



**Roll Call Number**

21.1902

**Agenda Item Number**

19

**Date** December 20, 2021

RECOMMENDATION FROM COUNCILMEMBER GRAY FOR APPOINTMENT OF TOM DESIO TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Seat 4 on the Zoning Board of Adjustment has remained vacant since April 1, 2021; and,

WHEREAS, the Zoning Board of Adjustment currently has four male members and two female members, having just had a third female member step down; and

WHEREAS, the gender balance requirement imposed by Iowa Code § 69.16A, prohibits the appointment of another male to the Zoning Board of Adjustment at the present time unless the City “has made a good faith effort to appoint a qualified person [of the required gender] for a period of three months but has been unable to make a compliant appointment”; and,

WHEREAS, Council Member Gray is responsible for nominating a candidate for appointment to the vacant Seat 4 on the Zoning Board of Adjustment, and has nominated Tom DeSio, who resides at 4400 Bel-Aire Rd Des Moines, IA 50310 for appointment to that seat.

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

1. The City Council hereby makes the following findings of fact:
  - a) A good faith effort has been made for more than three months to appoint a qualified female to fill the vacancy in Seat 4 on the Zoning Board of Adjustment in compliance with the gender balance requirements by Iowa Code § 69.16A, but the City Council has been unable to make a compliant appointment.
  - b) Tom DeSio is highly qualified by training and experience for appointment to the vacant seat.
2. The City Council hereby approves the appointment of Tom DeSio to Seat 4 on the Zoning Board of Adjustment for the five-year term that commenced on April 1, 2021 and expires on April 1, 2026.



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MOVED BY Boesen to adopt.

FORM APPROVED:

Judy K Parks-Kruse  
Judy K. Parks-Kruse  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

**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.

T. M. Franklin Cowne  
Mayor

P. Kay Cmelik  
City Clerk