

★ Roll Call Number  
12-1563

Agenda Item Number  
23

Date..... October 8, 2012

**RESOLUTION SETTING DATE OF PUBLIC HEARING ON PETITION TO  
ESTABLISH THE BEAVERDALE SELF-SUPPORTED  
MUNICIPAL IMPROVEMENT DISTRICT**

WHEREAS, on August 27, 2012, by Roll Call No. 12-1385, the City Council received a petition to establish the Beaverdale Self-Supported Municipal Improvement District for the purpose of funding the installation, operation, and maintenance of streetscape improvements within the public rights-of-way of Beaver Avenue in the Beaverdale Neighborhood, within the District shown on the map attached hereto as Exhibit "1", and containing properties described in the attached Exhibit "2"; and,

WHEREAS, the Petition was referred to the City Plan and Zoning Commission for preparation of an evaluative report for the Council on the merit and feasibility of the proposed project and improvements as required by Iowa Code Chapter 386; and,

WHEREAS, the City Plan and Zoning Commission considered the proposed project and improvements at a public hearing on September 20, 2012, and has submitted its final report and recommendation to the City Council wherein the Commission made the following findings and recommendations:

- a. To find that the Petition to Establish the Beaverdale Self-Supported Municipal Improvement District is signed by more than 25% of the owners of property within the proposed district who collectively own property having more than 25% of the assessed value of all property within the proposed district.
- b. To find that the Petition is a valid petition which satisfies the requirements of Chapter 386 of the Iowa Code.
- c. To find that the proposed district is feasible; and would generally benefit the City as a whole.
- d. To recommend that the proposed district be approved.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council shall consider the Petition to Establish the Beaverdale Self-Supported Municipal Improvement District at a public hearing to be held on November 5, 2012, at 5:00 p.m., in the Council Chambers, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. The City Clerk shall cause notice of the Petition and the hearing to be given by publication once, in the accompanying form, in the Des Moines Register no more than 20 days and no less than four days before the hearing. The City Clerk, in cooperation with the Community Development Department, shall cause a copy of such notice to be given by certified mail not less than 15 days prior to the hearing, to each owner of property within the proposed District.

MOVED by Hensley to adopt.

FORM APPROVED:

Michael F. Kelley  
 Michael F. Kelley  
 Assistant City Attorney

(Council Communication No. 12-531)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

T. M. Franklin Mayor

**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.

Diane Rauh City Clerk