

RESOLUTION NO. A-_____

1 RESOLUTION of intention to establish a Business Improvement District for the
2 provision of maintenance of certain public facilities and improvements in the area of South
3 Street from the alley west of 9th Street east to 19th Street to be known as the South Street
4 Business Improvement District; and

5 WHEREAS, the City Council of the City of Lincoln created the South Street Business
6 Area Improvement Board by Resolution No. A-85495; and

7 WHEREAS, the South Street Business Area Improvement Board, on August 31, 2009,
8 recommended that the City Council create a new business improvement district within the area
9 of South Street from the alley west of 9th Street east to 19th Street funded by special
10 assessments levied on a front foot basis and fairly and equitably based on special benefits to the
11 property within the district; and

12 WHEREAS, the City of Lincoln intends to consider at public hearing an ordinance to
13 establish the recommended business improvement district along South Street from the alley west
14 of 9th Street to 19th Street, as more particularly described below.

15 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

16 Under the authority of the Business Improvement District Act, *Neb. Rev. Stat.* § 19-4015
17 – 19-4038 (Reissue 2007) and based upon the recommendations received from the duly
18 appointed South Street Business Improvement Board and the Lincoln-Lancaster County
19 Planning Commission, the City Council of the City of Lincoln hereby states its intention to
20 create a Business Improvement District to be known as the South Street Business Improvement
21 District for the purpose of providing maintenance of certain public facilities and improvements

1 under the act for the betterment of the district and employing or contracting personnel, including
2 administrators, to provide for any service as may be necessary or proper to carry out the
3 purposes of the Business Improvement District Act as provided in the ordinance creating the
4 district.

5 BE IT FURTHER RESOLVED that in accordance with the Business Improvement
6 District Act, *Neb. Rev. Stat. § 19-4015 et seq. (Reissue 2007)* (the Act) the following information
7 is provided regarding the creation of such business improvement district:

8 1. DESCRIPTION OF BOUNDARIES. The boundaries of the proposed South
9 Street Business Improvement District shall generally extend along South Street from the alley
10 west of 9th Street east to 19th Street including those properties abutting South Street as more
11 specifically shown on the map and list of properties which is attached hereto marked as
12 Attachment “A” and made a part hereof by reference. Commonly owned properties that are
13 intersected by a boundary line establishing the district shall be considered as entirely within the
14 district unless otherwise determined by the City Council when sitting as a Board of Equalization.

15 2. TIME AND PLACE OF HEARING ON CREATION OF THE DISTRICT. The
16 City Council of the City of Lincoln will consider the establishment of such business
17 improvement district at a public hearing on February 1, 2010, at the hour of 3:00 p.m., or as soon
18 thereafter as possible in the City Council Chambers, first floor, County-City Building, 555 South
19 10th Street, Lincoln, Nebraska 68508.

20 3. WORK TO BE PERFORMED IN THE DISTRICT. The work to be performed in
21 the proposed business improvement district shall include:

22 a. Maintenance of the irrigation system including Fall shut-off and Spring
23 start-up.

1 b. Removal of litter from sidewalks, median planting beds, planting areas in
2 the South Street right-of-way and the 14th Street plaza area.

3 c. Removal of trash from 14th Street plaza area trash receptacles.

4 d. Maintenance of street furniture, planters, ornamental lights and trash
5 receptacles.

6 e. Care and maintenance, including replacement of all landscaping, including
7 watering, fertilizing, weeding, pruning, spraying, mulching and removal and replacement of dead
8 plants and shrubs and trees.

9 f. Maintenance of sidewalks.

10 g. Snow Removal.

11 4. ESTIMATED COSTS. The estimated total annual costs and expenses for the work
12 proposed to be performed within such district are \$18,000.00 (first year estimate); provided that
13 the maximum amount of the first year's annual assessment for the district would not exceed
14 \$18,000.00. In the subsequent nine years the maximum amount of the annual assessment for the
15 district would not exceed the first year maximum assessment amount (\$18,000.00), plus an
16 increase equal to the amount of the Lincoln Consumer Price Index or 5%, whichever is less. The
17 specific improvements for the first year are listed for purposes of estimating the costs and
18 expenses of performing the proposed work and improvements. The assessments levied shall not
19 exceed \$18,000.00 for the first year. Although the district proposal is for an indefinite period,
20 the City Council after public hearing shall approve an annual budget for specific work and
21 improvements in each succeeding year consistent with the ordinance creating the district. The
22 City Council retains the authority to change, modify and remove proposed improvements;
23 however, the proposed improvements cannot exceed the scope of improvements and the annual

1 assessment cannot exceed the maximum amounts of the annual assessment provided by the
2 ordinance creating the district.

3 5. METHOD OF RAISING REVENUE. The costs and expenses for the work
4 proposed to be performed within such business improvement district will be raised through
5 special assessments based upon the special benefits to the property as fairly and equitably
6 assessed by the City Council. The assessments will be levied annually on a front foot basis.

7 6. PROPERTY EXEMPT FROM AD VALOREM TAXES. Based on the
8 recommendation of the South Street Business Improvement Board , all owners of property
9 exempt from ad valorem taxes within the district will be invited to contribute annually to the
10 City of Lincoln to support B.I.D. activities and improvements. Any contributions shall be
11 allocated to reduce assessment rates in the district.

Introduced by:

Approved as to Form and Legality:

Chief Assistant City Attorney

Approved this ___ day of _____, 2010: _____ Mayor
