

BUSINESS IMPROVEMENT DISTRICT NO. 17

NORTH 76TH STREET

OPERATING PLAN

2006

**BUSINESS IMPROVEMENT DISTRICT #17
2006 OPERATING PLAN**

TABLE OF CONTENTS

I. INTRODUCTION..... 2

II. DISTRICT BOUNDARIES..... 2

III. PROPOSED OPERATING PLAN..... 2

 A. Plan Objectives 2

 B. Proposed Activities-2006..... 2

 C. Proposed Expenditures..... 3

 D. Financing Method..... 3

 E. Organization of BID Board..... 4

IV. METHOD OF ASSESSMENT..... 5

 A. Assessment Rate and Method..... 5

 B. Excluded and Exempt Property..... 5

V. CITY ROLE IN DISTRICT OPERATION.....6

VI. FUTURE YEAR OPERATING PLANS..... 6

 A. Annual Plans..... 6

 B. Amendment, Severability and Expansion..... 7

APPENDICES..... 8

- Have a favorable impact on reducing business vacancies.
- Maintain the investments that the owners have made in their properties.
- Create a suburban, country-like atmosphere vs. a harsh highway appearance.

B. Proposed Activities - 2006

In 1996, the BID obtained a permit from the Wisconsin Department of Transportation (Wis. DOT) for the landscaping project, obtained a loan from the City of Milwaukee to fund the landscaping, and contracted for installation of the landscaping. Principal activities to be engaged in by the district during 2006 will include:

- Continuing its contract with a landscape contractor for the maintenance of the landscaping.
- Monitoring the contractor's maintenance of the landscaping.
- Maintaining communication with the property owners and merchants regarding implementation of the landscaping project.
- Making payment to the city of the annual principal and interest due on its loan.
- Complying with the city's and state's reporting requirements for BIDs.

C. Proposed Expenditures

Proposed 2006 Budget
Business Improvement District No. 17

Landscaping	
-principal and interest payment to city:	\$16,537.00
-maintenance:	\$25,463.00
- landscaping repairs	<u>\$ 3,000.00</u>
Total:	<u>\$45,000.00</u>

D. Financing Method

In 2006 the district will be funded by special assessments paid by property owners. The special assessments will be used to make the annual payment due to the city, to maintain the plantings installed IN 1996(water, fertilizer, pruning, replacing dead

material, etc.), and to obtain the annual audit required by the BID statute. (See Section IV. of this plan for the description of the special assessment method. The assumptions on which the debt service is based are described in the development and maintenance agreement executed by BID and the city (contract No. 96-182(CM)) for the landscape project.)

The district board will have the authority and responsibility to prioritize expenditures and to revise the district budget as necessary to match the funds actually available. Any funds unspent at the end of the year shall be carried over and applied against future expenses. Assessments may only be made for the landscaping project as described in Section III.B of the initial operating plan and the annual audit required by statute. No other administrative expenses will be included in assessments in excess of one percent (1%) of the current year's assessments.

E. Organization of BID Board

Upon creation of the BID, Mayor John Norquist appointed members to the district Board. The current Board members are:

MS, Cheryl Watkins, Vice Chair
M&I Bank

Ms. Dorothy Schmidt - Treasurer
M&I Bank

Mr. Stan Sapiro, Secretary
Northridge Shopping Center

Ms. Mary Mokwa, BID
Continental Properties Company, Inc.

Ms. Leslie Feiler, BID Chair
Granville Professional Building

Copies of Board's by-laws are available upon request to the Board.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by

the BID. Therefore, BID assessments are based on the assessed value of the property, including land and improvements, as recorded by the Assessment Commissioner of the City of Milwaukee.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of six percent (6%) of the current year's total proposed expenditures per parcel will be applied.

Allocation of the district's annual expenses will be based on each individual property's assessed value as a percentage of district's total assessed valuation, not to exceed the maximum BID assessment. Appendix B shows the projected BID assessment for each property included in the district.

B. Excluded and Exempt Property

The BID law requires explicit consideration of certain classes of property. In compliance with the law the following statements are provided.

1. Section 66.608 (1) (f) 1m: According to city records, the district does not contain property used exclusively for manufacturing purposes, or property used in part for manufacturing. If, in the future, manufacturing property is constructed in the district, these properties will be assessed according to the method set forth in this plan, because it is assumed that they will benefit from the district.

2. Section 66.608 (5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID exempt properties in Appendix B, as revised each year. Exclusively residential property which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

3. In accordance with the interpretation of the City Attorney regarding Section 66.608 (1) (b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

V. CITY ROLE IN DISTRICT OPERATION

The City of Milwaukee has committed to helping private property owners in the district promote its development. To this end, the city played a significant role in the creation of the BID and in the implementation of the initial operating plan. In the future, the city will continue to assist the BID by:

1. Providing technical assistance as appropriate to the BID Board.

2. Monitoring and, when appropriate, applying for outside funds which could be used in support of the district.
3. Collecting the BID assessments, maintaining in a segregated account, and disbursing the monies of the district.
4. Receiving annual audits as required per sec. 66.608 (3) (c) of the BID law.
5. Providing the Board, through the Assessment Commissioner's Office or before June 1st of each Plan year, with the current assessed value for each tax key number with the district, for purposes of calculating the BID assessments.
6. Encouraging the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

Presentation of this plan to the city shall be deemed a standing order of the Board under s. 66.608 (4), Wisconsin Statutes, for the collection and disbursement of the BID assessments in accord with this plan. Assessments and disbursements to be made pursuant to this plan shall be shown in the city's budget as a line item and shall not be included under the control of any department of the city.

VI. FUTURE YEAR OPERATING PLANS

A. Annual Plans

Section 66.608 (3) (a), Wisconsin Statutes, requires the BID Board and the city to review and make changes as appropriate in the BID operating plan each year. Therefore, the information provided in this document on specific assessed values, budget amounts and assessment amounts is based on existing 2005 or anticipated 2006 conditions. The BID Board intends to update and revise the operating plan annually, in response to changing conditions in the district, consistent with the purposes and objectives defined in the initial (1996) Bid operating plan. Approval by the Common Council of such annual updates shall be conclusive evidence of compliance with earlier BID operating plans and the BID law.

In later years, the BID Board will continue to apply the assessment formula, as adjusted, to raise funds to meet the next annual budget. However, the Board shall not submit to the Common Council an annual operating plan which proposes activities beyond the landscaping of the medians on West Brown Deer Road and North 76th Street, as described in Section III.B of the initial BID operating plan, the maintenance of the landscaping installed, or the restoration of the medians to the condition required by the Wis. DOT, unless the Board first obtains the prior approval of a majority of the property owners in the district for the proposed additional activities. Approval shall be obtained through a paper ballot sent to all property owners listed in the appendix of the current year operating plan. A majority for this purpose shall be property owners representing

more than fifty percent (50%) of the BID special assessments as set forth in the current year operating plan. The method of assessment shall not be materially altered in subsequent plans, except with the consent of the City of Milwaukee.

B. Amendment, Severability and Expansion

This BID has been created under authority of Section 66.608 of the Statutes of the State of Wisconsin. Should any court find any portion of this Statute invalid or unconstitutional its decision will not invalidate or terminate the BID and this BID Plan shall be amended to conform to the law without need of re-establishment.

Should the legislature amend the Statute to narrow or broaden the process of a BID so as to exclude or include as assessable properties a certain class or classes of properties, then this BID Plan may be amended by the Common Council of the City of Milwaukee as and when it conducts its annual Operating Plan approval and without necessity to undertake any other act. This is specifically authorized under Section 66.608 (3) (b).