

***LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS***

**COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE**

**JUNE 29, 2009**

**Item 15, File #090074**

File Number 090074 is a resolution authorizing the proper City officials to draft a Public Improvement Development and Maintenance Agreement for Business Improvement District No. 36 (Riverworks II) and approving the expenditure of \$140,000 from the Business Improvement Districts Fund capital account for this project.

**Background**

1. On November 3, 2004, the Common Council adopted File No. 040878, a resolution creating Business Improvement District No. 36 (Riverworks II), located roughly along a former railroad line extending from the vicinity of W. Pierce Street/E. Auer Avenue northwesterly to E. Keefe Avenue and then westerly to N. 1<sup>st</sup> Street. This resolution also approved the first-year Operating Plan for the BID.
2. The Operating Plan for BID No. 36 calls for the BID Board to enter into an agreement with the City for the financing, acceptance and maintenance of a mutually acceptable streetscape improvement project for the Riverworks II area.
3. The Business Improvement Districts Fund is a DCD-administered capital account that has been used to provide loans to BIDs for streetscaping and other infrastructure projects. The 2008 Budget provided \$500,000 for this account. Because there were sufficient carry-over funds from prior budget years to meet anticipated needs in 2009, no additional funding for this account was included in the 2009 Budget.
4. City departments (DCD and DPW) and the BID Board have prepared a term sheet for a proposed Riverworks II Public Improvement Development and Maintenance Agreement. The term sheet indicates that the proposed improvements will include the installation of new streetlights, decorative, colored crosswalk pavement, trash receptacles, gateway improvements and extensive landscaping. It also calls for the City to provide the BID with \$140,000 for this project from the Business Improvement Districts Fund; another \$140,000 will be provided by Community Development Grants Administration.

**Discussion**

1. This resolution directs the proper City officials to draft a Public Improvement Development and Maintenance Agreement for the Riverworks II streetscaping project consistent with the term sheet for the project.
2. A draft of the Agreement is contained in the file of this resolution. It indicates that the City will be responsible for constructing the improvements (Department of Public

Works), obtaining necessary permits and approvals and assisting the BID Board in financing the project. Financing will consist of a \$140,000 loan from the Business Improvement Districts Fund (to be repaid through special assessments levied on real property within the BID) and a \$140,000 grant from the Community Development Block Grant Agency Recovery Fund.

3. Under the proposed Agreement, the BID Board shall be responsible for repaying the loan, including interest and finance charges, through special property assessments, and for funding the maintenance and repair of the streetscaping improvements.
4. The draft Agreement calls for the following improvements to be installed along Holton Street between Concordia and Keefe avenues:
  - New Milwaukee-style and harp-style lights (8 each)
  - Colored crosswalks
  - Decorative, stamped pavement
  - Curb bump-outs
  - Trees and planters along the Beer Line Recreational Trail
  - Gateway signage
  - A mural at Holton and Townsend
  - Street furniture (benches, trash receptacles and hanging planters)
5. This resolution also directs the City Comptroller to transfer \$140,000 from the Business Improvement Districts Fund account to a project account for the Riverworks II streetscaping project.

**Fiscal Impact**

1. The current unencumbered balance in the Business Improvement Districts Fund is \$1,240,639.
2. This resolution authorizes a fund transfer and expenditures totaling \$140,000, which will reduce the balance in the Fund to \$1,100,639.

Prepared by: Jeff Osterman, x2262  
LRB-Research & Analysis Section  
June 25, 2009

cc: Rocky Marcoux  
Martha Brown  
Joe' Mar Hooper  
Rhonda Manuel  
Marianne Walsh