



A86391

11R-144

Introduce: 6-20-11

RESOLUTION NO. A- 86391

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 Havelock
 3 Avenue from Cornhusker Highway east to 64th Street to be known as the Havelock Business
 4 Improvement District; and

5 WHEREAS, the City Council of the City of Lincoln created the Havelock Business Area
 6 Improvement Board by Resolution No. A-86301 on April 18, 2011; and

7 WHEREAS, the Havelock Business Area Improvement Board, on May 11, 2011,
 8 recommended that the City Council create a new business improvement district within the area
 9 of Havelock Avenue from Cornhusker Highway east to 64th Street to be funded by special
 10 assessments levied on a front foot basis and based on special benefits to the property within the
 11 district as the same may be fairly and equitably adjusted by the City Council of the City of
 12 Lincoln, Nebraska sitting as a board of equalization; and

13 WHEREAS, following the adoption of this resolution, the City Council of the City of
 14 Lincoln, Nebraska intends to consider at public hearing on July 18, 2011 an ordinance to create
 15 the recommended business improvement district along Havelock Avenue from Cornhusker
 16 Highway east to 64th Street, as more particularly described below.

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

18 Under the authority of the Business Improvement District Act, *Neb. Rev. Stat. § 19-4015*
 19 – 19-4038 (Reissue 2007) and based upon the recommendations received from the duly
 20 appointed Havelock Business Improvement Board and the Lincoln-Lancaster County Planning
 21 Commission, the City Council of the City of Lincoln hereby states its intention to create a

1 Business Improvement District to be known as the Havelock Business Improvement District for
2 the purpose of maintaining, repairing and reconstructing certain public facilities and
3 improvements under the act for the betterment of the district and employing or contracting
4 personnel, including administrators, to provide for any service as may be necessary or proper to
5 carry out the purposes of the Business Improvement District Act as provided in the ordinance
6 creating the district.

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

10 1. DESCRIPTION OF BOUNDARIES. The boundaries of the proposed Havelock
11 Business Improvement District shall generally extend along Havelock Avenue from Cornhusker
12 Highway east to 64th Street including those properties abutting Havelock Avenue, but excluding
13 those properties on the south side of Havelock Boulevard from 58th Street east to 60th Street and
14 on the north side of Havelock Avenue from Touzalin Avenue east to 60th Street, as more
15 specifically shown on the map and list of properties which is attached hereto marked as
16 Attachment "A" and made a part hereof by this reference. Commonly owned properties that are
17 intersected by a boundary line establishing the district shall be considered as entirely within the
18 district unless otherwise determined by the City Council when sitting as a board of equalization.

19 2. TIME AND PLACE OF HEARING ON CREATION OF THE DISTRICT. The
20 City Council of the City of Lincoln will hold a public hearing on an ordinance to create such
21 business improvement district on July 18, 2011, at the hour of 3:00 p.m., or as soon thereafter as
22 possible in the City Council Chambers, first floor, County-City Building, 555 South 10th Street,
23 Lincoln, Nebraska 68508.

1 3. **MAINTENANCE WORK TO BE PERFORMED IN THE DISTRICT.** The
2 maintenance, repair or reconstruction of public improvements and facilities (“Maintenance
3 Work”) to be performed in the proposed business improvement district shall consist of:

4 a. Replacement of all landscaping followed by care and maintenance of said
5 landscaping to include watering, fertilizing, weeding, pruning, spraying, mulching, and removal
6 of dead plants, shrubs, and trees as necessary.

7 b. Installation and maintenance of irrigation system for landscaping
8 including seasonal shut off in the fall and startup in the spring.

9 c. Removal of trash from trash and cigarette receptacles.

10 d. Removal of litter from sidewalks, planting beds, planting areas, and the
11 Pedestrian Walk Way on the north side of Havelock Avenue between 62nd and 63rd Streets.

12 e. Maintenance of street furniture, planters, ornamental lights and trash
13 receptacles and cigarette receptacles.

14 e. Snow removal.

15 4. **ESTIMATED COSTS.** The first year’s estimated total annual costs and expenses
16 for the Maintenance Work proposed to be performed within such district are \$11,720.00 and the
17 maximum amount of the first year’s annual assessment for the costs of the Maintenance Work
18 shall not exceed \$11,720.00. In each succeeding year the City Council, after public hearing,
19 shall approve an annual budget for the Maintenance Work consistent with the ordinance creating
20 the district, provided that for each succeeding year the maximum amount of the total annual
21 assessment for such Maintenance Work shall not exceed the prior year assessment amount by
22 more than 5%.

1 5. METHOD OF RAISING REVENUE. The costs and expenses for the Maintenance
2 Work proposed to be performed within such business improvement district will be raised through
3 special assessments against real estate in the district authorized by *Neb. Rev. Stat.* §§ 19-4015 to
4 19-4038 based upon the special benefits to the property as fairly and equitably equalized by the
5 City Council sitting as a board of equalization. The assessments will be levied annually on a
6 front foot basis.

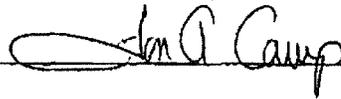
7 6. PROPERTY EXEMPT FROM AD VALOREM TAXES. Based on the
8 recommendation of the Havelock Business Improvement Board , all owners of property exempt
9 from ad valorem taxes within the district will be invited to contribute annually to the City of
10 Lincoln to support B.I.D. maintenance activities. Any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

12 BE IT FURTHER RESOLVED that the City Clerk is directed to place an ordinance to
13 create the Havelock Business Improvement District on the City Council formal agenda for
14 introduction on July 11, 2011 with public hearing to be held on July 18, 2011.

15 BE IT FURTHER RESOLVED that the City Clerk is directed to publish a complete copy
16 of this resolution of intention one time in a newspaper of general circulation in the City of
17 Lincoln at least ten (10) days prior to the public hearing to be held on July 18, 2011.

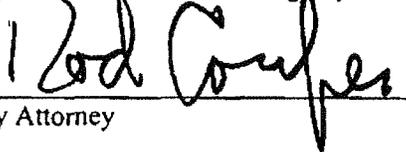
18 BE IT FURTHER RESOLVED that the Director of Urban Development shall mail a
19 complete copy of this resolution of intention, including any attachments hereto, to each owner of
20 taxable property in the proposed district as shown on the latest tax roles of the County Treasurer
21 for Lancaster County, Nebraska at least ten days prior to the public hearing to be held on July 18,
22 2011.

Introduced by:



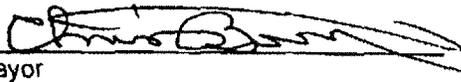
AYES: Carroll, Cook, Emery,
Eskridge, Hornung, Snyder;
NAYS: None. ABSENT: Camp.

Approved as to Form and Legality:



City Attorney

Approved this 29th day of June, 2011:



Mayor

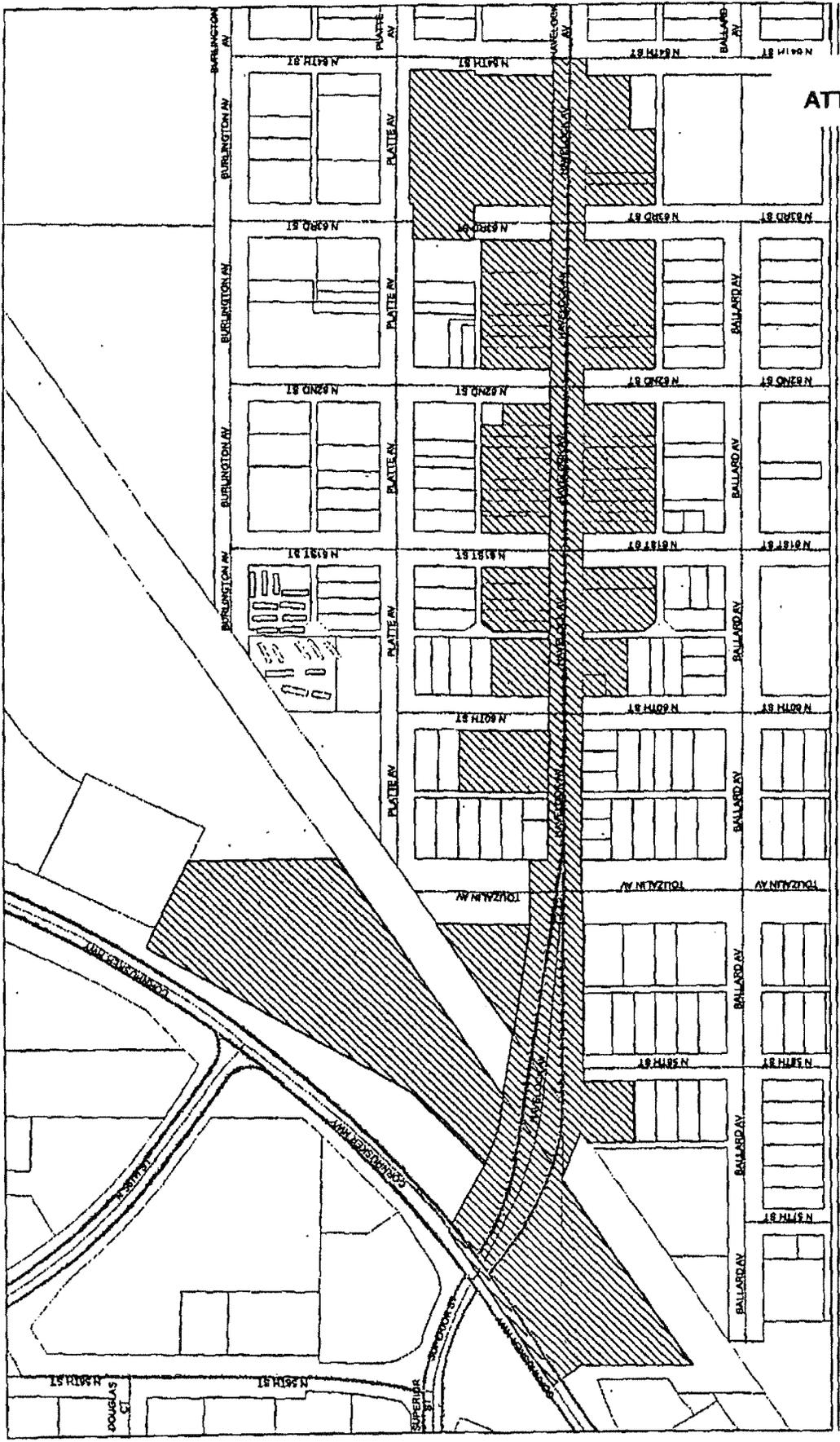
ADOPTED

JUN 27 2011

BY CITY COUNCIL



ATTACHMENT "A"



Havelock - Proposed BID Area and Affected Parcels

 Proposed BID Area
 Parcels in the Havelock BID