

Date December 7, 2020

**RESOLUTION CANCELING ENERGY AND WATER BENCHMARKING PROGRAM  
ADMINISTRATIVE PENALTIES FOR 2019 DATA REPORTING CYCLE**

WHEREAS, the on June 3, 2019, by Roll Call No. 19-0917, the City Council of the City of Des Moines passed Ordinance No. 15,779 amended the Des Moines Municipal Code to incorporate Energy and Water Benchmarking for certain covered properties in Des Moines, Municipal Code Sections 26-900 – 26-909; and

WHEREAS, Municipal Code Section 26-904 requires certain covered property owners in Des Moines to submit to the City initial energy and water benchmarking reports for calendar year 2019 by May 1, 2020 and such property owners are subject to administrative penalty for failure to submit such reports; and

WHEREAS, due to the ongoing impacts on property owners from the COVID-19 pandemic and the Derecho storm recovery the City Council finds that it is appropriate that the City not issue notices of violation imposing an administrative penalty on covered property owners for failure to submit energy and water benchmarking reports for calendar year 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the City Manager and his designees are hereby authorized and directed to not issue notices of violation and to cancel all administrative penalties on covered property owners within the City for failure to submit energy and water benchmarking reports for calendar year 2019.

**(Council Communication No. 20-530)**

APPROVED AS TO FORM:                      Moved by \_\_\_\_\_ to adopt.

/s/ Lawrence R. McDowell  
Lawrence R. McDowell  
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

**CERTIFICATE**

I, P. Kay Cmelik, 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