Historic King Drive
Business Improvement District
(BID #8)

2016 Operating Plan

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2016 Operating Plan

I. Introduction

In 1984, the Wisconsin Legislature created Sec. 66.1109 (formerly Sec. 66.608) of the Wisconsin Statutes ("BID Law") enabling cities to establish Business Improvement Districts (BIDs) upon the petition of at least one-property owner within the proposed district. The purpose of the law is "... *to allow businesses within those districts to develop, to manage and promote the districts and to establish an assessment method to fund these activities.*" (1983 Wisconsin Act 184, Section 1, legislative declaration)

On September 17, 1992, the Common Council of the City of Milwaukee by Resolution File Number 920644, created Business Improvement District Number 8 ("Historic King Drive BID", "BID", or "District") and adopted its initial operating plan.

The BID Law requires that a BID Board of Directors *"...shall annually consider and make changes to the operating plan. The Board shall then submit the operating plan to the local legislative body for its approval."* The Board of Directors of Historic King Drive BID submits this 2016 Operating Plan in fulfillment of the statutory requirement ("Operating Plan").

This Operating Plan proposes a continuation of activities described in the initial (July 1992) Historic King Drive BID Operating Plan ("Year 1 Operating Plan"). Therefore, it incorporates by reference the Year 1 Operating Plan as adopted by the Common Council of the City of Milwaukee. In the interest of brevity, this Operating Plan details the elements that are required by the BID Law and any proposed changes for 2016. It does not repeat the background information that is contained in the Year 1 Operating Plan nor does it include the Business Improvement District statute, original petitions or the City of Milwaukee Attorney's Statement.

II. District Boundaries

A boundary map of the Historic King Drive BID is archived at the City of Milwaukee's Department of City Development and may be accessed via the internet at: http://city.milwaukee.gov/ImageLibrary/Groups/cityDCD/business/bidmaps/Bid8.pdf

III. Proposed Operating Plan

A. BID Objective and Plan Overview

The objective of the Historic King Drive Business Improvement District is to develop, redevelop, maintain, operate in and promote the area of Historic King Drive that is within the BID Boundary. This operating plan provides an overview of the activities the BID will pursue in 2016 toward the fulfillment of this objective. Specific goals and activities may be targeted by the BID as needs and opportunities arise throughout the year. All activities and goals are to be consistent with the BID's bylaws, mission, and rules of engagement.

B. 2016 Activities

Targeted Goals and Activities

- Advocate for city policies that strengthen business and commercial enterprises -- particularly those enumerated within the Department of City Development's Growing Prosperity policy framework
- Develop, implement, and expand a revolving loan program -- in partnership with other non-profit and for-profit community partners -- for businesses located within BID boundaries
- Find, develop, and otherwise support opportunities for catalytic real estate projects
- Market positive stories/events
- Continue to engage business and property owners directly to increase communication and build district-wide cohesion.
- Review annual assessment method and modify based on constituent input and BID goals and priorities

General Activities

General activities to be engaged in by the District during 2016 are to include but are not limited to operating a District office to promote new development and the increase value of present improvements by providing staffing, equipment, supplies and resources to:

- Work with city officials, local stakeholders, and the development community to bring needed amenities and development opportunities to the district with a particular focus on key intersections and blocks within the district boundaries

- Respond to questions about available space for lease or purchase;
- Coordinate business recruitment and business development;
- Provide informational materials regarding business and property opportunities;
- Encourage increased police protection and safety programs;
- Maintain maintenance program;
- Promote the unique historical significance and commercial mix of the District;
- Plan and coordinate special events

- ➢ Actively review proposed new uses and renewals, and encourage uses that benefit the District and discourage uses that detract from the District;
- ➢ Market the district;

The BID's activities may also include:

- ➢ Borrowing funds to pay for streetscape improvements and developing such improvements
- ➢ Borrowing funds to acquire, develop and own real property to be used for the benefit of the District

C. Proposed 2016 Expenditures

REVENUES		
BID Assessment	$175,000	
Graffiti Removal	$500.00	
Loan Fund Interest	$500.00	
TOTAL REVENUES	$176,000	
EXPENSES		
Management		
Dues, Subscriptions & Library	$250	
Insurance (Gen. Liability, D&O, Volunteer)	$5,000	
Office Supplies	$3,000	
Postage	$450	
Personal Property Taxes	$950	
Audit	$5,500	
Bookkeeping & Accounting	$12,000	
Staff	$130,000	
Rent	$10,800	
Telephone & Internet	$1400	
Utilities	$0	
TOTAL MANAGEMENT EXPENSES		$169,350
Business Owner / Home Owner Rebate	$5000	
TOTAL EXPENSES		$174,350
SURPLUS		$ 1650

D. Financing Method

The proposed expenditures will be financed from funds collected from the BID Assessments (as defined by Section IV.A), voluntary private contributions and public grants. The estimated assessed value of BID-eligible properties within the District is $175,000. One-hundred percent (100%) of the BID budget will be raised through BID Assessments in 2016.

The BID Board of Directors shall have the authority and responsibility to prioritize expenditures, and to revise the budget and activities as necessary.

E. Organization of BID Board

The District's Board of Directors shall be selected pursuant to the District's Bylaws. The Board's primary responsibility will be implementation of this Operating Plan. The Board may engage a third party to assist in the execution of these duties.

Pending Final Approval by the City Council of outstanding nominations and renewals, the current Historic King Drive BID Board of Directors is comprised as follows:

- Fletcher Crawford
- Bob Ferriday
- Dave Rotter
- Dan Zens
- Pamila Brown
- Sam Denny
- Larry Roffers
- Ashley Booth.
- LaMarr Franklin
- Michael Coakley
- Susan Kissinger
- J Allen Stokes

The Board of the Directors **shall be composed of no more than** fifteen members of whom **all but three shall be owners/owner-designated representatives of a BID assessed property or a commercial tenant of a BID assessed property.** The remaining **three (3)** board positions shall be representatives of community organizations which function within the environs of the District. Board members cannot be an elected municipal or governmental official unless the elected official **meets the criteria stated earlier in this section.**

F. Relationship to other Entities

The BID shall be a separate entity from any other entity ("Unaffiliated Entity"), notwithstanding the fact that members, officers, employees and directors may be shared. Such

Unaffiliated Entities shall remain private organizations, not subject to the open meeting law, and not subject to the public record law. Such Unaffiliated Entities may contract with the BID to provide services to the BID in accordance with this Plan.

IV. Method of Assessment & Rate

A. Assessment Rate and Method

The principle behind the assessment methodology is that each parcel's owner should pay for District development in proportion to the benefits derived. Obviously, not every parcel within the District will benefit equally, but it is assumed that development of the District will produce at least some minimum benefit for all parcels. Thus, a $125 minimum assessment has been applied to taxable properties. Additionally, a cap of $1,500 or maximum assessment per parcel is applied.

The use of a minimum and maximum value is designed to reflect the expected benefits to the area by the BID. Since most of the proposed BID activities are district-wide and not property specific, the proposed minimum assessment is designed to spread a level of cost to all properties within the District. Above this minimum level, it is believed that there will be some additional benefits received based upon the value of the property. However, these benefits are not necessarily directly proportional to value. Therefore, a cap of $1,500 is proposed since no one large property stands to gain significantly more benefits than other properties.

BID-eligible properties are assessed in the following manner:

- An unimproved tax parcel is assessed at a rate of $4 per $1,000 of assessed value up to a maximum BID Assessment of $1,500. No minimum assessment is applied to unimproved parcels.
- There is a $125 minimum assessment on all BID-eligible improved tax parcels valued at $10,000 or less.
- For improved tax parcels valued over $10,000, the assessment is $125 plus $4/1,000 assessed value for the amount over $10,000, up to a maximum of $1,500.

The assessment assigned to each parcel based on this formula is herein referred to as "BID Assessment."

Any BID Assessments related to a previous year or years may not be contested. Additionally, the BID reserves the right to recapture any missed[1] assessments for a maximum of two (2) years prior to the current assessment year. The BID may allow property owners up to two (2) years to repay any missed assessments.

[1] Assessable properties might be erroneously recorded or excluded from the BID property list by the city assessor's office, the Dept. of City Development, or the BID. While these entities strive to maintain accurate lists, errors are possible. The BID will work with the city and property owners to ensure the highest level of accuracy possible.

The assessed value used for the BID Assessment is maintained by the BID in coordination with the Milwaukee Department of City Development and the City Assessor's office and is available upon request. Any BID Assessment related to this Operating Plan may only be contested prior to approval and adoption of this Operating Plan by the City Council.

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. The BID will assess properties to the maximum extent allowed by law, this includes without limitation, properties used in part or in whole for manufacturing, properties that are vacant, and all other properties that are used for any commercial gain and are eligible for assessment per city and state law. By way of example, and not limiting the foregoing, a property which is used exclusively by its owner and immediate family for their principle residence shall not be assessed. A property will be assessed, however, when any portion of the premises is either (a) leased or possession is otherwise given to a third party, or (b) is used for any other commercial purpose. If any other provision of this Operating Plan shall be in conflict with this paragraph, this paragraph shall prevail.

2. State Statute 66.1109(1) (f) lm: The district will contain property used exclusively for manufacturing purposes, as well as properties used in part for manufacturing. These properties will be assessed according to the method set forth in this Operating Plan because it is assumed that they will benefit from development in the District.

3. In accordance with the interpretation of the City Attorney regarding State Statute 66.1109(1) (b), property exempt from general real estate taxes has been excluded from the District, during the time of the exemption.

C. Business Owner / Home Owner Rebate

As stated above, "property known to be exclusively residential" is excluded from the BID Assessment. The BID Boundaries include several businesses where the property owner is also the business owner, and also lives at the same property. If no adjustment is made, the property owner pays a BID assessment on his or her entire property, even the portion where he or she lives. In order not to place an undue burden on such Business Owners / Home Owners, the BID has set aside $5,000 to offer as rebates to such owners. Applications for such rebate must be made by the Business Owner / Home Owner prior to July 1, 2016. The rebate shall be determined as follows. The applicant shall submit:

(1) Evidence of the "Total Square Footage of Subject Building," including any basement, but not including any roof area, nor the area of a residential garage. Sufficient evidence may include building plans or information from the City Assessor;
(2) Evidence of the square footage used exclusively by the applicant and the applicants immediate family for residential purposes, not including any roof area, nor the area of

a residential garage ("Residential Square Footage Occupied by Applicant"). Sufficient evidence may include pictures of the residential area and business area that correspond to the documentation submitted as part of (1) above; and

(3) Evidence that the property is the applicant's sole and primary residence. Sufficient evidence may include a Driver's License that includes the subject property's address.

The BID's Board of Directors or board designated BID staff shall make a determination of whether the evidence submitted is sufficient. Applicants that have received such approval are "Approved Applicants." The rebate given to the Approved Applicant shall be determined as follows. The "Individual Eligible Rebate" for each applicant shall be determined by the following equation: Assessment Paid by Applicant for the Subject Year * (Residential Square Footage Occupied by Applicant / Total Square Footage of Subject Building). Then, all of the applicants' Individual Eligible Rebates shall be summed together to determine the "Total Eligible Rebates". If the Total Eligible Rebates is less than $5,000, each Approved Applicant shall receive a rebate in the amount of the applicant's Individual Eligible Rebate. If the Total Eligible Rebates is greater than $5,000, then the "Percentage Rebate" shall be determined by taking $5,000 divided by Total Eligible Rebates. Then each Approved Applicant shall receive a rebate in the amount of the applicant's Individual Eligible Rebate multiplied by the Percentage Rebate.

This rebate only applies to residents that own and live at the subject property, not to business owners that lease an apartment, nor to residents living at the property that are not also the owner of the subject property. The rebate may apply to residents that own the property under the name of a limited liability company or other form of ownership as long as the applicant can show that he or she is the 100% owner of such entity. The determinative date that the BID Board will consider whether a homeowner lived at the premises is January 1 of the subject year. No property owner shall be entitled to a rebate if he or she owes any outstanding taxes or other fees to the City of Milwaukee. A property owner that is current on installment payments shall not be considered to owe outstanding taxes, however, any rebate shall be paid directly to the city to be applied towards outstanding installments. Each applicant must submit a recertification every year to be considered for a rebate. This program will be considered annually by the BID Board and may or may not be a part of future Operating Plans. In no event shall the Individual Eligible Rebate given to an Applicant in any year exceed 50% of the Assessment Paid by Applicant for the subject property in that year.

D. Assessments for Additional Services

The BID may, but shall have no obligation, to provide certain maintenance on the sidewalk area in front of a private property. This maintenance may only include (a) weed removal; (b) excessive trash removal; (c) snow/ice removal and (d) graffiti removal. Prior to performing such maintenance the BID shall either (i) send notice by certified mail to owner of record, or (ii) post notice on the property. The notice shall give the owner 48 hours to resolve the maintenance problem. If the problem is not resolved the BID may, but shall have no obligation, to resolve such problem. In such cases that the BID does perform maintenance it may add to the relevant property's assessment in the subsequent year a fee of up to $50 per hour. This increased

assessment may cause a property's assessment to exceed the maximum assessment as stated in Section IV.A above. The aggregate additional assessment that may be added to a property's regular assessment in any operating year, shall be $500.

V. Relationship to Milwaukee Comprehensive Plan and Orderly Development of the City.

A. City Plans

In February 1978, the Common Council of the City of Milwaukee adopted a Preservation Policy as the policy basis for its Comprehensive Plan and as a guide for its planning, programming and budgeting decisions. The Common Council reaffirmed and expanded the Preservation Policy in Resolution File Number 881978, adopted January 24, 1989.

The Preservation Policy emphasizes maintaining Milwaukee's present housing, jobs, neighborhoods, services, and tax base rather than passively accepting loss of jobs and population, or emphasizing massive new development. In its January 1989 reaffirmation of the policy, the Common Council gave new emphasis to forging new public and private partnerships as a means to accomplish preservation.

The district is a means of formalizing and funding the public-private partnership between the City and property owners in the Historic King Drive business area and for furthering preservation and redevelopment in this portion of the City of Milwaukee. Therefore, it is fully consistent with the City's Comprehensive Plan and Preservation Policy.

B. City Role In District Operation

The City of Milwaukee has committed to helping private property owners in the District to promote its development. To this end, the City of Milwaukee has played a significant role in the creation of the Business Improvement District, and intends to assist in the implementation of the Operating Plan. In particular, the City of Milwaukee will:

1. Provide assistance as appropriate to the BID Board of Directors;
2. Monitor and, when appropriate, apply for outside funding which could be used in support of the District;
3. Collect BID assessments and maintain them in a segregated account; Disburse all funds of the District, no earlier than January 31, 2016 and no later than March 31, 2016. Disbursement of the full amount assessed by the District shall be made without reference to the amount of assessments collected by the City by the date of disbursement;
4. Receive annual audits as required per Wis. Stats. Sec. 66.1109(3)(c).
5. Provide the Board of Directors through the Tax Commissioner's office on or before June 30th of each plan year with the official City of Milwaukee records on the assessed value of each tax key number within the district as of January 1 of each plan year and provide an update

immediately prior to preparation of tax bills for purpose of calculating the actual BID assessments for the following plan year; and

6. Encourage the State of Wisconsin, County of Milwaukee and other units of government to support the activities of the District.

The presentation of this Operating Plan to the City of Milwaukee shall be deemed a standing order of the Board of Directors under Sec. 66.60 8 (4) Wis. Stats. to disburse the BID assessments without necessity of an additional disbursement agreement, disbursement method or accounting method. Budget authority made under this plan shall be shown in the City's budget as a line item.

VI. [Intentionally Omitted]

VII. Future Year Operating Plans

A. Phased Development

It is anticipated that the BID will continue to revise and develop the Operating Plan annually, in response to changing development needs and opportunities in the District, in accordance with the purposes and objectives defined in the Year 1 Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the BID Board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms the complete development program, it focuses upon Year Twenty-One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Twenty conditions. Greater detail about subsequent year's activities will be provided in the required annual Plan updates, and approval by the Common Council of such Plan updates shall be conclusive evidence of compliance with this Plan and the BID law.

In later years, the BID Operating Plan will continue to apply the assessment formula, as adjusted, to raise funds to meet the next annual budget. However, the method of assessing shall not be materially altered, except with the consent of the City of Milwaukee.

B. Amendment, Severability and Expansion

This BID has been created under authority of Section 66.1109 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 reestablishment.

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 66.1109(3)(b).

VIII. Contracting with BID #8

Any contracting with the BID shall be exempt from the requirements of Sec 62.15, Wis. Stats. because such contracts shall not be for the construction of improvements or provision of materials. If the BID does contract for the construction of improvements or provisions of material, it shall follow the requirements of such statutes to the extent applicable. Further, the annual accounting required under Sec 66.608 (3) (c) Wis. Stats., shall be deemed to fulfill the requirements of Sec 62.15 (14) Wis. Stats. The BID Board of Directors and the City of Milwaukee shall comply with the provisions of Sec. 66.60 before the City inserts assessments for this BID plan onto the tax bills for the parcels assessed thereunder, only to the extent required by law, to create a lien on the parcels assessed.

BID #8 (Historic King Drive) Board Member Sheet

Board Organization: no more than 15 members; @ least 12 shall be owners/owner designated representatives or a commercial tenant of a BID assessed property. 3 members shall be representatives of community organizations.

Note: no Board Member length of "term" identified in operating plan.

Board Member	Title	Start Date	End Date
Ashley Booth	Member	12/20/2013	12/20/2016
Daniel Zens	Member	9/22/2015	9/22/2018
David Rotter	Member	2/19/2014	2/19/2017
Fletcher Crawford	Member	3/6/2014	3/6/2017
LaMar Franklin	Member	2/18/2014	2/18/2017
Larry Roffers	Member	9/22/2015	9/22/2018
Michael Coakley	Member	4/20/2009	4/20/2012 (expired terms)
Pamela Roberts (Brown)	Member	2/19/2014	2/19/2017
Robert Ferriday III	Member	2/12/2014	2/12/2017
Samuel Denny	Member	3/6/2014	3/6/2017
Susan Kissinger	Member	*in process of reappointment	
J. Allen Stokes	Member	10/14/2014	11/6/2017
Vacancy			
Vacancy			
Vacancy			