



Date May 21, 2018

RECEIVE AND FILE PETITION TO CONTINUE THE EXISTING DOWNTOWN DES MOINES SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT FOR AN ADDITIONAL 5-YEARS, 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 an additional five years commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2019; and,

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 the Downtown SSMID.

( Council Communication No. 18- 272 )

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 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 11, 2018.

FORM APPROVED:

By: Roger K Brown
Roger K. Brown, Assistant City Attorney

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and 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



Downtown Des Moines SSMID Renewal

Petition Counts/Percentages 2018

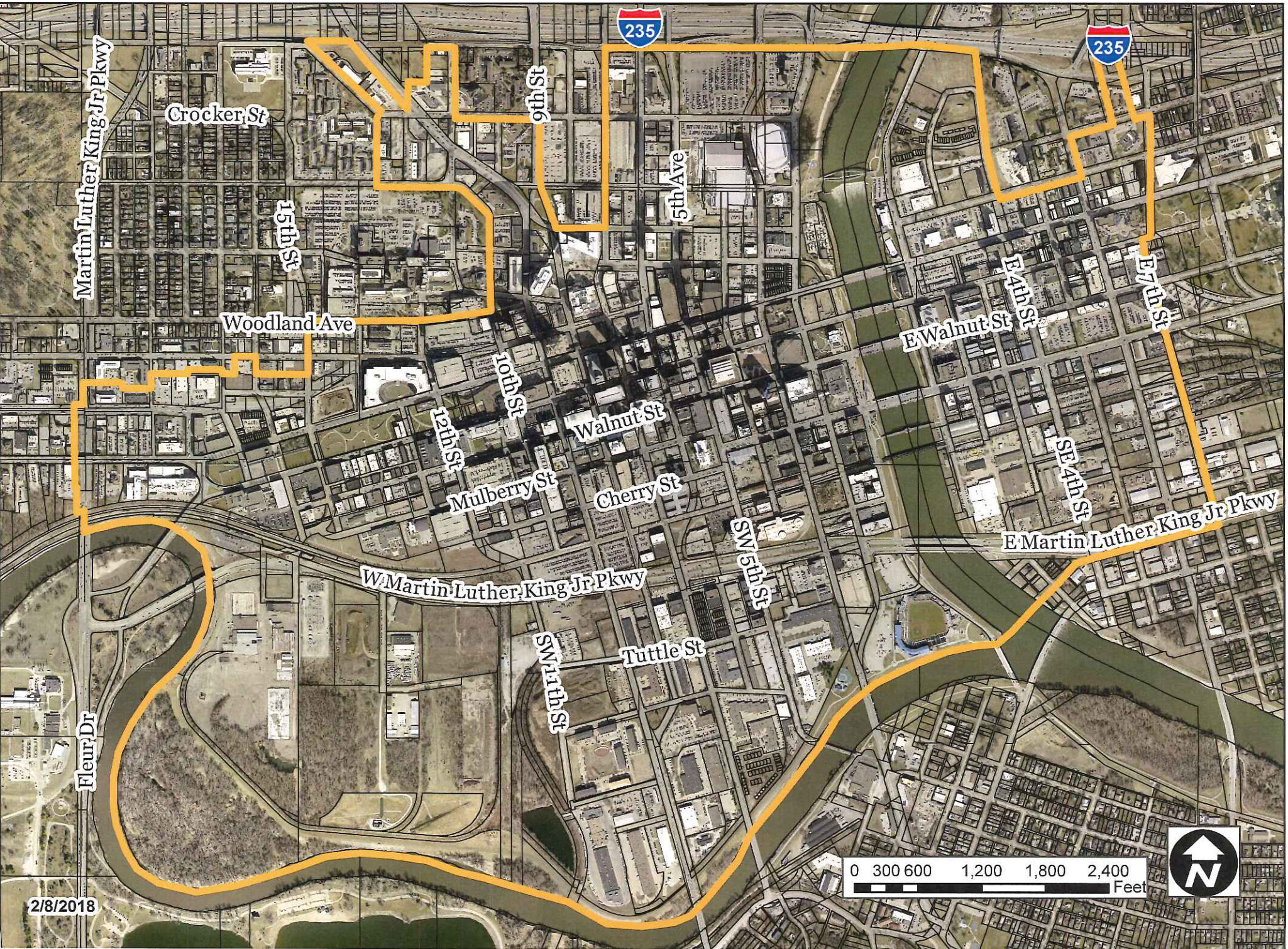
38% of ALL Total Unique Property Owners\* (requirement = 25%)

73% of Total Taxable Value (requirement = 25%)

In addition:

- We gathered petitions from 51% of All Taxable Commercial Unique Property Owners.
- Of the ALL Total Unique Property Owner count, only 32% are taxable.

\* This percentage would be higher if non-taxable properties were excluded. (Includes Non-Taxable, coded: SCH, UTIL, E-RES, RES, MRES, IND, GOVT, EMRES, E-COM, COMM, CMRES)



2/8/2018

0 300 600 1,200 1,800 2,400 Feet



PETITION TO CONTINUE THE DOWNTOWN DES MOINES SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT PURSUANT TO CHAPTER 386, CODE OF IOWA

We, the undersigned, being at least 25 per cent of all owners of property within the Downtown Des Moines Self-Supported Municipal Improvement District (the "District"), and being owners of property within the District having an assessed value of 25 per cent or more of the assessed value of all the property in the District, hereby petition the City Council of Des Moines, Iowa, pursuant to the provisions of Chapter 386 of the Code of Iowa (the "Act"), as follows:

1. To continue the Downtown Des Moines Self-Supported Municipal Improvement District in the City of Des Moines, Polk County, Iowa, as follows:

(a) The name of the District shall continue to be the "Downtown Des Moines Self-Supported Municipal Improvement District"

(b) The purposes of the District shall be the 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 property within the District,

(c) Exhibit A shows a description of the boundaries of the District and Exhibit B shows a map of the boundaries.

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, 2019, 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:

a. Enhanced maintenance, cleaning and upkeep of public spaces within the District:

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 in 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 this 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.

6. It is the intent of this Petition that all taxes levied and collected on behalf of the District shall be expended for new, additional or enhanced services implemented within the District after the District was originally established, and that the City shall not diminish the type and extent of governmental services described in this Petition that existed at the time the District was originally established, with the intention of transferring the cost of providing such services from the City budget to the Operation Fund.

7. The District is located within the boundaries of Tax Increment Finance Districts which have been created by the City. Notwithstanding that fact, it is the further intent of this Petition that an amount of funds which would be derived from the annual levy of the Operation Tax against property within the District if the District were not located within such Tax Increment Finance Districts shall be made available annually for the services, improvements and activities set out in this Petition, and that

the City shall take all actions necessary to accomplish this purpose, including, if necessary and to the extent permitted by applicable law, allocation to these services, improvements and activities of a portion of the incremental property taxes which are attributable to properties within the District. In furtherance of the foregoing, the undersigned petitioners hereby represent and warrant to the City Council that the continuation of the District and the undertaking of the services, improvements and activities described herein are considered essential to the petitioners' efforts to create new jobs and income in the City of Des Moines and to retain jobs and income in the City that would otherwise be lost.

8. It is the further intent of this Petition that the City take no action which would make it impossible or illegal for Downtown Des Moines Self-Supported Municipal Improvement District to receive voluntary contributions from tax exempt properties within the District or from any other properties which may benefit from or contract for services from the Downtown Des Moines Self-Supported Municipal Improvement District.

I am authorized to execute the Petition To Continue the Downtown Des Moines Self-Supported Municipal Improvement District either as the property owner or on behalf of the property owner for the property or properties identified below. If on behalf of the property owner, the property owner is a legal entity, I am an officer of the entity, and, by virtue of the authority delegated to me by the Board of Directors, Managers or other governing body or its organizational and governing documents, I am authorized to execute for and on behalf of the entity and to affix the seal, if any, of the entity.

IN WITNESS WHEREOF, I have hereunto set my official signature this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and I declare that this signature shall be considered to be my signature on said Petition.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

PROPERTY OWNER (AS LISTED WITH THE POLK COUNTY ASSESSOR)	DISTRICT PARCEL #	PROPERTY ADDRESS

## EXHIBIT A

## 2018 Proposed Downtown SSMID Legal Description:

Beginning at the intersection of the East Right-of-Way line of 7<sup>th</sup> Street and the South Right-of-Way line of School Street; thence East along the South Right-of-Way line of School Street and its easterly extension to the East Right-of-Way line of 6<sup>th</sup> Avenue; thence south along said Right-of-Way line to intersection with the South Right of Way line of Interstate 235; thence East along said South Right-of-Way line of Interstate 235 to the West Bank of the Des Moines River; thence East to the intersection of the East Bank of the Des Moines River and the South Right-of-Way line of I-235; thence East along the South Right-of-Way line of Interstate 235 to its intersection with the West lot line of Lot 3, Block D, River Hills Plat 3, an Official Plat; thence South along said West lot line of Lot 3, Block D, River Hills Plat 3 and continuing South along the West lot line of Lot 6, Block D and the Southerly projection of said West lot line of Lot 6, Block D, River Hills Plat 3 to the South Right-of-Way line of Des Moines Street; thence East along said South Right-of-Way line of Des Moines Street to the East Right-of-Way line of East 6<sup>th</sup> Street; thence North along said East Right-Of-Way line of East 6<sup>th</sup> Street to its intersection with the South right-of-Way line of Lyon Street; thence Easterly along said South Right-of-Way line of Lyon Street to its intersection with the Southerly projection of the East Right-of-Way line of East 7<sup>th</sup> Street; thence North along said Southerly projection of the East Right-of-Way line of East 7<sup>th</sup> Street and continuing North along the East Right-of-Way line of East 7<sup>th</sup> Street to its intersection with the South Right-of-Way line of Interstate 235; thence Southeasterly along said South Right-of-Way line of Interstate 235 to its intersection with the Northerly extension of a line, said line having one point on the Northerly Right-of-Way of Lyon Street and a distance of 196.1 feet East of the Southwest corner of Lot 3 in Block 25 of East Fort Des Moines, an Official Plat, and having another point on the Southerly Right-of-Way line of the Vacated East/West Alley in Block 0, Griffiths' Addition No.2, an Official Plat, with said point being 6.2 feet East of the Northwest corner of Lot 4 in Block O, Griffith's Addition No. 2; thence Southeasterly along said line and the Southerly extension of said line to the centerline of Lyon Street; thence Northeasterly along said centerline to the centerline of Pennsylvania Avenue; thence South along the centerline of Pennsylvania Avenue and its southerly extension to the intersection of the centerline of East Locust Street; thence West along the centerline of East Locust Street to the intersection of the northerly extension of the centerline of East 7<sup>th</sup> Street; thence South along the northerly extension of the centerline of East 7<sup>th</sup> Street and continuing along the centerline of Southeast 7<sup>th</sup> Street to the intersection with the centerline of Allen Street; thence West along the centerline of Allen Street and it's westerly extension to the West Bank of the Des Moines River and the North Bank of the Raccoon River; thence westerly along the North Bank of the Raccoon River to its intersection with the North/South centerline of Section 8, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M.; thence North along said North/South centerline of Section 8, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M. to its intersection with the North Right-of-Way line of the Norfolk and Southern Railroad lying within Lot 1, Official Plat Northwest ¼, Section 8, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M.; thence Southwesterly along said North Right-of-Way line of the Norfolk and Southern Railroad lying within Lot 1, Official Plat Northwest ¼, Section 8, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M. to its intersection with a line being 75 feet West of the East line of Lot 1, Official Plat, Northwest ¼, Section 8, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M.; thence North along said line 75 feet West of and parallel to the East line of Lot 1, Official Plat, Northwest ¼, Section 8, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M. to a point, said point being 225 feet South of the South Right-of-Way line of Grand Avenue; thence West 18 feet along a line 225 feet South of and parallel to the South Right-of-Way line of Grand Avenue to a point, said point being 93 feet West of the East line of Lot 1, Official Plat, Northwest ¼, Section 8, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M.; thence North along said line 93 feet West of and parallel to the East line of Lot 1, Official Plat, Northwest ¼, Section 8, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M. to its intersection with the South Right-of-Way of Grand Avenue; thence Northwesterly



to a point on the North Right-of-Way line of Grand Avenue said point being 100 feet West of and parallel to the East lot line of Lot 9, Official Plat, Southwest ¼, Section 5, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M.; thence North along said line 100 feet West of and parallel to the East lot line of Lot 9, Official Plat, Southwest ¼, Section 5, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M. and continuing North along said Northerly projection of a line 100 feet West of and parallel to the East lot line of Lot 9, Official Plat, Southwest ¼, Section 5, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M. to its intersection with North Right-of-Way line of Ingersoll Avenue; thence East along said North Right-of-Way line of Ingersoll Avenue and continuing East along the Easterly projection of said North Right-of-Way line of Ingersoll Avenue to its intersection with the North/South Centerline of Section 5, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M. (also the Centerline of Right-of-Way known as former Harding Road); thence North along said North/South Centerline of Section 5, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M. (also the Centerline of Right-of-Way known as former Harding Road) to its intersection with the Westerly extension of the North lot line of Parcel "D" Plat of Survey, Part of Lots 1 through 6, Harding Road Place, an Official Plat and Part of Lots 5 through 9, Block B, West & Burton's Addition to Des Moines, an Official Plat; thence East along the Westerly extension of the North lot line of Parcel "D" Plat of Survey, Part of Lots 1 through 6, Harding Road Place, and Part of Lots 5 through 9, Block B, West & Burton's Addition to Des Moines and continuing East along the North lot line of Parcel "D" Plat of Survey, Part of Lots 1 through 6, Harding Road Place, and Part of Lots 5 through 9, Block B, West & Burton's Addition to Des Moines to its intersection with the East lot line of Parcel "D" Plat of Survey, Part of Lots 1 through 6, Harding Road Place, and Part of Lots 5 through 9, Block B, West & Burton's Addition to Des Moines; thence South along the East lot line of Parcel "D" Plat of Survey, Part of Lots 1 through 6, Harding Road Place, and Part of Lots 5 through 9, Block B, West & Burton's Addition to Des Moines to its intersection with the North Lot line of Parcel "B" Plat of Survey, Part of Lots 1 through 6, Harding Road Place, and Part of Lots 5 through 9, Block B, West & Burton's Addition to Des Moines; thence East along the North lot line of Parcel "B" Plat of Survey, Part of Lots 1 through 6, Harding Road Place, and Part of Lots 5 through 9, Block B, West & Burton's Addition to Des Moines and continuing East along the Easterly extension of the North lot line of Parcel "B" Plat of Survey, Part of Lots 1 through 6, Harding Road Place, and Part of Lots 5 through 9, Block B, West & Burton's Addition to Des Moines to its intersection with the Centerline of 19<sup>th</sup> Street; thence North along the Centerline of 19<sup>th</sup> Street to its intersection with the Westerly extension of the North line of Block C, J. C. Savery's Addition, an Official Plat; thence East along the North line of Block C, J. C. Savery's Addition and continuing East along the North line of Block C, J. C. Savery's Addition to its intersection with the Southerly extension of a North/South line lying 13 feet East of and parallel to the West lot line of Lot 5, Block B, J. C. Savery's Addition; thence North along the Southerly extension of a North/South line lying 13 feet East of and parallel to the West lot line of Lot 5, Block B, J. C. Savery's Addition and continuing North along a North/South line lying 13 feet East of and parallel to the West lot line of Lot 5, Block B, J. C. Savery's Addition to its intersection with a line lying 95 feet South of and parallel to the North lot line of Lot 5, Block B, J. C. Savery's Addition; thence East along a line lying 95 feet South of and parallel to the North lot line of Lot 5, Block B, J. C. Savery's Addition and continuing East along a line lying 95 feet South of and parallel to the North lot lines of Lots 4, 3, 2, and 1, Block B, J. C. Savery's Addition and also continuing East along the Easterly extension of a line lying 95 feet South of and parallel to the North lot line of Lot 1, Block B, J. C. Savery's Addition to its intersection with the Centerline of 17<sup>th</sup> Street; thence South along the Centerline of 17<sup>th</sup> Street to its intersection with the Westerly extension of the South lot line of Lot 1, Block B, Subdivision of Lot 6 of the Pursley Estate, an Official Plat; thence East along the Westerly extension of the South lot line of Lot 1, Block B, Subdivision of Lot 6 of the Pursley Estate and continuing East along the South lot lines of Lots 1 & 2, Block B, Subdivision of Lot 6 of the Pursley Estate to its intersection with the Centerline of Lot 2, Block B, Subdivision of Lot 6 of the Pursley Estate; thence North along the Centerline of Lot 2, Block B, Subdivision of Lot 6 of the Pursley Estate and continuing North along

the Northerly extension of the Centerline of Lot 2, Block B, Subdivision of Lot 6 of the Pursley Estate to its intersection with the Centerline of High Street; thence East along the Centerline of High Street to its intersection with the Centerline of 16<sup>th</sup> Street; thence South along the Centerline of 16<sup>th</sup> Street to its intersection with the Westerly extension of the South lot line of Lot 1, Block C, Subdivision of Lot 6 of the Pursley Estate; thence East along the Westerly extension of the South lot line of Lot 1, Block C, Subdivision of Lot 6 of the Pursley Estate and continuing East along the South lot lines of Lot 1, 2, 3, 4, and 5, Block C, Subdivision of Lot 6 of the Pursley Estate and also continuing East along the South lot line of Lot 2, Block 3, Griffith's Subdivision, an Official Plat and then continuing East along the Easterly extension of the South lot line of Lot 2, Block 3, Griffith's Subdivision to its intersection with the Centerline of 15<sup>th</sup> Street; thence North along the centerline of 15<sup>th</sup> Street and its centerline and its northerly extension to the intersection of the centerline of Woodland Avenue; thence East along the centerline of Woodland Avenue and its easterly extension to the intersection of the centerline of 10<sup>th</sup> Street; thence North along the centerline of 10<sup>th</sup> Street and its centerline and the northerly extension of 10<sup>th</sup> Street to the centerline of Methodist Drive; thence northerly and westerly along the centerline of Methodist Drive to the intersection of the southerly extension of centerline of 12<sup>th</sup> Street; thence West along the Easterly projection of the centerline of Center Street and continuing West along the centerline of Center Street to its intersection with the West lot line of Lot 2, Oakridge Plat 3, an Official Plat; thence North along said West lot line of Lot 2, Oakridge Plat 3 and continuing North along the West lot line and the Northerly projection of said West lot line of Lot 1, Oakridge Plat 3 to its intersection with the Northeasterly Right-of-Way line of Oakridge Drive; thence Northwesterly along the Northeasterly Right-of-Way line of said Oakridge Drive to its intersection with the South Right-of-Way line of Interstate 235; thence East along said South Right-of-Way line of Interstate 235 to its intersection with the centerline of Keosauqua Way; thence Southeasterly along the centerline of Keosauqua Way to its intersection with the Southerly projection of the West lot line of Lot 7, Block 7, Grass Roots 1, an Official Plat; thence North along said Southerly projection of the West lot line of Lot 7, Block 7, Grass Roots 1 and continuing North along the West lot line of Lot 7, Block 7, Grass Roots 1 to its intersection with the North lot line of said Lot 7, Block 7, Grass Roots 1; thence East along said North lot line of Lot 7, Block 7, Grass Roots 1 to its intersection with the West Right-of-Way line of Vacated 12<sup>th</sup> Street Place; thence North along said West Right-of-Way line of Vacated 12<sup>th</sup> Street Place to its intersection with the South Right-of-Way line of School Street; thence East along said South Right-of-Way of School Street to the West Right-of-Way line of 12<sup>th</sup> Street; thence South along said West Right-of-Way line of 12<sup>th</sup> Street to its Intersection with the South Right-of-Way line of Crocker Street; thence East along said South Right-of-Way line of Crocker Street to its intersection with the East Right-of-Way of 9<sup>th</sup> Street; thence South along said East Right-of-Way of 9<sup>th</sup> Street and its southerly projection to its intersection with the centerline of Center Street; thence east along said centerline of Center Street to its intersection with the East Right-of-Way line of 7<sup>th</sup> Street; thence North along said East Right-of-Way line of 7<sup>th</sup> Street to the Point of Beginning, All now included in and forming a part of the City of Des Moines, Polk County, Iowa.

EXHIBIT B

MAP OF BOUNDARIES OF THE DISTRICT

Proposed 2018 Downtown SSMID Boundary

