

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	August 26, 2013
	Agenda Item No.	28
	Roll Call No.	<u>13-1335</u>
	Communication No.	<u>13-438</u>
	Submitted by:	Phillip Delafield, Community Development Director

AGENDA HEADING:

Resolution approving an operating agreement with the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID) (an Iowa not-for-profit corporation) for the provision of services and activities within the Ingersoll Grand SSMID.

SYNOPSIS:

The City Manager has negotiated an Operating Agreement with the Corporation whereby the Corporation has agreed to serve as the Ingersoll Grand SSMID Advisory Board to annually recommend a budget for the provision of enhanced services and public improvements within the Ingersoll Grand SSMID in the next fiscal year, and to provide those services in accordance with the budget approved by the City Council for the Ingersoll Grand SSMID. Staff recommends approval of the agreement.

FISCAL IMPACT:

Amount: The projected Annual Tax Revenue for FY 2014 based on Total Assessed Value is 195,728.51.

Funding Source: The Ingersoll Grand SSMID revenue account is SP864 CDD981300 found on page 55 of the FY2014 Operating Budget.

ADDITIONAL INFORMATION:

On November 5, 2012, by Roll Call No. 12-1719, the City Council received a Petition to Establish the Ingersoll Grand SSMID (the "Petition") which requested the creation of the Ingersoll Grand SSMID to provide funding for the delivery of enhanced public improvements and services. Pursuant to Roll Call No. 12-1720, the City Council adopted a declaration of the City Council's intentions regarding the use of the proceeds from the tax levies within the proposed Ingersoll Grand SSMID, if such district was established.

After notice and hearing as required by law, the City Council enacted Ordinance No. 14,157 on January 28, 2013, establishing the Ingersoll Grand SSMID, and authorizing the annual levy of a Combined Capital Improvement and Operation Tax and a Debt Service Tax, not to exceed an aggregate rate of \$2.25 per thousand dollars (\$1,000) of taxable value to finance the delivery of the enhanced public improvements and services.

The Petition and the declaration by the City Council both anticipate the designation of an organization to serve as the Ingersoll Grand SSMID Advisory Board to annually recommend a budget for the provision of enhanced services and public improvements within the Ingersoll Grand SSMID in the next fiscal year, and to contract with the City for the provision of the enhanced services.

Ingersoll Grand SSMID (the "Corporation") was established as an Iowa not-for-profit corporation separate and independent from the SSMID of the same name established by the City.

Staff has negotiated an Operating Agreement with the Corporation whereby the Corporation has agreed to serve as the Ingersoll Grand SSMID Advisory Board to annually recommend a budget for the provision of enhanced services and public improvements within the Ingersoll Grand SSMID in the next fiscal year, and to provide those services in accordance with the budget approved by the City Council for the Ingersoll Grand SSMID.

The Resolution of Council approves the agreement and authorizes the Mayor to execute the Operating Agreement on behalf of the City of Des Moines. The City Manager or the City Manager's designee is authorized and directed to administer the Operating Agreement in accordance with its terms. Upon requisition by the City Manager or the City Manager's designee, the Finance Department is hereby authorized and directed to pay the advancements to the Corporation as provided in the Operating Agreement.

PREVIOUS COUNCIL ACTION(S):

Date: January 28, 2013

Roll Call Number: [13-0137](#) and [13-0138](#)

Action: To establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID). (6 affirmative votes required for passage) ([Council Communication No. 13-030](#)) Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.

- (A) Final consideration of ordinance above (waiver requested by Ted Irvine, on behalf of the petitioners), requires six votes. Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,157](#). Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.

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:

Annual approval of SSMID operating budget and tax levy as part of the City budget process.

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