

INTRODUCED BY: Mrs. Jessica Horan-Kunco

COUNCIL FILE NO. 15-659 OFFICIAL ORDINANCE NO. 29-2009**AN ORDINANCE**

Renewing an Erie Downtown Improvement District (EDID) for the area shown on Exhibit "A" at the request of the Erie Downtown Partnership: An Improvement District Association a coalition of property owners, business leaders, retailers, and local government and institutional representatives as provided by applicable law.

WHEREAS, pursuant to the act of December 20, 2000, P.L. 949, No. 130, as may be amended or supplanted, known as the "Neighborhood Improvement District Act of 2000 (hereinafter referred to as the "Act") municipalities are authorized to establish areas designated as downtown improvement districts within downtown commercial districts; and

WHEREAS, under the Act, municipalities are authorized to create downtown improvement districts to acquire property for improvements and provide administrative services which improve the ability of the commercial establishments of the District to serve the consumer. Including, but not limited to, assisting with the implementation of the Downtown Master Plan, building partnerships within the District, grant application and administration, business retention and recruitment, event planning, public relations, and basic district maintenance; and

WHEREAS, The City Council of the City of Erie, Erie County, Pennsylvania (hereinafter referred to as "City Council") is empowered by the Act to authorize an assessment within downtown commercial district to fund the total cost of approved services and improvements; and

WHEREAS, the Erie Downtown Improvement District: An Improvement District Association was established by the City Council pursuant to City of Erie Ordinance Number 42-2004 of June 19, 2004 and to the Act; and

WHEREAS, Erie Downtown Improvement District: An Improvement District Association was renamed the Erie Downtown Partnership: An Improvement District Association (hereinafter referred to as the "Partnership"), pursuant to properly amended By-Laws effective on February 20, 2008; and

WHEREAS, City of Erie Ordinance Number 42-2004 of June 19, 2004 included a five (5) year sunset clause, causing the City of Erie Ordinance Number 42-2004 of June 19, 2004 to expire on July 1, 2009 and

WHEREAS, at the request of Erie Downtown Partnership: An Improvement District Association, City Council has been presented with a proposal for the renewal of an Erie Downtown Improvement District (hereinafter referred to as "EDID" or the "Partnership") on the terms set forth herein.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF ERIE, PENNSYLVANIA AS FOLLOWS:

Section 1. EDID Reauthorization. As authorized by an Act of December 20, 2000, P.L. 949, No. 130, as amended, known as the "Neighborhood Improvement District Act of 2000 (the "Act"), the EDID is hereby established. The boundaries of the EDID are as shown on the map attached as Exhibit "A".

Except as provided herein, owners of real property within the EDID shall be subject to the special assessment authorized by the Act.

Section 2. Services and Improvements. Special Assessment Revenues shall be used solely for administrative services and improvements permitted by the Act and not for essential governmental services provided by the City of Erie. The baseline duties and responsibilities of the City of Erie are attached as Exhibit B. The City of Erie will maintain the same level of municipal programs and services within the EDID as before the initial EDID designation.

Section 3. Levy of Special Assessment. City Council hereby approves the levy by the EDID of a special property assessment to pay for improvements and to provide for programs and services. The special property assessment fee shall be computed as follows:

A. Amount and Method of Assessment. All special property assessment fees shall be based upon the estimated cost of the programs, improvements or services to be provided in the EDID as stated in the final plan. In no event shall the aggregate amount of all fees levied by the EDID during the year exceed the estimated cost of proposed programs, improvements and services for the year. The estimated cost of the programs, improvements or services for the EDID for the fiscal year 2009, said fiscal year starting on January 1, 2009 would be \$589,291. The Partnership has determined that a special property assessment fee equal to one quarter of one percent of the assessed value of land and buildings of all benefited properties with a cap of \$3,000 per benefited property is a method of assessment that equitably apportions costs among benefiting properties. For purposes of this Ordinance, "benefited properties", shall mean all properties containing an individual Tax Identification Number, located in the geographic area contained in the EDID but shall specifically exclude properties used for and assessed by the Erie County Assessment Office as a single family residential dwelling, a cemetery, a church or as a Tax Exempt Property.

B. Payment of Assessment. The assessment shall be payable each year as of January 1, 2009 until the termination of the District. In 2009 and following years, the total annual assessment shall be paid either in a single payment made by the first day of January, or in two equal payments, the first being made by the first day of January and the second made by the first day of July each year.

C. Collection of Assessment. The assessment shall be collected by the Partnership. The Partnership shall mail initial and delinquent notices to owners of the benefited properties in a manner consistent with the Erie Department of Finance preparation of tax notifications. The Partnership shall establish a separate account, the EDID Assessment Fund, for deposit of all assessment collections.

D. Claims on the Assessments. The City shall file claims on behalf of the Partnership and shall file claims to secure assessments in a manner consistent with the manner that City claims are filed and collected. All assessments shall constitute City liens and encumbrances of the City upon benefited property at the beginning of the year in the amount payable in such year only in an amount equal to the sum of; (1) the annual or installment payments becoming payable in such year, and (2) the total of all payments, which became due during prior years and which remain due and unpaid at the beginning of the current year, the proceeds from such liens shall be payable to the Partnership. It is expressly intended by the reauthorization of the EDID that any and all payments which became due during prior years and which remain due and unpaid as of January 1, 2009 remain due to the Partnership and that the reauthorization of the EDID does not in anyway eliminate prior uncollected assessments.

Section 4. Administration of the District Board of Directors. This Ordinance designates that the Partnership shall administer the programs, improvements and services within the EDID. The Board of Directors of the Partnership shall be composed of owners, their executives and agents, of properties and businesses within the EDID. The Partnership Board shall consist of members necessary to perform the functions of the Association. The Board shall include, at a minimum, 15 members as designated by the bylaws of the Partnership. A complete list of the 2009 Board of Directors is attached as Exhibit "C".

Section 5. Powers. The EDID shall have the powers enumerated in the Neighborhood Improvement District Act as set forth in 72 P.S. 837, as may be amended and supplanted.

Section 6. Indemnity. Should any claim arise alleging that the Partnership is acting or has acted as an agent of the City, the Partnership agrees to indemnify, defend and hold the City harmless from all claims, judgments and costs arising out of actions taken by the Partnership in furtherance of the services and improvements described herein.

Section 7. Oversight. The EDID will submit to City Council annually a report, which includes financial and program information and a summary of audit findings.

Section 8. Sunset Provision. The EDID shall terminate on the earlier of ten years from the start date of this Ordinance, July 1, 2009 hereof, or upon a dissolution proposed by the majority of voting members of the Partnership Board, or as permitted by the "Act".

Section 9. Repealer. That all Ordinances and parts thereof conflicting herewith be and the same are hereby repealed, except to the extent of any and all Ordinances requiring the payment of assessments due to the Partnership.

Section 10. Severability. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of City Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 11. Effective Date. That this ordinance shall become effective twenty (20) days after final passage and approval by the Mayor.

We do hereby certify that the above ordinance was finally passed by the City Council on
June 3, 2009

SIGNED June 3, 2009

Attest: June 3, 2009

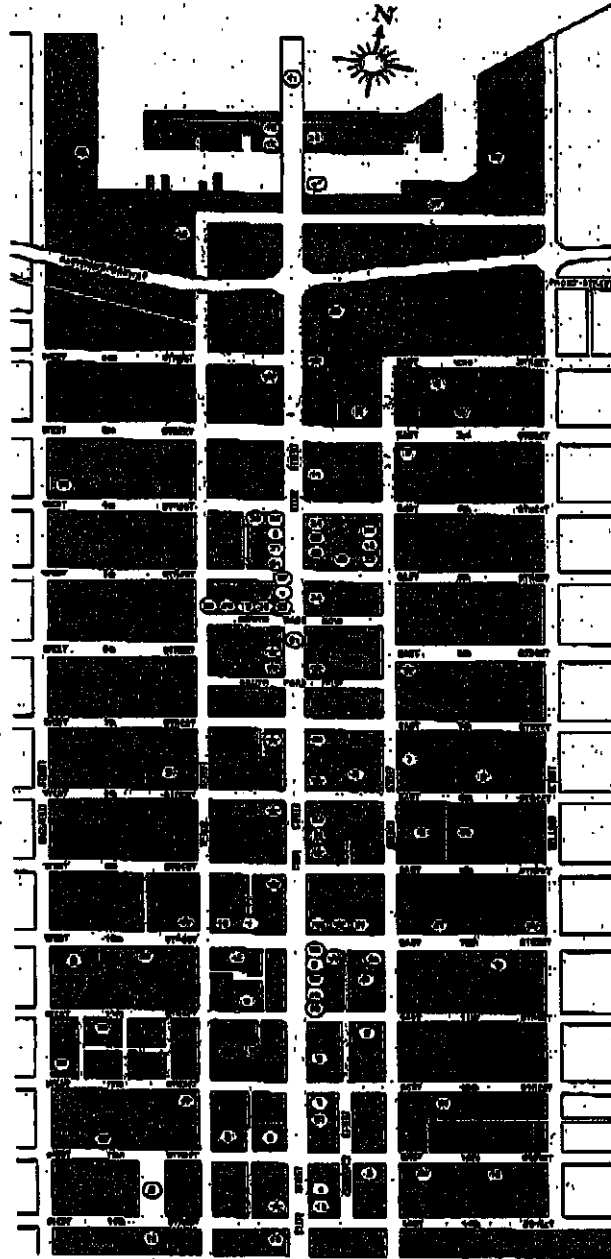
Joseph Schember
President of Council

James Klemm
City Clerk

THIS ORDINANCE APPROVED THIS 3rd DAY OF June, 2009.

Joseph Sinnott
Mayor

EXHIBIT "A"
















-  WEST Bayfront District
-  Heritage District
-  Michigan District
-  EAST Bayfront District
-  Business/Finance District
-  Bus Shelter
-  Unberolts District
-  Entertainment District
-  Ferry Route
-  Surface Lots
-  Dewey's Parking
-  Public Ramps
-  ATM Machines

EXHIBIT "B"
Baseline of Services

This ordinance stipulates, and Pennsylvania State Law mandates, that the City of Erie maintain the same level of municipal programs and services within the business improvement district after designation of the DID as before designation. In accordance with those provisions a Maintenance of Service Agreement has been prepared and is available for review in the office of the Chief Clerk of the City of Erie. A summary of those baseline services is as follows:

Streets Maintenance Services:

- Street sweeping every weekday morning, from spring until first snowfall
- Patching and paving as needed.
- Installation and maintenance of traffic-related signage
- Traffic signal maintenance
- Painting of pedestrian crosswalks

Snow Removal

- Snow removal from cartway
- No sidewalk snow removal, except City parks and perimeter of City Hall

Parks Cleaning and Maintenance

- Parks cleaned each weekday morning (litter removed, trash bins emptied)
- Grass cut as needed
- Maintenance of park lighting and facilities

General Maintenance

- Public trash receptacle pickup each day on State and Peach Streets
- Maintenance of City-owned ornamental lighting on State Street
- Evaluation and oversight of tree inventory by City Arborist

EXHIBIT "C"
2009 Erie Downtown Partnership Board of Directors

Representative of the retail businesses within the current operating area as defined by the by-laws.

Representative of eating and drinking establishments within the current operating area as defined by the by-laws.

General business member representing non-retail/non-eating and drinking establishments within the current operating area as defined by the by-laws.

Representative of property owners, within current operating area as defined by the by-laws, with a market value, as determined by the County of Erie tax records, in excess of one million dollars.

Representative of property owners, within the current operating area as defined by the by-laws, with a market value, as determined by the County of Erie tax records, of between one hundred fifty thousand and one million dollars.

Representative of property owners, within current operating area as defined by the by-laws, with a market value, as determined by the County of Erie tax records, of less than one hundred fifty thousand dollars.

Representative of the non-profit institutions within the current operating area as defined by the by-laws.

President of Gannon University or his/her designee.

Mayor of the City of Erie, or his or her designee, shall be an Ex Officio member of the Board of Directors.

Executive Director of the Erie Western PA Port Authority, representing the Public Trust Committee.

Four members elected at large by the membership of the Partnership.

*Specific
location*

CITY COUNCIL OF ERIE

INTRODUCED BY: Mrs. Horan-Kunco

COUNCIL FILE NO. 15,352 **OFFICIAL ORDINANCE NO.** 16-2005

AN ORDINANCE

Amending Council File No. 15,286, the Official Ordinance 42-2004 creating the Erie Downtown Improvement District by more particularly describing the area outlined in Exhibit "A" as provided by applicable law. The area now described by a map in Exhibit "A" shall be augmented by a more detailed description of the area of the Erie Downtown Improvement District as provided by the City of Erie Engineering Department.

WHEREAS, pursuant to an act of December 20, 2000, P.L. 949, No. 130, as amended, known as the "Neighborhood Improvement District Act of 2000 (the "Act") municipalities are authorized to establish areas designated as downtown improvement districts within downtown commercial districts; and

WHEREAS, at the request of the Erie Downtown Improvement District Association, the City of Erie's Engineering Department has more particularly described the designated area of the Erie Downtown Improvement District as outlined in Exhibit "A".

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF ERIE, PENNSYLVANIA AS FOLLOWS:

Section 1. As authorized by an Act of December 20, 2000, P.L. 949, No. 130, as amended, known as the "Neighborhood Improvement District Act of 2000 (the "Act")", the Erie Downtown Improvement District is hereby established as shown on the map attached as Exhibit "A" and more particularly described as follows:

EXHIBIT "A"

BEGINNING at the point of intersection of the east right-of-way line of Sassafras Street and the north edge of the railroad bridge south of West 14th Street,

THENCE north along the east right-of-way line of Sassafras Street (including all properties on the east side of Sassafras Street facing west) to the point of intersection of the east right-of-way line of Sassafras Street extended to the south shore of Presque Isle Bay,

THENCE northeasterly along the south shore of Presque Isle Bay (inclusive of any properties that may extend out into said Presque Isle Bay such as Dobbins Landing) to the point of intersection of the south shore of Presque Isle Bay and the extended west right-of-way line of Holland Street,

THENCE south along the extended west right-of-way line of Holland Street (including all properties on the west side of Holland Street facing east) to the point of intersection of the west right-of-way line of Holland Street and the north edge of the railroad bridge south of East 14th Street,

THENCE southwesterly along the north edge of the railroad bridge south of East 14th Street (including all properties between the north edge of the railroad bridge and East and West 14th Street) to the point of beginning.

Section 2. That all Ordinances and parts thereof conflicting herewith be and the same are hereby repealed.

Section 3. That this Ordinance shall become effective twenty (20) days after final passage and approval by the Mayor.

We do hereby certify that the above ordinance was finally passed by the City Council on April 13, 2005

SIGNED

Attest:

James Klemm
City Clerk

James N. Thompson
President of Council

THIS ORDINANCE APPROVED THIS 14th DAY OF April, 2005.

Richard E. Filippi
Mayor

From: Linda Robbins
To: James Klemm

April 11, 2005

A The resolution presented at this week's agenda is two fold. CAFÉ' through the City of Erie applied to the PCA (Pennsylvania Council of the Arts) for a grant for the CAFÉ' summer Music Everywhere program. The grant has to go through the City because it is a state government grant. This grant also requires a cash match \$1 for \$1. The grant amount awarded by the PCA is \$3,909. To my knowledge this check has not been received yet. For future budgets, any matching requirement will be budgeted. For the 2005 budget, finance is proposing to use the advertising budget that was budgeted for Farmers' Market that in 2005 was under the City but for 2005 is totally being funded through CAFÉ'. CAFÉ' is 100% paying the costs for the MUSIC EVERYWHERE program. Therefore, the request is for the City to pay over to CAFÉ' the grant amount and the matching funds for a total of \$7,812. If there is a better way to accomplish this, please let me know. Thanks.

By Mr. Cappabianca, Seconded by Mrs. Horan-Kunco, Resolved, etc.,

B That Council approve for the Grant Monies from the Pa. Council on the Arts in the amount of \$3,906.00 be turned over to CAFÉ' along with matching monies from the City of Erie's General Fund, Account #002-0963-0000-4059 in the amount of \$3,906.00. These funds to be used by CAFÉ' to help fund the 2005 Music Everywhere Program.

April 20, 2005. City Council adopt by yeas Council Members Cappabianca, Casey, Horan-Kunco, Jenkins-Husband, Murray, Sinnott and Thompson. 7. Nays. 0.

April 20, 2005. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Seconded by Mrs. Jenkins-Husband, Resolved, etc.,

C That City Council recognizes Saturday, April 23rd as the United Way Day of Caring and encouraging all citizens of Erie to volunteer their time to beautify Erie's neighborhoods, streets, parks and playgrounds and issuing an invitation to the public and all members of Council to join her and South Erie Hillside Neighborhood Watch in cleaning up Ruby Schaaf Park at 19th and Myrtle Street.

April 20, 2005. City Council adopt by yeas Council Members Cappabianca, Casey, Horan-Kunco, Jenkins-Husband, Murray, Sinnott and Thompson. 7. Nays. 0.

April 20, 2005. Signed by the President. Attested by the City Clerk.

To: Rubyc Jenkins-Husband, Council Liaison
From: Mark A. Kukla, P.E., City Engineer
Re: Resolution to Execute an Easement Agreement

April 13, 2005

D A resolution to execute an Easement Agreement between the City of Erie and the Downtown Improvement District (DID) for the placement of flower baskets and trash receptacles within City of Erie rights-of-way in the DID area will be presented before Council at the April 20, 2005 meeting.

The DID proposes to hang flower baskets on certain signal poles and place trash receptacles on street corners. The flowers will be maintained by the DID. Maps are attached showing the proposed locations of the baskets and receptacles. All final locations will be reviewed by the City Engineer's Office prior to their placement. The DID will carry the General Liability Insurance for the project.

By Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, Resolved, etc.,

E That the proper City officials are authorized and directed to execute an Easement Agreement between the City of Erie and the Downtown Improvement District (DID) for the placement of flower baskets on signal poles and the placement of trash receptacles in City rights-of-way within the DID limits. All final locations will be reviewed by the City Engineer's office prior to their placement. The DID is to maintain all flower baskets and will carry the General Liability Insurance for the project. (Locations show on map)

April 20, 2005. City Council adopt by yeas Council Members Cappabianca, Casey, Horan-Kunco, Jenkins-Husband, Murray, Sinnott and Thompson. 7. Nays. 0.

April 20, 2005. Signed by the President. Attested by the City Clerk.

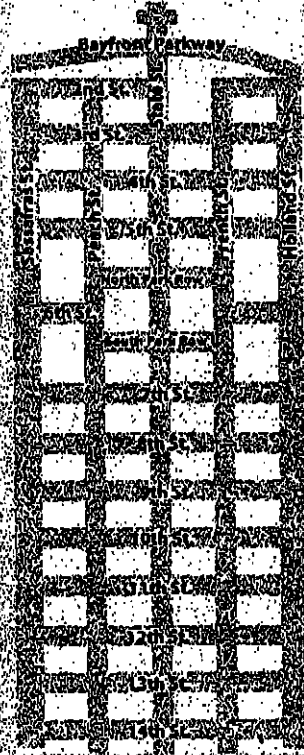
TO: Mr. Patrick Cappabianca, City Councilman
FROM: Jim Goreki, Chief - Bureau of Sewers
Re: Council Agenda

April 7, 2005

F Appearing on the April 20th City Council Agenda is a resolution authorizing a contract with Incinerator RX Corp for professional assistance in the operation of the Wastewater Treatment Plant incinerators. They will come in during the year and evaluate the operation of the incinerators and make recommendations on how to achieve maximum efficiency. They will also instruct Plant personnel on how to achieve a more efficient operation. This will ultimately result in a reduction of operating costs, more specifically lowering the natural gas consumption in the incinerators. This was line itemed in the Bureau of Sewers Treatment Division 2005 Budget under Professional Services 07-0771-0000-4041. It is a not to exceed cost of \$25,000. The breakdown of expenses are \$125 per hour with a reimbursement of travel expenses which amount to about \$150 per day for

We invite you to share the vision
of making downtown Erie a better place
to work, live, visit and do business.

Erie Old boundaries



Erie Downtown Board of Directors

Property Owner	Jim Roehm	Erie Insurance	5yr Term
At Large	Antoine Garibaldi	Gannon Univ	5yr Term
Institution	Boo Hagerty	Hamot Medical	5yr Term
Municipal	Mayor Filippi	City of Erie	5yr Term
Business Owner	Barb Haggerty	Plymouth Tavern	3yr Term
At Large	Laurie Eaton	Floral Gallery	3yr Term
At Large	Rick Griffith	Griffith Properties	3yr Term
At Large	Tom Kennedy	Renaissance Centre	1yr Term
At Large	Carl Anderson	UBS Financial	1yr Term

SHARE THE VISION

ERIE DOWNTOWN IMPROVEMENT DISTRICT PRELIMINARY PLAN

February 2, 2004

OVERVIEW

Few community development tasks are more important, or more challenging, than that of central business district revitalization. Communities of all sizes are realizing that a strong, vibrant, well-managed downtown is a critical element of a comprehensive economic development effort. In times of significant economic distress, the sustainability of such revitalization efforts based solely on governmental and charitable contributions is often called to question.

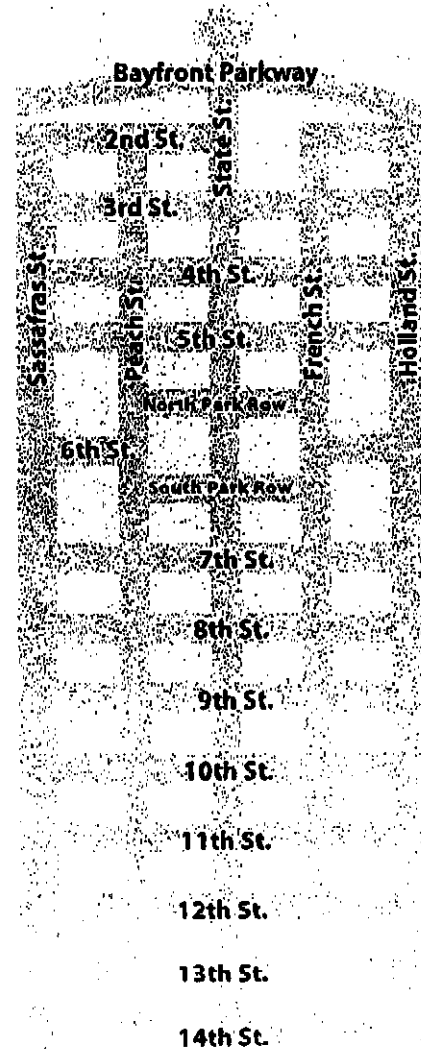
Increasingly, communities around the country are looking to the tool of the improvement district as way to sustain the downtown effort without the worry of shifting governmental priorities or over-drawn charitable foundation coffers. A downtown improvement district, or DID, is a resource development tool whereby property owners are given the opportunity to take the downtown revitalization effort into their own hands and insure its ongoing support. Essentially, property owners are given the chance to decide if they wish to make a legally binding payment, or assessment, that must be used within the defined geographic where they are located and only activities that their representative decide upon. With legally the same standing as a water or sewage bill, the DID assessment should be thought of a value-added payment for downtown services that help to insure a property owners downtown investment. And unlike other programs, where many benefit from the contributions of a few, once decided upon, everyone inside the DID area pays into the effort.

Over the next several weeks, the stakeholders of downtown Erie will have the opportunity to review a proposal that would establish such a business improvement district within the downtown central business district. Pennsylvania state law dictates the process that must be followed in establishing a DID. In compliance with that law, the following preliminary plan is being provided to you for your review. Various public meetings and public hearings will be held where you will have an opportunity to have your say about this proposed plan. We hope you will take the opportunity to learn more about and participate in this process in a meaningful and constructive way.

REQUIRED PLAN ELEMENTS

In accordance with the Pennsylvania Neighborhood Improvement District (NID) Act of 2000, PL. 949, No. 130, Section 5 (Creation of a Neighborhood Improvement District), the information contained in this document is being provided to all property owners and lessees located within the proposed boundaries of the DID.

1. PROPOSED ERIE DID BOUNDARIES



2. NID REPORT

i. Name of the Proposed District.

The name of the proposed district shall be the Erie Downtown Improvement District (EDID).

ii. Detailed Service Area Description.

Beginning at the intersection of West 14th Street and Sassafras Street, proceeding north along Sassafras Street, to include all properties on the east side of the street (facing west), to the Bayfront Parkway; proceeding in a straight line from Bayfront Parkway to the shoreline of Lake Erie; proceeding northeasterly along the shoreline until reaching a line which extends directly from Holland Street; extending south along a straight line to the intersection of Holland Street and the Bayfront Parkway, then proceeding south along Holland Street on the west side of the street (including all properties facing east) until the intersection of Holland Street and E 14th Street; proceeding south along the western side of the street across E 14th Street to the Conrail railroad tracks; proceeding west along the Conrail railroad tracks to the intersection of E 14th Street and Sassafras Street (including all properties between the railroad tracks and E 14 Street) to the point of beginning.

iii. List of All Properties to be Assessed.

Please refer to Appendix 1 on page 4.

iv. List of Proposed Improvements.

No capital improvements are proposed in year 1 budget.

v. Proposed Budget for the First Fiscal Year of the Plan.

See Budget Summary below.

vi. Proposed Revenue Resources.

All revenue for the proposed expenditures of the DID will be obtained from either the DID assessment fee or additional contributions agreed to in writing by larger corporate and governmental entities within the DID. Please see the Proposed Budget for the details as to anticipated revenue sources for Year 1.

vii. Estimated Time Frame for Completion of Activities.

All activities to be completed under this plan and the first year budget will be completed by the end of the DID budget year—which runs from January 1- December 31.

viii. Statement Identifying the Administrative Body That Will Govern and Administer the NID.

The entity proposed to govern and administer the Erie Downtown Improvement District as the Neighborhood Improvement District Management Association (NIDMA), shall be the Erie Downtown Improvement District Association, the established, non-profit successor of Downtown NOW. A letter, with supporting documentation, requesting the City of Erie to designate the Erie Downtown Improvement District Association as the NIDMA has been filed with the City of Erie as a part of this plan.

ix. Statutory Authority and Governing Documents of the NIDMA.

The following supportive documentation has been filed with the Clerk of the City of Erie in support of the Erie Downtown Improvement District Association's request to be designated as the NIDMA for the Erie Downtown Improvement District:

- Internal Revenue Service Designation of Downtown NOW as a 501(c)(3).
 - "Name Change" documentation requesting Downtown NOW's official name be changed to the Erie Downtown Improvement District Association.
 - A copy of the Erie Downtown Improvement District Association by-laws.
- All documents are available for review at the Office of the City Clerk of the City of Erie.

x. Method for Determining the Assessment Fee to be Collected.

All benefited properties, as described in the Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130, including eligible tax-exempt properties, within the boundaries

BUDGET SUMMARY

	Admin/Org.	Design	Marketing	Econ Rest.	Safe & Clean	TOTAL
REVENUE						
Assessment Revenue	\$52,223	\$50,519	\$101,606	\$50,099	\$167,433	\$421,880
*Less: 5% Reassessment Rebate	(\$2,611)	(\$ 2,526)	(\$5,080)	(\$2,505)	(\$8,372)	(\$21,094)
Contribution Revenue	\$14,065	\$13,606	\$27,365	\$13,493	\$45,094	\$113,623
Supplemental Marketing Revenue	\$1,485	\$1,437	\$2,890	\$1,425	\$4,762	\$12,000
TOTAL REVENUE	\$65,163	\$63,036	\$126,780	\$62,513	\$208,918	\$526,409
EXPENSES						
Operations Personnel	\$16,833	\$15,115	\$64,584	\$18,894	\$15,115	\$130,543
General Operations	\$35,342	\$ 2,796	\$11,946	\$3,495	\$25,272	\$78,850
Program Operations						
Beautification	\$0	\$20,000	\$0	\$0	\$0	\$20,000
Maintenance	\$12,859	\$0	\$0	\$0	\$157,118	\$169,977
Safety	\$0	\$0	\$0	\$0	\$11,000	\$11,000
Marketing	\$0	\$0	\$50,000	\$0	\$0	\$50,000
Business Assistance Operations	\$0	\$25,000	\$0	\$0	\$0	\$25,000
Project Expenses	\$0	\$0	\$0	\$40,000	\$0	\$40,000
Capital Expenses	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL EXPENSES	\$65,034	\$62,911	\$126,530	\$62,389	\$208,505	\$525,369
Projected Surplus/(Deficit)	\$.129	\$125	\$250	\$123	\$413	\$1,040
Percentage of Total Expenditures	12.4%	12.0%	24.1%	11.9%	39.7%	100%

of the proposed Erie Downtown Improvement District, shall be assessed an annual fee of 2.5 mils on the current assessed value of the property in question. Benefited properties do NOT include any properties determined to be residential—as identified by their land use identification in county tax assessment records. Each individual property assessment shall be capped at \$3,000. The Erie Downtown Improvement District Association reserves the right to increase fees in accordance with future years' budget requirements, starting in 2006 or thereafter, provided that any such increase shall not exceed 3% of an individual properties assessment in any given year. Any such increase shall apply to all properties, including those that are capped at \$3,000.

3. OTHER REQUIRED INFORMATION

i. Duties and Responsibilities of the NIDMA and the City of Erie.

In accordance with the Pennsylvania Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130, The City of Erie and The Erie Downtown Improvement District Association, the successor to Downtown NOW operating as the Neighborhood Improvement District Management Association (NIDMA), shall have all powers and authorities reserved them to respectively under Section 4, as to the City of Erie, and Section 6(c) as to the powers of the NIDMA.

ii. Written Agreement Between the City of Erie and the NIDMA.

All activities relative to this DID shall be defined in a written agreement between the City of Erie, The Erie Downtown Improvement District Association, the successor to Downtown NOW operating as the Neighborhood Improvement District Management Association (NIDMA), as specified by Pennsylvania state law. A copy of this proposed agreement is available for inspection and review in the office of the Chief Clerk of the City of Erie.

iii. Status of Tax-Exempt Properties.

All tax-exempt properties, with the exceptions of churches and cemeteries, have been determined to be "benefited properties" under the proposed Erie Downtown Improvement District, by virtue of the maintenance activities to be undertaken by the DID. As a result, all tax-exempt properties shall be assessed an annual fee under the proposed Erie Downtown Improvement District. Most tax-exempt properties will be assessed in accordance with provisions of this plan. The following property owners have agreed to make an additional contribution as detailed below:

City of Erie	\$75,000
Hamot Medical	\$25,000
Gannon University	\$25,000 (plus in-kind services)
County of Erie	\$25,000
Port Authority of Erie	\$25,000

iv. City of Erie Maintenance of Service Agreement

This plan stipulates, and Pennsylvania state law mandates, that the City of Erie maintain the same level of municipal programs and services within the business improvement district after designation of the DID as before designation. In accordance with those provisions, a Maintenance of Service Agreement has been prepared and is available for review in the office of the Chief Clerk of the City of Erie. A summary of those baseline services is as follows:

BASELINE SERVICES

Street Cleaning Services

- Street sweeping every weekday morning, from spring until first snowfall
- Curblin sweeping every day
- No sweeping on weekends except for special events

Snow Removal

- Snow removal within thirty-two hours—from crosswalks only
- No sidewalk snow removal

Park Cleaning & Maintenance

- Parks cleaned each weekday morning (litter removed, trash bins emptied)
- Grass cut as needed

Tree Maintenance

- All tree and stump removals
- Bi-annual review of trees
- Service provided by call, no specific removal/planting plan

General Maintenance

- Public trash pickup each day—State Street & Peach Street
- Street lighting—crew on call 24/7

Engineering

- Once per year review streets for total resurfacing
- Potholes filled based on complaints

Transit

- One employee for bus shelter maintenance

v. Sunset Provisions and Reauthorization

In accordance with the Pennsylvania Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130, Section 4 (9) relating to the powers of the municipal corporation relative to the establishment of the neighborhood improvement district, the initial term for any sunset provision must be at least five years. As such the initial term for Erie Downtown Improvement District shall expire at midnight December 31, 2008. Re-authorization of the Erie Downtown Improvement District may be approved by the City of Erie for an additional term provided that the NIDMA shall:

- Provide a third-party performance review of the effectiveness of the DID during its first term, along with any local legislation relating to the request for re-authorization.
- Submit a revised plan for the Erie Downtown Improvement District in accordance with the Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130, Section 5, and as it may have been amended in the intervening years.

vi. Responsibility for the Collection of DID Assessment Fees

The Erie Downtown Improvement District Association shall be solely responsible for the accounting services related to billing, collection and placement of liens for non-payment, of all assessment fees associated with the Erie Downtown Improvement District. Such accounting services may be contracted to third party service providers.

vii. Provisions for Property Owner Approval of the DID.

A negative vote by 40 percent or more, in terms of the total number of properties within the DID boundary, of the property owners within the DID boundary on the final DID plan shall be required to defeat the establishment of the proposed DID. A negative vote of a property owner shall be registered when the property owner files a written objection with the City Clerk of the City of Erie governing body within 45 days of the presentation of the final DID plan. Each individual, or entity, owning a property within the DID shall be entitled to one vote for each parcel of property owned.

Erie Downtown

Downtown Improvement District Strategic Plan

Vision

Erie Downtown strives to enhance the image of downtown, attract and retain businesses, and maintain an environment that creates a vibrant Cultural and Entertainment District.

Goal 1: Image

- A. Comprehensive Marketing Strategy.
- B. Host and organize cultural and entertainment events.
- C. Advocate for safety in the downtown.

Goal 2: Vacancy

- A. Increase the percentage of occupied storefronts.
- B. Increase the percentage of occupied residential units.
- C. Assist businesses in relocating to the downtown.

Goal 3: Environment and Design

- A. Create an environment that is clean, responsive to business, and attractive to investors.
- B. Lobby agencies concerning a parking and transportation strategy.
- C. Administer a façade improvement program.