



# City of Grand Island

Tuesday, April 24, 2018

Council Session

## Item I-1

**#2018-116 - Consideration of Approving Downtown Business Improvement District Boundaries and Initial Board**

Staff Contact: Jerry Janulewicz

# Council Agenda Memo

**From:** Jerom E. Janulewicz, City Attorney  
**Meeting:** April 24, 2018  
**Subject:** Downtown Business Improvement District  
**Presenter(s):** Jerom E. Janulewicz, City Attorney

## Background

Downtown Business Improvement District 2013 will expire on September 30, 2018 as provided by the 2013 ordinance creating the district. By a letter to the Mayor and City Council, the Downtown Business Improvement Board expressed an interest to continue the business improvement district. Due to the limited duration of the current BID, the current statutory process must be followed to establish a BID for the Downtown Improvement Area. This process requires adoption of a resolution establishing boundaries of the proposed BID and appointing a board with directions that it prepare and submit its recommendations to the City. Upon receipt of recommendations, a public hearing must be held on the establishment of the district, the district boundaries, and the method of raising revenue. At that public hearing, property owners and/or users of space within the district may object to the district's creation.

## Discussion

The Downtown Improvement Board recommends recreation of the district. Adoption of the proposed resolution is the first step required in the establishment of a business improvement district. The following individuals hereby are appointed to serve on the Downtown Business Improvement Board: Andy Gdowski, James Pirnie, Tom Ziller, Amos Anson, Ryan Hand, Jackie Bowen, Jon Myers, Tom Wald, Zachary Butz, and Brent Lindner.

## Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Adopt the Resolution
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council adopt the resolution establishing boundaries of the proposed Downtown Business Improvement District and appointing a business improvement board.

## **Sample Motion**

Move to approve the Resolution for the Downtown Business Improvement District.

RESOLUTION 2018-116

WHEREAS, Downtown Business Improvement District 2013 was established for a period of five years; and

WHEREAS, property owners, residents, business operators, and users of space within Downtown Business Improvement District 2013 recommended that the City of Grand Island re-create, effective October 1, 2018, a Business Improvement District with boundaries set forth below; and

WHEREAS, Section 19-4021, R.R.S. 1943, provides that the boundaries of a proposed business improvement district shall be declared by the City Council prior to or at the same time as the appointment of the Business Improvement Board; and

WHEREAS, a Business Improvement Board should be appointed to make recommendations to the Mayor and City Council to include, but not limited to, the establishment of a business improvement district, the district boundaries, and a plan or plans in the business area.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, as follows:

- 1) The outer boundaries of the proposed Downtown Business Improvement District are as follows: Beginning at a point being the intersection of the South line of Third Street and the West line of Kimball Avenue; thence South on the West line of Kimball Avenue to a point One Hundred Thirty-Two feet (132') South of the South line of First Street; thence West on a line One Hundred Thirty-Two feet (132') South of and parallel to the South line of First Street to the West line of Sycamore Street; thence Southerly on the Westerly line of Sycamore Street to the North line of Court Street; thence Westerly on the North line of Court Street to the West line of Pine Street; thence Southerly on the West line of Pine Street to the North line of Charles Street; thence Westerly on the North line of Charles Street and an extension thereof to the East line of Walnut Street; thence Northerly on the East line of Walnut Street to a point One Hundred Thirty-Two Feet (132') North of the North line of Division Street; thence West on a line One Hundred Thirty-Two Feet (132') North of and parallel to the North line of Division Street and an extension thereof to the East line of Cedar Street; thence Northerly on the East line of Cedar Street to the South line of First Street; thence West on the South line of First Street to the West line of Elm Street; thence Southerly on the West line of Elm Street for a distance of One Hundred Thirty-Two Feet (132'); thence Westerly on a line One Hundred Thirty-Two Feet (132') South of and parallel to the South line of First Street to the East line of Eddy Street; thence Northerly on the East line of Eddy Street to the South line of South Front Street; thence Easterly on the South line of South Front Street to the West line of Oak Street; thence Southerly on the West line of Oak Street to the South line of Third Street; thence Westerly on the South line of Third Street and an extension thereof to the point of beginning. (28), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. to the Northeast corner of Section Twenty-Eight (28), Township Eleven (11) North, Range Nine (9) West of the 6th P.M.; thence continuing East on the North line of Section

Approved as to Form April 20, 2018	by _____ City Attorney
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Twenty-Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. for a distance of Three Hundred Seventy-Five Feet (375'); thence South on a line Three Hundred Seventy-Five Feet (375') East of and parallel to the West line of Section Twenty-Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. to the South line of Section Twenty-Seven (27), Township Eleven (11), North, Range Nine (9) West of the 6<sup>th</sup> P.M.; thence West on the South line of Section Twenty Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. for a distance of Three Hundred Seventy-Five Feet (375') to the point of beginning.

- 2) The area within the above-described boundaries is an established area of the city zoned for business, public, and commercial purposes.
- 3) The following individuals hereby are appointed to serve on the Downtown Business Improvement Board: Andy Gdowski, James Pirnie, Tom Ziller, Amos Anson, Ryan Hand, Jackie Bowen, Jon Myers, Tom Wald, Zachary Butz, and Brent Lindner.
- 4) The Downtown Business Improvement Board shall make recommendations to the City Council with respect to:
  - a) The establishment and boundaries of the district;
  - b) The purposes of the district and the public improvements and facilities to be included within the district;
  - c) A plan or plans for improvements in the business area;
  - d) Whether businesses and users of space in the district shall be subject to the general business occupation tax or that the real property in the district will be subject to the special assessments authorized by the Business Improvement District Act;
  - e) The proposed method of assessment to be imposed within the district or rate of occupation tax to be imposed; and
  - f) Such other matters as are necessary or advisable regarding the proposed business improvement district.
- 5) The board shall select from its members a chairperson and a secretary and shall comply with Nebraska Revised Statutes §§ 84-712 to 713 (public records) and 84-1408 to 1414 (public meetings).

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Adopted by the City Council of the City of Grand Island, Nebraska, April 24, 2018.

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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk

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