

**CITY MANAGER'S EXECUTIVE ORDER NO. 07-003  
CITY OF DES MOINES**

**AN EXECUTIVE ORDER OF THE CITY MANAGER OF THE CITY OF DES MOINES** relating to the City's crime-free rental housing program, directing payment of a refund of \$17.84 per rental unit to rental property owners based upon the actual costs of administration for the 2006 business license year, setting the preliminary crime-free rental housing endorsement fee for the 2008 business license year at \$82.16 per rental unit, directing staff to determine, no later than June 30, 2008, the actual costs of administration of the crime-free rental housing program for the 2007 business license year; and directing either payment of a refund/credit or additional assessment upon the determination of the actual costs of the program.

**RECITALS**

**WHEREAS:**

1. DMMC 5.64.080(2) provides that "The crime-free rental housing endorsement fee for the business license years 2006 and thereafter shall be set by the city manager based upon the recommendation of the city of Des Moines police chief, whose recommendation shall be determined by the actual costs of administration of the crime-free rental housing program;
2. DMMC 5.04.040 and DMMC 5.64.080 (3) provide that business license fees and crime-free endorsement fees shall be renewed on or before February 15<sup>th</sup> of each calendar year;
3. Because the actual costs of administration of the crime-free rental housing program for the 2005 business license year had not been determined as of January 1, 2006, Executive Order No. 06-001, made effective as of January 1, 2006, directed that the crime-free rental housing endorsement fee for the 2006 business license year would continue at the 2005 rate of \$100.00 per rental unit;
4. Said Executive Order No. 06-001 further directed staff to determine, no later than June 30, 2006, the actual annual costs of administration of the program for the 2005 business license year;
5. By written memorandum dated June 28, 2006, the City Finance Director determined the costs of administration of the crime-free rental housing program for the 2005 business license year to be \$105.73 per rental unit;
6. Executive Order No. 06-002, dated July 26, 2006, directed that all rental property owners were to be assessed an additional \$5.73 per rental for the 2006 business license year to be paid with the crime-free rental housing endorsement fee for the 2007 business license year;
7. Executive Order No. 07-001, made effective as of January 1, 2007, set the preliminary crime-free rental housing endorsement fee for the 2007 business license year at \$105.73

per rental unit and directed staff to collect the fee for the 2007 business license year plus the additional \$5.73 for 2006 for a total amount to be collected of \$111.46 per rental unit;

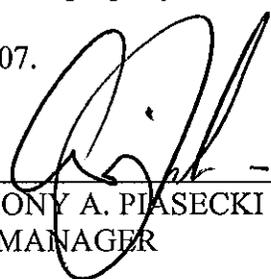
8. Said Executive Order No. 07-001 further directed staff to determine, no later than June 30, 2007, the actual costs of administration of the crime-free rental housing program for the 2006 business license year;
9. Pursuant to Executive Order No. 07-001, the City Finance Director has determined that the actual costs of administration of the crime-free rental housing program for the 2006 business license year was \$82.16 per rental unit, which is \$17.84 per rental unit less than the \$100.00 crime-free rental housing endorsement fee per rental unit paid by the owners in 2006.

**NOW, THEREFORE,**

It is hereby **ORDERED** as follows:

1. Each rental property owner who paid the crime-free rental housing endorsement fee of \$100.00 per rental unit in 2006 shall be refunded, no later than September 1, 2007, \$17.84 per rental unit;
2. The preliminary crime-free rental housing endorsement fee for the business license year commencing January 1, 2008 and ending December 31, 2008 shall be \$82.16 per rental unit;
3. Staff is directed to gather all necessary data and determine as accurately as possible, no later than June 30, 2008, the actual costs of administration of the crime-free rental housing program for the 2007 business license year; and
  - a. In the event that the data shows that the actual costs of administration of the crime free rental housing program for the 2007 business license year was less than \$105.73 per rental unit, then the rental property owners shall receive a refund/credit of the difference between \$105.73 and the actual costs for the program; or
  - b. In the event that the actual costs of administration of the crime-free rental housing program for the 2007 business license year was more than \$105.73 per rental unit, then the rental property owners shall be assessed an additional amount to be paid with the next years' assessment for the identified property.

DATED this 2nd day of August, 2007.

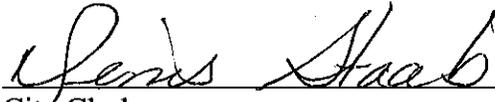
  
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ANTHONY A. PIASECKI  
CITY MANAGER

CITY OF DES MOINES

APPROVED AS TO FORM:

  
Arnie City Attorney

ATTEST:

  
Jennie Staab  
City Clerk