



City of Grand Island

Tuesday, December 6, 2022

Council Session

Item I-5

**#2022-351 - Consideration of Approving 4th Business Area,
Business Improvement District Boundary and Initial Board**

Staff Contact: Rashad Moxey

Council Agenda Memo

From: Regional Planning Commission

Meeting: December 6, 2022

Subject: Approval of 4th Business Area, Business Improvement District Boundary and Initial Board

Presenter(s): Rashad Moxey, Planner I

Background

The Hall County Extension office reached out to the City of Grand Island to help with informational sessions to discuss the process of creating a Business Improvement District along the 4th Street corridor from Eddy Street to Sycamore Street. A 4th street organizational group met to formulate a plan to introduce the Business Improvement District to business and property owners. A total of 3 informational sessions took place between January 24, 2022 and March 30, 2022. On-site business/property owners were invited by the group with flyers passed out to each open business before the first two meetings. A letter was sent out before the March 30, 2022 meeting through the Hall County UNL Extension office inviting participants.

Business and property owners expressed an interest to form a new business improvement district and is asking council to consider formation of the district. Several owners continued to meet and submitted a letter dated September 30, 2022 to the Mayor asking for the creation of a district. Five of the owners volunteered to sit on the initial board.

State statutes allow for the creation of business improvement districts and the expenditure of funds for improvement of public places or facilities within the district, including the acquisition, construction, maintenance, and operation of such improvements, creation and implementation of a plan for improving the general architectural design of public areas within the district, the development of any public activities and promotion of public events, including the management and promotion and advocacy of retail trade activities or other promotional activities, and employing or contracting for personnel for any improvement program under the act.

Chapter 19 of State Statutes sets forth the regulations pertaining to the formation of a business improvement district. The Statutes (19-4021) provide for the appointment of a business improvement board consisting of property owners, residents, business operators, or users of space within the business area to be improved.

Discussion

A five member volunteer board if appointed, shall make recommendations to City Council for the establishment of a plan in the business area. City Council may then adopt a resolution to establish the business improvement district. There will then be a period for the property owners in the district to protest the formation of the BID. City Council will then hold a public hearing to create the district. After the hearing Council may pass an ordinance to establish the district.

Alternatives

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

1. Move to approve
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 approve the initial boundary for the 4th Street Area BID and that the following be confirmed as board members for this Business Improvement District area

Joe Bandasack
Agustin Sanchez
Richard Flores
Reyna Romero
Shanna Tuxhorn

Sample Motion

Move to approve the resolution as presented.

September 30, 2022

Mayor Roger G. Steele
City of Grand Island
100 E. 1st Street
Grand Island, NE 68801


Re: 4th Street Business Area, Proposed Business Improvement District.

Mayor Steele,

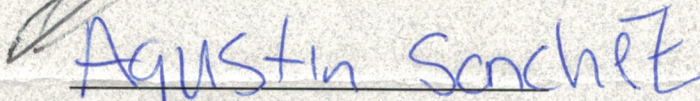
The City of Grand Island Planning Department held informational sessions to discuss the process of creating a Business Improvement District. After careful thought and numerous meetings, business and property owners are formally requesting to start the process of creating a Business Improvement District along the 4th Street corridor from Eddy Street to Sycamore Street. Below you will find a list of business and property owners who would like to be appointed to the board, to formulate a plan for the proposed BID and define the boundary of the district.

We want to thank you for your support during this process.

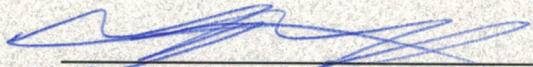
Sincerely,



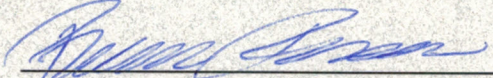
Joe Bandasack – Pad Thai Restaurant



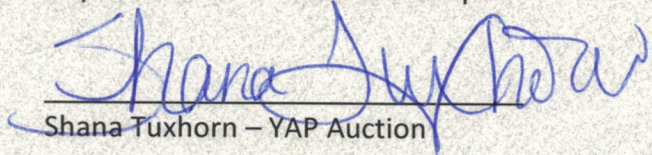
Agustin Sanchez – Tacos Los Hermanos



Richard Flores – La Mexicana



Reyna Romero – 4th Street Banquet



Shana Tuxhorn – YAP Auction

RESOLUTION 2022-351

WHEREAS, the City of Grand Island, Nebraska (the “City”) is authorized by the Business Improvement District Act (Neb. Rev. Stat. §§ 19-4015 through 19-4038) (the “Act”) to create Business Improvement Districts within an established business area of the City zoned for business, public, or commercial purposes to provide means to raise the necessary funds for the purpose of providing and maintaining the improvements authorized by the Act; and

WHEREAS, multiple property owners and businesses have requested that the City identify a Business Area along the East 4th Street corridor from Eddy Street to Sycamore Street to be improved as provided in the Act; and

WHEREAS, the Mayor has identified and appointed five volunteer property and business owners willing to serve on a Business Improvement Board to study and make recommendations to the City Council for the establishment of a plan or plans for improvements along the East 4th Street corridor from Eddy Street to Sycamore Street; and

WHEREAS, the area generally located along East 4th Street between Eddy Street and Sycamore Street, as shown and described by metes and bounds in Attachment “A” attached hereto and incorporated herein by reference, consists of land zone for business, public or commercial purposes under the Zoning Ordinance of the City of Grand Island.

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

1. The area described in Attachment “A” is eligible to be, and is hereby declared to be, an established Business Area of the City of Grand Island, to be known as the “4th Street Business Area.”
2. The City Council hereby approves the Mayor’s appointment of the following property owners, residents, business operators, or users of space within the 4th Street Business Area, as members of a Business Improvement Board to be known as the “4th Street Business Improvement Board”:

Joe Bandasack (Pad Thai Restaurant)

Agustin Sanchez (Tacos Los Hermanos)

Richard Flores (La Mexicana)

Reyna Romero (4th Street Banquet)

Shana Tuxhorn (YAP Auction).

3. The above-named members of the 4th Street Business Improvement Board shall serve without compensation for a one (1) year term from the date of this

resolution or until their successors are appointed and qualified as provided under the Act.

4. The 4th Street Business Improvement Board shall make recommendations to the City Council for the establishment of a plan or plans for improvements in the 4th Street Business Area in accordance with the enumerated uses set forth in Neb. Rev. Stat. §19-4019.
5. The 4th Street Business Improvement Board may also make recommendations to the City Council on the proposed boundaries for any Business Improvement District(s) to be established in the 4th Street Business Area, or the collection and use of assessments or occupation taxes within the 4th Street Business Area for the purposes of funding or maintaining a plan or plans for improvements.
6. The 4th Street Business Improvement Board shall comply with the Act, including the selection from its members of a Chairperson and Secretary, and with the Nebraska Open Meetings Act (Neb. Rev. Stat. §§ 84-1407 to 84-1414).

BE IT FURTHER RESOLVED, that the Mayor and his designees are hereby authorized and directed to take all actions necessary to effect the purpose of this resolution.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 6, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

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ATTACHMENT "A"

MAP AND BOUNDARY OF 4TH STREET BUSINESS IMPROVEMENT AREA



Beginning at a point being the intersection of the east line of Eddy Street and the north line of Fourth Street;

Thence northwesterly along the east line of Eddy Street to a point 132 feet north of the north line of Fourth Street;

Thence northeasterly on a line 132 feet north of and parallel to the north line of Fourth Street to a point 88 feet east of the east line of Sycamore Street;

Thence southeasterly on a line 88 feet east and parallel to the east line of Sycamore Street to a point on the north line of Fourth Street;

Thence southerly to a point on the south line of Sycamore Street, said point being 66 feet east of the east line of Sycamore Street;

Thence southeasterly on a line 66 feet east and parallel to the east line of Sycamore Street to a point 148 feet south of the south line of Fourth Street;

Thence southwesterly on a line 148 feet south and parallel to the south line of Fourth Street to a point on the west line of Sycamore Street;

Thence southeasterly on the west line of Sycamore Street to a point 425 feet south of the south line of Fourth Street;

Thence southwesterly on a line 425 feet south of and parallel to the south line of Fourth Street to a point on the extension of the east line of Locust Street;

Thence northwesterly on the extension of the east line of Locust Street to a point 280 feet south of the south line of Fourth Street;

Thence southwesterly on a line 280 feet south and parallel to the south line of Fourth Street to a point 175 feet east of the east line of Walnut Street;

Thence southeasterly on a line 175 feet east and parallel to the east line of Walnut Street to a point 345 feet south of the south line of Fourth Street;

Thence southwesterly on a line 345 feet south of and parallel to the south line of Fourth Street to a point on the extension of the east line Cedar Street;

Thence northwesterly on the east line of Cedar Street and the extension thereof to a point 148 feet south of the south line of Fourth Street;

Thence southwesterly on a line 148 south and parallel to the south line of Fourth Street to a point on the east line of Eddy Street;

Thence northwesterly on the east line of Eddy Street to the Point of Beginning.