

**CITY COUNCIL
COMMUNICATION:**

03-512

AGENDA:

OCTOBER 20, 2003

SUBJECT:

AGREEMENT WITH
PARKS AREA
FOUNDATION
REGARDING THE
HIGHLAND PARK
SELF-SUPPORTED
MUNICIPAL
IMPROVEMENT
DISTRICT

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

RICHARD CLARK
DEPUTY CITY
MANAGER

ITEM_____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

SYNOPSIS —

On the October 20, 2003 Council agenda is a resolution authorizing the execution of an agreement with the Parks Area Foundation regarding the operation of the Highland Park Self-Supported Municipal Improvement District (SSMID). This agreement is presented with the second reading of the ordinance creating the Highland Park SSMID.

FISCAL IMPACT —

No fiscal impact.

RECOMMENDATION —

Approval of agreement with the Parks Area Foundation.

BACKGROUND —

On October 6, 2003, by Roll Call No. 03-2345, the City Council authorized the City Manager to negotiate a contract with the Parks Area Foundation regarding the operation of the Highland Park SSMID for consideration by the City Council concurrent with the second reading of the ordinance creating the Highland Park SSMID.

City staff has negotiated an agreement with the Parks Area Foundation that is consistent with the principles that were outlined in the October 6, 2003 Council Communication.

The agreement between the City of Des Moines and Parks Area Foundation stipulates that the Parks Area Foundation is the appropriate body to assist the City in the operation of the SSMID and the preparation of the annual SSMID budget and levy. The Parks Area Foundation will appoint a committee of not less than seven members made up of property and business owners located within the SSMID boundaries. This committee, to be known as the Highland Park SSMID Board, will annually review and provide comment to the City Council upon the proposed SSMID budget and levy for the next fiscal year. All property owners within the SSMID would be notified of this annual meeting. Additionally, the Highland Park SSMID Board may review and provide comment to the City Council on the quarterly statements of receipts and expenditures for the SSMID, as well as make other recommendations to the City Council regarding the

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operation of the SSMID as deemed appropriate by the Highland Park SSMID Board.

As part of this agreement, the Parks Area Foundation further agrees to:

- Upon initial installation, to install, maintain, and remove all dead planting materials;
- Pay for all energy costs associated with the electrical receptacles located on the light poles and tree grates;
- Notify the City of any maintenance concerns related to the Highland Park Streetscape Project; and
- Encourage patrons, visitors, and neighborhood residents to utilize streetscape elements appropriately.

The City agrees to:

- Annually prepare a budget and levy for the SSMID for the next fiscal year;
- Provide the proposed budget to the Highland Park SSMID Board for their review and comment at least 90 days prior to consideration of the budget and levy by the City Council;
- Provide quarterly statements to the Parks Area Foundation itemizing receipts and expenditures for the SSMID;
- Promptly respond to maintenance requests and other concerns regarding the operation of the SSMID; and
- Endeavor to donate or attempt to locate a source for the donation of plants and materials necessary to maintain the landscaping components of the Highland Park Streetscape Project.

If approved, City staff will prepare a proposed budget and levy in December for consideration by the Highland Park SSMID Board, in anticipation of the SSMID going into effect on July 1, 2004.

