



**Roll Call Number**

**Agenda Item Number**

39A

**Date** March 9, 2009

An Ordinance entitled, "AN ORDINANCE vacating 13<sup>th</sup> Street right-of-way from Keosauqua Way to School Street (except the north 26 feet) and the North/South alley right-of-way west of 13<sup>th</sup> Street from School Street to Keosauqua Way (except the north 26 feet)",

which was considered and voted upon for the first time under Roll Call No. 09-\_\_\_\_\_ of February 9, 2009, and considered and voted upon for the second time under Roll Call No. 09-\_\_\_\_\_ of February 23, 2009, again presented.

Moved by \_\_\_\_\_ that this ordinance do now pass.

ORDINANCE NO. \_\_\_\_\_

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KTERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				

**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.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

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

March 7, 2009

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

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

Re: Central Iowa Shelter and Services (CISS)

During the February 23, 2009 Council meeting, the City Council requested staff to respond to the following concerns related to the request from Central Iowa Shelter and Services (CISS) for vacation and conveyance of property in vicinity of 13<sup>th</sup> Street from Keo Way to School Street:

- Impact on area businesses
- Impact on Neighborhood residents
- Safety of the area residents and homeless shelter residents
- Products sold at area convenience stores
- Concern for safety of children in the Oakridge neighborhood
- Provision for access to services at CISS
- Traffic count and safety of pedestrians along Keo Way from University to Center
- Access to public transit

**Impact on area Businesses and Neighborhood Residents**

The shelter programs and operations, design, and community involvement is key the success of shelter at their proposed location.

Shelter Programs and Operations

The proposed CISS shelter does include expanded services that will allow clients to access these needed services directly on site. All of the services to be provided will include the following: Community Kitchen, Primary Health, Day Shelter Health Initiative, Veterans Per Diem, Transit Shuttle Service, AIDS Projects of Central Iowa, Basic Emergency Shelter Services, Des Moines Health Center Oral Health Project, Primary Health Expanded, Employee and Family Resources,



OFFICE OF THE CITY MANAGER  
 CITY HALL  
 400 ROBERT D. RAY DRIVE  
 DES MOINES, IOWA 50309-1891  
 (515) 283-4141

ALL AMERICAN CITY  
 1949, 1976, 1981  
 2003

Behavioral Health Resources, Day Shelter Support, Iowa Legal Aid, DMACC classes, and Goodwill Job Training for Veterans.

Additionally, the shelter will be open to clients during the day for day sheltering and access to services. This is a significant change from the current operations of the shelter as the shelter is not open during the day. With the additional services provided on site, there will be a reduction in the number of individuals that leave and enter the shelter at one time.

### Design

The proposed shelter is planning to protect the privacy of clients; therefore the ability to see them from the street will be limited. The plan is for an enclosed entry way away from Keo that will provide privacy for the clients, eliminating lines at the door.

Current plans for the sunken patio with high walls will protect privacy of its users who will not be able to be seen from the streets.

CISS has met with members from the Des Moines Police Department regarding security of the building. Security lighting, fencing, emergency door alarms, and locked entry/exits will enhance security.

CISS has expressed a willingness to allow input from the community regarding the design of the proposed shelter.

The Plan and Zoning Commission will have the final review of the details of the site plan regarding the following items: screening, buffering, landscaping, trash, utilities, parking access, traffic flow, pedestrian access and building materials.

### Community Involvement

Open dialogue between area businesses and neighbors and CISS will assist in addressing any concerns in the neighboring area. The CISS has indicated that citizens in the area interested in serving on committees or on the CISS Board may indicate their interest to Tony Timm, the Director. This involvement will allow representation from the area community on their board.

CISS has indicated that they are willing to be accessible for dialogue with the area businesses and residents to address concerns if they arise.

The Neighborhood Based Service Delivery (NBSD) Program combines the efforts of city staff and neighborhood residents to identify and resolve issues at the neighborhood level. This is a unique problem-solving approach that has become institutionalized in Des Moines. This program is currently provided in the neighborhoods surrounding the proposed site of the shelter. The program will allow the City and residents to resolve issues.

The City is recommending a Good Neighbor Agreement between the City, Cheatom Park, River Bend, area businesses and CISS to foster communication. This would be a written agreement to offer a means of building mutually-satisfactory relationships.

**Safety of the area Residents and Homeless Shelter Residents**

The following number of officers are assigned and would be responsive to calls for service in and around the proposed location of CISS on any given day. To set a parameter, the West Side boundaries are everything west of the Des Moines River, North of the Raccoon River, West and North to the City Limits. Central Business District includes north to Forest Avenue, South to Park Avenue, West to ML King and East to E 14<sup>th</sup> Street. The Central Business District officers are responsible for the Downtown area and the location around the proposed CISS site.

**First Watch Patrol (9:00 pm – 7:00 am)**

8 officers assigned to the West Side  
8 officers assigned to the Central Business District

**Second Watch Patrol (6:00 am - 4:00 pm)**

6 officers assigned to the West Side  
7 officers assigned to the Central Business District

**Third Watch Patrol (1:00 pm -11:00 pm)**

8 officers assigned to the West Side  
8 officers assigned to the Central Business District

Besides the Patrol Officers assigned, there are an additional 6 NBSD Sergeants that work west in and around the site as well as 5 Traffic Officers.

Additionally, there are an untold number of officers that are working in an off-duty capacity at convenience stores and grocery stores in the area.

For property in close proximity to the proposed site there are 10 officers that work in off-duty capacity/rotating schedules (every weekend and one day a week) in the Homes of Oakridge Neighborhood on a weekly basis. For Royal View Manor there are officers that work throughout the weekend hours and 3 days/week on a weekly basis.

#### **Products sold at area Convenience Stores**

The City will continue to monitor convenience stores in the area to make sure they are selling products that are allowed under their approved alcoholic beverage license and maintain their properties.

The Git-N-Go at 1240 Keo Way does sell household items that are purchased by area residents. Residents at neighboring properties do utilize this store for groceries. The sale of alcohol at this property and its impact on criminal activity will be monitored closely by the City if the shelter is developed at the proposed site.

#### **Concern for safety of children in Oakridge Neighborhood**

Sex offenders that have to comply with the 2000 foot rule will not be housed at the Shelter.

The Shelter complies with Iowa law prohibiting individuals, whose underlying criminal offense was committed against a minor, from residing within 2,000 feet of a public or non-public elementary or secondary school or a child care facility.

The Police Department has a working relationship with Homes of Oakridge and will work with them to address concerns. Oakridge Neighborhood is currently working with the Police Department to receive certification through their Crime Free Multi-housing Program, which will enhance security on their property.

**Provision for access to services at the Shelter**

The CISS has agreed to provide the following services at the shelter:

- (1) Community Kitchen
- (2) Primary Health
- (3) Day Shelter Health Initiative
- (4) Veterans Per Diem
- (5) Transit Shuttle Service
- (6) AIDS Projects of Central Iowa
- (7) Basic Emergency Shelter Services
- (8) Des Moines Health Center – Oral Health Project
- (9) Primary Health Expanded
- (10) Employee and Family Resources
- (11) Behavioral Health Resources
- (12) Day Shelter Support
- (13) Iowa Legal Aid
- (14) DMACC Classes
- (15) Goodwill Job Training for Veterans.

**Traffic count and safety of pedestrians along Keo Way from University to Center Street**

The Iowa DOT counted traffic on Keo in this section in 2008 as part of overall traffic counts taken every four years in the Des Moines area. This count data has not been completely factored, so is preliminary, but is still an accurate count that will not change much when the final numbers are released. This count showed a total of approximately 27,000 vehicles per day (vpd) on Keo way south of the south I-235 ramps. Keo Way is a major feeder route for commuter traffic into and out of the Central Business District (CBD), so the volume of traffic in the morning and afternoon peak periods is quite heavy, but the volume is substantially less during non-peak times.

There are continuous sidewalks along both sides of Keo Way from I-235 connecting into 12<sup>th</sup> Street, 9<sup>th</sup> Street and other streets feeding into the CBD. There are traffic signals on Keo Way at the ramp terminals with I-235, at 12<sup>th</sup> Street and at 8<sup>th</sup> / 9<sup>th</sup> Streets. The signals at 8<sup>th</sup> / 9<sup>th</sup> Street include pedestrian signals, while the signals at 12<sup>th</sup> and at I-235 do not include pedestrian signals; however, pedestrian signals could be added to the existing signal installations at 12<sup>th</sup> Street and/or I-235 if they are needed.

**Access to Public Transit**

The nearest bus stops to the proposed site for CISS are located at 9<sup>th</sup> and Crocker and on University Avenue. If the property is conveyed, CISS and the City will work with DART to determine if a bus stop could be located in a closer proximity to their proposed site.

In addition to the public transportation, clients that come to the shelter do so by driving their cars, walking, referral agencies, or taxis. The City does fund a shuttle service that is provided by CISS through CDBG for transportation of their clients for economic opportunities, access to jobs and employment services.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,



Richard A. Clark  
City Manager

RAC/cmj

★ Roll Call Number

09-333

Agenda Item Number

58A

Date February 23, 2009

An Ordinance entitled, "AN ORDINANCE vacating 13<sup>th</sup> Street right-of-way from Keosauqua Way to School Street (except the north 26 feet) and the North/South alley right-of-way west of 13<sup>th</sup> Street from School Street to Keosauqua Way (except the north 26 feet)",

which was considered and voted upon under Roll Call No. 09- 210 of February 9, 2009; again presented.

Moved by Coleman that this ordinance be considered and given second vote for passage. Refer to the City Manager to respond to the following concerns in advance of the next meeting: 1. Impact on area businesses. 2. Impact on neighborhood residents. 3. Safety of the area residents and homeless shelter residents. 4. Products sold at area convenience stores. 5. Concern for safety of children in the Oakridge neighborhood. 6. Provision for access to services at the Shelter. 7. Traffic count and safety of pedestrians along Keo Way from University to Center.

(Council Communication No. 09-112)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE		✓		
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS		✓		
TOTAL	5	2		

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.

MOTION CARRIED

APPROVED

*Y. M. Franklin*

Mayor

*Diane Rauh*

City Clerk



333  
09/21/10  
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58A  
39A

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50320 (515) 283-4130

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE vacating 13<sup>th</sup> Street right-of-way from Keosauqua Way to School Street (except the north 26 feet) and the North/South alley right-of-way west of 13<sup>th</sup> Street from School Street to Keosauqua Way (except the north 26 feet).

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That 13<sup>th</sup> Street right-of-way from Keosauqua Way to School Street (except the north 26 feet) and the North/South alley right-of-way west of 13<sup>th</sup> Street from School Street to Keosauqua Way (except the north 26 feet), more specifically described as follows, be and is hereby vacated.

ALL THAT PART OF 13<sup>TH</sup> STREET RIGHT-OF-WAY, AS IT NOW EXISTS, LYING WEST OF AND ADJOINING LOTS 11, 12, 13 AND 14, JONES SUBDIVISION, AN OFFICIAL PLAT, AND LYING WEST OF AND ADJOINING THE SOUTH 26.0 FEET OF LOT 10, OF SAID JONES SUBDIVISION.

AND

ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY, AS IT NOW EXISTS, LYING WEST OF AND ADJOINING THE SOUTH 26.0 FEET OF LOT 1, JONES SUBDIVISION, AN OFFICIAL PLAT, AND LYING WEST OF AND ADJOINING LOT 82, KEOSAUQUA WAY PLAT 3, AN OFFICIAL PLAT, AND LYING WEST OF AND ADJOINING THE NORTH 8.0 FEET OF LOT 81, OF SAID KEOSAUQUA WAY PLAT 3, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

DESCRIPTION APPROVED  
*Glenna K. Frank*  
09/21/2009 15:11:27

DI-210  
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Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Glenna K. Frank  
Glenna K. Frank  
Assistant City Attorney