

COUNCIL COMMUNICATION

	Number:	20-290	Meeting:	June 22, 2020
	Agenda Item:	53	Roll Call:	20-1035
	Submitted by:	Chris Johansen, 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 through June 30, 2025.

SYNOPSIS:

The City Manager has negotiated a new Operating Agreement with the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID), an Iowa not-for profit corporation separate and independent from the SSMID District of the same name established by the City, 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 (FY), and to provide those services in accordance with the budget approved by the City Council for the Ingersoll Grand SSMID through June 30, 2025. Staff recommends approval of the agreement.

FISCAL IMPACT:

Amount: The estimated operating expenses for FY2021 are approximately \$212,726.

Funding Source: FY2021 Operating Budget, Community Development Department, S864 ND410754 (Ingersoll SSMID), page 55

ADDITIONAL INFORMATION:

- The Ingersoll Grand SSMID was created by City Ordinance No. 15,157, passed January 28, 2013.
- The Ingersoll Grand SSMID was created to serve the following purposes:
 - 1) To undertake the acquisition, construction, installation, operation, maintenance and repair within the public rights-of-way of Ingersoll and Grand Avenues within the District of 'improvements' as defined in the Act, consisting of improved sidewalks, curbs and crosswalks, landscaping, planters, decorative lighting, utility relocation, traffic signals, and related pedestrian improvements (hereinafter collectively referred to as the "Improvements").

- 2) To undertake the administration and provision of the following services within the District (hereinafter collectively referred to as the "Services"):
 - a) Enhanced maintenance and cleaning of public spaces, including:
 - Sidewalk sweeping and power wash cleaning
 - Cleaning public alleys and developed public spaces
 - Removal of illegal graffiti, signs and stickers from public spaces and improvements
 - Maintenance of seasonal plantings
 - b) Activities and programs to enhance the safety of persons and property within the District, including establishment of a "Goodwill Ambassador" program to provide uniformed and unarmed civilians on streets within the District who can provide public information, hospitality service, assistance to persons within the District and cleaning services.
 - c) Development and management of activities in support of marketing, business retention and attraction, including:
 - Conduct market analyses, business retention surveys and image surveys
 - Establish databases of information relevant to marketing, business retention and attraction
 - Space referrals and assistance
 - Business-to-business communications programs
 - Business marketing materials
 - Miscellaneous business support services
 - Marketing activities, including media and advertising campaigns and communication pieces (calendar of events, newsletters, shopping directories, maps, holiday brochures)
 - Establishment and promotion of special events, festivals, and holiday activities in public spaces
 - Transportation programs
 - d) Capital, physical or other improvements designed to enhance the image and appearance of the District, including:
 - Seasonal and holiday decorations
 - Signage and banners
 - Installation of seasonal plant materials and trees
 - Transportation infrastructure
- 3) Paying the administrative expenses for the provision of the Improvements and Services identified above, including but not limited to legal and engineering fees.
- The current operating agreement with the Ingersoll Grand SSMID, an Iowa not-for-profit corporation separate and independent from the SSMID District of the same name established by the City, for the provision of services and activities within the Ingersoll Grand SSMID expires on June 30, 2020.

- The new agreement engages the Ingersoll Grand SSMID, an Iowa not-for-profit corporation, as the Operator to provide the following services and activities to the SSMID District:
 - 1) To serve as the Ingersoll Grand SSMID Advisory Board and annually submit a recommended budget by October 1st for the Improvements and Services to be provided in the next FY.
 - 2) To operate, maintain and repair the existent Improvements as described above.
 - 3) To provide the Services as described above.
 - 4) To provide the necessary administrative and supervisory activities for the provision of the Improvements and Services (exclusive of that portion of the Improvements consisting of the acquisition, construction and installation of public improvements).

- The Ingersoll Grand SSMID, an Iowa not-for-profit corporation, shall subcontract with a qualified Certified Public Accountant for the performance of all financial accounting obligations under this agreement. Operator shall self-perform or subcontract for the performance of Operator's other administrative obligations under this Agreement. Operator and its subcontractors shall conduct the SSMID Services and Activities in strict accordance with the current annual SSMID budget approved by the Des Moines City Council, including all SSMID program descriptions, terms and conditions contained therein. The annual SSMID budget approved by the City Council for each fiscal year, including all attached descriptions, terms and conditions are hereby incorporated in and made a part of this Agreement effective upon on the commencement of that fiscal year.

- 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: December 21, 2015

Roll Call Number: [15-2133](#)

Action: [Operating](#) Agreement with Ingersoll Grand Self-Supported Municipal Improvement District for the provision of services and activities within the SSMID District. ([Council Communication No. 15-650](#)) Moved by Moore to adopt, and amend the agreement to remove the requirement that the SSMID maintain the trees, and allow the City to maintain the trees. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Approval of annual Ingersoll Grand SSMID operating budget and tax levy as part of the City budget process.

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