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**Date** May 20, 2013

**MOTION TO RECEIVE AND FILE PETITION TO CONTINUE, EXPAND AND CONTRACT THE DOWNTOWN DES MOINES SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT AND TO REFER IT TO THE PLAN AND ZONING COMMISSION FOR REPORT AND RECOMMENDATION**

WHEREAS, a Petition has been filed with the City Clerk seeking to continue the Downtown Des Moines Self-Supported Municipal Improvement District (the "Downtown SSMID") for four additional years commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2014; and,

WHEREAS, the boundary and legal description contained within the petition proposes both expansion and contraction of the area within the Downtown SSMID (the "District"); and,

WHEREAS, the Petition has been signed by at least 25% of all owners of property within the District, who together represent ownership of property with an assessed value of 25% or more of the assessed value of all the property in the District; and,

WHEREAS, the Petition identifies that continuation of the Downtown SSMID is to serve the following purposes:

1. Undertaking of actions and the design and construction of any and all improvements authorized by the Act and the performance of administration, redevelopment, and revitalization of the District, as authorized by the Act, any and all of which actions and improvements are intended to benefit the district.
2. To continue an operation fund with respect to the District to be known as the "Downtown Des Moines Self-Supported Municipal Improvement District Operation Fund" (the "Operation Fund"), and levy an annual tax (the "Operation Tax") upon the property, as defined in the Act (provided, however, that parcels of property assessed as residential property for property tax purposes are exempt from the Operation Tax) within the District (the "Property") for the purposes of: (a) paying the administrative expenses of the District, as defined and authorized in the Act, or (b) paying part or all of the maintenance expenses of "improvements" or "self-liquidating improvements" as defined in the Act, with respect to the District, for a period of 5 years, commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2014, and continuing for 4 additional years; at a rate not to exceed \$2.00 per thousand dollars of taxable valuation.
3. To continue to hold and disburse all amounts collected in the Operation Fund to be utilized for any one or more of the following purposes, at such times, in such amounts and under such conditions as shall be recommended to the City Council by the Downtown Des Moines Self-Supported Municipal Improvement District, an Iowa non-profit corporation:
  - a. Enhanced maintenance, cleaning and upkeep of public spaces within the District.



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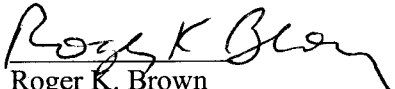
- b. Graffiti removal on public property and private buildings within the District.
  - c. Enhanced public and property safety and crime prevention within the District, including the operation of a "Goodwill Ambassador" program as determined and operated from time to time by the Downtown Des Moines Self-Supported Municipal District.
  - d. Development, marketing, promotion and management of activities and events within the District.
  - e. Capital, physical or other improvements designed to enhance the image and appearance of the District, including but not limited to improvements to the skywalk system.
  - f. Management and operation of public spaces within the District, including public parking facilities.
  - g. Research and planning services benefiting the District.
  - h. Parking and transportation management benefiting the District.
  - i. Activities and operations benefiting the District under any agreements with the City of Des Moines or other public or quasi public entities.
  - j. Recommendations regarding, and the promotion of, the District and the advancement of the District, including with respect to the use of public spaces within the District, the types of public spaces and services within the District, the services and improvements within the District, policies and practices for the District, business retention and attraction within the District, and activities and events within the District.
  - k. Other activities intended to benefit or further the purposes or interests of the District and the development and advancement of the District.
4. To continue the operating agreement between the City of Des Moines and Downtown Des Moines Self-Supported Municipal Improvement District with respect to managing and undertaking the services, improvements and activities described in this Petition and in the annual budget for such services, improvements and activities, and to appropriate and provide funds held from time to time in the Operation Fund to Downtown Des Moines Self-Supported Municipal Improvement District to be utilized for the purposes described in the Petition.
5. To require Downtown Des Moines Self-Supported Municipal Improvement District, as a condition to the disbursement of funds from the Operation Fund, to submit to the Des Moines City Council, no later than December 1 of each year, a budget showing, in general terms, the proposed expenditures of such funds for the fiscal year beginning on the next July 1.

WHEREAS, the Petition must be referred to the City Plan and Zoning Commission for a report and recommendation pursuant to Iowa Code §386.3(3) before the City Council may hold a public hearing or take any further action to continue, expand and contract the Downtown SSMID and District.

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THEREFORE, it is MOVED by \_\_\_\_\_ 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 continuing, expanding and contracting the Downtown SSMID and to make recommendations with respect to the project. The Commission is further requested to submit its report and recommendation for receipt by the City Council at its regular meeting on June 24, 2013.

FORM APPROVED:

  
 Roger K. Brown  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk