

Downtown Business Improvement District

Board of Directors
Special Meeting
March 29, 2006

The March 29, 2006 Board of Directors special meeting was held in the in the First Floor Conference Room at Union Pacific, at 1400 Douglas, beginning at 9:31 A.M.

Minutes

A. ROLL CALL/ INTRODUCTION

Members Present

Joe Bateman
Curtis Christensen
Jeff Jorgensen
Brian Magee
Paula Steenson
Todd Heistand
Marc Nichols
Dee Dee Spetman
Christian Christensen
John Yochum

Mayor's Staff

Ayesha Graves

City of Omaha Planning Department

Bridget Hadley
Kenneth Johnson

Public

Ron Anglim
Jim Monahan
Vince Ferlon

B. APPROVAL OF AGENDA

Motion to approve the minutes from the February 23, 2006, meeting made by J. Bateman, D. Spetman second, passed.

C. OLD BUSINESS

Curtis Christensen received a comment about vertical versus horizontal property valuations and whether assessments so determined would be fair to property owners under one valuation method or the other. He talked with consultant Brad Segal and sent Mr. Segal statistical information with the request that Mr. Segal check the information to confirm whether the assessment methodology set out in the Plan is fair and equitable to downtown stakeholders.

D. NEW BUSINESS

J. Jorgensen spoke about the Business Plan phrase, “property owners, residents, business owners, and users of space,” taken from State law. He suggests that the Plan should define that phrase as “stakeholders,” and use it for consistency throughout the Plan; otherwise some people may misinterpret it.

T. Heistand feels that the majority of the stakeholders are property owners.

B. Magee sees a need for a statement saying although property owners are responsible they can obligate others. At some places in the Business Plan, the defined term, “stakeholders,” is appropriate, but there are places where “property owners” remains appropriate.

B. Magee makes motion, seconded by J. Bateman, to amend the Plan by inserting clarifying language into the Plan (under Governance on page 2; and under GOVERNANCE—DID Board of Directors on page 12), as follows: “Although property owners will be ultimately responsible for the payment of special assessments, it is recognized that in many cases tenants and other stakeholders will pay the

assessments. Accordingly, tenants and other stakeholders will have representation on the board.”

Motion is passed.

B. Magee corrected grammatical mistakes in section III.

J. Jorgensen wanted the same procedures for new board to be used in forming a sub board for sub zone.

Curtis Christensen agreed and expressed the view that BID will not go after sub zone; the people within it must want it.

Curtis Christensen stated that the purpose of the assessment formula is to be as fair and equitable as possible for all downtown property owners benefiting from the DID, notwithstanding the varying circumstances of their properties. The figures provided by the board’s consultant support that proposition. Nonetheless, and given the comment received, he will gather additional information for the purpose of testing the formula to confirm that it is fair and equitable.

J. Yochum concurred that the formula, as illustrated by the graph on page 11, was equitable.

Curtis Christensen and D. Spetman talked with GSA regarding federal government cooperation with the DID and the payment of moneys in lieu of assessments. They reported that federal policy encourages such cooperation. Furthermore, the GSA model may be useful in discussions with other entities that are exempt from the payment of ad valorem taxes or are centrally assessed.

Motion to approve Business Plan as amended, was made by Christian Christensen, seconded by B. Magee, and passed unanimously by roll call vote.

Public forums to occur before the Planning Board meeting will be scheduled, if possible, for the evening of April 18 and the morning of April 19 at the Embassy Suites, if arrangements there can be made. The Board will invite consultant Brad Segal to moderate the forums. B. Magee will contact the Embassy Suites, and Curtis Christensen will contact Brad regarding his availability. If the forums are held April

18-19, the next Board meeting will be April 20, for the purpose of discussing public comments and their effect on the Plan.

Curtis Christensen reported that the Omaha City Councilmen would get a copy of the Business Plan, as amended, before the end of the day (March 31). He also said that the Board must provide to the City Planning Department (Ken Johnson) the Business Plan, as amended today and following the public forums at least two weeks prior to the May 3 Planning Board meeting.

E. PUBLIC COMMENT

Eomaha.com has plan posted as “Downtown Tax Increase”, so Board should respond to concerns.

Ron Anglim said that he has a problem with the cap rate because it seems that it will be doing favors for large companies. Curtis Christensen responded that the goal is to be equitable as possible under the law. Ron agrees and recognizes that Des Moines applies their cap equally and questions how the board is to be formed. C. Christensen answered that the board will be elected in a manner to be specified by the laws.

Ron Anglim asked if the DID will be dissolved. Curtis Christensen answered that the DID will be dissolved automatically in five years. B. Magee added that the DID’s goal is to get funding from grants. Curtis Christensen noted that whether the five percent annual inflation increase permitted by the Plan is reflected in a given annual budget will be decided by the board, otherwise the budget will only increase if the DID receives grants.

Curtis Christensen will meet with the DOI on Thursday at 8:30 A.M. and B. Magee will meet with the OMBA next week for the purpose of providing those organizations with updated DID information and to answer questions about the Plan.

K. Johnson wants to create a stakeholders mailing list to get information out and to talk to the City Council as soon as possible.

E. Adjourn

The meeting was adjourned at 10:43 A.M. The next meeting will be held at Thursday, April 27, at 8:30 A.M. in the Jesse Lowe Conference Room at the Civic Center Building.