



Roll Call Number

20-1035

Agenda Item Number

53

Date June 22, 2020

RESOLUTION APPROVING OPERATING AGREEMENT WITH INGERSOLL GRAND
SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT FOR THE PROVISION OF
SERVICES AND ACTIVITIES WITHIN THE INGERSOLL GRAND SSMID
THROUGH JUNE 30, 2025

WHEREAS, on November 5, 2012, by Roll Call No. 12-1719, the City Council received the Petition to Establish the Ingersoll Grand Self-Supported Municipal Improvement District (the "Petition") which requested the creation of the Ingersoll Grand Self-Supported Municipal Improvement District (the "SSMID District") to provide funding for the delivery of enhanced public improvements and services within the SSMID District; and,

WHEREAS, on November 5, 2012, by Roll Call No. 12-1720, the City Council adopted a declaration of the City Council's intentions regarding the use of the proceeds from the tax levies within the proposed SSMID District, if such district was established; and,

WHEREAS, after notice and hearing as required by law, the City Council enacted Ordinance No. 14,157 on January 28, 2013, establishing the Ingersoll Grand Self-Supported Municipal Improvement District, and authorizing the annual levy of a Combined Capital Improvement and Operation Tax and a Debt Service Tax, not to exceed an aggregate rate of \$2.25 per thousand dollars (\$1,000) of taxable value to finance the delivery of the enhanced public improvements and services; and,

WHEREAS, the Petition and the declaration by the City Council both anticipate the designation of an organization to serve as the Ingersoll Grand Self-Supported Municipal Improvement District Advisory Board to annually recommend a budget for the provision of enhanced services and public improvements within the SSMID District in the next fiscal year, and to contract with the City for the provision of the enhanced services; and,

WHEREAS, Ingersoll Grand Self-Supported Municipal Improvement District (the "Corporation") was established as an Iowa not-for-profit corporation separate and independent from the SSMID District of the same name established by the City; and,

WHEREAS, on August 26, 2013, the City Council approved an Operating Agreement with the Corporation whereby the Corporation has agreed to serve as the Ingersoll Grand Self-Supported Municipal Improvement District Advisory Board to annually recommend a budget for the provision of enhanced services and public improvements within the SSMID District in the next fiscal year, and to provide those services in accordance with the budget approved by the City Council for the SSMID District for a term expiring on December 31, 2015, which was extended to June 30, 2020 on December 1, 2015; and,



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WHEREAS, the City Manager has negotiated a new Operating Agreement with the Corporation for a term ending June 30, 2025; and,

WHEREAS, the amended Operating Agreement is on file and available for inspection by the public in the office of the City Clerk.

NOW THEREFORE, be it resolved by the City Council of the City of Des Moines, Iowa, as follows:

1. The Operating Agreement with the Corporation is hereby approved. The Mayor is hereby authorized and directed to execute the amended Operating Agreement on behalf of the City of Des Moines, and the City Clerk are hereby authorized and directed to execute the Operating Agreement.

2. The City Manager or his designee is hereby authorized and directed to administer the Operating Agreement in accordance with its terms.

(Council Communication No. 20- 290)

MOVED by Gatto to adopt.

FORM APPROVED:

Thomas G. Fisher Jr.

Thomas G. Fisher Jr.
Assistant City Attorney

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

CERTIFICATE

I, P. Kay Cmelik, 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
J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk