

**UPTOWN ALBUQUERQUE BUSINESS IMPROVEMENT DISTRICT  
MANAGEMENT PLAN**

*May 13, 2009*

**TABLE OF CONTENTS**

- I. SUMMARY**
  
- II. BID BOUNDARY SERVICE AREA**
  
- III. BID OPERATING PLAN**
  
- IV. BID BUDGETS AND ASSESSMENTS**
  
- V. BID GOVERNANCE AND PROGRAM MANAGEMENT**

## I. SUMMARY

**Name:** Uptown Albuquerque Business Improvement District

**Purpose:** The purpose of the Uptown Albuquerque Business Improvement District (BID) will be to promote and improve the economic vitality of Uptown by providing enhanced services to properties located within these boundaries. The desired results of the BID are to finance local improvements and to deliver supplemental services above and beyond those currently provided by the City of Albuquerque. This approach has been used successfully in many areas across the country to improve area image, attract new customers and increase sales, occupancies and property values.

**Boundaries:** The proposed Uptown Albuquerque Business Improvement District Boundary is approximately one square mile in size, bounded generally by Menaul on the north, I-40 on the south, Pennsylvania on the east and San Pedro on the west. A map of the proposed boundary is included in Section II.

**Programs:** Based upon Uptown property and business owner input, the BID would provide funding to support the following general services, programs and initiatives.

**Dedicated Staff:** Investment in Uptown for the creation and maintenance of a staff dedicated to Uptown. This staff will provide services such as marketing Uptown, promoting community involvement, performing as a liaison for property owners with groups throughout the City and allowing for corporate memory and a unified voice within Uptown.

**Mobility and Parking:** Investigate options to improve mobility in and around Uptown for pedestrians, bicycles and vehicles alike and encourage better management of parking resources as described in the 2008 Uptown Sector Development Plan.

- Develop and operate, in cooperation with the City of Albuquerque, a free Uptown circulator for shoppers, visitors, customers, employees and residents through a partnership with the City of Albuquerque Transit Department as provided for in the 2008 Uptown Sector Development Plan.
- Promote and assist the building of the Pedestrian Circulation System as part of the Public Connectivity Infrastructure described in the 2008 Uptown Sector Development Plan to facilitate access to all

parts of Uptown by connecting walkways to pedestrian plazas, parking structures and other areas of interest created to excite people who are walking in Uptown.

- Promote the environmental goal of the “Park Once” behavior listed in the 2008 Uptown Sector Development Plan through agreements to manage public parking structures in and throughout Uptown for the City of Albuquerque.
- Lead a transportation management program by establishing rewards such as dedicated parking spaces and other incentives for the use of alternative fuel vehicles and for the people who participate in rideshare programs as proscribed by the 2008 Uptown Sector Development Plan.

**Economic Development and Promotion:** Develop programs to enhance the image and marketability of Uptown.

- Develop coordinated Uptown marketing including directories, newsletters and special promotions in support and with cooperation of property owners.
- Encourage efforts designed to attract local consumers as well as provide support to various membership based organizations who promote business growth, cultural awareness and tourism to our City and State.
- Advance a unified voice for Uptown to State and Local governmental agencies effecting positive change and policies for the Uptown area.
- Plan pedestrian scale activities such as street fairs, art shows, sidewalk sales, farmers markets or other events designed for people to enjoy on foot as proscribed by the 2008 Uptown Sector Development Plan.

**Area Distinctiveness:** Develop and provide a sense of place by enhancing and beautifying the overall environment.

- Improve the overall appearance of Uptown Albuquerque via design, street furniture, lighting, amenities and public art to beautify the street.
- Invest in seasonal design elements that create a welcoming environment year-round in Uptown.
- Create a district identity via an Uptown logo that creates a sense of place and provide a visual presence that ties all of Uptown together yet does not interfere with other commercial identities, as encouraged by the 2008 Uptown Sector Development Plan.
- Design and implement an Uptown wayfinding system in order to create an emergent Uptown, easily recognizable with its own unique character and sense of place.

**Budget:** Total district budget for its first year of operation is projected to be **\$177,000.00**. The budget breakdown in Section IV of this Management Plan highlights budgeted expenditures.

**Cost:** The BID will be financed by a property tax levied on commercial property. The BID mil levy for year one and year two is limited to **\$1.00 per \$1,000 of the net taxable value**. Tax-exempt and residential properties will not be assessed per state law, however, voluntary contributions from these property owners will be sought. After year two of the BID, adjustments of the BID mil levy may be made by the UPT/BID Management Committee in an amount not to exceed a total of three (3) mils without a majority vote of the BID district property owners (by assessed valuation).

**Governance:** The Uptown Progress Team, Inc., a non profit corporation and a recognized neighborhood association has created through its by-laws the UPT/BID Management Committee consisting of a defined group of Uptown stakeholders to function as the Management Committee with all the rights and responsibilities set forth in the BID statute. Such duties shall include but are not limited to managing and overseeing the BID budget, assessments, reporting, administering improvements, and BID program implementation. The UPT/BID Management Committee will contract with the Uptown Progress Team, Inc. for administrative services.

**Term:** Improvement district services will be budgeted for and provided on a calendar year basis, commencing upon the adoption of the BID Ordinance by City Council, and continuing each year thereafter until termination of the BID district.

**District Formation:** The formation of a BID per New Mexico statute involves the following steps:

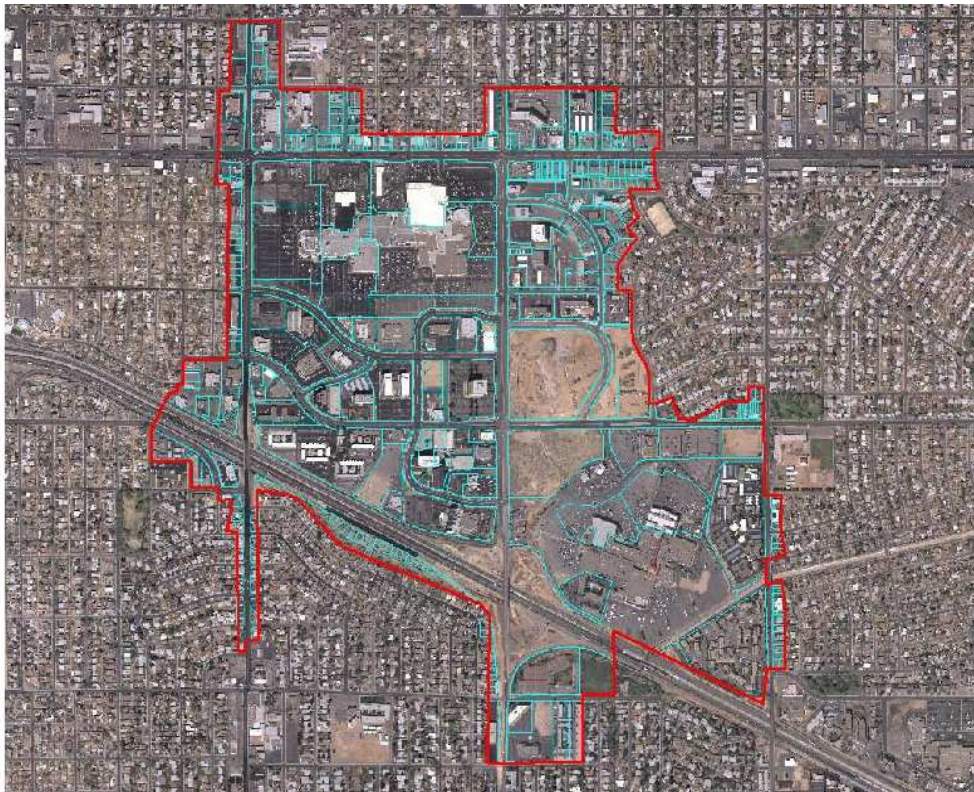
- (1) The submission to the City Council a petition supported by five or more real property owners comprising at least fifty-one percent 51% of the total real property owners in the proposed BID district;
- (2) The appointment of a planning group by the City Council;
- (3) The preparation of the BID Management plan by the planning group;
- (4) A public hearing on the proposed BID plan;
- (5) After hearing, the planning group recommending BID approval to the City Council; and,

(6) Creation of the BID by adoption of the BID ordinance and appointment of the BID Management Committee by the City Council.

**Annexation:** Following its creation, properties adjacent to the proposed Uptown BID may request annexation into the BID as described in Section II below.

## II. BID BOUNDRY SERVICE AREA

**BID Boundaries:** The area identified below has been designated for the creation of the proposed Uptown Albuquerque BID. The boundary, which is illustrated by the attached map, is bounded roughly by the following streets: *Menaul on the north, I-40 on the south, Pennsylvania on the east and San Pedro on the west*



### **Annexation**

**Policy:** Following the creation of the proposed Uptown Albuquerque BID, owners of property adjacent to the BID may request annexation into the BID. To annex additional real property into the district, a petition signed by 51% of the total real property owners in the proposed area requesting annexation must be submitted to the UPT/BID Management Committee. The UPT/BID Management Committee will evaluate the feasibility for expanding BID

services, including a determination of: 1) whether the proposed area is contiguous to the existing district boundaries; 2) the impact upon the benefit fee assessment base; 3) the practicality of extending district services to the proposed annexation area. Based upon its evaluation, the UPT/BID Management Committee may recommend to the City Council that the proposed area be annexed to the BID.

### III. BID OPERATING PLAN

The following are recommendations for Albuquerque's Uptown Business Improvement District, based upon responses and input generated from Uptown property and business owners. This information is intended to be a guideline for investment of BID funds in the first five years of the program. Specific year-to-year programs will be established by the UPT/BID Management Committee during yearly budgeting, within the general categories authorized by state law and this Management Plan.

**Dedicated Staff:** Investment in Uptown for the creation and maintenance of a staff dedicated to Uptown. This staff will provide services such as marketing Uptown, promoting community involvement, performing as a liaison for property owners with groups throughout the City and allowing for corporate memory and a unified voice within Uptown.

**Mobility and Parking:** Investigate options to improve mobility in and around Uptown for pedestrians, bicycles and vehicles alike and encourage better management of parking resources as described in the 2008 Uptown Sector Development Plan.

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- Promote and assist the building of the Pedestrian Circulation System as part of the Public Connectivity Infrastructure described in the 2008 Uptown Sector Development Plan to facilitate access to all parts of Uptown by connecting walkways to pedestrian plazas, parking structures and other areas of interest created to excite people who are walking in Uptown.
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**Economic Development and Promotion:** Develop programs to enhance the image and marketability of Uptown.

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- Design and implement an Uptown wayfinding system in order to create an emergent Uptown, easily recognizable with its own unique character and sense of place.

**CAPITAL  
PROGRAM**

**MANAGEMENT:** It is proposed that administrative support be provided the UPT/BID Management Committee by the UPT, including office and support services such as bookkeeping, office equipment and professional development and training for the staff and the UPT/BID Management Committee.

**RESERVE:** A program reserve of 3% is proposed for the budget, to account for delinquencies and contingencies for supplemental services.

The operation of the BID shall not discriminate against any person, or group on the basis of race, creed, religion, color, gender, sexual preference or national origin.

**IV. BID BUDGETS AND ASSESSMENTS**

**A. Budgets**

The Uptown Albuquerque BID is projected to raise assessments for Uptown improvements and activities amounting to approximately \$177,000.00 for its first program year, beginning March 1, 2010. Services will be budgeted and provided by the district on a January 1 fiscal year basis. The initial year proposed budget will be allocated as follows:

Income Sources	Annual Amount	Percent
Benefit Assessments	\$ 177,000.00	100.00%
Membership Dues		
Contributions		
Grants		
Interest		
Other Income		
<b>Total Income</b>	<b>\$ 177,000.00</b>	<b>100.00%</b>

Operating Expenses	Annual Amount	Percent of Operating Costs	Percent of Total Budget
Executive Director	\$ 50,000.00	58.55%	28.24%
Administrative Support	\$ -	0.00%	0.00%
Benefits @25%	\$ -	0.00%	0.00%
Rent 700sf @ \$17 psf	\$ -	0.00%	0.00%
Office Supplies	\$ 5,000.00	5.85%	2.82%
Telephones	\$ -	0.00%	0.00%
Internet	\$ -	0.00%	0.00%
IT Support	\$ 3,600.00	4.22%	2.03%
Copier Lease	\$ -	0.00%	0.00%
Accounting/Tax Compliance	\$ 12,000.00	14.05%	6.78%
Annual Audit	\$ 10,000.00	11.71%	5.65%
Insurance	\$ 3,600.00	4.22%	2.03%
Travel & Entertainment	\$ 1,200.00	1.41%	0.67%
<b>Total Operating Expenses</b>	<b>\$ 85,400.00</b>	<b>100.00%</b>	<b>48.25%</b>

Service Expenses

Annual Amount

Partner with the City of Albuquerque and developers in building the Pedestrian Circulation System (PCS). The PCS facilitates access to all parts of Uptown by connecting walkways to pedestrian plazas, parking structures and other areas of interest created to excite people who are walking in Uptown.

Partner with the City of Albuquerque and developers in building the Bicycle Circulation System (BCS). The BCS will enhance and connect bicycle lanes, routes and trails in order to increase bicycle travel and make it safer and more enjoyable.

Partner with the City of Albuquerque and developers in creating a Wayfinding System. This is a system of directional signage, informational kiosks and other tools to guide drivers, pedestrians and bicyclists through Uptown. The use of creative, consistent wayfinding tools will give Uptown an unique, enhanced and memorable identity by creating a strong sense of place.

Promote Uptown through marketing efforts designed to attract local consumers as well as provide support to member organizations in their efforts to attract tourism dollars

to our City and State.

\$91,600.00

Total Expenses

\$177,000.00

Budget Notes:

- This budget includes only BID assessments. These funds may be leveraged with additional resources mobilized by the UPT BID Management Committee, including tax increment financing (TIF), grants, contracts, event sponsorships, memberships and earned income.
- Direct staff costs are allocated to Program Management under salaries. The executive director may split time among multiple functions but will be paid a salary based upon budget allocation for services rendered.
- 2 staff positions are envisioned to be supported directly by BID funds, including an executive director/ marketing director and part-time administrative assistant.
- In subsequent years, the budget may be re-allocated within these service categories as directed by the UPT/BID Management Committee. Any reallocation of budget resources from one area of service to another of more than 20% from the prior year budget will require a vote by property owners attending the annual meeting. The proposed reallocation must be approved by a majority of property owners in attendance at the annual meeting that also represents a majority of assessed value represented at the meeting.

## B. Assessment Methodology

The proposed assessment methodology is based upon the following parameters:

- **Benefits Received:** The benefits received shall be considered to be equal or exceed the cost of the proposed assessment.
- **Cost Allocation of Services:** Services are presumed to provide uniform benefit to all ratepayers unless otherwise expressly provided.
- **Affirmation of Assessed Value:** The mechanism for allocating the costs of BID improvements and services will be based on the assessed value of the District properties.

Based upon the preceding considerations, the costs of supplemental services will be allocated to the entire Uptown BID district. Utilizing the budget from this plan, and assessed value data from 2009 Net Taxable Valuations, the resulting calculation for program year 2010—2011 provides the following estimated assessment rates:

**\$177,000.00 BUDGET/\$177M NET TAXABLE VALUE =  
\$1.00 per \$1,000 of Assessed Property Value**

### Assessment Notes:

- **Annual Budget Adjustments:** In the first two years of the BID, the assessment shall be limited to one (1) mil annually. Following year two of the BID, annual BID budgets may be adjusted by the UPT/BID Management Committee, but not to exceed 3 mils without a majority vote of the BID district property owners (by assessed valuation).
- **Adjustment for Contribution from Tax-Exempts:** Under the New Mexico state BID law, BID assessments do not apply to "governmentally owned real property, residential real property, or real property owned by a nonprofit corporation". Despite such exempt status, the UPT/BID Management Committee may solicit voluntary contributions from government, residential and non-profit property owners, and determine how to allocate any such contributions, including adding revenue to the BID service budget, decreasing the overall rate of assessment, or both. The district may also elect not to extend BID services from exempt properties that do not contribute to the BID.
- **Mil Levy Automatic Adjustment:** In addition to the adjustment mechanisms and limitations described above, the BID will provide a mil levy ceiling in anticipation of expected increases in assessed valuation of properties within the BID district, as follows. Unless expressly approved by the vote of five (5) of the seven (7) members of the UPT BID Management Committee, at least two (2) of whom must be representatives of Winrock, ABQ Uptown or Coronado Centers, the mil levy for the BID for a given year will not exceed a rate which will yield a total annual BID improvement benefit fee equal to one hundred and three percent (103%) of the BID improvement benefit fee for the immediately preceding program year.

## V. BID GOVERNANCE AND PROGRAM MANAGEMENT

The BID is intended to provide the foundation for enduring and unified private sector improvements in Uptown Albuquerque. The BID governance and program management structure is intended to meet the following objectives:

- Reduce duplication and fragmentation among the public and private sector to promote and improve Uptown.
- Leverage limited resources and create cost-efficiencies for existing and new services and programs.
- Strengthen Uptown's influence for advocating common issues and interests.

The UPT/BID Management Committee (under the Uptown Progress Team, an existing 501(c)(4) non-profit business organization, and operating within the improvement district area) will be appointed as the Management Committee to administer and implement BID programs, and to make the required reports and recommendations to the City Council.

To maximize accountability to ratepayers, the UPT/BID Management Committee will be charged with developing annual budgets, making assessment rate recommendations, and monitoring the delivery of day-to-day services.

UPT/BID Management Committee will represent the diversity of the Uptown district and be seven (7) members, comprised of representatives of each of the following entities or market groups, each of which shall have one vote: (1) Small Retail (all retail except (5), (6) and (7) below), (2) Large Office (over 50,000 square feet of rentable area), (3) Small Office (under 50,000 square feet of rentable area), (4) Hospitality, (5) ABQ Uptown Ownership, (6) Coronado Center Ownership, and (7) Winrock Center Ownership. The UPT/BID Management Committee may designate one or more non-voting members to participate in the meetings of the Committee.

**Nominations and Terms:** The Board of Directors of the Uptown Progress Team shall designate the members of the UPT/BID Management Committee for categories (1) through (4) described in the immediately preceding paragraph. The Board of Directors of the Uptown Progress Team will create a nominating sub-committee consisting of at least one representative from each geographic area, to nominate members of the UPT BID Management Committee for categories (1) through (4). Terms for categories (1) through (4) of the UPT/BID Management Committee shall be 3 years, with a maximum of two consecutive terms. The nominating subcommittee will seek nominations from throughout the BID district, including an annual solicitation of interest to all ratepayers. Based upon the selection criteria outlined in this plan, the nominating sub-committee will develop a recommended slate for categories (1) through (4) of the UPT/BID Management Committee and submit it to the Board of Directors of the Uptown Progress Team for consideration.

**Quorum; Votes Required for Decision:** A quorum of the UPT/BID Management

Committee shall be five (5) members. The affirmative vote of five (5) members shall be required for any decision of the UPT/BID Management Committee.

**BID District Renewal:** The District shall exist continuously, subject to City Council review every 5 years as provided by law; provided, however, that 1) the City Council shall have the power to terminate the BID's existence, at any time, upon receipt of a petition for termination, signed by not less than two-thirds of the property owners who represent not less than two-thirds of the assessed district property value of the district; 2) the year ten City Council review shall require, as a condition to the existence of the BID district, the submission to the City Council of a petition for reaffirmation and continuance signed by at least 51% of the real property owners comprising at least 51% of the total real property owners in the proposed district as defined by state statute.