



Roll Call Number

16-1441

Agenda Item Number

57

Date August 22, 2016

RESOLUTION CLOSING HEARING ON PETITION TO ESTABLISH
THE ROOSEVELT CULTURAL DISTRICT SELF-SUPPORTED
MUNICIPAL IMPROVEMENT DISTRICT AND APPROVING SAME

WHEREAS, on June 27, 2016, by Roll Call No. 16-1061 the City Council received a Petition to Establish the Roosevelt Cultural District Self-Supported Municipal Improvement District for the purpose of providing the Improvements and Services identified below within the district shown on the map attached hereto as Exhibit "1", and more specifically described in the attached Exhibit "2"; and,

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

WHEREAS, on July 25, 2016, by Roll Call No. 16-1201, the City Council received the final report and recommendation of the Plan and Zoning Commission which identified that the Commission considered the merit and feasibility of the proposed project and improvements at a public hearing on July 7, 2016, and voted 11-0 in support of a motion to recommend approval of the evaluative report and the proposed Roosevelt Cultural District Self-Supported Municipal Improvement District; and,

WHEREAS, on July 25, 2016, by Roll Call No. 16-1200, it was duly resolved by the City Council that the Petition to Establish the Roosevelt Cultural District Self-Supported Municipal Improvement District be set down for public hearing on August 22, 2016, at 5:00 p.m., in the Council Chambers; and,

WHEREAS, notice of said hearing was published in the Des Moines Register on August 3, 2016, as provided by law, setting forth the time and place for hearing on said Petition; and,

WHEREAS, notice of said hearing was also given by mailing notice by certified mail on August 4, 2016, to each owner of property within the proposed district at the owner's address as shown by the records of the county auditor, all as specified in Section 386.3(4) of the Iowa Code; and,

WHEREAS, in accordance with said notices those interested in the Petition, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; NOW THEREFORE,

(continued)



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

1. The City Council hereby makes the following findings regarding the sufficiency of the Petition to Establish the Roosevelt Cultural District Self-Supported Municipal Improvement District:
 - a) The Petition identifies the name of the proposed district as the "Roosevelt Cultural District Self-Supported Municipal Improvement District" (herein referred to as the "District").
 - b) The Petition contains the signatures of at least 25% of all owners of property within the District which together represent ownership of property with an assessed value of 25% or more of all property in the District.
 - c) The Petition contains a consolidated description of the District, which District is comprised of contiguous property wholly within the boundaries of the City of Des Moines zoned for commercial use.
 - d) The Petition identifies that the purpose of the District is to provide the following Improvements and Services within the District:

The proposed Improvements:

- i) The acquisition, construction, installation, and repair within the public rights-of-way of 42nd Street within the District of streetscape improvements consisting of improved sidewalks, curbs and cross-walks, landscaping, planters, decorative lighting, utility relocation, traffic signals, and related pedestrian improvements.
- ii) Capital, physical or other improvements designed to enhance the image and appearance of the District, including:
 - Signage and banners;
 - Seasonal and holiday decorations;
 - Street furnishings such as benches, litter receptacles, planters, and bus shelters;
 - Murals and public art;
 - Public plaza(s) and gateway features; and,
 - Installation of trees and plant materials.

The proposed Services:

- i) The operation and maintenance of the Improvements identified above.
- ii) Enhanced maintenance of public spaces, including:
 - Trash and litter removal in developed public spaces;
 - Removal of illegal graffiti, signs and stickers from public spaces and improvements; and,



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- Maintenance of trees and landscape plantings.
- iii) Activities in support of marketing, business retention and attraction, including:
 - Business-to-business communications programs;
 - Business district marketing materials and activities;
 - Marketing activities, including media and advertising campaigns and communication pieces (calendar of events, newsletters, shopping directories, maps, holiday brochures); and,
 - Miscellaneous business support services;
 - Establishment and promotion of special events, festivals, and holiday activities in public spaces.
- e) The Petition identifies that the tax which may be imposed upon property within the District to fund the proposed Improvements and Services shall not exceed the amount per thousand dollars (\$1,000) of taxable value of the Property in any one year specified by the table below, in addition to all other taxes:

<u>Fiscal Years</u> <u>of Levy</u>	<u>Levy per \$1000 of</u> <u>taxable value</u>
2017/18 through 2022/23	\$1.75
2023/24 and later	\$2.25

- f) The Petition identifies that the taxes levied for the District shall be used to fund the provision of the Improvements and Services for a period of ten (10) years, commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2017, and that the City of Des Moines may renew the levy for subsequent five (5) year periods unless a petition containing the signatures of at least forty percent of all owners of property within the District or signatures which together represent ownership of property with an assessed value of forty percent or more of the assessed value of all property within the District, is filed with the City Clerk at least 6 months prior to the expiration of the current period.
2. The City Council further finds that the provision of the Improvements and Services within the District is feasible and would provide substantial benefit to each property within the District.
 3. The Legal Department is hereby authorized and directed to prepare an Ordinance establishing the Roosevelt Cultural District Self-Supported Municipal Improvement District as proposed in the Petition for consideration by the City Council at the expiration of the thirty (30) day waiting period required by Iowa Code §386.3(6).



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(Council Communication No. 16-475)

MOVED by Hensley to adopt; refer to City Manager to provide the percentage of the City that is operating under a SSMID.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Council

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