



25



19664

11-184

Introduce: 12-5-11

ORDINANCE NO. 19664

1 AN ORDINANCE creating a business improvement district under the authority of the
2 Business Improvement District Act (Neb. Rev. Stat. § 19-4015 et seq.) to be known as the
3 College View Business Improvement District for the purpose of providing specified
4 maintenance, repair and reconstruction of certain public facilities and improvements within the
5 area of South 48th Street between Calvert Street and Pioneers Boulevard; providing for special
6 assessments to be imposed within the district based upon the benefits conferred; and providing
7 maximum limits upon such assessments.

8 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

9 Section 1. Resolution of Intention to Create. That a resolution entitled Resolution of
10 Intention to Create a Business Improvement District ("Resolution of Intent") to be known as the
11 "College View Business Improvement District" within the area of South 48th Street between
12 Calvert Street and Pioneers Boulevard, was adopted by the Lincoln City Council on November
13 21, 2011, as Resolution No. A-86608.

14 Section 2. Notice of Public Hearing. That on December 2, 2011 notice that the City
15 Council on December 12, 2011 would hold a public hearing on an ordinance to create the
16 College View Business Improvement District was properly made by publication of the adopted
17 Resolution of Intent in a newspaper of general circulation in the City of Lincoln, and by mailing
18 a complete copy of Resolution of Intent to each owner of taxable property within the proposed
19 district as shown on the latest tax roles of the County Treasurer.

20 Section 3. Public Hearing. That the public hearing on the ordinance to create the
21 College View Business Improvement District was held by the City Council on December 12,
22 2011, during the regular City Council meeting commencing at 3:00 p.m. in the City Council

Return to:
Teresa @ City Clerk

1 Chambers on the first floor of the County-City Building, 555 South 10th, Lincoln, Nebraska; that
2 at such public hearing, the City Council heard all protests and received evidence for and against
3 the creation of the proposed College View Business Improvement District; that the City Council
4 has ruled upon all written protests to the creation of such district which were received prior to
5 the close of the hearing, and hereby finds that protest was not made by the record owners
6 representing over 50% of the assessable units in the proposed district.

7 Section 4. District Boundaries. That the boundaries of the College View Business
8 Improvement District shall generally extend along South 48th Street between Calvert Street and
9 Pioneers Boulevard including those properties abutting South 48th Street. Said boundaries and
10 the properties included therein are more particularly shown and legally described on the map and
11 list of properties attached hereto marked as Attachment "A" and incorporated herein by this
12 reference.

13 Section 5. Creation of District; Improvements. That the College View Business
14 Improvement District is hereby created. The maintenance, repair and reconstruction of public
15 improvements and facilities ("Maintenance Work") to be performed in such business
16 improvement district shall consist of:

- 17 a. Maintenance of the irrigation system including Spring start-up and Fall
18 shut-off.
- 19 b. Removal of litter from sidewalks, planting areas and beautification areas
20 in the South 48th Street right-of-way.
- 21 c. Removal of trash from the South 48th Street trash receptacles.
- 22 d. Replacement, as needed, of street furniture, planters, ornamental lights and
23 trash receptacles.
- 24 e. Care and maintenance of all landscaping to ensure plant health and
25 appearance and create a safe environment. Maintenance includes, but is not limited to, the
26 following: watering (provide supplemental water as needed for replacement plants during
27 establishment); fertilizing (including the addition of compost or slow-release fertilizers);

1 weeding (including chemical and non-chemical methods as appropriate for location); pruning
2 (for safety and aesthetics and to produce strong structures in trees); pest control (identification of
3 pests and timely application of IPM methods); mulching (raking and resspreading after rains;
4 remulching to the specified depth); and removal and replacement of dead plants during the
5 appropriate planting season.

6 f. Monitoring quantity of water applied and perform adjustments to
7 controller and head direction and flow as necessary.

8 Section 6. Annual Budget and Limitations. That the College View Business
9 Improvement District shall become effective on January 1, 2012. The first year estimated total
10 annual costs and expenses for the Maintenance Work to be performed within such district are
11 \$13,000.00; the maximum amount of the first year's annual assessment for the district shall not
12 exceed \$15,000.00. In each succeeding year the City Council, after public hearing, shall approve
13 an annual budget for the Maintenance Work consistent with this ordinance creating the district;
14 provided that the maximum amount of the annual assessment for such Maintenance Work within
15 the district for such succeeding year shall not exceed the prior year total assessment amount by
16 more than 5%. The City Council retains the authority to change, modify and/or remove
17 Maintenance Work; however, the annual assessment for the Maintenance Work as modified
18 cannot exceed the maximum amounts of the annual assessment provided by this ordinance
19 creating the district.

20 Section 7. Method of Assessment. That the costs and expenses for the Maintenance
21 Work proposed to be performed within this business improvement district will be raised through
22 special assessments based upon the special benefits to the property as fairly and equitably
23 equalized by the City Council sitting as a board of equalization. The assessments will be levied
24 annually on a front foot basis.


25 Section 8. Contributions. That based on the recommendation of the College View
26 Business Area Improvement Board, all owners of property exempt from ad valorem taxes within
27 the district shall be invited to contribute annually to the City of Lincoln to support B.I.D.
28 activities and improvements. Any contributions shall be allocated to reduce assessment rates in
29 the district.

1 Section 9. Boundary Lines. That commonly owned properties that are intersected by a
2 boundary line establishing the district shall be considered as entirely within the district unless
3 otherwise determined by the City Council when sitting as a Board of Equalization.

4 Section 10. Enforcement. That the special assessments provided herein shall be a lien on
5 the property assessed superior and prior to all other liens except general taxes and other special
6 assessments which shall be of equal priority. Liens for special assessments may be foreclosed
7 and are subject to interest at the statutory rate when payment of the assessment is delinquent as
8 provided by law. No special assessment made hereunder shall be void for any irregularity,
9 defect, error, or informality in procedure, in levy or equalization thereof.

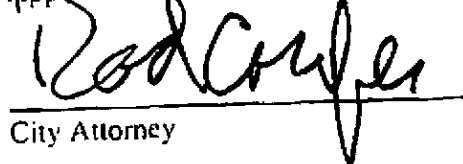
10 Section 11. Effective Date. That this ordinance shall take effect and be in force from and
11 after its passage and publication according to law.

Introduced by:




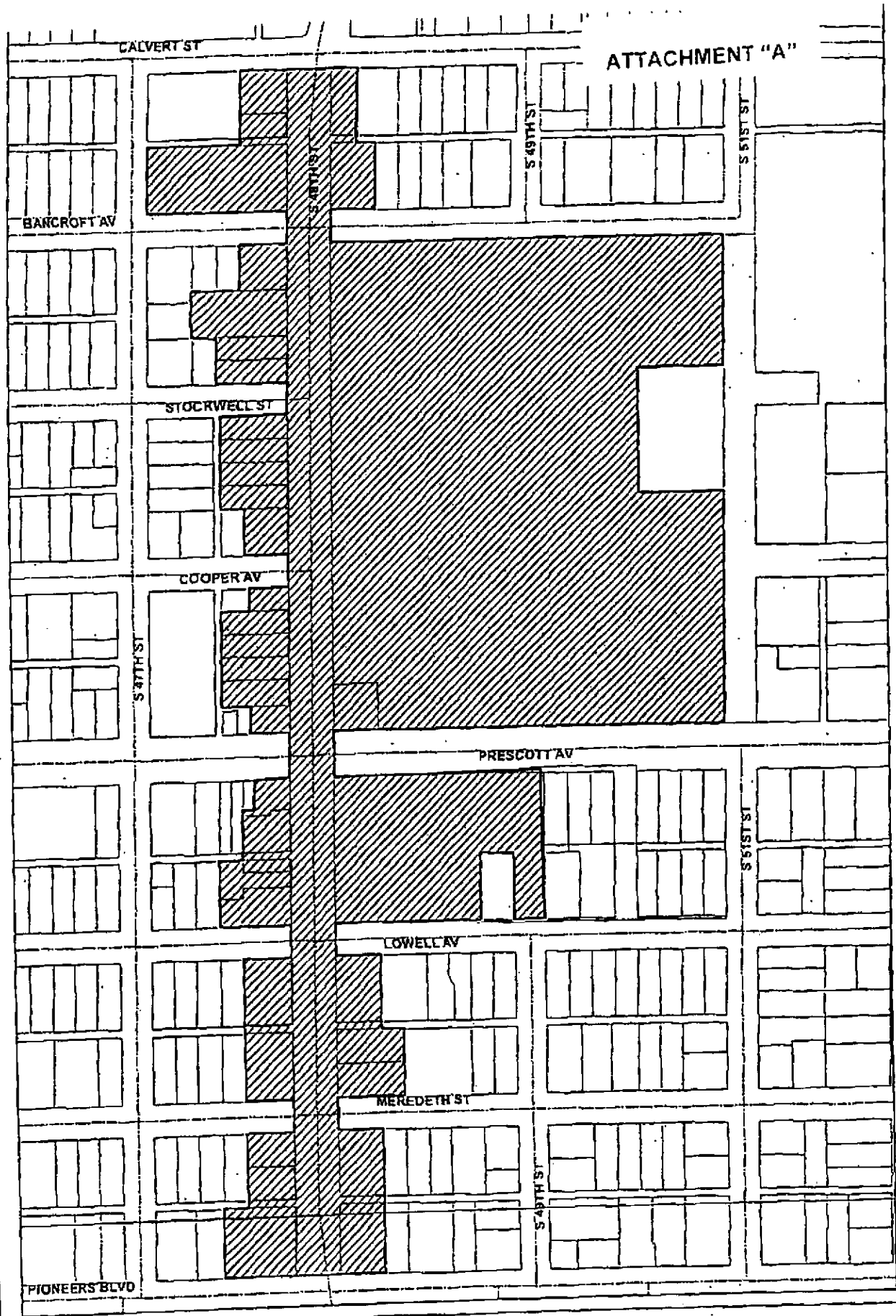
AYES: Carroll, Cook, Emery,
Eskridge, Hornung, Schimek;
NAYS: None; ABSENT: Camp.

Approved as to Form & Legality:


City Attorney




PASSED
DEC 19 2011
BY CITY COUNCIL

Approved this 22nd day of Dec, 2011:

Mayor



College View BID

007

 BID - College View
  College BID Parcels
  Streets

Created by:
 City of Lincoln Urban Development Dept.
 Created on 01/25/2010



College View
Business Improvement District

College View, Block 4, Lot 1 and Lot 12
College View, Block 11, Lot 1 - 6
College View, Block 18, Lots 1-4
College View, Block 25, Lot 1-6
College View, Block 32, Lot 1 and Lot 12
College View, Block 39, Lot 1 and Lot 12
College View, Block 46, Lot 1 and Lot 12
Gladys Addition, Lot 2
College View 4th Addition, Lot 2
College View, Block 3, Lots 8-9
College View, Block 31, Lots 8-9
College View, Block 40, Lots 8-9
College View, Block 45, Lots 8-9
Union College Campus Ex E190' S520' N814' & N 12' Prescott Ave Adj

GLADYS
C.V.V.

CAMP (P)
C.V.V.

C E R T I F I C A T E

I, Teresa J. Meier, City Clerk of the City of Lincoln, Nebraska, do certify that the above and foregoing is a true and correct copy of the ORDINANCE #19664 - CREATING A BUSINESS IMPROVEMENT DISTRICT FOR THE MAINTENANCE, REPAIR AND RECONSTRUCTION OF CERTAIN PUBLIC FACILITIES AND IMPROVEMENTS WITHIN THE AREA GENERALLY LOCATED ALONG SOUTH 48TH STREET BETWEEN CALVERT STREET AND PIONEERS BOULEVARD AND PROVIDING FOR SPECIAL ASSESSMENTS TO BE IMPOSED WITHIN THE DISTRICT (COLLEGE VIEW MAINTENANCE DISTRICT), passed by the Lincoln City Council, on December 19, 2011, as the original appears of record in my office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially & affixed the seal of the City of Lincoln, Nebraska, this 28th day of February, 2017.

Teresa J. Meier
City Clerk

