION

23. Discussion with legal counsel concerning the purchase of particular real estate where premature disclosure could be reasonably expected to increase the price Polk County would have to pay for the property (Iowa Code Section 21.5(1)(j)).

ADJOURNMENT

**Asterisk denotes attachments to items are on file in the Auditor's Office, 111 Court Avenue,
Des Moines, 515-286-3080 Monday through Friday, 8:00 a.m. – 5:00 p.m.
For the full text of Resolutions, visit our website at: <https://www.polkcountyiowa.gov/auditor/administration/>*

In accordance with the Governor's Proclamation dated March 19, 2020, this public meeting will be held electronically pursuant to section 21.8 of the Code of Iowa.

Join Zoom Meeting

<https://zoom.us/j/385850317?pwd=T2R5Z1ZHUGZvUWpwbnp1VUFEbTA5QT09>

Meeting ID: 385 850 317

Password: 553170

One tap mobile

+16465588656,,385850317# US (New York)

+13126266799,,385850317# US (Chicago)

Dial by your location

+1 646 558 8656 US (New York)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

Meeting ID: 385 850 317

Find your local number: <https://zoom.us/u/aegjZyklik>

ORDINANCE _____
AMENDING CHAPTER 4 ORDINANCE
REGULATING LICENSING OF DOGS AND
CONTROL OF AT-LARGE DOGS AND ABANDONED DOGS

WHEREAS, the Polk County Board of Supervisors previously adopted Polk County Code of Ordinances Chapter 4 – Ordinance Regulating Licensing of Dogs and Control of At-Large Dogs and Abandoned Dogs on May 3, 1994; and

WHEREAS, the Director of Public Works Department was previously responsible for enforcement of Polk County Code of Ordinance Chapter 4; and

WHEREAS, the Polk County Board of Supervisors supports the licensing and control of dogs; and

WHEREAS, the Polk County Sheriff is now responsible for enforcement of Polk County Code of Ordinance Chapter 4; and

WHEREAS, Iowa Code section 351.33 requires every owner of a dog six months of age or over to be vaccinated against rabies; and

WHEREAS, within Polk County, the redemption of impounded fee will be a payment of \$20.00 for every impoundment; and

WHEREAS, a public hearing has been held by the Polk County Board of Supervisors concerning the adoption of the proposed amendments on September 1, 2020 at 9:30 a.m. in Room 120 of the Polk County Administration Building, 111 Court Avenue, Des Moines, Iowa, after due and timely notice was published as provided by law.

NOW THEREFORE BE IT ORDAINED that the Polk County Board of Supervisors amends Chapter 4 – Ordinance Regulating Licensing of Dogs and Control of At-Large Dogs and Abandoned Dogs as set out below:

1. Section 4.1 is repealed in its entirety and the following is adopted in lieu thereof:

4.1 CONSTRUCTION OF TERMS

1. Meaning of certain words: Words used in the singular include the plura and plural the singular, the masculine gender includes the feminine and the feminine the masculine.
2. Computing time – legal holidays: In computing time, the first day shall be excluded and the last included. Unless otherwise indicated, the following days shall be excluded for purposes of computing time: Saturdays, Sundays, the first day of January, the third Monday of February, the last Monday of May, the fourth day of July, the first Monday of September, the fourth Thursday of November, the fourth Friday of November, the twenty-fifth day of December, and any other day on which the offices of Polk County government are closed.
3. Conflicts with State and/or Federal Regulatory Schemes: If it is determined by the county attorney that enforcement of any provision of this ordinance would be

inconsistent with requirements of federal and /or state law, enforcement of said provision(s) shall be suspended as necessary to avoid the inconsistency. If the county attorney makes such a suspension determination he shall report it to the Board of Supervisors, along with any recommendation in regard to any necessary corrective legislation.

2. Section 4.2 is repealed in its entirety and the following is adopted in lieu thereof:

4.2 DEFINITIONS

1. "Dog" shall mean any domesticated species of the order Carnivora and the family Canidae.
2. "At-Large Dogs" refers" refers to an animal's presence outside of a structure of fixed enclosure. A dog shall be deemed to be at large if it is not properly licensed or if it is not housed, restrained or controlled by one of the methods set out in section 4.2(2).
3. "Owner" the term "owner" includes any person keeping, sheltering, harboring or having custody or control of the dog, and the custodial parent or guardian of any alleged owner who is a minor.
4. "Euthanize" means to kill in a humane manner.

3. Section 4.3 is repealed in its entirety and the following is adopted in lieu thereof:

4.3 LICENSE REQUIRED.

1. The owner of, or any person who keeps or harbors, any dog six months old or over, except a dog kept in a state or federally licensed kennel and not allowed to be at large at any time, shall annually obtain a license for the dog.
2. The license shall be obtained not later than the first business day of January of each year or within thirty days after the date the owner acquires possession of the dog, the date the dog is permanently transferred to Polk County from another city or county which licenses dogs or the date the dog reaches the age of six months.
3. A person required to obtain a dog license who resides in any unincorporated area of Polk County or in a municipality in the county which does not license dogs shall obtain the license from the county auditor or auditor's designee. The application for the license shall be on blanks provided by the auditor and shall state such information as may be required by law. License fees, delinquency penalties and other charges for county dog licenses shall be as established from time to time by resolution of the board of supervisors consistent with state law. Each license shall expire on January 1 of the year following the year for which it was issued.
4. The person required to obtain the license shall attach the license to a substantial collar and shall at all times keep the license on the dog for which it was issued.

4. Section 4.4 is repealed in its entirety and the following is adopted in lieu thereof:

4.4 AT- LARGE AND ABANDONED DOGS.

1. No person shall abandon any dog in Polk County. No person shall cause any dog to be at large, and no owner of any dog shall permit that dog to be at large, in any unincorporated area of Polk County which is zoned other than as an agricultural district, or in any incorporated municipality with which Polk County or its Board of Health has an animal control enforcement agreement to include a 28E agreement.
2. Unless another subsection of this section applies, a dog, properly licensed as required by law, shall not be deemed at large if:
 - a. The dog is on the premises of the owner or a person given charge of the dog by the owner and is either
 1. accompanied by and obedient to the commands of the owner or the person given such charge, or
 2. restrained on those premises by an adequate protective fence or leash, cord, chain or other similar restraint that does not allow a dog to go beyond the owner's real property line; or
 - b. The dog is off the premises of the owner and is either
 1. accompanied by and obedient to the commands of the owner or a competent responsible person, or
 2. on a leash, cord, or chain or similar restraint not more than six feet in length and under the control of a person competent to restrain and control the dog, or
 3. properly restrained within a motor vehicle; or
 4. the dog is properly housed in a veterinary hospital or licensed kennel.
3. Any dog shall be deemed at large at any time when attacking persons or domestic animals or destroying property, or when on a public school ground and not under restraint as set out in section 4.2(2)(b).
4. Any female dog in heat shall be deemed at large at any time except:
 - a. When housed in a building which is completely enclosed, or
 - b. when housed in a veterinary hospital or licensed kennel, or
 - c. when on the premises of the owner, provided the area in which such dog is located is completely enclosed by a fence or other structure having a height of at least 42 inches, or
 - d. when being walked by an individual when the dog is on a leash, cord, chain or other similar restraint not more than six feet in length or when being transported within a motor vehicle.

5. Section 4.5 is repealed in its entirety and the following is adopted in lieu thereof:

4.5 IMPOUNDMENT AND DISPOSITION OF AT- LARGE DOGS

The county or its designee may take impound any dog found to be without an attached license or found at large in violation of section two of this ordinance.

All dogs found without a license, collar engraving, microchip or similar owner identification shall be kept for not less than seven days after being impounded unless sooner redeemed by the owner in accordance with this ordinance. Dogs with identification shall be kept not less than seven days after being impounded unless sooner redeemed by the owner. On expiration of the impoundment period, a dog shall be deemed abandoned and may be transferred to a new owner or humanely destroyed.

1. NOTICE of Impoundment and Intended Action. Polk County shall provide written notice to the owner of the animal, if the owner's name and current address can be reasonably determined by accessing a tag or other device that is on or a part of the dog. The notice shall be sent within two (2) working days after the dog has been impounded.

The notice shall provide that if the owner does not redeem the dog within seven days from the date that the notice is delivered, the animal may be humanely destroyed or otherwise disposed of in accordance with the law. For purposes of this section, notice is delivered when the Polk County Sheriff's Office or Polk County Animal Control mails the notice which may be by regular mail.

6. Section 4.6 is repealed in its entirety and the following is adopted in lieu thereof:

4.6 REDEMPTION OF IMPOUNDED DOGS.

1. Licensed dog. The owner of an impounded licensed dog may claim and redeem such animal upon payment of a \$20.00 administrative fee, plus the cost of:
 - a. food and care,
 - b. any vaccines administered, and
 - c. any additional expenses incurred in locating or notifying the owner or person in control of the dog.
2. Unlicensed dog. The owner of an impounded unlicensed dog may claim and redeem such animal upon payment of a \$20.00 administrative fee plus the cost of:
 - a. food and care,
 - b. any vaccines administered, and
 - c. any additional expense incurred in locating and notifying the owner or person in control of the dog.

7. Section 4.7 is repealed in its entirety and the following is adopted in lieu thereof:

4.7 PENALTIES AND ENFORCEMENT.

1. CIVIL: An owner's failure to comply with the provisions of section 4.3 or section 4.4 constitutes an infraction of that county ordinance. A county infraction shall subject

the owner to a civil penalty as set forth in Polk County Code of Ordinances Chapter 2, Polk County Board of Health Rules and Regulations Chapter II and Iowa Code Chapter 331.307.

2. The Polk County Sheriff's Office or his/her designee shall be authorized to issue **Citations**, demanding the appropriate civil penalty, for violating the ordinance; as set forth in Polk County General Administrative Procedures for Citing County Infractions or any other ordinance or state or county code provision authorizing county employees to issue citations for violations of Polk County ordinances and regulations.
3. Each additional day of neglect or failure to comply with such County Ordinance or lawful order, after notice of violation, shall constitute a separate offense. Polk County may seek injunctive relief from the courts to prohibit further infractions. Penalties sought under this section in no way preclude other government organizations from taking additional legal action under this or other State, Federal or Local Regulations.
 - a. Previous Enforcement. Nothing in this Regulation prohibits, suspends or modifies the continuation of any enforcement action commenced prior to the effective date of this Regulation or any amendment hereof, which may continue in accordance with the law or regulation under which such action was originally commenced.
 - b. Remedies Cumulative. All remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or part thereof, such remedy shall remain available for other violations or other parts of the same violations.
 - c. Cost Recovery. Costs to Polk County incurred in the enforcement of this ordinance may be recovered by an assessment placed against real estate owned by the responsible party and collected in the same manner as property tax, or may be collected as a personal judgment, or by utilizing both procedures until such costs have been paid in full.
4. **CRIMINAL:** A violation of section 4.3 or section 4.4 of this ordinance constitutes a simple misdemeanor punishable by a fine of at least sixty-five dollars but not to exceed six hundred twenty-five dollars. The court may order imprisonment not to exceed thirty days in lieu of a fine or in addition to a fine. Surcharges required by Iowa Code Chapter 911.1 and 911.4 shall be added to a fine imposed on a misdemeanant as provided in those sections, and are not a part of or subject to the maximums set in this section.
5. Unless specifically provided otherwise herein or by law, the provisions of this ordinance shall be carried out and enforced by the Polk County Sheriff's Office.

This Ordinance shall be effective upon approval and publication as provided by law.

POLK COUNTY, IOWA

Matt McCoy, Chairperson
Polk County Board of Supervisors

ATTEST:

Jamie Fitzgerald
Polk County Auditor

EFFECTIVE UPON PUBLICATION

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type and Title: Ordinance Amending Chapter 4 Ordinance Regulating Licensing of Dogs and Control of At-Large Dogs and Abandoned Dogs.

Agenda Date: September 1, 2020

Contact Individual: Frank Marasco, 515-286-3943, frank.marasco@polkcountyiowa.gov

Action Requested (Recommended): Approval

Comply with Policy: The Polk County Board of Supervisors supports the licensing and control of dogs. Iowa Code section 351.33 requires every owner of a dog six months of age or over to be vaccinated against rabies. The amendment ordinance will provide the Polk County Sheriff's Office authority for enforcement of Polk County Code of Ordinance Chapter 4.

Background: The Board of Supervisors previously adopted Polk County Code of Ordinance Chapter 4 – Ordinance Regulating Licensing of Dogs and Control of At-Large Dogs and Abandoned Dogs. The Director of Public Works Department was previously responsible for enforcement of Chapter 4 Ordinance. The Polk County Sheriff is now responsible for enforcement of Chapter 4 Ordinance. Polk County, Iowa has 28E Agreements or Animal Control Services Agreements that include animal control enforcement of at-large dogs and abandoned dogs with municipalities within Polk County, Iowa.

Action Impact: Polk County, Iowa will continue to support owners of dogs to license and control their dogs in the unincorporated area of Polk County. The Amended Chapter 4 Ordinance will provide consist enforcement by Polk County Sheriff with those municipalities having 28E Agreements or Animal Control Services Agreements with Polk County, Iowa.

Fiscal Note:

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
20/21	N/A			N/A		

Additional Fiscal Note Information (optional):

ORDINANCE NO.

WHEREAS, *Iowa Code* Sections 321.236, 321.239 and 321.255 authorize Polk County to establish an ordinance that defines the policy on the standing, stopping or parking of motor vehicles, trailers and other wheeled vehicles on streets or highways and to provide for the placement and maintenance of appropriate traffic control devices on roadways under Polk County's jurisdiction; and

WHEREAS, The Public Works Department desires to consolidate the existing No Parking Zones and parking policies into an ordinance that defines the locations of restricted parking on Polk County roadways, the signing required to define these areas, enforcement authority, penalties associated with violation of the Ordinance, and the process to adjudicate the citations and fines; and

WHEREAS, the proposed ordinance was heard by the Polk County Board of Supervisors on August 25, 2020, at 9:30 A.M., in Room 120 of the Polk County Administrative Office Building, Des Moines, Iowa, due and timely notice published as provided by law.

NOW, THEREFORE, BE IT ORDAINED the Polk County Ordinance for Prohibited Parking on the Polk County Secondary Road System is hereby adopted; and

BE IT FURTHER ORDAINED THAT the Polk County Ordinance for Prohibited Parking on the Polk County Secondary Road System, a copy of which is attached hereto, is adopted and is effective on and after official publication.

POLK COUNTY, IOWA

Chairperson

ATTEST:

Jamie Fitzgerald
County Auditor

#6

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Ordinance No. to consider enacting an Ordinance for Prohibited Parking on the Polk County Secondary Road System.

Agenda Date: SEPT 1, 2020

Contact Individual: Kurt D. Bailey, P.E., County Engineer, Polk County Public Works, 286-3705

Previous Action taken by the Board: BOS set public hearing on August 11, 2020

Board/Commission Actions: None

Action Requested (Recommended): Approval of 1st Reading of the Ordinance.

Comply with Policy: Yes. Proposed ordinance established policy on standing, stopping, or parking of motor vehicles, trailers, and other wheeled vehicles on roadways in Polk County's jurisdiction.

Background: Iowa Code Sections 321.236, 321.239 and 321.255 authorize Polk County to establish an ordinance that defines the policy on the standing, stopping or parking of motor vehicles, trailers and other wheeled vehicles on streets or highways and to provide for the placement and maintenance of appropriate traffic control devices on roadways under Polk County's jurisdiction. The Public Works Department desires to consolidate the existing No Parking Zones and parking policies into an ordinance that defines the locations of restricted parking on Polk County roadways, the signing required to define these areas, enforcement authority, penalties associated with violation of the Ordinance, and the process to adjudicate the citations and fines.

Action Impact: With Board approval the proposed Ordinance for Prohibited Parking on the Polk County Secondary Road System would go into effect upon the three readings and publication.

Fiscal Note: Fees collected to be split evenly between the Polk County Sheriff's Office and the Public Works Department to cover administration costs.

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
20/21						

Additional Fiscal Note Information (optional):

2015-5008

RESOLUTION

Moved by _____, Seconded by _____ that the following Resolution be adopted:

WHEREAS, it is proposed to dispose of Polk County's interest in real estate of a parcel located at 2223 Delaware Avenue, Des Moines, Iowa and legally described as:

-EX W 2.5F- LT 30 BLK 28 EASTON PLACE

To Swaich Enterprises LLC for a total of \$10,100.00; and

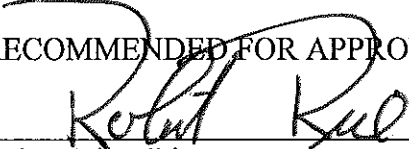
WHEREAS, Iowa Code section 331.361(2) requires a public hearing on a proposal to dispose of an interest in real estate.

NOW, THEREFORE, BE IT RESOLVED that a public hearing on this proposed disposal of the County's interest in real estate will be held on the date of September 15, 2020, at 9:30 a.m. in Room 120 of the Polk County Administration Building, 111 Court Avenue, Des Moines, Iowa. The Auditor is directed to publish notice of the public hearing.

POLK COUNTY, IOWA

Chairperson

RECOMMENDED FOR APPROVAL:



Robert Rice, Director
Polk County Public Works

Fiscal Note: \$10,100.00 to Real Estate Fund

#8

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 122-20 to authorize the Auditor's Office to publish notice for a public hearing on disposal of interest in County owned Real Estate File 2015-5008, a parcel located at 2223 Delaware Avenue to Swaich Enterprises LLC, District 060 Parcel 02423-002-000.

Agenda Date: September 1, 2020

Contact Individual: Bret VandeLune, Planning and Development Manager, Real Estate Division, Polk County Public Works, 286-2290

Previous Action taken by the Board: None

Board/Commission Actions: None

Action Requested (Recommended): Set Public Hearing

Comply with Policy: Yes, Proposal.

Background: Polk County received a proposal from Swaich Enterprises LLC for a total of \$10,100.00 to purchase this parcel. The County received this parcel by tax deed in April of 2020. Property size is 50' x 119'. Parcel is buildable.

Action Impact: Approval of the resolution sets the public hearing date and directs the Auditor's Office to publish notice of a public hearing.

Fiscal Note: None

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
20/21			\$10,100.00			

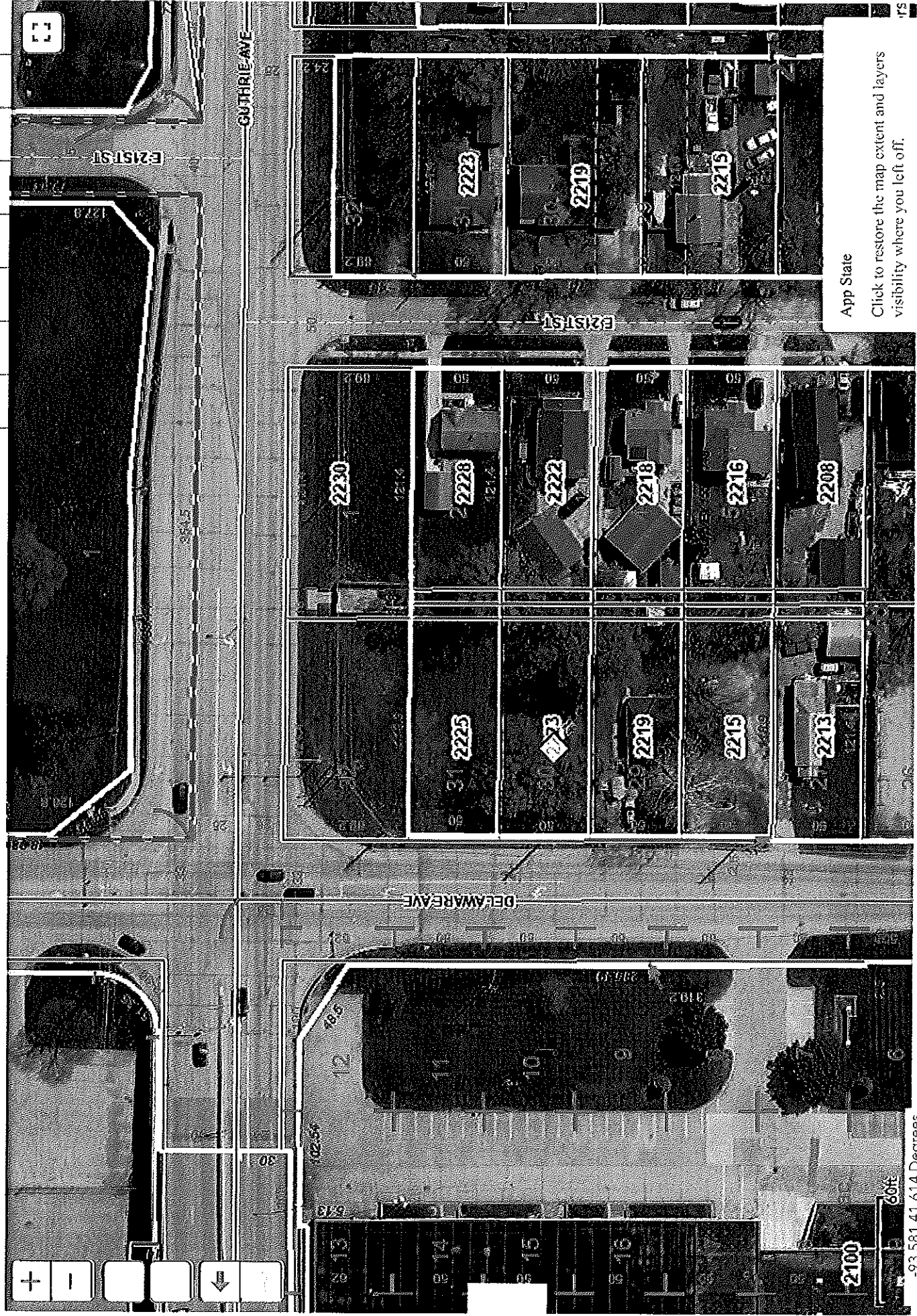
Additional Fiscal Note Information (optional):

NOTICE OF PUBLIC HEARING

The Polk County Board of Supervisors will hold a Public Hearing on the 15th of September, 2020 at 9:30 a.m. in Room 120 of the Polk County Administration Building, 111 Court Avenue, Des Moines, Iowa, to consider a proposal to convey real estate of a parcel located at 2223 Delaware Avenue, Des Moines, Iowa and described as:

-EX W 2.5F- LT 30 BLK 28 EASTON PLACE

To Swaich Enterprises LLC for a total of \$10,100.00. For additional information, contact Polk County Public Works, Real Estate Division at (515)286-3705.



-93.581 41.614 Degrees

RESOLUTION

Moved by _____, Seconded by _____ that the following Resolution be adopted:

WHEREAS, the Polk County Public Works Department has received a request from Parcel Owners, regarding the vacation of a 10-foot public utility easement, a 20-foot public utility easement, and a 32-foot water main easement, and the establishment of a 10-foot public utility easement all within Kenneth & Mary Rieck Estates Plat 1, an official plat in Polk County, Iowa, in accordance with Section 354.23 Code of Iowa. Said public utility easements to be vacated are described as follows:

The South 20 feet and the East 42 feet of Lot 7 in Kenneth & Mary Rieck Estates Plat 1, as recorded in Book 10829, Page 559 at the Polk County Recorder's Office, Polk County, Iowa.; AND

The East 42 feet of the East 581 feet of Outlot X in Kenneth & Mary Rieck Estates Plat 1, as recorded in Book 10829, Page 559 at the Polk County Recorder's Office, Polk County, Iowa.

Said public utility easements to be established are described as follows:

The East 10 feet of Lot 7 in Kenneth & Mary Rieck Estates Plat 1, as recorded in Book 10829, Page 559 at the Polk County Recorder's Office, Polk County, Iowa.; AND

The East 10 feet and the South 10 feet of the East 42 feet of the East 581 feet of Outlot X in Kenneth & Mary Rieck Estates Plat 1, as recorded in Book 10829, Page 559 at the Polk County Recorder's Office, Polk County, Iowa.

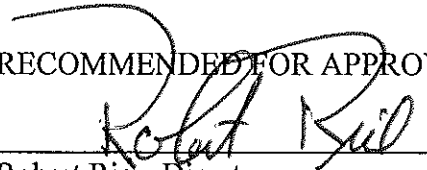
WHEREAS, Section 354.23, Iowa Code, requires a public hearing to vacate the platted public utility easements.

NOW, THEREFORE, BE IT RESOLVED that a public hearing on the proposed vacation of the public utility easements, referenced above, be held at 9:30 a.m. on September 15, 2020, at the regularly scheduled meeting of the Polk County Board of Supervisors, Room 120, Polk County Administrative Office Building, 111 Court Avenue, Des Moines, Iowa.

BE IT FURTHER RESOLVED that the Polk County Auditor is directed to publish the attached Notice of Public Hearing.

POLK COUNTY, IOWA

RECOMMENDED FOR APPROVAL:


Robert Rice, Director
Polk County Public Works

Chairperson

FISCAL NOTE: No cost to the County

#9

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 123-20 accepting and approving the official publication and setting a public hearing for the vacation and establishment of public utility easements within the subdivision plat of Kenneth & Mary Rieck Estates Plat 1.

Agenda Date: September 1, 2020

Contact Individual: Bret VandeLune, Planning & Development Manager, Polk County Public Works Department, 286-2290

Previous Action taken by the Board: None

Board/Commission Actions: None

Action Requested (Recommended): Approval of the resolution authorizing the Polk County Auditor to publish the Notice of Public Hearing for the vacation and establishment of public utility easements within the subdivision plat of Kenneth & Mary Rieck Estates Plat 1.

Comply with Policy: This vacation procedure complies with Section 354.23, Code of Iowa.

Background: Parcel owners are currently looking to install a natural gas main and the existing public utility easement is placed to the west of a water main easement that is no longer needed due to the water main being on the east side of NE 72nd St. Owners requested to vacate existing water main easements and public utility easements and establish a new public utility easement on the east of their parcels. This new public utility easement will accommodate future utility needs.

Action Impact: With Board approval of the resolution, the Auditor's Office can publish the Notice of Public Hearing setting the date, time and location of the public hearing for the proposed vacation and establishment of the easements.

Fiscal Note: No cost to County.

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
20/21						

Additional Fiscal Note Information (optional): None

NOTICE OF PUBLIC HEARING

A public hearing will be held at 9:30 a.m. on September 15, 2020 at the regularly scheduled meeting of the Polk County Board of Supervisors, Polk County Administrative Office Building, 111 Court Avenue, Room 120, Des Moines, Iowa 50309, regarding the vacation of a 10-foot public utility easement, a 20-foot public utility easement, and a 32-foot water main easement, and the establishment of a 10-foot public utility easement all within Kenneth & Mary Rieck Estates Plat 1, an official plat in Polk County, Iowa, in accordance with Section 354.23 Code of Iowa.

The description of the platted public utility easements proposed to be vacated are more particularly described as follows:

The South 20 feet and the East 42 feet of Lot 7 in Kenneth & Mary Rieck Estates Plat 1, as recorded in Book 10829, Page 559 at the Polk County Recorder's Office, Polk County, Iowa.; AND

The East 42 feet of the East 581 feet of Outlot X in Kenneth & Mary Rieck Estates Plat 1, as recorded in Book 10829, Page 559 at the Polk County Recorder's Office, Polk County, Iowa.

The description of the public utility easements proposed to be established are more particularly described as follows:

The East 10 feet of Lot 7 in Kenneth & Mary Rieck Estates Plat 1, as recorded in Book 10829, Page 559 at the Polk County Recorder's Office, Polk County, Iowa.; AND

The East 10 feet and the South 10 feet of the East 42 feet of the East 581 feet of Outlot X in Kenneth & Mary Rieck Estates Plat 1, as recorded in Book 10829, Page 559 at the Polk County Recorder's Office, Polk County, Iowa.

For information regarding the proposed vacation and establishment of the aforementioned public utility easements, contact the Polk County Public Works Department, Planning Division, at 5885 NE 14th Street, Des Moines, Iowa.

This notice may be obtained in accessible formats by qualified persons with a disability by making appropriate arrangements with Polk County Public Works Department, 5885 NE 14th Street, Des Moines, Iowa 50313, or by calling (515) 286-3705.

Vacation and Establishment of Platted Public Utility Easements within Kenneth & Mary Rieck Estates Plat 1



RESOLUTION

Moved by _____

Seconded by _____

That the following Resolution be adopted:

WHEREAS, cardiovascular disease is a leading cause of death among women; and

WHEREAS, the Iowa Department of Public Health (IDPH) has allocated funding to Polk County for FY2021 in the amount of \$64,750 through the *Care for Yourself- WISEWOMAN* Program to provide comprehensive cardiovascular services to 175 low-income, uninsured and underinsured women ages 40-64; and

WHEREAS, the contract period is September 30, 2020 through September 29, 2021.

NOW, THEREFORE, BE IT RESOLVED that Polk County approves Contract #5881NB20WW from the Iowa Department of Public Health to fund the *Care For Yourself- WISEWOMAN* Program and authorizes the Chairperson to sign the agreement.

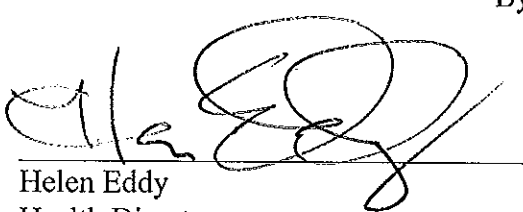
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Director of the Polk County Health Department, or his designee, is authorized to execute any and all documents in furtherance of this contract or distribution.

Approved this _____ day of _____, 2019.

By _____

Chair

Polk County Board of Supervisors/Board of Health


Helen Eddy
Health Director

Approved as to form:
JOHN P. SARCONI
POLK COUNTY ATTORNEY

By _____

Assistant County Attorney

FISCAL NOTE:

FY 20/21 Revenue/Expenses \$48,562

FY 21/22 Revenue/Expenses \$16,218

#10

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Agreement with Iowa Department of Public Health for *Care of Yourself WISEWOMAN* (Cardiovascular) Program Funding

Agenda Date: September 1, 2020

Contact Individual: Scott Slater, 286-3752

Previous Action taken by the Board: None

Board/Commission Actions: None

Action Requested (Recommended): Approval

Comply with Policy: Helping individuals receive health services is one of the ten essential functions of a local health department.

Background: For many years, the Iowa Department of Public Health (IDPH) has allocated funds to Polk County for *WISEWOMAN* services to provide comprehensive cardiovascular services to low-income, uninsured and underinsured women ages 40-64. Services may include blood pressure monitoring, blood glucose and cholesterol tests, risk reduction counseling, health coaching, Weight Watchers sessions, medication therapy management, home blood pressure monitoring, diabetes prevention and self-management support, transportation assistance and outreach. Polk County is paid to coordinate services for program participants with actual testing costs being covered by IDPH.

Action Impact: This year's contract will allow the Polk County Health Department to serve 175 women with these comprehensive services. The contract amount is \$64,750.

Fiscal Note:

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
1920	Y	\$48,562	\$48,562	Y	10223019.74170	10223019.52480
2021	Y	\$16,218	\$16,218	Y	10223019.74170	10223019.52480

Additional Fiscal Note Information: Source of Funding: Federal \$64,750

RESOLUTION

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, on March 9, 2020, Iowa Governor Kim Reynolds issued a Proclamation of Disaster Emergency declaring a State of Public Health Disaster Emergency existed throughout the entire state of Iowa due to the global pandemic referred to as COVID-19.

WHEREAS, between April 24, 2020 and July 24, 2020, Governor Reynolds issued Public Health Proclamations in response to the COVID-19 pandemic which suspended the regulatory provisions of Iowa Code Section 446.7; and

WHEREAS, Iowa Code Section 446.7 requires the Polk County Treasurer's Office to offer for public sale all parcels on which taxes are delinquent on the third Monday in June annually; and

WHEREAS, Iowa Code Section 446.7 requires that if for good cause the tax sale cannot be held on the third Monday in June, the treasurer may designate a different date in June for the sale; and

WHEREAS, as a result of the Public Health Proclamations suspending the regulatory provisions of Iowa Code Section 446.7, the Polk County Treasurer was unable to hold a tax sale at any time in June of 2020; and

WHEREAS, the Public Health Proclamation suspending the regulatory provisions of Iowa Code Section 446.7 expired on July 31, 2020; and

WHEREAS, Iowa Code Section 446.28 requires the Polk County Treasurer to hold the tax sale on the third Monday of the next succeeding month in which the required notice can be given if the tax sale is not able to be held in June; and

WHEREAS, the third Monday of the next succeeding month in which the required notice for tax sale can be given is October 19, 2020; and

WHEREAS, as of August 21, 2020, Governor Reynolds issued a Public Health Proclamation finding that a State of Public Health Disaster Emergency continues to exist throughout the State of Iowa and will remain in effect through at least September 20, 2020; and

WHEREAS, the Polk County Treasurer has indicated to the Board of Supervisors that the Polk County Treasurer's tax sale traditionally draws upwards of eight hundred people; and

#11

WHEREAS, Polk County, Iowa continues to experience a high volume of COVID-19 cases; and

WHEREAS, the Polk County Treasurer has found good cause to delay the tax sale due to health concerns and financial distress to Polk County residents due to the COVID-19 pandemic. See the attached Findings of the Polk County Treasurer.

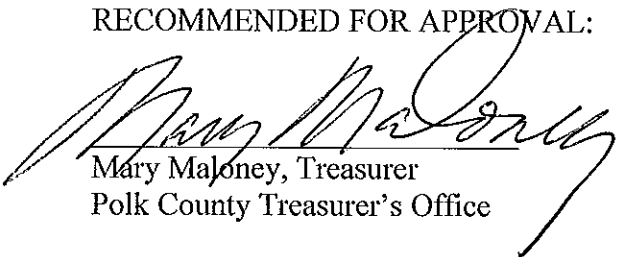
NOW, THEREFORE, BE IT RESOLVED as follows:

1. In conjunction with the Polk County Treasurer's Office, the Polk County Board of Supervisors finds that good cause exists to delay the Polk County tax sale to November due to the health and financial concerns created by COVID-19.
2. Prior to sending out the required notices for the November tax sale, the Polk County Treasurer shall reevaluate its good cause determination and inform the Board of Supervisors of its findings.
3. Nothing in this Resolution shall be interpreted to relieve delinquent property tax owners of the responsibility to pay the delinquent taxes, penalties, fees and interest that were due and accrue as otherwise provided by law, nor will this provision affect other legal processes that may be available to collect these delinquent taxes, penalties, fees and interest.
4. Nothing in this Resolution shall be interpreted to prevent the Polk County Treasurer from offering any property with delinquent taxes for sale upon the next available tax sale date.

POLK COUNTY BOARD OF SUPERVISORS:

Chairperson

RECOMMENDED FOR APPROVAL:


Mary Maloney, Treasurer
Polk County Treasurer's Office

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Polk County Annual Tax Sale Delay

Agenda Date: September 01, 2020

Contact Individual: Mary Maloney

Previous Action taken by the Board:

Board/Commission Actions:

Action Requested (Recommended): Approval to delay the Polk County Annual Tax Sale until November.

Comply with Policy: Compliance with IA Code 446.7 and 446.28 and Public Health Proclamations

Background:

Due to the health and financial concerns attributable to COVID-19, the Polk County Treasurer hereby finds good cause for the Polk County Annual Tax Sale to be delayed until November. This good cause finding will be reexamined in September to determine if further delay is necessary.

Action Impact:

Fiscal Note:

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED BY _____, SECONDED BY _____,

That the following Resolution be adopted:

WHEREAS, the Auditor's Office has reviewed operations across all divisions, and

WHEREAS, the Auditor's Office is recommending restructuring that they believe will optimize efficiency of operations and,

WHEREAS, the Department of Human Resources recommends the following position modifications:

- Delete one (1) Property Description Clerk position, AFSCME grade 12, range \$43,287-\$56,455.
- Create one (1) Multi-Service Clerk position, AFSCME grade 12, range \$43,287-\$56,455.
- Transfer incumbent of the Property Description Clerk position to the Multi-Service Clerk position.
- Delete one (1) Accounting Clerk position, AFSCME grade 11, range \$41,392-\$53,931.
- Create one (1) Elections Technology Coordinator position, AFSCME grade 15, range \$49,583-\$64,805.
- Transfer incumbent of the Accounting Clerk position to the Elections Technology Coordinator position.
- Delete one (1) Internal Auditor position, Excluded grade 19, range \$68,051-\$89,501.
- Create one (1) Administrative Services/Planning Analyst, Excluded grade 19, range \$68,051-\$89,501.
- Transfer incumbent of the Internal Auditor position to the Administrative Services/Planning Analyst position.
- Delete one (1) Property Description Supervisor, Management grade 25, \$90,192-\$118,892.
- Delete one (1) Senior Applications Developer, Excluded grade 26, range \$94,561-\$124,688.
- Reclassify one (1) Taxation Specialist, Excluded grade 19, range \$68,051-\$89,501, to one (1) Property Taxation Supervisor, Management grade 21, range \$74,734-\$98,341.
- Reclassify one (1) GIS Manager, Management grade 27, range \$99,159-\$130,770 to one (1) GIS Supervisor, Management grade 26, range \$94,561-\$124,688, upon vacancy.
- Downgrade one (1) Tax Manager, Management grade 30, range \$114,319-\$150,907, to one (1) Tax Manager, Management grade 28, \$103,953-\$137,148, upon vacancy.

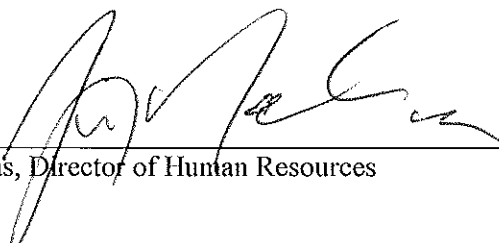
NOW, THEREFORE, BE IT RESOLVED that Polk County, Iowa hereby approves the above position modifications and directs the County Auditor and the Director of Human Resources to take the necessary steps to implement this resolution.

Approved this _____ Day of _____ 2020.

POLK COUNTY BOARD OF SUPERVISORS

Submitted By:

Chairperson



James Nahas, Director of Human Resources

#12

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Position Modifications within the Auditor's Office

Agenda Date: September 1, 2020

Contact Individual: Jim Nahas, Director of Human Resources

Previous Action taken by the Board: N/A

Action Requested (Recommended): Delete one (1) Property Description Clerk position, AFSCME grade 12, range \$43,287-\$56,455. Create one (1) Multi-Service Clerk position, AFSCME grade 12, range \$43,287-\$56,455. Transfer incumbent of the Property Description Clerk position to the Multi-Service Clerk position. Delete one (1) Accounting Clerk position, AFSCME grade 11, range \$41,392-\$53,931. Create one (1) Elections Technology Coordinator position, AFSCME grade 15, range \$49,583-\$64,805. Transfer incumbent of the Accounting Clerk position to the Elections Technology Coordinator position. Delete one (1) Internal Auditor position, Excluded grade 19, range \$68,051-\$89,501. Create one (1) Administrative Services/Planning Analyst, Excluded grade 19, range \$68,051-\$89,501. Transfer incumbent of the Internal Auditor position to the Administrative Services/Planning Analyst position. Delete one (1) Property Description Supervisor, Management grade 25, \$90,192-\$118,892. Delete one (1) Senior Applications Developer, Excluded grade 26, range \$94,561-\$124,688. Reclassify one (1) Taxation Specialist, Excluded grade 19, range \$68,051-\$89,501, to one (1) Property Taxation Supervisor, Management grade 21, range \$74,734-\$98,341. Reclassify one (1) GIS Manager, Management grade 27, range \$99,159-\$130,770 to one (1) GIS Supervisor, Management grade 26, range \$94,561-\$124,688, upon vacancy. Downgrade one (1) Tax Manager, Management grade 30, range \$114,319-\$150,907, to one (1) Tax Manager, Management grade 28, \$103,953-\$137,148, upon vacancy.

Comply with Policy: N/A

Background: The Auditor's Office has reviewed the operations and is requesting position modifications to meet operational needs.

Action Impact: Authorizes the County Auditor and Director of Human Resources to take the necessary steps to implement this resolution.

Fiscal Note: There is an estimated cost savings of \$276,205 in FY20/21.

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated Expense	Anticipated Revenue	Budget Amendment Required? (Y/N)	If Amendment is Required,	
						Expense Account Code	Revenue Account Code
20/21	Y	0	-\$276,205		Y		

Additional Fiscal Note Information (optional): Any cost savings as a result of this resolution will be forfeited from the department to the general fund.

RESOLUTION

MOVED BY _____, SECONDED BY _____

That the following Resolution be adopted:

WHEREAS, the Medical Examiner has reviewed the operations of the Medical Examiner's Office, and

WHEREAS, the Medical Examiner recommends converting the part-time Forensic Lab Assistant position to a full-time Forensic Lab Assistant position due to operational needs, and

WHEREAS, the Human Resources Department has reviewed the operations request and recommends the following position modification:

- Reclassify one (1) Forensic Lab Assistant, AFSCME grade 19, range \$59,537-\$78,023, from part time (24 hours with benefits) to full time.

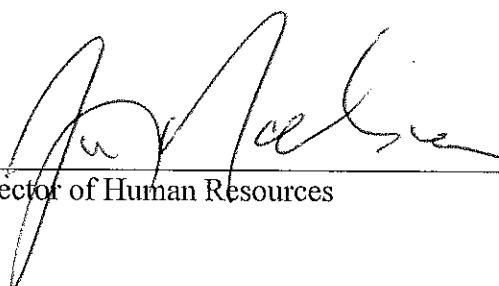
NOW, THEREFORE BE IT RESOLVED that Polk County, Iowa hereby approves the above recommendation and directs the County Auditor and the Director of Human Resources to take the necessary steps to implement this resolution.

Approved this _____ Day of _____ 2020

POLK COUNTY, IOWA

Chairperson

Submitted By:



Jim Nahas, Director of Human Resources

#13

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Position Modifications within the Medical Examiner's Office

Agenda Date: September 1, 2020

Contact Individual: Jim Nahas, Director of Human Resources

Previous Action taken by the Board: N/A

Action Requested (Recommended): Reclassify one (1) Forensic Lab Assistant, AFSCME grade 19, range \$59,537-\$78,023, from part time (24 hours with benefits) to full time.

Comply with Policy: N/A

Background: The Medical Examiner has reviewed the operational needs of the Medical Examiner's Office and is requesting to convert one part time position to full time position in order to meet the operational needs of the office.

Action Impact: Authorizes the County Auditor and Director of Human Resources to take the necessary steps to implement this resolution.

Fiscal Note: There is an estimated cost of \$12,283 in FY20/21. The Medical Examiner's Office has existing funds available to cover the FY20/21 costs.

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated Expense	Anticipated Revenue	Budget Amendment Required? (Y/N)	If Amendment is Required,	
						Expense Account Code	Revenue Account Code
20/21	Y	0	\$12,283		N		

Additional Fiscal Note Information (optional):

RESOLUTION

Moved by _____ Seconded by _____

WHEREAS, Magdaleno Zamora and Genie Linse ("Claimants") were involved in a collision with a Deputy Sheriff for Polk County Sheriff's Office on July 5, 2017; and

WHEREAS, Claimants have a claim in the Iowa District Court for Dallas County for injuries sustained as a result of that collision; and

WHEREAS, all parties desire to settle all potential outstanding issues between them on the terms and conditions stated in an agreement to be filed with the County Auditor.


WHEREAS, after considerable discussion with its attorney, Polk County Risk Management is recommending a settlement of \$135,000.00. The settlement is in the best interest of the public that the claims be resolved without resorting to further expense and risk of continued litigation; and

NOW THEREFORE BE IT RESOLVED, that Polk County, Iowa, approves the settlement agreement of Magdaleno Zamora and Genie Linse's civil claims and authorizes the Chairperson of the Board of Supervisors to sign said settlement agreement.

POLK COUNTY BOARD OF SUPERVISORS

Matthew McCoy, Chairman

Submitted by:



Meghan Gavin
Assistant County Attorney

#14

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution authorizing settlement of a civil litigation claim.

Agenda Date: September 1, 2020

Contact Individual: Meghan Gavin
Assistant County Attorney
286-3346

Previous Action taken by the Board: N/A

Board/Commission Actions: N/A

Comply with Policy: Yes

Background: Magdaleno Zamora was involved in an automobile collision with Deputy Sheriff Matthew Schnur while he was performing his duties for the Polk County Sheriff's Office. Magdaleno Zamora claimed damages to his lower back, upper back and right foot and Genie Linse, his common law wife or partner, claimed loss of consortium damages, in addition to their claim for property damage to their vehicle. It is in the best interests of Polk County to settle this matter to reduce the risk of a jury award at trial. Polk County will pay \$135,000 for the settlement.

Action Impact:

Fiscal Note:

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated Expense	Anticipated Revenue	Budget Amendment Required? (Y/N)	If Amendment is Required,	
						Expense Account Code	Revenue Account Code
19/20							
20/21			\$135,000.00				
21/22							

Additional Fiscal Note Information (optional):

RESOLUTION

Moved by _____ Seconded by _____ that
the following Resolution be adopted:

WHEREAS, United Upper Nile Southern Sudanese Community Association In Iowa (United Upper Nile), a non-profit corporation organized under the laws of the State of Iowa, has requested assistance from Polk County in acquiring one (1) truck to be used solely for its culturally appropriate charitable food distribution program; and

WHEREAS, Polk County's assistance to United Upper Nile in acquiring the truck will address the immediate needs of the United Upper Nile South Sudanese community living in Polk County, Iowa; and

WHEREAS, Polk County is willing to provide assistance by conveying a surplus truck to United Upper Nile; and

WHEREAS, the Polk County Attorney's Office has prepared an Agreement for the conveyance of the truck from Polk County, Iowa to United Upper Nile.

NOW, THEREFORE, BE IT RESOLVED, that Polk County, Iowa approves the disposition of one (1) truck to United Upper Nile and authorizes the Chairperson of the Board of Supervisors to sign the Agreement on behalf of Polk County. Furthermore, Polk County, Iowa authorizes the Director of General Services to execute any and all documents necessary to transfer title to the truck.


Approved this _____ day of _____, 2020.

POLK COUNTY, IOWA

Chairperson,
Matt McCoy

20/21-004

SUBMITTED BY:


John M. Tyler, Director
Polk County General Services

/s/ Dominic Anania
Assistant County Attorney

FISCAL NOTE: 2008 Ford Ranger Super, VIN# 1FTZR45E98PA78398 (123,873 miles)
Estimated value \$4,900 if vehicle were sold at public auction.

#15

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Approving the conveyance of one (1) vehicle to the United Upper Nile Southern Sudanese Community Association In Iowa.

Agenda Date: September 1, 2020

Contact Individual: John M. Tyler, Director of General Services ext. 3129

Previous Action taken by the Board: n/a

Board/Commission Actions: n/a

Action Requested (Recommended) Approval of the conveyance of one (1) vehicle to the United Upper Nile Southern Sudanese Community Association In Iowa to be used solely for the charitable food distribution program.

Comply with Policy: See policy.

Background: United Upper Nile Southern Sudanese Community Association In Iowa has requested assistance from Polk County in acquiring a vehicle to assist its culturally appropriate charitable food distribution program.

Action Impact: Vehicle will be donated to United Upper Nile Southern Sudanese Community Association In Iowa.

Fiscal Note: 2008 Ford Ranger Super, VIN# 1FTZR45E98PA78398 (123,873 miles)
Estimated value \$4,900 if vehicle were sold at public auction.

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
20/21	NA	--	\$50	NA		

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED by _____ **SECONDED by** _____
that the following Resolution be adopted:

WHEREAS, Iowa Code Section 331.435 permits a County to amend its fiscal year budget after providing proper notice and opportunity for public comment, and

WHEREAS, it is necessary to amend the FY 2020/2021 Polk County Budget and Appropriation to reflect the actions of the County Offices and Departments since the budget was certified on May 5, 2020, and to comply with expenditure limitations,

NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors hereby sets a public hearing on the proposed budget amendment for 9:30 a.m., September 29, 2020, in Room #120 of the Polk County Administrative Office Building, 111 Court Avenue, Des Moines, Iowa.

BE IT FURTHER RESOLVED that the Polk County Auditor is hereby authorized and directed to publish the official form #653A-R Sheet 1 "Notice of Public Hearing on Amendment of Current County Budget" in all official newspapers of Polk County, Iowa.

Approved this ____ day of _____, 2020.

POLK COUNTY BOARD OF SUPERVISORS

Chairperson

SUBMITTED BY:


Deb Anderson, Budget Manager

#16

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution authorizing the Auditor's Office to publish notice of public hearing on a proposed amendment to the FY 20/21 budget

Agenda Date: September 1, 2020

Contact Individual: Deb Anderson, Budget Manager
Board of Supervisors
286-3016

Background: Polk County routinely amends the current budget and appropriation to reflect a variety of actions taken by the Board of Supervisors, Offices, and Departments since the original budget was certified. Adjustments include such items as re-appropriating special projects funds, grant awards, position changes, and adjustments based on current expenditure and revenue estimates. Staff presented the proposed amendment to the Board of Supervisors for discussion and review on August 26, 2020. The amendment has no impact on property taxes levied for FY 20/21.

Action Impact: Authorizes the County Auditor to publish notice of a public hearing on the proposed amendment.

Fiscal Note: Expenditures increase \$19.9 million, primarily for investments in capital projects and economic development. Revenues increase \$10.8 million, primarily due to state funding for mental health services. Net transfers decrease \$6.0 million. The proposed revenue, expense, and transfer adjustments increase usage of fund balances by \$15.1 million. Beginning fund balances are adjusted to actual and increase \$32.1 million. The net impact of these changes is a \$17.0 million increase in ending fund balances as compared to the budget certified in May 2020.

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated Expense & Transfers Out	Anticipated Revenue & Transfers In	Budget Amendment Required? (Y/N)	If Amendment is Required,	
						Expense Account Code	Revenue Account Code
20/21	N	N/A	376,629,269	343,696,352	Y	Various	Various

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED by _____ SECONDED by _____

that the following Resolution be adopted:

WHEREAS, Polk County has supported the development, maintenance and repair of affordable housing for low and moderate income families throughout Polk County; and,

WHEREAS, Polk County has maintained a partnership with the Polk County Housing Trust Fund (HTF) through agreements since 1995 to further the efforts in affordable housing; and,

WHEREAS, Polk County will experience a surge in eviction of low income households due to the COVID-19 pandemic; and,

WHEREAS, Polk County will contribute up to \$800,000 of CARES Act funding to Polk County Housing Trust Fund to be used for homeless prevention as a result of demonstrable COVID-19 related hardships.

WHEREAS, additionally, Polk County is providing rent assistance through Polk County's Community Family & Youth Services department's General Assistance program; and,

WHEREAS, instances occur that due to COVID-19 hardships the renter is unable to prove a sustainable living situation and it is the desire of the Board of Supervisors to give the Community Family & Youth Services Director discretion to extend benefits as necessary to prevent homelessness, based on PCHTF eligibility guidelines for emergency assistance.

NOW, THEREFORE BE IT RESOLVED, that Polk County hereby approves funding of up to \$800,000 to Polk County Housing Trust Fund for COVID-19 related homeless prevention initiatives.

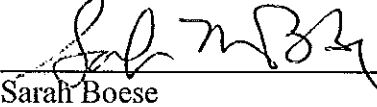
NOW, THEREFORE BE IT FURTHER RESOLVED that Polk County hereby provides discretion to the Director of the Community Family & Youth Services department to waive sustainability requirements on an as needed basis when administering General Assistance benefits to household experiencing a COVID-19 related hardship.

17

POLK COUNTY

Chairperson

SUBMITTED BY:



Sarah Boese
Polk County Board of Supervisors

FY20/21

Fiscal Impact: Expend \$800,000 of CARES Act funding

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving funding to Polk County Housing Trust Fund for COVID-19 related homeless prevention.

Agenda Date: September 1, 2020

Contact Individual: Sarah Boese, Board Executive Assistant
Board of Supervisors
286-3895

Previous Action taken by the Board: July 14, 2020

Board/Commission Actions: N/A

Comply with Policy: Yes

Background: Polk County is partnering with the Polk County Housing Trust Fund to utilize CARES Act funding to prevent homelessness in Polk County due to COVID-19 related hardship.

Action Impact: Approval of this resolution authorizes the expenditure of up to \$800,000 of CARES Act funding to Polk County Housing Trust Fund for homeless prevention.

Fiscal Note: up to \$800,000 for FY20/21

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated Expense	Anticipated Revenue	Budget Amendment Required? (Y/N)	If Amendment is Required,	
						Expense Account Code	Revenue Account Code
20/21	Y		\$800,000		N		

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED by _____ **SECONDED by** _____ **that**
the following Resolution be adopted:

WHEREAS, the Polk County Board of Supervisors has identified funding for Community Betterment projects in the FY 20-21 Prairie Meadows Revenue Gaming Plan; and,

WHEREAS, community agencies/organizations throughout the metropolitan area submit requests for Community Betterment funding; and,

WHEREAS, requests for support of community agencies/organizations throughout the metropolitan area have been received from all of the agencies listed on the attached Community Betterment Grant Award List; and,

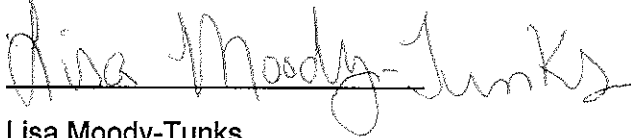
WHEREAS, the nature of these agencies/organizations and their projects are an appropriate use of the Community Betterment funds.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors hereby approves awarding \$149,149.36 in Community Betterment Grants, in the individual amounts as identified, to the agencies/organizations on the attached Community Betterment Grant Award List from the Community Betterment fund.

POLK COUNTY BOARD OF SUPERVISORS

Chairperson

SUBMITTED BY:



Lisa Moody-Tunks
Grant Administrator

Fiscal Impact: \$149,149.36 from the Community Betterment fund, FY 20-21

#18

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution Approving Community Betterment Grant Awards.

Agenda Date: September 1, 2020

Contact Individual: Lisa Moody-Tunks,
Grant Administrator
Polk County Board of Supervisors
286-2272

Previous Action taken by the Board: Community Betterment Grant Award-August 25, 2020 \$129,450.00.

Board/Commission Actions: N/A

Action Requested (Recommended): Approval of the attached September 1, 2020-Community Betterment Grant Award List.

Comply with Policy: Yes

Background: Polk County has funding for Community Betterment projects in the FY20-21 Prairie Meadows Revenue Gaming Plan. Request for support of community agencies/organizations have been received and their projects are an appropriate use of the Community Betterment funds.

Action Impact: Passing of this resolution approves awarding \$149,149.36 in Community Betterment Grants in the individual amounts as identified on the attached Community Betterment Grant Award List.

Fiscal Note:

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
20/21		\$149,149.36		N		40109033.79410

Additional Fiscal Note Information (optional):

**Community Betterment Grant Award
September 1, 2020**

Altoona Economic Development Corporation	
fiscal agent for Destination Altoona	\$15,000.00
American Legion Post 663	\$1,000.00
Ankeny Community Chorus	\$3,000.00
Ankeny Economic Development Corporation	\$10,000.00
Balance Autism	\$5,000.00
Can Do Cancer	\$5,000.00
City of Johnston/Johnston Public Library	\$1,500.00
City of Pleasant Hill-Parks & Recreation	\$5,000.00
City of Urbandale Parks & Recreation (Senior Recreation Center)	\$5,000.00
Community Youth Concepts	\$5,000.00
Des Moines East High School	\$8,149.36
Des Moines Golden K Kiwanis and Kiwanis Foundation	\$2,000.00
Des Moines Pastoral Counseling Center	\$7,500.00
East Polk Innovation Collaborative	\$20,000.00
Family Promise of Greater Des Moines	\$1,000.00
Got Bounce (Southeast Polk High School)	\$2,000.00
Iowa Center for Children's Justice	\$6,000.00
Mid-Iowa Development Fund	\$10,000.00
No Justice, No Peace, Inc.	\$5,000.00
Please Pass the Love	\$5,000.00
Rebuilding Together Greater Des Moines	\$15,000.00
Rotary Club of Ankeny	\$2,000.00
Southeast Polk Education Foundation, Inc.	\$5,000.00
The Bridge A Vision For Shared Downtown Ministry (Connection Connection)	\$5,000.00

TOTAL	\$149,149.36
--------------	---------------------

CITY DEVELOPMENT BOARD
STATE OF IOWA

IN THE MATTER OF THE CITY OF GRIMES)	NO. NC20-21 / GRIMES
VOLUNTARY ANNEXATION INCLUDING)	
NON-CONSENTING OWNERS WITHIN THE)	NOTICE OF <u>TELEPHONIC ONLY</u>
URBANIZED AREA OF THE CITY OF)	MEETING TO CONSIDER VOLUNTARY
JOHNSTON)	ANNEXATION

TO: City of Grimes and Johnston, Polk County Board of Supervisors, Polk County Attorney, Des Moines Area Metropolitan Planning Organization, Iowa Attorney General, Iowa Department of Transportation, Public Utilities and Interested Persons.

You and each of you are hereby notified that the City Development Board will, pursuant to Iowa Code Section 368.7, consider the above captioned matter at its regular meeting at 1:00 p.m. on September 9, 2020, via teleconference only. A copy of a map and legal description of the annexation territory is enclosed.

To participate in this meeting via teleconference, dial 1-515-348-6300; when prompted, enter access code 552482067 followed by #. You should then be connected to the meeting.

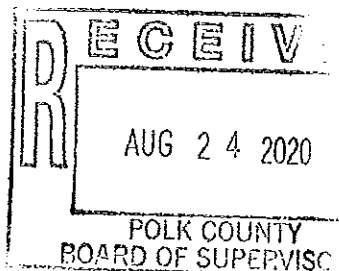
This proposal includes some land without the consent of the owner. The Board will review the proposal for compliance with Iowa Code Section 368.7 and schedule a public hearing for a later date if it is found to be in proper form. You will be notified of the hearing date.

Should you have questions regarding this notice, please call 515/348-6196.

CITY DEVELOPMENT BOARD



Matt Rasmussen, Administrator
City Development Board



APPENDIX A
LEGAL DESCRIPTION OF TERRITORY PROPOSED TO BE
ANNEXED TO THE CITY OF GRIMES, IOWA
CDB CASE NO. NC20-21

The Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, all in Section 30, Township 80 North, Range 25 West of the 5th P.M., Polk County, Iowa, and all subject to legally established highways.

AND

The Southeast $\frac{1}{4}$ of the Northwest fractional $\frac{1}{4}$ of Section 30 in Township 80 North, Range 25 West of the 5th P.M., Polk County, Iowa, subject to legally established highways.

AND

Lot 2, PUTNEY PLAT, an Official Plat, now included in and forming a part of Polk County, Iowa.

AND

Parcel A, an Irregular shaped portion of Lot 1, Putney Plat, an Official Plat, Polk County, Iowa, all more particularly described as follows: Beginning at the South Corner of said Lot 1; thence N50 56'43"W along the south-westerly side of said Lot 1, a distance of 273.05 feet; thence S89 51'54"E, a distance of 172.44 feet; thence N00 08'06"E, a distance of 85.00 feet; thence S89 51'54"E, a distance of 40.00 feet to the east line of said Lot 1; thence S00 08'06"W along the east line of said Lot 1, 256.54 feet to the point of beginning.

AND

Lot 1, PUTNEY PLAT, an Official Plat, now included in and forming a part of Polk County, Iowa, excluding therefrom Parcel A as conveyed to the City of Grimes by the way of Trustee Warranty Deed, recorded on February 25, 2016 in Book 15905 at Page 706-710, in the Recorder's Office of Polk County, Iowa.

THE ANNEXATION TERRITORY EXTENDS TO THE CENTERLINE OF ALL
SECONDARY ROADS ADJACENT TO THE PROPERTY.

The territory extends to the center line of all
Secondary roads adjacent to the above described properties.

August 24th, 2020



Polk County Board of Supervisors
C/O Polk County Administration building
111 Court Ave, Room 300
Des Moines, IA, 50309

Re: Notification of City of Johnston Public Hearing to Consider Annexation Proposal

Dear Polk County Board of Supervisors,

Pursuant to Chapter 368.7 of the Iowa Code, the City of Johnston is considering a voluntary annexation of territory within Jefferson Township in un-incorporated Polk County. Attached to this notification is a list of the parcels included within the proposed annexation territory, the legal description for the annexation territory, and a map identifying the location of parcels within the annexation territory.

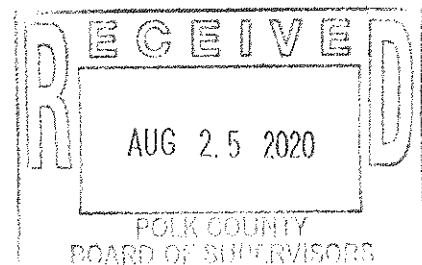
The City of Johnston Planning and Zoning Commission will hold a public hearing to consider this proposal at their 7:00 PM September 14th, 2020 meeting. Due to the Covid-19 Pandemic, and in accordance with Governor Reynolds' March 19, 2020 proclamation suspending the regulatory provisions of Iowa Code Section 21.8, or any other statute imposing a requirement to hold a public meeting or hearing, the City of Johnston will conduct meetings electronically with the public allowed to attend per instructions denoted on the meeting's particular agenda. Agendas can be accessed at the following website link:
<https://go.boarddocs.com/ia/cojia/Board.nsf/Public#>

If you need assistance participating in the meeting or if have any questions or comments you may contact me either by phone at 515-727-7763 or through email at cender@cityofjohnston.com.

Respectfully,

Clayton Ender
Planner, City of Johnston

Enclosures: List of Parcels;
Annexation Territory Legal Description;
Annexation Territory Map;



#20