

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: January 28, 2013
	Agenda Item No. 40 Roll Call No. <u>13-0137</u> Communication No. <u>13-030</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

First reading of an ordinance to establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID).

SYNOPSIS:

Staff has prepared an ordinance to establish the Ingersoll Grand SSMID as described in the petition but excluding the following properties: 2515 Forest Drive; 516 - 28th Street; 3333 Grand Avenue; 3663 Grand Avenue; 3829 Grand Avenue; and Parcel ID 090/07279-084-0001. Staff recommends approval of the ordinance.

FISCAL IMPACT:

Amount: It is estimated that the district will generate approximately \$200,000 of SSMID revenue annually based upon current assessed values and a maximum annual levy of \$2.25 per \$1000 of assessed value.

Funding Source: Ingersoll Grand SSMID revenue page to be created as part of the 2013-14 budget process.

ADDITIONAL INFORMATION:

On November 5, 2012, the City Council received, filed and referred the petition for establishment of the Ingersoll Grand SSMID to the Plan and Zoning Commission for preparation of an evaluative report and recommendation. The Plan and Zoning Commission’s evaluative report and recommendation to approve the SSMID were received and filed by the City Council on November 19, 2012, and the City Council set the date of public hearing for December 17, 2012. Notice of the public hearing was published in the Des Moines Register on November 29, 2012, and a copy of the notice was mailed by certified mail on November 29, 2012 to all owners of record of real property located within the proposed District as shown by the records of the Polk County Auditor.

Staff met with representatives of the County Auditor’s office on December 4, 2012 to review the proposed SSMID boundary. Six parcels were identified that are split zoned commercial and residential. In these six instances, the zoning boundary line either runs through portions of a building on the subject parcel, or only the smallest fraction of the parcel is commercially zoned. The properties are also either tax exempt or residentially assessed and would be exempt from the proposed SSMID levy.

After holding a public hearing on December 17, 2012, the City Council voted 6-0 to close the public hearing on the petition to establish the Ingersoll Grand SSMID. The City Council directed staff to prepare an ordinance for consideration on January 28, 2013 to establish the Ingersoll Grand SSMID described in the petition but excluding the following properties: 2515 Forest Drive; 516 - 28th Street; 3333 Grand Avenue; 3663 Grand Avenue; 3829 Grand Avenue; and Parcel ID 090/07279-084-0001.

Pursuant to Iowa Code §386.3(6), at least 30 days have passed since the public hearing was held regarding establishment of the Ingersoll Grand SSMID. Six affirmative votes are required to adopt the ordinance pursuant to Iowa Code §386.3(7).

A minimum of 25% of property owners representing a minimum of 25% of the assessed value must be supportive of the proposed SSMID boundary. As of January 22, 2013, the petition supporting establishment of the Ingersoll Grand SSMID has been signed by 40.7% of property owners representing 58.5% of the assessed value within proposed SSMID boundary (excluding the six noted properties).

PREVIOUS COUNCIL ACTION(S):

Date: December 17, 2012

Roll Call Number: [12-1969](#)

Action: [On](#) petition to establish the Ingersoll Grand Self-Supported Municipal Improvement District, (SSMID). ([Council Communication No. 12-620](#)). Moved by Hensley to adopt. Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.

Date: November 19, 2012

Roll Call Number: [12-1805](#) and [12-1806](#)

Action: [Receive](#) and file the report and recommendation of The Plan and Zoning Commission regarding the petition to establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID). Moved by Hensley to receive and file the report and recommendation of the Plan and Zoning Commission. Motion Carried 7-0.

- (A) [Setting](#) date of hearing on petition to establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID), (12-17-12). Moved by Hensley to adopt. Motion Carried 7-0.

Date: November 5, 2012

Roll Call Number: [12-1719](#) and [12-1720](#)

Action: [Receipt](#) of petition to establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID). Moved by Hensley to receive, file and refer the Petition to the City Plan and Zoning Commission for preparation of an evaluative report on the merit and feasibility of establishing the Ingersoll Grand SSMID and to make recommendations with respect to the establishment of the project. The Commission is further requested to submit its report and recommendation for receipt by the City Council at its regular meeting on November 19, 2012. Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.

- (A) Intent to voluntarily limit the levy for the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID). Moved by Hensley to adopt. Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: November 15, 2012

Resolution Number: N/A

Action: Motion to approve of the evaluative report and establishment of the proposed Ingersoll Grand Self-Supported Municipal Improvement District (SSMID). Motion passed 11-0-1 (Irvine abstained).

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Second reading on February 11, 2013 and third reading on February 25, 2013 of the ordinance establishing the Ingersoll Grand SSMID unless waived by the City Council (requires 6 votes).

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