



City of Grand Island

Tuesday, May 28, 2019

Council Session

Item D-1

#2019-BE-4 - Consideration of Determining Benefits for Fonner Park Business Improvement District

Staff Contact: Patrick Brown, Finance Director

Council Agenda Memo

From: Patrick Brown, Finance Director

Meeting: May 28, 2019

Subject: Consideration of Determining Benefits for Fonner Park Business Improvement District

Presenter(s): Patrick Brown, Finance Director

Background

On February 14, 2017, the City Council adopted Ordinance #9622 creating the Fonner Park Business Improvement District (BID). The creating ordinance established the purpose of the District, described the boundaries, and established that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. On April 16, 2019 the Fonner Park BID Board met and approved the 2019-2020 budget which provides for special assessments in the amount \$12/front foot. On April 23, 2019, City Council approved the BID budget and set the date for Board of Equalization as May 28, 2019.

Discussion

The reformation of the Fonner Park BID that occurred in 2017 created the Fonner Park BID as a perpetual entity. Where, in the past, it had to be renewed in 3-year terms. A secondary result of the perpetual formation is that the creation of the district as it exists today took longer than usual and resulted in the special assessments for the district being levied “off-cycle” from the City Budget. This misaligned the collection of funds from when the funding is needed. It also leads to confusion when discussing the budget with the BID board and public. The proposed fix to this is for the Fonner Park BID to levy their special assessment for what is effectively an 18 month time period, which is why the requested amount is higher than it would usually being. The Fonner Park BID is also using some of their cash reserves to lessen the impact on the members of their district. If the 2019-2020 special assessment is approved then the next special assessment for the district will not occur until October of 2020.

In this district, assessments are paid by property owners based on the front footage of the property. Owners are billed for the assessment after approval by City Council sitting as the Board of Equalization on May 28, 2019. The budgeted assessments of \$59,182.52 will be charged to property owners in the district based on their front footage. Attached

is a summary of the notice given to owners within the BID and published in the Grand Island Independent on May 2, 9, and 16, 2019,

Alternatives

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

1. Approve the proposed Special Assessments.
2. Deny the proposed Special Assessments.
3. Send back to the BID Board for adjustment.

Recommendation

City Administration recommends that the Board of Equalization approve the proposed Special Assessments for the Fonner Park BID totaling \$59,182.52.

Sample Motion

Move to approve the Special Assessments as proposed.

NOTICE OF BOARD OF EQUALIZATION HEARING

Fonner Park Business Improvement District

NOTICE is hereby given to all persons owning real estate in Fonner Park Business Improvement District in the City of Grand Island, Hall County, Nebraska, and to all persons interested, that the City Council of said City will sit as a Board of Equalization at the City Council Chambers on May 28, 2019 at 7:00 p.m., to determine the amount of the special assessments to be levied within the district, to hear any objections or protests by landowners in the district, and to levy assessments against said real property.

The general purpose for the assessment is

(A) Improvement of any public place or facility in the district area, including landscaping, physical improvements for decoration or security purposes, and plantings and maintenance, repair, and reconstruction of any improvements or facilities authorized by the Business Improvement District Act, including, but not limited to, maintenance and improvement of the landscaped greenway; maintenance, repair, improvement and replacement of the sprinkler system in the greenway; regular mowing and trimming of the greenway; all facets of the purchase, care and replacement of trees, shrubs and grass and other decorative improvements; snow removal from the sidewalks parallel to S. Locust; purchase of equipment, materials, supplies or other expenses to accomplish the purposes of the district, and other incidental or ongoing expense as needed for the maintenance, improvement and beautification of the green belt area.

(B) Employing or contracting for personnel, including administrators for any improvement program under the act, and providing for any service as may be necessary or proper to carry out the purposes of the act, including, but not limited to, employment of or contracting for personnel to accomplish the purposes of the district and to accomplish the goals and objectives of the Business Improvement Board of the district; and

The name of the record landowner, the description of land to be assessed, and the amounts proposed to be assessed are as follows:

OWNER	LEGAL NAME	Assessment Amount
WESTERBY/MICHAEL J & MANDY	JANISCH SUB PT LT 1	1,439.47
MCDERMOTT/NIELS C	BROWNELL SUB XC .0051 AC TO ROW LT 1 XC E 10'	795.05
WILTGEN CORP II	KIRKPATRICK SUB LT 5	846.57
WILTGEN CORP II	KIRKPATRICK SUB LT 6	833.89
DA-LY PROPERTIES LLC	LABELINDO SECOND SUB PT LT 1 XC 18.3 FT TO CITY	3,354.92
ZANA/JAMES SCOTT	R & R SUB PT LT 1	1,688.67
CASEY'S RETAIL CO	PLEASANT HOME SUB XC CITY E 1/2 OF S 1/2 BLK 9	1,684.59
LOCUST STREET LLC	PLEASANT HOME SUB XC CITY BLK 16	3,080.93

OBERG/DANNY K	ROEPKE SUB PT LT 2 & PT LT 1	1,852.06
OBERG/DANNY K	ROEPKE SECOND SUB PT LT 1	545.98
EDWARDS BUILDING CORP	FONNER SUB LT 1 XC CITY	1,624.87
BOSSELMAN REAL ESTATE LLC	FONNER FOURTH SUB LT 1	5,838.87
1803 LLC	FONNER SECOND SUB XC CITY LT 5	2,398.35
1803 LLC	FONNER SECOND SUB XC CITY LT 6	4,801.86
TOWN & COUNTRY LLC	FONNER THIRD SUB PT LT 1 & PT LT 3	4,077.95
WILLIAMS HOSPITALITY LLC	FONNER THIRD SUB REPLATTED PT LT 3	1,685.57
LOCUST STREET LLC	MISCELLANEOUS TRACTS 21-11-9 PT SE 1/4 SE 1/4 .20 AC TO CITY .817 AC	2,520.43
REILLY/MICHAEL J & CAREY M	JNW SUB LT 1	1,798.19
EDWARDS BUILDING CORP	JNW SECOND SUB LT 1	1,989.99
SAX PIZZA OF AMERICA INC	SAX'S SECOND SUB LT 2	1,297.19
BRADDY/CINDY	MISCELLANEOUS TRACTS XC TO CITY 21-11-9 PT SE 1/4 SE 1/4 .78 AC	1,614.54
AREC 7, LLC	MISCELLANEOUS TRACTS 21-11-9 XC CITY PT SE 1/4 SE 1/4 1.17 AC	2,441.26
SAX PIZZA OF AMERICA INC	SAX'S SECOND SUB LT 1	1,496.34
GOODWILL INDUST OF GREATER NEBR	GOODWILL SIXTH SUB LT 2	2,180.03
HALL COUNTY LIVESTOCK IMPROVEMENT ASSN	MISCELLANEOUS TRACTS 22-11-9 TO THE CITY OF GRAND ISLAND PT SW 1/4 SW 1/4 & PT NW 1/4 SW 1/4 XC .15 A CITY & 1.03 AC FONNER RD XC .05 AC CITY XC .98 AC CITY 23.97 AC	3,822.62
SANCHEZ/FILEMON	R & R SUB PT LT 2	1,672.24
PREFERRED ENTERPRISES LLC	FONNER FOURTH SUB TO CITY ROW PT LT 2	1,800.11
		59,182.52

By order of the City Council, Grand Island, Nebraska.

RaNae Edwards, City Clerk

Publish once each week for three weeks:

May 2, 2019
May 9, 2019
May 16, 2019

RESOLUTION 2019-BE-4_____

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Fonner Park Business Improvement District , after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$59,182.52; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within Fonner Park Business Improvement District, such benefits are the sums set opposite the several descriptions as follows:

OWNER	LEGAL NAME	Assessment Amount
WESTERBY/MICHAEL J & MANDY	JANISCH SUB PT LT 1	1,439.47
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EDWARDS BUILDING CORP	JNW SECOND SUB LT 1	1,989.99
SAX PIZZA OF AMERICA INC	SAX'S SECOND SUB LT 2	1,297.19

Approved as to Form ☐ _____
June 20, 2019 ☐ City Attorney

BRADDY/CINDY	MISCELLANEOUS TRACTS XC TO CITY 21-11-9 PT SE 1/4 SE 1/4 .78 AC	1,614.54
AREC 7, LLC	MISCELLANEOUS TRACTS 21-11-9 XC CITY PT SE 1/4 SE 1/4 1.17 AC	2,441.26
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PREFERRED ENTERPRISES LLC	FONNER FOURTH SUB TO CITY ROW PT LT 2	1,800.11
		59,182.52

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Adopted by the City Council of the City of Grand Island, Nebraska, on May 28, 2019.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk