



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ALD. JOE DAVIS, SR., CHAIR
Ald. T. Anthony Zielinski, Vice-Chair
Ald. James Witkowiak, Ald. Willie Wade, Ald. Terry Witkowski
Staff Assistant, Chris Lee, 286-2232
Fax: 286-3456, clee@milwaukee.gov
Legislative Liaison, Amy Hefter, 286-2290,
ahefte@milwaukee.gov

Monday, October 24, 2011

9:00 AM

Room 301-B, City Hall

1. [110642](#) Reappointment of Ron Giguere to the Business Improvement District Board #4 (Mitchell Street) by the Mayor. (1st Aldermanic District)
Sponsors: THE CHAIR

2. [100881](#) Reappointment of John Mullarkey to the Business Improvement District Board #32 (Fond du Lac-North Avenue Market Place) by the Mayor. (15th Aldermanic District)
Sponsors: THE CHAIR

3. [110649](#) Reappointment of Tim Murphy to the Arts Board by the Mayor. (12th Aldermanic District)
Sponsors: THE CHAIR

4. [110863](#) Substitute resolution approving Year 2012 Operating Plans for various Business Improvement Districts and for Neighborhood Improvement District No. 1 located in the City of Milwaukee.
Sponsors: Ald. Davis

5. [110883](#) Communication relating to an update on the redevelopment of the Menomonee Valley.
Sponsors: Ald. Davis

6. [110811](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for Program Administration from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).
Sponsors: THE CHAIR

7. [110812](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for Neighborhood Strategic Planning Areas from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).
Sponsors: THE CHAIR

8. [110813](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for Mandated/Essential Services from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).
Sponsors: THE CHAIR

9. [110814](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for City Strategic Objectives from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).
Sponsors: THE CHAIR

10. [110815](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for Housing Opportunities For Persons With AIDS (HOPWA) from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).
Sponsors: THE CHAIR

11. [110840](#) Resolution authorizing the activity change for the City of West Allis additional State of Wisconsin Neighborhood Stabilization Program 1 grant funds.
Sponsors: THE CHAIR

12. [110877](#) Resolution relating to the transfer of 2011 HOME funds to various programmatic activities for the Department of City Development.
Sponsors: Ald. Wade

This meeting will be webcast live at www.milwaukee.gov/channel25.

Common Council members who are not members of this committee may attend this meeting to participate or to gather information. This meeting may constitute a meeting of the Common Council or any of its standing committees although no formal action will be taken at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

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Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 110642 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 9/1/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Reappointment of Ron Giguere to the Business Improvement District Board #4 (Mitchell Street) by the Mayor. (1st Aldermanic District)

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT 04

Attachments: Reappointment Letter, Resume, Attendance Record, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

110642

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Reappointment of Ron Giguere to the Business Improvement District Board #4 (Mitchell Street) by the Mayor. (1st Aldermanic District)

Drafter

Mayor

TB

9/1/11

August 31, 2011

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to reappoint Ronald W. Giguere, 5350 North Sherman Boulevard, Shorewood, Wisconsin 53209, to the Business Improvement District Board #4 (Mitchell Street). This reappointment is pursuant to Section 66.1109 of the Wisconsin State Statutes and Common Council Files 890176 and 960578. Mr. Giguere's term will commence upon taking of the oath of office.

I trust this reappointment will have the approval of your Honorable Body.

Respectfully submitted,

Tom Barrett
Mayor

Ron W. Giguere, Sr.

- 1960 - 1964 A&P (Atlantic & Pacific) Grocery Store
 - ▶ Grocery Department

- 1964 - 1966 Sears Roebuck & Company
 - ▶ Management Team - Auto Center

- 1966 - 1967 National Food Stores
 - ▶ Management Team

- 1967 - 1971 Red Owl Food Store
 - ▶ Store Manager

- 1971 - 1973 ▶ Director, Grocery Operations

- 1973 - 1975 American Food Land Grocery Store
 - ▶ Owner/Operator

- 1975 - present The Fixture Mart, Inc.
 - ▶ Retail Store Design
 - ▶ Food Service Division
 - ▶ Consultation Services

The Fixture Mart is your Design Center, specializing in custom retail store design and layout, restaurant design and layout to create the look you envision. The Fixture Mart is a "one-stop-shop" for all your designing and fixture needs.



City Hall, Room 205
200 E. Wells Street
Milwaukee, WI 53202
(414) 286-2221



Office of the City Clerk

Re: Common Council File Number 110642

Reappointment of Ron Giguere to the Business Improvement District Board #4 (Mitchell Street) by the Mayor. (1st Aldermanic District)

In accordance with Common Council resolution File Number 65-2210, adopted November 30, 1965, all reappointments are to be referred to an appropriate standing committee.

Under this policy, the appropriate committee is to be informed in writing of the incumbent's attendance record during his/her last term of service.

Please provide the following required information and return immediately to our office for consideration at the Community and Economic Development Committee Meeting on September 12, 2011.

- Number of meetings held: 32
- Number of meetings attended: 32
- Number of excused absences: 0
- Number of unexcused absences: 0

Please return this information to Charlotte Rodriguez, croдри@milwaukee.gov, City Clerk's Office, Room 205, City Hall.

Very truly yours,

Ronald D Leonhardt
Ronald D Leonhardt



Legislation Details (With Text)

File #: 100881 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 11/3/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Reappointment of John Mullarkey to the Business Improvement District Board #32 (Fond du Lac-North Avenue Market Place) by the Mayor. (15th Aldermanic District)

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT 32

Attachments: Reappointment Letter, Attendance Record, Hearing Notice List, Hearing Notice List - 10/19/11

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/21/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number
100881
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Reappointment of John Mullarkey to the Business Improvement District Board #32 (Fond du Lac-North Avenue Market Place) by the Mayor. (15th Aldermanic District)

Drafter
Mayor
TB
11/3/10

November 3, 2010

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to reappoint the following persons to the Business Improvement District Board #32 (Fond du Lac Avenue - North Avenue Market Place):

Mark Teper
1622 West North Avenue
Milwaukee, Wisconsin 53205

John Mullarkey
2625 West North Avenue
Milwaukee, Wisconsin 53205

Young Kim
2242 North 17th Street
Milwaukee, Wisconsin 53205

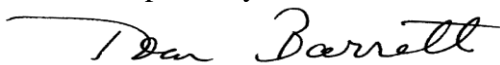
Sharon Adams
2240 North 17th Street
Milwaukee, Wisconsin 53205

Karl Tatum
4535 West North Avenue
Milwaukee, Wisconsin 53208

These reappointments are pursuant to Section 66.1109 of the Wisconsin State Statutes and Common Council File Number 040876. The terms will commence upon taking of the oath of office.

I trust these reappointments will have the approval of your Honorable Body.

Respectfully submitted,



Tom Barrett
Mayor



City Hall, Room 205
200 E. Wells Street
Milwaukee, WI 53202
(414) 286-2221



Office of the City Clerk

Re: Common Council File Number 100881

Reappointment of John Mullarkey to the Business Improvement District Board #32 (Fond du Lac-North Avenue Market Place) by the Mayor. (15th Aldermanic District)

Dear Sir/Madam,

In accordance with Common Council resolution File Number 65-2210, adopted November 30, 1965, all reappointments are to be referred to an appropriate standing committee.

Under this policy, the appropriate committee is to be informed in writing of the incumbent's attendance record during his/her last term of service.

Please provide the following required information and return immediately to our office for consideration at the **Community and Economic Development Committee Meeting to be held on November 15, 2010.**

- Number of meetings held: 12 meetings held in 2009 10 meetings to date in 2010
- Number of meetings attended: 9 meetings in 2009 10 meetings in 2010
- Number of excused absences: 3 excused in 2009 0 excused in 2010
- Number of unexcused absences: 0 unexcused 2009 0 unexcused 2010

Please return this information to Char Rodriguez, Council File Specialist, crodri@milwaukee.gov, City Clerk's Office, Room 205, City Hall.

Very truly yours,
RONALD D. LEONHARDT



Legislation Details (With Text)

File #: 110649 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 9/1/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Reappointment of Tim Murphy to the Arts Board by the Mayor. (12th Aldermanic District)

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, ARTS BOARD

Attachments: Reappointment Letter, Attendance Record, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

110649

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Reappointment of Tim Murphy to the Arts Board by the Mayor. (12th Aldermanic District)

Drafter

Mayor

TB

9/1/11

August 31, 2011

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to reappoint the following persons to the Arts Board:

Diane Kosarzycki
3373 South 18th Street
Milwaukee, Wisconsin 53215

Tim Murphy
226 South First Street
Milwaukee, Wisconsin 53204

Jerry Mutope Johnson
1802 North 49th Street
Milwaukee, Wisconsin 53208

William Robison
320 East Buffalo Street, Suite 500
Milwaukee, Wisconsin 53202

Alderman Nik Kovac
200 East Wells Street – Room 205
Milwaukee, Wisconsin 53202

Alderman Michael Murphy
200 East Wells Street – Room 205
Milwaukee, Wisconsin 53202

These reappointments are pursuant to Section 320-12 of the Milwaukee Code of Ordinances. The terms will commence upon taking of the oath of office.

I trust these reappointments will have the approval of your Honorable Body.

Respectfully submitted,

Tom Barrett
Mayor



City Hall, Room 205
200 E. Wells Street
Milwaukee, WI 53202
(414) 286-2221



Office of the City Clerk

Re: Common Council File Number 110649

Reappointment of Tim Murphy to the Arts Board by the Mayor. (12th Aldermanic District)

In accordance with Common Council resolution File Number 65-2210, adopted November 30, 1965, all reappointments are to be referred to an appropriate standing committee.

Under this policy, the appropriate committee is to be informed in writing of the incumbent's attendance record during his/her last term of service.

Please provide the following required information and return immediately to our office for consideration at the Community and Economic Development Committee Meeting on September 12, 2011.

- Number of meetings held: 30
- Number of meetings attended: 28
- Number of excused absences: 2
- Number of unexcused absences: 0

Please return this information to Charlotte Rodriguez, crodri@milwaukee.gov, City Clerk's Office, Room 205, City Hall.

Very truly yours,

Ronald D Leonhardt
Ronald D Leonhardt



Legislation Details (With Text)

File #: 110863 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution approving Year 2012 Operating Plans for various Business Improvement Districts and for Neighborhood Improvement District No. 1 located in the City of Milwaukee.

Sponsors: ALD. DAVIS

Indexes: BUSINESS IMPROVEMENT DISTRICTS, NEIGHBORHOOD IMPROVEMENT DISTRICT #1, NEIGHBORHOOD IMPROVEMENT DISTRICTS

Attachments: Fiscal Impact Statement, Fiscal Impact Statement Attachment, BID 02 2012 Operating Plan, BID 04 2012 Operating Plan, BID 05 2012 Operating Plan, BID 08 2012 Operating Plan, BID 10 2012 Operating Plan, BID 11 2012 Operating Plan, BID 13 2012 Operating Plan-Final, BID 15 2012 Operating Plan, BID 16 2012 Operating Plan, BID 19 2012 Operating Plan, BID 20 2012 Operating Plan, BID 21 2012 Operating Plan, BID 25 2012 Operating Plan, BID 26 2010-2011 Annual Report, BID 26 2012 Operating Plan, BID 27 2012 Operating Plan, BID 28 2011 Annual Report, BID 28 2012 Operating Plan, BID 29 2012 Operating Plan, BID 31 2012 Operating Plan, BID 32 2012 Operating Plan, BID 35 2012 Operating Plan, BID 36 2012 Operating Plan, BID 37 2011 Annual Report, BID 37 2012 Operating Plan, BID 38 2012 Operating Plan, BID 39 2012 Operating Plan, BID 40 2012 Operating Plan, BID 41 2012 Operating Plan, BID 42 2012 Operating Plan, BID 43 2012 Operating Plan, BID 44 2012 Operating Plan, NID 01 2011-2012 Annual Report, NID 01 2012 Operating Plan, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number
110863
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. DAVIS

Title
Substitute resolution approving Year 2012 Operating Plans for various Business Improvement Districts and for Neighborhood Improvement District No. 1 located in the City of Milwaukee.

Analysis
Sections 66.1109(3)(b) and 66.1110(4)(b), Wisconsin Statutes, require that Business Improvement Districts and Neighborhood Improvement Districts submit annual Operating Plans for City approval. This substitute resolution approves Year 2012 Operating Plans

for Business Improvement District Nos. 2, 4, 5, 8, 10, 11, 13, 15, 16, 19, 20, 21, 25, 26, 27, 28, 29, 31, 32, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and Neighborhood Improvement District No. 1 and authorizes assessments on taxable property within said Districts.

Body

Whereas, The Common Council of the City of Milwaukee ("Common Council") has created Business Improvement Districts ("BIDs") and a Neighborhood Improvement District ("NID") in the City of Milwaukee ("City") and has approved their first year Operating Plans; and

Whereas, Section 66.1109(3)(b), Wisconsin Statutes, requires that Boards of BIDs submit annual Operating Plans to the Common Council for approval; and

Whereas, Section 66.1110(4)(b), Wisconsin Statutes, requires that Boards of NIDs submit annual Operating Plans to the Common Council for approval; and

Whereas, The Boards of BID Nos. 2 (Historic Third Ward), 4 (Greater Mitchell Street), 5 (Westtown), 8 (Historic King Drive), 10 (Avenues West), 11 (Brady Street), 13 (Oakland Avenue), 15 (Riverwalks), 16 (West North Avenue), 19 (Villard Avenue), 20 (East North Avenue), 21 (Milwaukee Downtown), 25 (Riverworks), 26 (Menomonee Valley), 27 (Burleigh Street), 28 (North Avenue Gateway), 29 (Atkinson/Capitol/Teutonia), 31 (Havenwoods), 32 (North Avenue Market Place), 35 (Kinnickinnic River), 36 (Riverworks II), 37 (30th Street Industrial Corridor), 38 (Cesar E. Chavez Drive), 39 (Center Street Marketplace), 40 (Airport Gateway), 41 (Downer Avenue), 42 (Schlitz Park), 43 (South 27th Street), 44 (Kinnickinnic Avenue) and NID No. 1 (Brewery) have submitted proposed Year 2012 Operating Plans; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Year 2012 Operating Plans for BID Nos. 2, 4, 5, 8, 10, 11, 13, 15, 16, 19, 20, 21, 25, 26, 27, 28, 29, 31, 32, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and NID No. 1 are approved; and, be it

Further Resolved, That the City Treasurer, City Comptroller, Assessment Commissioner and other affected departments are directed to collect and disburse BID and NID assessments in accordance with said Year 2012 Operating Plans; and, be it

Further Resolved, That all City officials, departments, boards and commissions are directed to take all actions and provide such assistance, as necessary, to carry out the intent and purpose of this resolution and said approved Year 2012 Operating Plans.

Drafter

DCD:RFM:rfm

10/18/11



City of Milwaukee Fiscal Impact Statement

A **Date** 10/18/2011 **File Number** 110863 **Original** **Substitute**

Subject Substitute resolution approving Year 2012 Operating Plans for various Business Improvement Districts and for Neighborhood Improvement District No. 1 located in the City of Milwaukee.

B **Submitted By (Name/Title/Dept./Ext.)** Rocky Marcoux, Commissioner, DCD, x5800

C **This File**

- Increases or decreases previously authorized expenditures.
- Suspends expenditure authority.
- Increases or decreases city services.
- Authorizes a department to administer a program affecting the city's fiscal liability.
- Increases or decreases revenue.
- Requests an amendment to the salary or positions ordinance.
- Authorizes borrowing and related debt service.
- Authorizes contingent borrowing (authority only).
- Authorizes the expenditure of funds not authorized in adopted City Budget.

D **Charge To**

- Department Account
- Capital Projects Fund
- Debt Service
- Other (Specify) _____
- Contingent Fund
- Special Purpose Accounts
- Grant & Aid Accounts

	Purpose	Specify Type/Use	Expenditure	Revenue
E	Salaries/Wages		\$0.00	\$0.00
			\$0.00	\$0.00
	Supplies/Materials		\$0.00	\$0.00
			\$0.00	\$0.00
	Equipment		\$0.00	\$0.00
			\$0.00	\$0.00
	Services		\$0.00	\$0.00
			\$0.00	\$0.00
	Other		\$6,998,588.00	\$0.00
			\$0.00	\$0.00
	TOTALS		\$6,998,588.00	\$ 0.00

F

Assumptions used in arriving at fiscal estimate.

The fiscal estimate is based on BID special charges as submitted.
Please see the Fiscal Impact Statement Attachment.

G

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

1-3 Years 3-5 Years

1-3 Years 3-5 Years

1-3 Years 3-5 Years

H

List any costs not included in Sections D and E above.

I

Additional information.

J

This Note Was requested by committee chair.

2011
 BID/NID
 SPECIAL CHARGES

BID	BID NAME	BID SPECIAL CHARGES	BID BUDGET
2	Historic 3rd Ward	\$ 573,030.00	\$ 573,030.00
3	Riverwalk	\$ -	
4	Grtr. Mitchell Street	\$ 134,700.00	\$ 134,700.00
5	Westtown	\$ 96,259.00	\$ 96,259.00
8	Historic King Dr.	\$ 197,594.00	\$ 197,594.00
9	735 W. Water	\$ -	\$ -
10	Avenues West	\$ 128,640.00	\$ 128,640.00
11	Brady St. Business Area	\$ 140,949.00	\$ 140,949.00
13	Oakland Ave.	\$ 7,500.00	\$ 787,300.00 ***
15	Riverwalks	\$ 408,183.00	\$ 408,183.00
16	Uptown Triangle	\$ 151,238.00	\$ 151,238.00
17	Northwest Area Business/76th & Brown Deer	\$ -	\$ -
19	Villard	\$ 76,022.00	\$ 76,022.00
20	North Ave./Prospect Farwell	\$ 211,666.00	\$ 235,920.00 ***
21	Downtown Management District	\$ 3,015,461.00	\$ 3,155,786.00 ***
25	Riverworks	\$ 208,473.00	\$ 345,623.00 ***
26	The Valley	\$ 126,204.00	\$ 127,204.00
27	Burleigh	\$ 58,174.00	\$ 58,174.00
28	North Avenue Gateway District	\$ 34,837.00	\$ 34,837.00
29	Atkinson/Capitol/Teutonia	\$ 92,988.00	\$ 92,988.00
31	Havenwoods	\$ 172,000.00	\$ 292,000.00 ***
32	North Avenue Market Place	\$ 90,626.00	\$ 142,626.00 ***
35	Becher/KK	\$ 5,755.00	\$ 32,993.00 ***
36	Riverworks II	\$ 43,135.00	\$ 103,160.00 ***
37	ICC	\$ 160,735.00	\$ 225,735.00 ***
38	Ceasar Chavez	\$ 27,000.00	\$ 32,000.00 ***
39	Center Street Market Place	\$ 64,453.00	\$ 72,453.00 ***
40	AGBA (Airport Gateway)	\$ 338,500.00	\$ 338,500.00
41	Downer Avenue	\$ 75,551.00	\$ 75,551.00
42	Schlitz Park	\$ 113,000.00	\$ 113,000.00
43	South 27th Sreet	\$ 121,083.00	\$ 123,166.00 ***
44	Kinnickinnic Avenue	\$ 56,032.00	\$ 56,032.00
	TOTAL	\$ 6,929,788.00	\$ 8,351,663.00
			***carry over /interest
	NID		
1	Brewery	\$ 68,800.00	\$ 68,800.00
	TOTAL		
	BID/NID	\$ 6,998,588.00	\$ 8,420,463.00

BUSINESS IMPROVEMENT DISTRICT NO. 2

2012 OPERATING PLAN

September 21, 2011

+

Submitted by:

Historic Third Ward Association Inc.

219 North Milwaukee Street

Third Floor

Milwaukee, WI 53202

(414) 273-1173

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I. INTRODUCTION

A. BACKGROUND

In 1984, the State of Wisconsin created 66.1109 (formerly S. 66.608) of the Statutes (Appendix, Exhibit A) enabling Cities to establish Business Improvement Districts (BIDs).

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 Wis. Act. 184, Section 1, legislative declaration.)

The City of Milwaukee created Business Improvement District No. 2 (“BID-2”) and approved its initial operating plan via Common Council Resolution No. 870501, adopted by reference October 6, 1987. (Appendix, Exhibit B)

Since 1988, BID-2 has submitted yearly-amended plans adding and modifying its plan objectives as part of its ongoing management and promotion of the district, including in some instances its financing arrangements and assessment methodologies. This amended Plan shall govern operation of BID-2 during calendar year 2012.

B. PHYSICAL SETTING

Business Improvement District No. 2 encompasses the Third Ward, which occupies a strategic location within the Milwaukee central business district (CBD). It is located adjacent to Interstate 794, just south of the downtown. The Third Ward is within 6 to 8 blocks of Downtown’s primary retail shopping district, although separated from it by I-794, an elevated expressway. The importance and proximity of Interstate 794, with its connections to the north, south and west have taken on new significance in light of the recent redesign and rebuild of the Marquette Interchange. The Third Ward includes the Summerfest grounds and is adjacent to the emerging Milwaukee Lakeshore State Park. The Third Ward also occupies frontage along the Milwaukee River to the west and south.

The Third Ward also contains a large concentration of historic late 19th and early 20th century industrial and warehouse buildings, and is one of the last remaining intact warehouse districts in the country. In 1984 the National Register of Historic Places accepted 70 buildings spanning approximately 10 square blocks as “The Historic Third Ward District.” While several individual buildings are outstanding architecturally, it is the overall “ensemble” which gives the Third Ward its special identity. The large number of older multistory buildings, located in close proximity, and the interrelationships between buildings and the overall environment give the Third Ward a character unique within the region.

The Third Ward’s strategic central location and its physical qualities help support its future role as a high-value commercial and residential area. Wholesaling or other low density light-industrial uses might best be either selectively maintained or eventually phased out, given the area’s higher density development potential.

A primary objective of the Plan is to reinforce and enhance the historic image and character of the area through the renovation, rehabilitation and adaptive reuse of existing historic buildings and the encouragement of appropriate infill and new construction.

The City of Milwaukee worked with the Historic Third Ward in 1988 to create the first Tax Incremental Financing District within the boundaries of the Third Ward ("TID No. 11") to finance construction of substantial physical public improvements within the Third Ward (the "TID improvements"). In 1998 the City of Milwaukee authorized the creation of a second Tax Incremental Financing District within the Third Ward ("TID No. 34") to assist with the financing of the Riverwalk Project (as hereinafter described). In 2002 the project scope of TID No. 34 was amended to provide additional funds for the Riverwalk Project (as hereinafter described). In 2002 the City transferred a parcel of land at the northeast corner of North Water and St Paul Ave. to BID-2 as part of its commitment towards creating a Milwaukee Public Market. The City has also, through its Redevelopment Authority, authorized a conduit borrowing mechanism, which allowed BID-2 to initiate and complete the Third Ward Water Street Parking Structure (as hereinafter described). In April 2006 TID No. 11 was retired. In 2011 the City signed a lease agreement with BID-2 to manage and maintain both Catalano Square and Erie Street Plaza.

II. DISTRICT BOUNDARIES

The Business Improvement District is illustrated by Appendix, Exhibit C. It includes 324 taxable parcels and 40 exempt parcels, either, city, county, state, or otherwise exempt. Total (including exempt property) floor area within the district is 4,737,047 square feet and total land area is 7,649,519 square feet. (Residential is listed on the assessment sheet not included in above totals). The boundaries were established after numerous meetings with District property owners. The boundaries of the District shall be as follows: The eastern boundary shall be the western edge of Lake Michigan; the southern and southwestern boundary shall be the northern and northeastern edge of the Milwaukee River; and the northern and western boundary shall be an irregular line described as follows: commencing on the northern edge of the Milwaukee River and the eastern line of the right-of-way of North 2nd Street, extended; thence north along the eastern line of the right of way of North 2nd Street, extended, to the northern edge of the right-of-way of St. Paul Avenue; thence east along the northern edge of the right-of-way of St. Paul Avenue to a point on the eastern line of the right-of-way of N. Plankinton Avenue; thence north along the eastern line of the right-of-way line of Interstate Highway 794; thence east along the south and southwest right-of-way line of Interstate Highway 794 to the western edge of the Milwaukee River; thence northeasterly along the western edge of the Milwaukee River to a point on the southern right-of-way line of E. Clybourn Street; thence easterly on E. Clybourn Street to the edge of Lake Michigan. All area and assessment figures stated above are based on City of Milwaukee (DCD) Records dated July 2011 and the City of Milwaukee Website.

III. PROPOSED OPERATING PLAN

A. PLAN OBJECTIVES

The specific objective of BID-2 is to develop, redevelop, maintain, operate, promote, and advertise the area of the Historic Third Ward, identified herein as the "District." It is intended that the Board of BID-2 shall have all powers authorized by law, and by this Plan including, but not limited to the following powers in carrying out its objectives:

B. PROPOSED ACTIVITIES – YEAR 25

1. To undertake on its own account public improvements and/or to assist in development, underwriting or guaranteeing public improvements within the District.
2. To acquire, improve, lease and sell properties within the District, and otherwise deal in real estate as necessary to promote the economic development of the District and specifically those projects enumerated in the plan objectives as submitted.
3. To plan, implement, operate, maintain and finance a Streetscape improvements plan within the District (the "Streetscape Plan").
4. To plan, finance, construct, operate and maintain a Parking Structure on the northwest corner of North Milwaukee and East Chicago Streets (the "Third Ward Milwaukee Street Parking Structure").
5. To plan, finance, construct, operate and maintain a Parking Structure on the southeast corner of North Water and East Chicago Streets (the "Third Ward Water Street Parking Structure").
6. To plan, finance, construct, operate and maintain a Riverwalk system through the District along the Milwaukee River (the "Riverwalk Project").
7. To help plan, finance, construct, operate and maintain the Riverwalk Connector, the portion of the Riverwalk that connects the Third Ward Riverwalk to the Downtown Riverwalk.
8. To plan, finance, construct, operate and maintain and/or assist in the creation of a Public Market on the north side of St. Paul Ave. between N. Water and N. Broadway.
9. To plan, finance, construct, operate and maintain and/or assist in the creation of a Public Market Annex at 346 N Broadway.
10. To enter into management agreements to have others manage the Public Market.
11. To enter into such agreements and extend such guarantees as necessary to acquire interests in land and property, borrow funds, design, develop and construct the Riverwalk Project.
12. To enter into agreements to refinance existing debt.
13. To assess against property in the TID No. 34 area, per the formula described hereafter, those amounts necessary to finance the debt service coming due from time to time under the bonds for the TID Improvements.
14. To enter into loan agreements as necessary with individual Riverwalk property owners on terms agreed upon to finance Riverwalk improvements necessary to the construction of the Riverwalk.
15. To enter into easement agreements as necessary with individual Riverwalk property owners on terms agreed upon as necessary to construct the Riverwalk.
16. To enter into a loan agreement, or agreements, with the City for funds necessary to finance the Riverwalk and/or Riverwalk improvements.
17. To assess against property in the District those amounts necessary to finance the loans and construction costs as described hereafter connected with the creation of the Riverwalk.
18. To use current and accumulated ramp revenues, as described in the Parking Ramp Cooperation and Development Agreement dated 6/13/94, to first pay normal and customary operation and maintenance costs of the structure, second fund repayment of City of Milwaukee Redevelopment Authority Bonds, issued for the Historic Third Ward Parking Facility Project, third, fund an interest rate stabilization reserve, fourth pay such normal and necessary borrowing expenses such as letter of credit fees, remarketing fees and bank trustee fees.
19. To enter into such agreements and to extend such guarantees as necessary to acquire interests in land and property, borrow funds, design, develop and construct the Water Street Parking Structure, the Milwaukee Street Parking Structure, the Third Ward Streetscapes, the Third Ward

Riverwalk, the Riverwalk Connector, the Public Market, the Public Market District, Public Market Annex and such other projects enumerated in the plan objectives.

20. To assess against property in BID-2 area, pursuant to the assessment formulas referred to herein, amounts necessary to meet any obligations entered into to acquire interest in land and/or property, borrow funds, design, develop, construct, operate and maintain the Water Street Parking Structure, the Milwaukee Street Parking Structure, the Third Ward Streetscapes, the Third Ward Riverwalk, the Riverwalk Connector, the Public Market, Public Market Annex, the Public Market District and such other projects enumerated in the plan objectives.
21. To take whatever action necessary to protect and maintain its status as a non-taxable governmental entity. As a BID, BID-2 is a quasi-governmental entity authorized by state statute; created, governed and appointed by the City through its legislative process, and as such, is for legal and tax purposes, an integral part of the creating municipality, both in terms of its structure and endeavors.
22. To OPERATE, MAINTAIN, LEASE and hold a SPECIAL PRIVILEGE for the ongoing financial and physical obligations of caring for and programming of the TID No. 11-funded Streetscape project.
23. To OPERATE, MAINTAIN, LEASE and hold a SPECIAL PRIVILEGE for a Parking Structure located at 212 North Milwaukee Street.
24. To OPERATE, MAINTAIN, LEASE and hold a SPECIAL PRIVILEGE for a Parking Structure located at 225 East Chicago Street.
25. To OPERATE, MAINTAIN, LEASE and hold a SPECIAL PRIVILEGE for the ongoing financial and physical obligations of caring for and programming of the Riverwalk Project.
26. To OPERATE, MAINTAIN, LEASE and hold a SPECIAL PRIVILEGE for the ongoing financial and physical obligations of caring for and programming of the Milwaukee Public Market and Annex
27. To promote new investment and appreciation in the value of existing investments of property in the District.
28. To develop, advertise and promote the existing and potential benefits of the District.
29. To manage the affairs of the District.
30. To apply for, accept and use grants and gifts for these purposes.
31. To contract with the Historic Third Ward Association, Inc., and others as necessary to carry out these goals.
32. To elect officers, hire employees and contract out work as are necessary to carry out these goals.
33. To increase police protection and add to the security of the District.
34. To make reimbursements, if necessary, out of its contingency fund for overpayments of BID-2 Assessments.
35. Maintain the appearance of the neighborhood by working to insure its safety and cleanliness.
36. Develop and implement a master operation and maintenance plan for the two Parking Structures, the Streetscapes and the Riverwalk Improvements.
37. Review additional possible funding instruments for Third Ward development.
38. Remit to the City the eighth payment toward the Riverwalk loan in the amount of \$47,209 and the sixth payment of the Dockwall loan in the amount of \$36,522.40 for a total of \$83,731.40.
39. With the completion of the Riverwalk Connector, the City has requested that BID-2 take over the maintenance component of this project. This portion of the riverwalk extends from the Clybourn

St. Bridge to the Chase Bank building and is outside the area of BID-2. In return, the City will include a yearly Riverwalk Connector Maintenance Contribution to BID-2. For 2012 the amount shall be \$18,000.

40. Comply with reporting and notice requirements of public records law and open meeting law.
41. Enter into leases or other agreements with the City of Milwaukee or others to operate and maintain "pocket" parks and other publicly accessible areas to enhance the live, work and play quality of the area. (Appendix W)
42. In addition, the Business Improvement District has agreements that the Historic Third Ward Association (HTWA) will do the following in 2012:
 - Continue to carry out HTWA strategic plan that was updated in January 2002.
 - Continue to participate in the implementation of the City of Milwaukee's Master Plan.
 - Continue the Graffiti Removal Program. Submit an application for a City of Milwaukee grant, if available.
 - Continue to use the "Space Available Listing" as a means of marketing available property in the Third Ward. The "listing" is available on both hard copy and on the HTWA website.
 - Continue to promote the Seasonal Trolley system.
 - Maintain the in-house bookkeeping, payroll and monthly financial reporting system that began in 1997.
 - Continue to enhance HTWA benefits of membership.
 - Support the efforts of the "Third Ward Arts Committee" which was formed in 2000. Members include Third Ward theater groups, dance companies, galleries, artists, and MIAD. Their goal is to promote the Ward as a destination spot for the Arts and have the support of not only the Historic Third Ward Association but also including the Wisconsin Department of Tourism and the United Performing Arts Fund.
 - Coordinate events, promotion and advertising. Special events will be the 12th Annual Third Ward Jazz Festival: *A Summer Sizzle*, Christmas in the Ward, (4) Gallery Nights, the 7th Annual *Artscape – A Third Ward Sculpture Walk*; (2) *Sizzlin Saturdays*
 - Continue to offer the merchant/business coupon validation program and the monthly parking rates at both the Milwaukee and Water Street Parking Structures.
 - Coordinate rental of parks and maintain yearly calendar.
 - In cooperation with Milwaukee World Festival, Inc., continue to address issues including crowd control, traffic, crime and clean up during events, especially during Summerfest.
 - Extend the banner program to include Harbor Drive. All Third Ward banners shall be 30" x 80", other than those located at the ICC, which shall be 24" x 48".
 - Continue to hang "Third Ward Art District" banners on existing hardware throughout the Ward, a promotional effort that began in 2000.
 - Maintain ongoing involvement with the Collaborative Downtown Association to develop retail and marketing strategies.
 - Maintain a position on Board of the Alliance for Downtown Parking and Transportation to develop transportation strategies. These include redesign issues of the Park East Freeway and Marquette Interchange, on and off street parking, the connector study, mass transit, etc.
 - Maintain ongoing involvement with the Downtown Collaborative Marketing Group.

- Continue efforts of our street beautification program with the intent of making the Third Ward the downtown “Flower District.” Continue the hanging flower basket program utilizing 72 poles with 144 baskets and adding 32 baskets on 16 poles along Erie Street.
- Continue to plant flowers in the 22 garbage cans-turned flower containers and the flowers boxes around the mid-block parks, as well as 6 planters on Buffalo Street stub end. Continue the Snow Removal Program for properties in the historic area.
- Enter into leases or other agreements with the BID No. 2 or others to operate and maintain “pocket” parks and other publicly accessible areas to enhance the live, work and play quality of the area. (Appendix W)
- Accept donations and grants on behalf of the Milwaukee Public Market project.
- Enter into such agreements as necessary to manage and operate the Milwaukee Public Market
- Continue operation of an office for the District to promote new development, including the following services:
 - Maintain the current Space Available web listing and fax program. Respond to questions about available space for leasing or purchase.
 - Promote publicity and media coverage of District activities.
 - Arrange for security and increased police protection, especially during the festival season.
 - Revise, publish and distribute business-to-business directories, brochures, and other promotional materials.
 - Plan and coordinate special events.
 - Prepare the quarterly e-wire *E-Scapes*, introducing new businesses and providing information to all members and constituents.
 - Continue to promote the Third Ward Sidewalk Sale and Black Friday Shopping Spree and Diva Night for the Third Ward merchants.
 - Continue to hold Security meetings for all businesses, property owners and residents. Held quarterly on the second Tuesday, it brings awareness of the crime that is happening in our neighborhood and surrounding areas. The MPD is represented by the crime prevention officer and at times the Captain of the First District.
 - Continue to update the Website on an as-needed basis ensuring all posted information is accurate and up-to-date. Continue doing mass-emails to all Third Ward businesses for announcing neighborhood news and events.
 - Promote all events, sales, promotion and activities on Social Media using Facebook and Twitter, discontinuing “WHAT’S UP IN THE WARD”,
 - Continue to provide all necessary support for the Public Market and Public Market District Projects, act as a fiscal agent for contributions, buying, leasing or otherwise dealing in land when necessary, act as agent for contracted services, apply for and accept on behalf of the Public Market public and/or private grants and/or loans and what ever else is necessary to complete these projects.
 - Green Space Initiative: Continue and expand efforts to identify and support the development of public green space. This may be accomplished by independent action, or preferably in conjunction with nearby or other stakeholders. Administrative and operational support may be provided. Act as an agent for contracted services, apply for and accept public and/or private grants and/or loans and whatever else is necessary to complete these projects.

- Continue to work with the City regarding Third Ward Streetlighting issues.

C. PROPOSED 2012 BUDGET FOR YEAR TWENTY FIVE

See Appendix, Exhibit T attached hereto and incorporated herein.

D. FINANCING METHOD

The proposed expenditures will be financed from revenues collected from general BID and Private Property assessments for Operating, Riverwalk Construction, Riverwalk Maintenance, and Special Assessments. It is estimated that the budget will raise \$573,030 through these assessments detailed on Appendix, Exhibit D, attached hereto and incorporated herein. Separately from this plan, as part of the City budget process, the City of Milwaukee shall contribute \$18,000 in support of the District and \$18,000 to maintain the Riverwalk Connector (a partnership including the City, Downtown Riverwalk District, and BID 2) portion of the Riverwalk. If for any reason, the City does not authorize in its budget process the contribution of \$18,000 for the maintenance of the Riverwalk Connector, the City will take over the responsibility of maintaining it.

E. ORGANIZATION OF BID BOARD

The Board of BID-2 (Board) primary responsibility will be the implementation of the District Operating Plan. This will require the Board to negotiate with providers of services and materials to carry out the plan; to enter into various contracts; to monitor development activity; to revise periodically the District plan and to ensure District compliance with the provisions, applicable statutes and regulations.

State law requires that the Board is composed of at least 5 members and that a majority of the Board members be owners or occupants of property within the District.

BID-2 Board has been structured and is operating as follows:

- Board size - 9 members.
- Composition – at least seven members are owners or occupants of property within the District. Any non-owner or non-occupant appointed to the Board shall be a resident of the City of Milwaukee.
- Term - Appointments to the Board are for a period of 3 years except that initially 3 members were appointed for a period of 2 years, and 3 members were appointed for a period of 1 year, each term ending on March 22 of the applicable year.
- Compensation - None.
- Meetings - All meetings of the Board shall be governed by the Wisconsin Open Meetings law.
- Record Keeping - Files and records of the Board's affairs shall be kept pursuant to public record requirements.
- Staffing - The Board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
- Meetings – The Board shall meet regularly, at least annually, in keeping with the by-laws as stated in Appendix, Exhibit F. The Board shall adopt rules of order to govern the conduct of its meetings.

- The Board shall submit to the City the results of its annual audit, which shall be conducted by a qualified certified public accountant.

The following have been appointed by the Mayor to the Board and are currently serving as members:

Kendall Bruenig
 Marianne Burish
 Michael Gardner
 Robert Joseph
 Robert Monnat
 Ann Pieper Eisenbrown
 Ronald San Felippo
 Greg Uhen
 Doug Weas

F. RELATIONSHIP TO HISTORIC THIRD WARD ASSOCIATION

BID-2 shall be a separate entity from the Historic Third Ward Association, Inc. (HTWA) notwithstanding the fact, that members, officers and directors of each may be on each board. The HTWA whose board consists of 24 members shall remain a private organization not subject to the open meeting law, and not subject to the public records law except for its records generated in connection with its contact with the BID-2 Board, and may, and it is intended, shall, contract with BID-2 to provide services to BID-2, in accordance with BID-2's operating plan. Any contracting with HTWA to provide services to BID shall be exempt from the requirements of 62.13, Wis. Statutes because such contracts shall not be for the construction of improvements or provision of materials. If BID-2 does contract for the construction of improvements or provision of materials, it shall follow the requirements of such statutes to the extent applicable. Further, the annual accounting required under 66.1109 (3)(c), Wis. Statutes, shall be deemed to fulfill the requirements for 62.15(14) Wis. Statutes. BID-2 Board and the City shall comply with the provisions of 66.1109 Wis. Statutes, before the City inserts assessments for this BID plan onto the tax bills for the parcels assessed hereunder, only to the extent required by law, to create a lien on the parcels assessed.

IV. METHOD OF ASSESSMENT AND DISBURSEMENT

BID-2 voted on September 10, 2003 to change its Assessment Formula to a value based method that uses the City's Assessed Valuation, as on Jan 1, of the same year, as the determination factor to assess individual property owners of their share of the Assessments.

A. ASSESSMENT RATE AND METHOD

i. THE GENERAL ASSESSMENT

The variables used to determine the regular annual General Assessments are:

1. Value of the property as of January 1, of the year the Assessment is calculated, as determined by the City Assessors' Office.

2. The Gross amount of the assessment.

The assessment methodology will work as follows:

Step 1.

Add up the value of all property subject to BID-2 Assessment.

Step 2.

Divide the amount of the assessment by the total value of the property (see 1 above) to create a valuation factor or mil rate.

Step 3.

Multiply the valuation factor times the assessed value of the property to determine each BID-2 Assessment on a property by property basis.

Step 4.

After compliance with the provision of Article IV, herein, the amount of regular assessment and contingent assessment for each parcel shall be submitted to the City of Milwaukee which shall include it as a separate line item on the real estate tax bill for that parcel next issued. The City shall collect such assessment with the taxes as a special charge, and in the same manner as such taxes, and shall turn over all monies so collected to BID-2 Board for distribution in accordance with BID-2 Plan by the 15th day of the month following such collection. All BID-2 Assessments shall be held by the City in a segregated account until it is released to BID-2 Board as provided herein.

As of January 1, 2011, the property in the District had a total assessed value of over \$316,926,100. This plan proposed to assess the property in the district at a rate of \$1.58 per \$1,000 of assessable value. This does not include special assessments agreed to by specific parcels.

Appendix Exhibit D lists the total amount to be raised through assessments in 2012 (Year Twenty Five) and the projected assessment for each parcel within BID-2. These assessment figures are estimates. They are based upon the following assumptions:

1. The budget contained herein is adopted.
2. Assessed values within the District are not changed from the Tax Commissioner's July 2011 figures.
3. The total number of parcels assessed under the Plan are parcels identified in Appendix, Exhibit D.

Assessments will vary if any or all of these assumptions prove incorrect. However, it is unlikely that actual costs, floor areas, land areas, assessed values and bonding factors will vary enough from assumed conditions to produce significant changes in projected assessments.

Assessments for individual parcels within BID-2 will be established each year over the life of the District. Thus, as parcels increase or decrease in value, their assessment obligations will change.

The assessment method is designed to reflect changing conditions with BID-2. If potential benefits increase for a particular parcel (e.g., if floor area is added or new construction takes place), the assessment value relative to other parcels will increase. If potential benefits decrease (e.g., if a building is demolished), the assessment value relative to other parcels will decrease. Any BID-2 Assessments collected by the City before or after the plan year for which the Assessments were made, shall be delivered to BID-2 Board by the 15th of the month following the month during which such sums were collected, and are to be used by BID-2 Board in the same manner as if received during the applicable Plan Year. This provision is intended to govern BID Assessments prepaid in

December prior to the applicable Plan Year, as well as to delinquent and late payments made after the Plan Year.

The Board shall prepare and make available to the public and the City annual reports describing the current status of BID-2, including expenditures and revenues, at the same time it submits its amended Plan to the City for the following year. This report shall include an independent certified audit of the implementation of the Plan, which shall be forwarded to the City, and which shall be paid for out of BID-2's budget.

The presentation of this Plan to the City shall be deemed a standing order of the Board under Sec. 66.1109(4) Wis. Statutes to disburse BID-2 Assessments without necessity of an additional disbursement agreement, disbursement method, or accounting method.

Disbursements made under this Plan shall be shown in the City's Budget as a line item. Disbursement procedures shall be as follows: the City shall forward a check for the full amount of the assessment minus that which is assessed for replenishing the Bond Reserves for the Water Street Parking Structure, if any is due, to the offices of BID-2.

ii. THE RIVERWALK ASSESSMENT

Those properties identified in Appendix, Exhibit J "Riverwalk Development Agreement", which are operational, will be assessed per the methodology outlined in BID-2 No. 2 First Amendment to 1998 Operating Plan, incorporated herein as Appendix, Exhibit I beginning in 2004 (Plan Year 17).

iii. THE DOCKWALL ASSESSMENT

Those properties whose dock walls have been completed and which are identified in Appendix, Exhibits O(1) through O(6) will be assessed per their agreements with BID-2.

iv. RIVERWALK MAINTENANCE ASSESSMENT

Those properties identified in Exhibit J "Riverwalk Development Agreement", which were operational, were assessed per the methodology outlined in BID-2 No. 2 First Amendment to 1998 Operating Plan, and such additional Amendments as have succeeded it, incorporated herein as Appendix, Exhibit I, beginning in 2004 (Plan Year 17).

With the addition of the Riverwalk Connector Project identified in Appendix, Exhibit R "Fifth Amendment to Riverwalk Development Agreement" and Appendix, Exhibit S "Sixth Amendment to the Riverwalk Development Agreement," the City has agreed to fund BID-2 with an \$18,000 City Contribution toward maintaining this publicly owned portion, beginning in 2006 (Plan Year 19). In the event the \$18,000 is not allocated in the budget to BID-2 then the responsibility for maintaining the Riverwalk Connector shall be the City's.

v. CONTINGENT ASSESSMENTS

To guarantee the repayment of bond interest for monies borrowed through RACM, to finance the construction of the Third Ward Water Street Parking Structure, BID-2 pledged to assess for any shortfall in the debt service reserve account, as described in BID-2 Third Amendment to 1998 Operating Plan, attached hereto as Appendix, Exhibit M. Any contingent assessment for this purpose shall be paid based on the General BID Assessment methodology.

The actual yearly assessment for each parcel will be established when the Common Council adopts the annual operating plan update. Appendix, Exhibit D shows the percentage of payment allocated to each parcel in BID-2 using the City's July 2011 figures.

B. EXCLUDED AND EXEMPT PROPERTY

The Business Improvement District law requires the plan to include several specific statements:

1. Wis. Stats. 66.1109 (1)(f)(1m): 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 standard formula, because it is assumed that they will benefit from development in the District.
2. Wis. Stats. 66.1109 (5)(a): Property known to be used exclusively for residential purposes will not be assessed, such properties will be identified as BID Exempt Properties in Appendix, Exhibit D, as revised each year.
3. Wis. Stats. 66.1109 (1)(f)(5): A legal Opinion from the City of Milwaukee Attorney indicating that the plan complies with all applicable provisions of State law is attached to this section as Appendix, Exhibit G.
4. This Plan relies on the procedures adopted by the Common Council (Appendix, Exhibit E) and the City Attorney to review and express an opinion as to its legal sufficiency prior to action by the Common Council to adopt this plan as part of its budget.

The BID considers a property residential, if the unit is used for residential purposes only and is owner occupied.

Any property status change, after the submittal of the operation plan, that results in a refund of BID fees will be refunded and paid out of the 2012 budget.

V. RELATIONSHIPS TO THE COMPREHENSIVE PLAN AND THE ORDERLY DEVELOPMENT OF THE CITY

A. CITY PLANS

Historic building development became an important component of the City's overall downtown revitalization efforts beginning with the Grand Avenue Mall project. A "Master Plan" of Urban Design and Development Potentials for the Historic Third Ward was prepared with Milwaukee Department of City Development, in September of 1986. This Master Plan identified the need for and potentials of development in the Third Ward, and suggested BID-2 method for accomplishing such goals. This Plan is an outgrowth of these recommendations. The City has subsequently undertaken a number of planning studies involving the District, including a Downtown Master Plan, the development of Architectural Review Design Guidelines and the Third Ward Neighborhood Comprehensive Plan. These build on the original Third Ward Master Plan by putting the District in context with the City's Downtown and setting up standards, which promote the goals identified in the original Master Plan.

Creation of a Business Improvement District to facilitate District development is consistent with the City's plans and promotes the orderly development of the City in general and the Downtown area in particular.

B. CITY ROLE

The City of Milwaukee is committed to helping private property owners in the District promote its development. To this end, the City intends to play a significant role in the creation of the District and in the implementation of the development plan. In particular, the City will:

1. Pay the contribution adopted by the City in its budget process, referenced in IV, above, applied against the following parcels of public land:

3610926111	3920986000	3921732000	3970115111
3920623110	3921479100	3921734000	3970115112
3920624110	3921481000	3921735000	3978003000
3920631111	3921486210	3921736000	3978004000
3920636111	3921489100	3922167100	3978007000
3920757111	3921490111	3922169114	4290124111
3920778100	3921492110	3922178120	4290124200
3920860100	3921493111	3922187113	4298001000
3920879110	3921727100	3922187114	4299998000
3920964000	3921728000	3960001100	4299999000

2. Act as staff to the District through adoption of this plan and provide assistance as appropriate thereafter.
3. Monitor, and when appropriate, apply for outside funds that could be used in support of the District.
4. Collect assessments, maintain in a segregated account and disburse the revenues of the District to BID-2, along with identification of those BID-2 assessments included in the disbursement.
5. Review annual audits as required per 66.1109(3) (c) of the BID Statute.
6. Provide the Board, through the Tax Commissioner's Office, on or before September 1 of each plan year, the official City records on assessed value and land area and building square footage for each tax key number within the District, as of January 1 of each plan year, for the purpose of calculating BID-2 assessments.
7. Encourage the County, State, and Federal Governments to support the activities of the District.

VI. PLAN APPROVAL PROCESS

A. PUBLIC REVIEW PROCESS

The Wisconsin Business Improvement District law establishes a specific process for reviewing and approving the creation and operation of BID's. In addition to being subject to the open meetings law a BID is required to provide annual audited financial statements to the City. Additions or amendments to a BID's Operating Plan must be passed as by the municipality's legislative process. All appointments to a BID board must be nominated by the chief municipal officer and approved by the governing body.

All of the statutory requirements to create BID-2 were followed and are on file with the City's Legislative Reference Bureau.

i. Changes to the Operating Plan

Specifically the statute allows BID-2 to change its Operating Plan annually or at other times by amendment, in both cases the process follows the same procedure.

- The Economic Development Committee of the Common Council reviews the proposed changes to BID-2 Operating Plan at a public meeting and makes a recommendation to the full Council.
- If the Common Council approves it is forwarded to the Mayor for final approval.

ii. Annual appointment of BID-2 Board Members

Appointment of BID Board members is provided for under 66.1109 (3)(a) Wis. Statutes. The responsibility of the Board shall be as follows:

1. The nominating committee of BID Board No. 2 will forward, as board members terms expire or vacancies occur, a list of potential board members to the office of the Mayor 60 days prior to the expiration of such board member's term or as vacancies occur.
2. The Mayor will appoint members to the District Board with expiring terms at least 30 days prior to the expiration of such board member's term.
3. The Economic Development Committee of the Common Council will review the Mayor's nomination at a public meeting and will make a recommendation to the full Common Council.
4. The Council will act on said recommendation.

VII. FUTURE YEARS OPERATING PLANS

A. PHASED DEVELOPMENT

It was anticipated that BID-2 would continue to revise and develop its operating plan annually, in response to changing development needs and opportunities within the District, subject to the purposes and objectives defined herein.

Section 66.1109(3)(b) of the Business Improvement District law permits the Board to annually review and make changes as appropriate in the District operating plan. Therefore, while this document outlines in general terms the complete development program, it focuses on Year Twenty Five activities for calendar year 2012 (Plan Year), and information on specific land areas, building square footage, assessed values, budget amounts and assessment amounts.

This 2012 BID-2 Operating Plan will continue to apply the assessment formula against the assessed value as determined by the City as of January 1, 2011, to raise funds to meet the 2012 annual budget. The method of assessing shall not be materially altered except with the consent of the City as approved in the Operating Plan.

B. AMENDMENT, SEVERABILITY AND EXPANSION

This Business Improvement District 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 said decision will not invalidate or terminate the Business Improvement District and this Business Improvement District Plan should be amended to conform to the law without need of re-establishment. Should the legislature amend the statute to narrow or broaden the process of a Business Improvement District so as amongst other things 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 budget approval and without necessity to undertake any other act. All of the above is specifically authorized under Section 66.1109(3) (b).

VIII. APPENDICES

The following are the Appendices of the current and previous Business Improvement District No. 2 Operating Plans, and are incorporated herein by reference, unless amended by this document:

- A. BUSINESS IMPROVEMENT DISTRICT STATUTE
- B. PETITION FOR CREATION OF BID DISTRICT
- C. BID BOUNDARIES (MAP)
- D. YEAR 25 ASSESSMENT AND METHODOLOGY
- E. COMMON COUNCIL RESOLUTION CREATING BUSINESS IMPROVEMENT DISTRICT NO. 2
- F. BID NO. 2 BY-LAWS
- G. STATEMENT OF CITY ATTORNEY
- H. DEVELOPMENT OF RIVERWALK PROJECT
- I. FIRST AMENDMENT TO BID NO. 2 1998 OPERATING PLAN
- J. RIVERWALK DEVELOPMENT AGREEMENT
 - (a) Description and Timetable for Completion of all Project Segments
 - (b) Estimate Schedule of Repayments
 - (c) Estimated 2nd Year Riverwalk Project Assessments Per Property
 - (d) Estimated Riverwalk Project Budget
- K. SECOND AMENDMENT TO BID NO. 2 1998 OPERATING PLAN
- L. DEVELOPMENT OF WATER STREET PARKING STRUCTURE
- M. THIRD AMENDMENT TO BID NO. 2 1998 OPERATING PLAN
- N. DOCKWALL DEVELOPMENT LOAN AGREEMENT
- O. 2012 FISCAL YEAR DOCKWALL ASSESSMENTS PER PROPERTY
 - (1) 301 North Water
 - (2) 333 North Water
 - (3) 105 North Water
 - (4) 225 North Water
 - (5) 223 North Water
 - (6) 233 North Water
- P. FOURTH AMENDMENT TO RIVERWALK DEVELOPMENT AGREEMENT, FIRST AMENDMENT TO DOCKWALL DEVELOPMENT LOAN AGREEMENT AND THIRD AMENDMENT TO COOPERATION AGREEMENT
- Q. FIRST AMENDMENT TO RIVERWALK DEVELOPMENT AGREEMENT FOR MIAD AND FOURTH AMENDMENT TO COOPERATION AGREEMENT FOR 511 E. MENOMONEE AND 151 N. JACKSON ST BLIGHT DESIGNATION PROJECT
- R. FIFTH AMENDMENT TO RIVERWALK DEVELOPMENT AGREEMENT
- S. SIXTH AMENDMENT TO RIVERWALK DEVELOPMENT AGREEMENT
- T. 2012 BUDGET FOR YEAR 25
- U. RESOLUTION DISSOLVING TID 11

- V. **THIRD WARD STREETLIGHT AGREEMENT WITH THE CITY**
- W. **CATALANO SQUARE AND ERIE STREET PLAZA LEASES**

BUSINESS IMPROVEMENT DISTRICT NO. 4

GREATER MITCHELL STREET

OPERATING PLAN FOR YEAR 2012 (YEAR 23)

8/15/2011

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- I. Introduction
- II. Proposed Operating Plan
- III. No Section III.
- IV. Method of Assessment
- V. Relationship to Milwaukee Comprehensive Plan and Orderly
Development of the City
- VI. Plan Approval Process
- VII. Future Year Operating Plans

I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Mitchell Street business area on Milwaukee's near south side (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Mitchell Street Business Improvement District #4. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The area is a retail and commercial district in the near south side of Milwaukee.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to: Continue the revitalization and improvement of a shopping district as a shopping destination on Milwaukee's near south side.

B. Proposed Activities

Principle activities to be engaged in by the district during its twenty-third year of operation will include: Maximizing both human and capital resources in the promotion and implementation of activities that will result in enhanced neighborhood safety, improved area image, new retail and commercial development, and the increased value of present improvements, and including:

- a. Coordinating efforts to complete an overall design plan, including capital improvements, traffic circulation, and parking lot utilization.
- b. Providing assistance to property owners and developers who are engaged in property improvements and redevelopment activities.
- c. Promoting the unique historic significance and commercial mix of the District.
- d. Encouraging design-sensitive renovations of buildings in the District and the removal of security bars and grills on commercial frontage.

- e. Expecting all commercial buildings within the District to be maintained in a graffiti-free manner and supporting means to accomplish this goal.
- f. Providing support and/or financial assistance to corporations that are engaging in activities meeting the BID's overall objectives for the year being considered.
- g. Coordinating retail and other business recruitment.
- h. Maintaining the neighborhood business district portfolio, including an inventory of commercial space availability to distribute to prospective tenants and to respond to inquiries.
- i. Encouraging increased police protection, security measures, and safety programs.
- j. Initiating publicity and media coverage of District activities.
- k. Planning and coordinating membership activities.
- l. Supporting a community outreach program linking the business community to the community at large.
- m. Distributing timely information to members, retailers, and other interested parties in the form of newsletters, faxes, flyers, and other appropriate methods.
- n. Encouraging and supporting activities which enhance business recruitment and retention.
- o. Assisting in TID #71 continuing activities.
- p. Organizing a business Neighborhood Block Watch to enhance safety and security.

C. Proposed Expenditures

Proposed Budget for 2012:

Business Development	4600
Design Committee	500
Marketing and Promotion	9500
Safety and Security	1000
Catalytic Projects Reserve	1000
Graffiti Removal	7000
Street Maintenance	5000
Office Supplies	1500
Rent	14,400
Telephone/Internet	2600
Postage	3000
Utilities	5000
Equipment and Repairs/Maintenance	2000
T/E Meeting Expenses	1000
Subscriptions/Dues	100
Legal	1000
Insurance	3000
Professional Services	7500
Personnel	65,000
TOTAL:	134,700

D. Financing Method

It is proposed to raise \$134,700 through BID assessments (see Appendix D). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the District board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the District.

It is recommended that the BID board be structured and operate as follows:

1. Board Size - Five
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meeting.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$2500.00 per parcel will be applied.

As of January 1, 2011, the property in the proposed district had a total assessed value of over \$63 million. This plan proposed to assess the property in the District at a rate of \$4.00 per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID.

Appendix D shows the projected BID assessment for each property included in the District.

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. State Statute (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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.608(1) (b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Mitchell Street 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the board and the City to annually review and make changes as appropriate in the Operating Plan. Greater detail about subsequent year's activities

will be provided in the required annual Operating 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 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).

APPENDICES

- A. STATUTE
- B. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. YEAR ONE PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION

BUSINESS IMPROVEMENT DISTRICT NO. 5

Westown Association of Milwaukee, Inc.

OPERATING PLAN - 2012



September 20, 2011

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- Appendix A - Map of BID #5 Boundaries - Pg. 11
- Appendix B - Assessment Methodology - Pg. 12
- Appendix C - Projected 2009 BID Assessments - Pg. 13
- Appendix D - Westtown Association By-Law = Pgs. 14-18

I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Westown business area in Milwaukee's downtown central business district (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Westown BID #5 district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The BID #5 boundaries are roughly comprised of Fourth Street on the east, Tenth Street on the west, W. Wells St. on the North and Clybourn St. on the south (with exclusion of certain exempt properties within those boundaries).

III. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix A of this plan. A listing of the properties included in the district is provided in Appendix C.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

According to the Westown BID #5 strategic plan, which was developed in 2008, Westown has set the following objectives as priorities for the next five years:

- Create new ways to attract people to visit Westown
- Foster economic and business development
- Continue to address the Transit Issue
- Engage Residents
- Continue current mix of Westown program and event offerings

B. Proposed Activities

Principle activities to be engaged in by the district will include:

- Increase efforts to brand the Westown neighborhood that includes promotion of a Walkable Westown and leverages cultural assets in Westown including but not limited to MPL, MPM, Historical Society, Bradley Center, and Marquette University
- Design and launch new signature events
- Promote use of Design Guidelines
- Support continuing efforts to lease/sell more building space
- Promote/advocate for new developments and leverage impact of these developments
- Participate with others in existing and future efforts to address transit issues that affect Westown and Downtown Milwaukee as a whole
- Seek input from neighborhood residents by developing a Resident Committee
- Continue producing River Rhythms, Farmer’s Market, Indoor Market, St. Patrick’s Parade, and Oktoberfest.

C. Proposed Budget

Revenue	
BID Assessments	96259
City Match	0
Membership Dues	17,500
Interest Income	1,000
Operating Revenue	143,437
Total Revenue	\$258,196.00
Expenses	
Gross Wages	96,729
Employer Benefit Contribution	13,835
Employer Payroll Taxes	7,808
Association Dues	786
Bank Charges	276
Business Meeting Costs	4,985
Insurance	2,307
Misc. Exp.	1,437
Equipment Lease/Maintenance	6,971
Equipment Purchase	09
Office Supplies	1,489
Postage	1,153
Printing	500
Professional Services	6,000
Subscriptions	296
Telephone/Fax	3,383
Meetings/Conferences	0
Newsletter	3,104
Operating Expenses	107,137
Total Expenses	\$258,196.00

D. Financing Method

It is proposed to raise **\$96,259.00** through BID assessments (see Appendix C. We also expect to raise money through membership dues and program revenue. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size - 10
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation - None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to the Westown Association

The BID shall be a separate entity from the Westtown Association of Milwaukee, Inc, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The annual assessment for the BID #5 operating expenses will be levied against each property within the BID in direct proportion to the current assessed value of each property for real property tax purposes as of the date the BID holds its public hearing regarding its **Year Twenty Three** Operating Plan (**September 20, 2011**). No owner of property within the BID shall be eligible to receive or be subject to any reductions or increases in its assessment as a result of a decrease or increase in the assessed value for their property occurring after such date. In addition, the amount of a special assessment against a particular property may change from year to year if that property's assessed value changes relative to other properties within the BID.

As of **January 1, 2011** the property in the Westtown district had a total assessed value of **\$138,609,800**. This plan proposes to assess the property in the district at a rate of \$.90 per \$1,000 of assessment for the purposes of the BID with a \$210 per parcel minimum assessment and a \$12,600 per parcel maximum assessment. Appendix C shows the projected BID assessment for each property included in the BID.

The principle behind the assessment methodology (Appendix B) is that each property should contribute to the BID in proportion to benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the assessment methodology for this BID. It is assumed that development of the District will produce at least some minimum benefit for all parcels. Thus, a \$210 minimum assessment has been applied.

B. Excluded and Exempt Property - The BID law requires explicit consideration of certain classes of property. In compliance, the following statements are provided.

1. State Statute 66.608 (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 plan because it is assumed that they will benefit from development in the District.

2. State Statute 66.608 (5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties are identified as BID Exempt Properties in Appendix C with no value assigned.

3. In accordance with the interpretation of the City Attorney regarding State Statute 66.608 (1)(b), property exempt from general real estate taxes has been excluded from the district boundaries. Tax exempt property adjoining the district and which is expected to benefit from district activities will be asked to make a financial contribution to the district on a voluntary basis.

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$12,600 per parcel will be applied.

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. 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
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. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Westtown 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.

4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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.

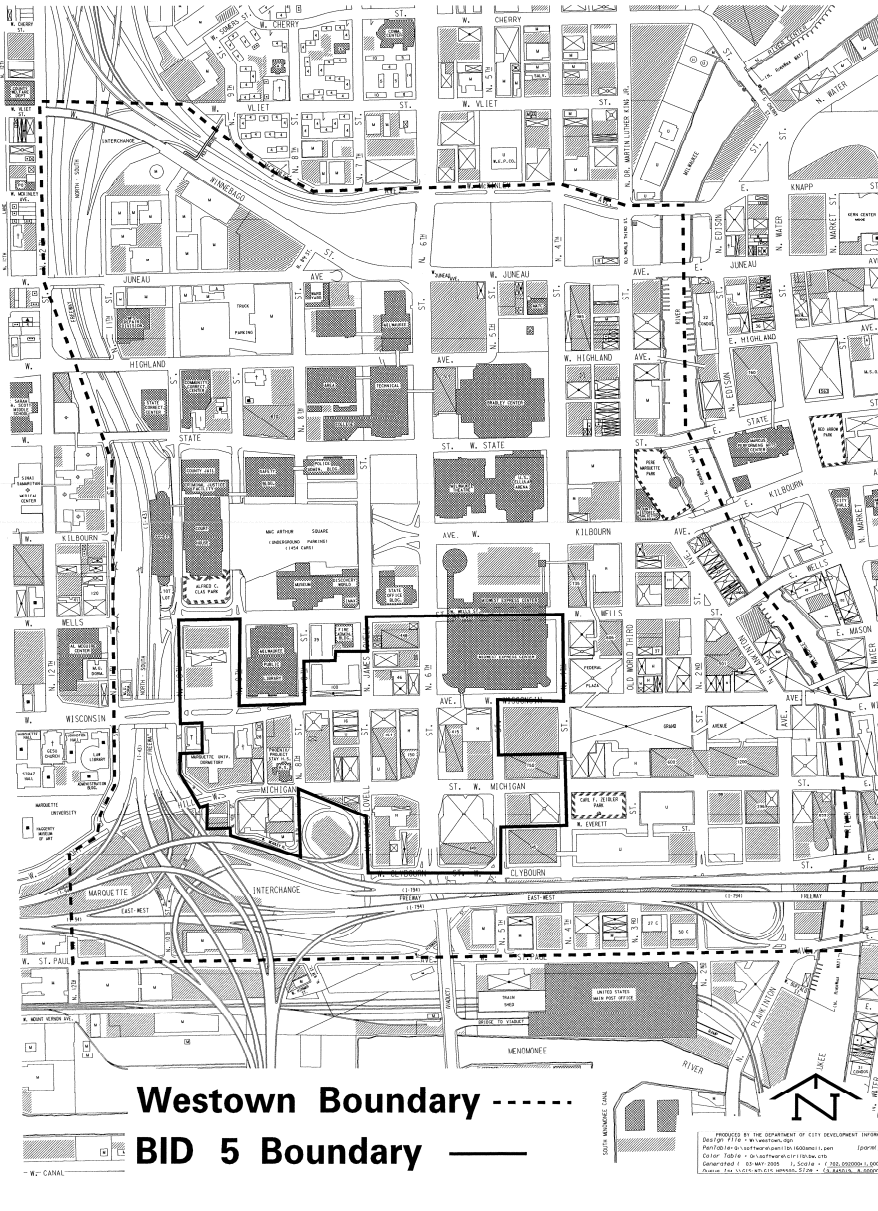
In later years, the BID Operating Plan will continue to apply the assessment formula, as adjusted, to raise funds to meet the next annual budget. However, the method of assessing shall not be materially altered, except with the consent of the City of Milwaukee.

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).

**Appendix
A**



Appendix B

ASSESSMENT METHODOLOGY for BID #5 in YEAR TWENTY THREE ASSESSMENTS (2012)

It is intended to assess all properties described in the plan equally, with the exception that there shall be a minimum assessment of \$210.00 and a maximum assessment of \$12,600.00 on all individual parcels. The rate for Year Twenty One will be \$0.900 per \$1,000.00 in assessed valuation.

EXAMPLES:

Towne-Peterson LLC, 625 N. James Lovell

Given that the total valuation of this property as of 1 January 2011 is \$125,000; then dividing this by \$1,000 and then multiplying this valuation by \$0.900 would result in an assessment of \$112.50. Because this is below the \$210.00 minimum, the actual assessment for the BID should be \$210.00.

THE CLARK BUILDING JOINT VENTURE, 633 W. Wisconsin Ave.

Given that the total valuation of this property as of 1 January 2011 is \$10,435,000.00; then dividing this by \$1000 and multiplying this valuation by \$0.900 would result in an assessment of \$9,391.50. Because this is not below the \$210.00 minimum and not above the \$12,600.00 maximum, the actual assessment for the BID would be \$9,391.50

ASSURANT HEALTH INSURANCE BUILDING, TIME INSURANCE COMPANY

501 W. Michigan Avenue

Given that the total valuation of this property as of 1 January 2011 is \$25,687,000; then dividing this by \$1,000 and multiplying this valuation by \$0.900 would result in an assessment of \$23,118.30. Because this is above the \$12,600.00 maximum, the actual assessment for the BID would be \$12,600.00.

Complete tabulation of the assessment per parcel in the Westown BID #5 is in the next page on Appendix C.

2012 BID #5 Assessments

Taxkey	Address	Owner	Land	Improvement	Total	OBJ	2012 BID Assess.
361-0701-000	825 W WISCONSIN	ST JAMES COURT HISTORIC	61,400.00	1,602,600.00	1,664,000.00	Obj	1,497.60
361-0702-000	815 W WISCONSIN	TOWNE PETERSON LLC	68,600.00	31,000.00	99,600.00		210.00
361-0703-000	801 W WISCONSIN	TOWNE PETERSON LLC	330,900.00	91,100.00	422,000.00		379.80
361-0707-110	735 W WISCONSIN	TOWNE -PETERSON LLC	1,008,000.00	2,731,000.00	3,739,000.00	Obj	3,365.10
361-0709-100	625 N JAMES LOVELL	TOWNE PETERSON LLC	87,300.00	37,700.00	125,000.00		210.00
361-0711-000	712 W MICHIGAN	LIBERTY HOLDING CO LTD	67,500.00	873,500.00	941,000.00	Obj	846.90
361-0712-000	700 W MICHIGAN	LIBERTY HOLDING CO LTD	135,000.00	1,221,000.00	1,356,000.00	Obj	1,220.40
361-0713-111	633 W WISCONSIN	THE CLARK BUILDING	1,428,000.00	9,007,000.00	10,435,000.00		9,391.50
361-0714-111	611 W WISCONSIN	DOWNTOWN VENTURES LLP	839,100.00	8,660,900.00	9,500,000.00		8,550.00
361-0719-112	509 W WISCONSIN	MILW CITY CENTER LLC	5,231,200.00	29,768,800.00	35,000,000.00		12,600.00
361-0739-120	615 N 4TH	BOSTCO LLC	1,440,000.00	1,460,000.00	2,900,000.00		2,610.00
361-0799-110	401 W MICHIGAN	401 W MICHIGAN ST MILW LLC	1,920,000.00	3,830,000.00	5,750,000.00		5,175.00
361-0814-122	501 W MICHIGAN	TIME INSURANCE COMPANY	2,873,700.00	22,813,300.00	25,687,000.00	Obj	12,600.00
361-0822-110	633 W MICHIGAN	633 WEST MICHIGAN LLC	963,700.00	1,736,300.00	2,700,000.00		2,430.00
361-0825-120	525 N 6TH	S & R PROPERTY LLC	238,000.00	1,102,000.00	1,340,000.00		1,206.00
361-0834-210	545 N JAMES LOVELL	LIBERTY HOLDING CO LTD	33,800.00	79,200.00	113,000.00		210.00
361-0835-000	555 N JAMES LOVELL	THE SCHETTLE JOINT REVOCABLE	30,000.00	366,000.00	396,000.00		356.40
361-0840-111	803 W MICHIGAN	TOWN REALTY INC	482,100.00	3,592,900.00	4,075,000.00	Obj	3,667.50
361-0849-100	531 N 8TH	TOWN REALTY INC	76,800.00	9,900.00	86,700.00		210.00
361-0850-110	521 N 8TH	TOWNE REALTY INC	73,200.00	406,800.00	480,000.00		432.00
361-1713-100	601 W WELLS	TTOW PROPERTIES LLC	735,000.00	3,698,000.00	4,433,000.00	Obj	3,989.70
361-1715-000	738 N JAMES LOVELL	HANSON & PAYNE LLC	40,000.00	254,000.00	294,000.00		264.60
361-1716-000	746 N JAMES LOVELL	STEVEN M LECHTER &	35,000.00	133,000.00	168,000.00		210.00
361-1717-000	728 N JAMES LOVELL	COMMUNITY ADVOCATES INC	300,000.00	2,884,000.00	3,184,000.00		2,865.60
361-1718-100	723 N 6TH	TTOW PROPERTIES LLC	240,000.00	170,000.00	410,000.00		369.00
361-1721-000	626 W WISCONSIN	THE CENTRAL MARKET PLACE CO	326,200.00	71,800.00	398,000.00		358.20
361-172-2000	612 W WISCONSIN	WISCONSIN AVENUE PROPERTY	86,200.00	2,267,800.00	2,354,000.00		2,118.60
361-1729-110	700 W WISCONSIN	PARTNERSHIP TO DEVELOP	470,500.00	12,570,500.00	13,041,000.00		11,736.90
391-0101-000	900 W WISCONSIN	WISCONSIN CLUB	1,714,600.00	3,460,400.00	5,175,000.00	Obj	4,657.50
391-0761-000	606 W WISCONSIN	M&I REGIONAL PROPERTIES LLC	13,100.00	204,800.00	217,900.00		210.00
391-0762-000	606 W WISCONSIN	M&I REGIONAL PROPERTIES LLC	1,300.00	36,400.00	37,700.00		210.00
391-0763-000	606 W WISCONSIN	M&I REGIONAL PROPERTIES LLC	1,900.00	14,000.00	15,900.00		210.00
398-0117-210	533 N 9TH	TOWNE REALTY INC	181,100.00	22,900.00	204,000.00		210.00
398-1202-100	635 N JAMES LOVELL	BADGER COACHES INC	240,000.00	207,000.00	447,000.00		402.30
398-1204-100	701 W WISCONSIN	SHAFTON FAMILY LTD	259,200.00	1,161,800.00	1,421,000.00		1,278.90
Totals	35 Taxable Properties		\$22,032,400.00	\$116,577,400.00	\$138,609,800.00		\$96,259.50

APPENDIX D

**WESTOWN ASSOCIATION BY-LAWS
(last updated 1/18/11)**

ARTICLE I NAME AND GEOGRAPHIC AREA SERVED

- Section A. The name of the Corporation shall be the Westown Association, hereafter referred to as the "Association."
- Section B. The Association shall incorporate as a not-for-profit, tax-exempt organization according to the laws in the State of Wisconsin.
- Section C. The geographical area served by the Association shall be that portion of downtown Milwaukee bounded by Interstate-43 on the west, the Milwaukee River on the east, the Menomonee River on the south, and McKinley Boulevard on the north. Nothing in this section, however, shall be construed as meaning that the Association's interests are solely confined to this area.

ARTICLE II PURPOSE OF THE ASSOCIATION

- Section A. The purpose of the Association is to identify and publicize the advantages of the geographical area served by the Association, and to work on the economic and physical improvement of this area with private developers, investors and in cooperation with concerned public agencies. In addition, the Association will serve as liaison between its members and other organizations concerned with the economic development and improvement of downtown Milwaukee, and the greater Milwaukee area.
- Section B. The Association shall carry out its purpose by maintaining regular contact with its members, making potential investors and developers aware of the benefits of the area, serving as liaison with pertinent public and private agencies, initiating cooperative projects to physically improve the area and publicize its advantages, serving as liaison with organizations of similar purpose in Milwaukee.

ARTICLE III MEMBERSHIP

- Section A. An active member shall be defined as any individual, business or organization which resides or operates within the stated geographical area of the Association and has paid the appropriate membership fee.
- Section B. Affiliate members shall be defined as any individual, business or organization that shares the stated purposes of the Association and has paid the appropriate membership fee.

Section C All membership fees shall be determined by the Board of Directors. Fees may be waived by a $\frac{3}{4}$ vote of the Board of Directors in those instances they deem appropriate.

Section D No individual shall be denied membership in the Association based on the basis of race, religion, sex, income, age, sexual preference, disability, or national origins.

ARTICLE IV MEMBER MEETINGS, VOTING PROCEDURES AND ELIGIBILITY

Section A There shall be at least two general membership meetings per year.

Section B The annual meeting of the Association shall be held on the date set forth by the Executive Committee.

Section C Every active member of the Association shall be entitled to vote one ballot at the annual meeting for the election of the Board of Directors, or on other business that may be brought before the membership.

Section D To be eligible to vote at the meeting, members shall be present at the meeting, and shall have paid their membership fees.

Section E The Board of Directors may make provisions for absentee ballots for the election of the Board of Directors.

ARTICLE V BOARD OF DIRECTORS, COMPOSITION, POWERS & DUTIES

Section A There shall be a minimum of 17 directors and a maximum of 21 with responsibility for the management and governance of the Association.

Section B Any active or affiliate member of the Association may become a Director.

Section C At least five (5) Directors shall be elected by the general members at each annual meeting of the Association.

Section D All elected Directors shall serve three-year terms. The initial term for an individual elected to fill a vacancy on the Board, shall be the remaining term of the vacating Director

Section E The President of the Board of Directors may appoint any qualified member to fill any vacancy on the Board, with the consent of a majority of the Board, for the balance of the unexpired term.

Section F The Board of Directors shall 1. Provide leadership for the organization; 2. Manage the general affairs of the Association; 3. Provide direction to and receive recommendations for committees for action; 4. Amend the by-laws by $\frac{2}{3}$ rd vote of the Board Members; 5.

Establish appropriate dues; 6. Develop and implement the Association's long-range plans for the improvement of Westtown.

Section G The Board of Directors shall meet at least four times a year, or at the call of the President or a majority of the Directors.

Section H Quorum and voting. A quorum shall consist of a majority of the total Board Members. A quorum is required for the transaction of all business. If a quorum is present when a vote is taken, the affirmative vote of a majority of Directors present is an action of the Board of Directors unless a greater amount is required in the Articles of Incorporation, these by-laws or by operation of law. A Board member may appear via teleconference or by electronic means as provided in Chapter 181, Wisconsin Statutes for special board meetings only. Proxy voting is not permitted.

Section I An Executive Committee consisting of the Officers of the Association shall be empowered to conduct business on behalf of the Association between regularly scheduled board meetings.

Section J Any Director who misses four (4) consecutive Board meetings may be removed from the Board, by action of the Board.

Section K Action without a meeting. Any action required or permitted to be taken at a board meeting may be taken without a meeting by written action signed by two-thirds (2/3rds) of the directors then in office.

ARTICLE VI OFFICERS

Section A The Officers of the Association shall be: President, Vice-President, Secretary and Treasurer.

Section B The Officers shall be elected by the Board of Directors at the first regularly scheduled meeting of the Board.

Section C Duties of the Officers shall be as follows:

1. The President shall be the Executive Officer of the Association. S/he shall preside over all meetings; make interim appointments to the Board, subject to Board consent; and approve all contracts for the Association, subject to Board or Executive Committee approval for any contracts not within the scope of the current budget.
2. The Vice President shall assume all duties of the President in the absence or disability of the President, and shall assume the office of President should it be vacated.
3. The Secretary shall review all minutes and attendance records at the meetings of the Board of Directors, give notice of all meetings, and shall assume all duties of the office of President in the absence or disability of the President and Vice President.

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4. The Treasurer shall review the receipt, deposit, and accounting of all monies of the Association, provide a written financial statement at regular intervals as determined by the Board of Directors, and at the annual meeting, disburse funds, and assume all duties of the President in the absence or disability of the President, Vice President, and Secretary.

ARTICLE VII COMMITTEES

- Section A There shall be Board committees including, but not limited to: Executive, Finance, Membership & Marketing, Board Development, Transportation, and Community & Economic Development.
- Section B The Executive Committee, composed of the Officers of the Association and the immediate Past President, shall conduct the business of the Association between board meetings. A maximum of two additional Past Presidents may attend meetings of the Executive Committee as non-voting Ex-Officio members. In filling the Ex-Officio positions, preference will be given to individuals whose terms as immediate Past President have most recently expired. All action taken shall be reported at the next Board meeting.
- Section C The Finance Committee shall be chaired by the Treasurer, and include the President as Ex-Officio member, together with two other Directors appointed by the President. The responsibilities of the Committee shall be to determine dues, develop long range financial plans, prepare an annual budget for the Board, review all grant proposals and recommend action by the Board, review all non-budgeted expenditures over \$500.00 and recommend action to the Board. They shall also arrange for an annual audit with submission to the Board.
- Section D The Board Development Committee shall be chaired by a Director and will be comprised of two other Directors appointed by the President. They shall be responsible for matters pertaining to Board of Director's recruitment, nominations, orientation, training, and evaluation of Board members.
- Section E The Membership and Marketing Committee shall be chaired by a Director and will be comprised of two other Directors appointed by the President. Their function shall be to plan events, membership recruitment efforts, advise the Finance Committee on dues, and the Board on dues waivers. In addition, the Committee shall plan the programs for the regular and annual membership meetings.
- Section F The Community and Economic Development Committee shall be chaired by a Director and will consist of other Directors and members appointed by the President. Their function shall be to lead and promote efforts that increase the social and economic vibrancy of the Westown area.
- Section G The Transportation Committee shall be chaired by a Director and will consist of other Directors and members appointed by the

President. Their function shall be to lead and promote efforts that increase awareness and advocate for transportation programs that can enhance the Westown area.

Section H The President may appoint any special ad hoc Committees or task forces appropriate for the mission of the Association.

ARTICLE VIII AMENDMENT

Deleted: ¶

Section A These by-laws may be amended by a two-thirds (2/3rds) vote of the Board of Directors, provided advance written notice of the amendment was previously forwarded to each member of the Board, at least ten calendar days before the meeting.

ARTICLE IX PARLIAMENTARY AUTHORITY

Section A All meetings of the Association and its Board shall be in accordance with Robert's Rules of Order, most recent edition, unless they are in conflict with these by-laws, in which case the by-laws shall prevail

ARTICLE X DISSOLUTION

Section A In the event of the dissolution of the Association by its membership, all assets, physical and/or financial, shall devolve to the Milwaukee Department of City Development, or its successor agency.

**Historic King Drive
Business Improvement District
(BID #8)**

2012 Operating Plan

2212 N. Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212
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Year 20 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 2012 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 2012. 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

Boundaries of the Historic King Drive BID are shown on the map in Appendix A of this Operating Plan. A listing of the properties included in the Historic King Drive BID is provided in Appendix B. (Together Appendix A and B, “BID Boundary”)

III. Proposed Operating Plan

A. Plan Objective

The objective of the Historic King Drive Business Improvement District is to develop, redevelop, maintain, operate and promote the area of Historic King Drive that is within the BID Boundary.

B. Proposed Activities

Principal activities to be engaged in by the District during its twentieth year of operations are to include but 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:

- Respond to questions about available space for lease or purchase;
- Coordinate and support volunteers to promote private and public financing of District development activities;
- Coordinate business recruitment and business development;
- Provide informational materials regarding business and property opportunities;
- Encourage increased police protection and safety programs;
- Maintain maintenance program;
- Publish and distribute District information and promotional materials;
- Initiate publicity and media coverage of District activities;
- Promote the unique historical significance and commercial mix of the District;
- Encourage design-sensitive renovations of buildings in the District;
- Plan and coordinate special events;
- Review and implement 2011 Redevelopment Plan;
- Implement Main Street Approach; and
- Actively review proposed new uses and renewals, and encourage uses that benefit the District and discourage uses that detract from the District.
- Marketing 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 2012 Expenditures

REVENUES

BID Assessment	\$197,594
Fundraising/Contributions/Earned Income	\$0
Main Street Program Funds (CDGA)	\$60,000
Main Street Technical Assistance Funds	\$0
TOTAL REVENUES	\$257,594

EXPENSES

Management

Dues, Subscriptions & Library	\$500
Insurance (Gen. Liability, D&O, Volunteer)	\$4,440
Office Supplies	\$2,100
Postage	\$370
Personal Property Taxes	\$500
Audit	\$4,100
Bookkeeping & Accounting	\$9,600
Staff	\$110,000
Rent	\$10,800
Telephone & Internet	\$1,200
Utilities	\$960
Miscellaneous	\$300

TOTAL MANAGEMENT EXPENSES **\$144,870**

Main Street Activities

Public Safety & Maintenance Initiatives	\$34,844	
Design Initiatives	\$27,724	
Organization Initiatives	\$5,000	
Economic Restructuring Initiatives	\$0	
Marketing Initiatives	\$36,000	\$103,568
<i>Business Owner / Home Owner Rebate</i>	\$5,000	\$5,000
TOTAL EXPENSES		\$253,438
SURPLUS		\$4,156

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 \$211,980,000, almost \$2,586,000 higher than the previous year. Approximately \$197,594 or about 77 percent of the BID budget will be raised through BID Assessments. Approximately \$60,000 of the BID's budget will be raised through a separate contract with the Community Development Grants Administration to implement the Main Street Approach.

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:

Term Expiring 2011

- Fletcher Crawford
- Bob Ferriday
- Dave Rotter
- Dan Zens

Term Expiring 2012

- Pamila Brown
- Welford Sanders
- Sam Denny
- Larry Roffers
- Jo Spear, Jr.
- LaMarr Franklin
- Luc Monsanto
- Michael Coakley

Term Expiring 2013

- Vacant
- Vacant

Term Expiring 2014

- Susan Kissinger

NOTE: The paragraph below is a proposed change to the Historic King Drive Business Improvement District's Bylaws. This paragraph was approved by the King Drive BID's Board of Director's on September 22, 2011 and is pending final approval by the Common Council before it can be implemented or take effect.

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.**

End of proposed change.

The Historic King Drive BID Board of Directors as currently constituted, and as may be adjusted in accordance with the Historic King Drive Bylaws shall serve as the District Program Board for implementing the Main Street Approach in the area.

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 \$4/1,000 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. The assessed value used for the BID Assessment will be as shown on the attached list. 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, mercantile apartments, and all other properties that are used for any commercial gain. 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) Im: 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 April 1, 2012. 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 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: $\text{Assessment Paid by Applicant for the Subject Year} * (\text{Residential Square Footage Occupied by Applicant} / \text{Total Square Footage of Subject Building})$. 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, 2012 and no later than March 31, 2012. 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 Nineteen activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Nineteen 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.

Historic King Drive Business Improvement District

Bylaws

Article I. Offices

Section (1) *Principal Office:* The principal office of the Historic King Drive Business Improvement District shall be located in the City of Milwaukee at 2212 North Dr. Martin Luther King Jr. Drive. The BID Board may determine a different location as the affairs of the BID require from time to time.

Article II. Objective

Section (1) *Statute & Annual Operating Plan:* The objectives of the Board shall be those set forth in section 66.1109 Wisconsin Statutes and in the Operating Plan adopted by the City of Milwaukee for Business Improvement District No 8. (Historic King Drive).

Section (2) *General Purpose:* The purpose shall be to further the economic development of Historic King Drive and its environs~ to promote and assist the growth and development of all business concerns within the said area; to promote good relations among business people in the Historic King Drive district and surrounding community; to foster just and equitable principles of trade; and to cooperate with governmental units for legislating fairly for business generally and this area in particular.

Section (3) *Board Discretion:* The Board may decide to engage in other purposes conducive to the best interests of its members and the community.

Article III. Meetings of Members

Section 1: *Annual Notification or Hearing:* Prior to submitting its annual Operating Plan to the Common Council of the City of Milwaukee, the Board shall notify property owners by mail that the annual plan has been submitted. The Board may also hold a public hearing on the proposed plan. Written notice of the hearing shall be mailed to all property owners assessed by the BID at least one week prior to the hearing. All notices shall state that copies of the Operating Plan are available from the Board on request.

Section (2) *Special Meetings:* Special meetings of the membership may be called at the discretion of the Board of Directors or upon application for same by not less than thirty percent (30%) of the membership.

Section (3) *Place of Meeting:* The Board of Directors may designate any place as the place of meeting for any annual meeting or for any special meeting called by the Board of Directors. If no designation is made or if a special meeting be otherwise called, the place of the meeting shall be 2212 North Dr. Martin Luther King Jr. Drive.

Section (4) *Notice of Meeting:* Written or printed notice stating the place, day and hour of any meeting of members shall be delivered one week in advance, either personally or by mail, to each member by or at the direction of the Chair or Secretary, or the offices or person(s) calling the meeting.

Article IV. Board of Directors

Section (1) *General Powers:* The direction of the BID shall be managed by its Board of Directors.

Section (2) *Number, Tenure & Election:* The number of Directors shall not be more than fifteen (15). Each Director shall hold office for three years. After the three year period has expired, the Board will decide to renew position. The Directors may be elected throughout the year given resignations or other vacancies. Their term of office shall begin at the meeting at which they are elected. Elections of a Director will occur by nominations of serving Directors. A successful candidate must receive two-thirds of the present votes to qualify for election and confirmation by the City of Milwaukee Mayor.

Section (3) *Composition:* The Board of the Directors will be composed of fifteen Board members of whom 12 shall be owners of commercial property and/or operators of businesses within the District boundaries. The remaining 3 board positions shall be representatives of community organizations which function within the environs of the District. If the Board size increases to more than fifteen (15), all additional Board members must be commercial property owners and/or operators of businesses within the District. Board members cannot be an elected official unless the elected official is a commercial property owner and/or operators of a business within the District.

Section (3) *Composition:* 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.

Section (4) *Removal, Resignation & Vacancies:* Any member elected or appointed by the Board of Directors may be removed by the Board whenever in its judgment the best interest of the Board would be served thereby; such removal requires a two-thirds vote from the membership of the Board after notice and opportunity for a hearing are afforded the member in question. A Director whose position as a property owner, business operator or community organization member changes and as a result no longer holds a position within the BID district must resign from the Board of Directors. A Director absent from two (2) successive meetings without giving advance notice and reason for such absence shall forfeit said office. Repeated neglect of committee duties shall be treated in like manner. A Board member may resign by submitting a written resignation to the Secretary. A Board member who has submitted a written resignation shall continue to serve on the Board, if otherwise able, until a successor is confirmed by the Common Council. Any vacancy occurring in the Board of Directors will result in a notification and petition for replacement to the Mayor of Milwaukee.

Section (5) *Regular Meetings:* Regular meetings of the Board of Directors will occur at a minimum on a quarterly basis. At least one week notice, delivered to the members and to the City Clerk shall be necessary to schedule a meeting of the Board. All regular meetings are open to the public, except those specified in Section 9.85 Wisconsin Statute.

Section (6) *Special Meetings:* Special meetings of the Board of Directors may be called by the Chair or at the request of three (3) members of the Board. All special meetings are open to the public, except those specified in Section 9.85 Wisconsin Statute.

Section (7) *Quorum:* A quorum of the Board shall consist of least five (5) members for the transaction of business.

Section (8) *Manner of Acting:* The act of the majority of the Directors at a meeting at which a quorum is present shall be the act of the Board of Directors. Any motion or proposal to modify or rescind a

previous act or actions of the Board of Directors can become effective only by the vote of the majority of Directors in office.

Section(9) Compensation: Directors shall not receive any stated salaries for their services. Directors are eligible for reimbursement for Board approved expenses.

Article V. Officers

Section (1) Officers: The Officers of the Board shall consist of a Chair, Vice-Chair, Secretary and Treasurer. The Board of Directors may elect or appoint such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such offices to have the authority and perform the duties prescribed, from time to time, by the Board of Directors.

Section (2) Election and Term of Office: The Officers of the Board shall be elected to serve for one year or until their successors have been selected. Their term of office shall begin at the meeting at which they are elected. Officers are elected by nomination from the Board of Directors.

Section (3) Removal: Any Officer elected or appointed by the Board of Directors may be removed by the Board when ever in its judgment the best interest of the Board would be served thereby. Such removal requires a two-thirds vote from the membership of the Board after notice and opportunity for a hearing are afforded the officer in question.

Section (4) Chair: The Chair shall preside at all meetings and hearings of the Board and shall perform such duties as are customarily exercised by a presiding officer. the Chair may sign, with the Vice-Chair and Treasurer, any checks, contracts or other instruments which the Board of Directors has authorized be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors to some other officer of the BID. In addition, the Chair may appoint general and special committees if and when the occasion requires.

Section (5) Vice-Chair: The Vice-Chair shall perform the duties of the Chair in the resignation, absence or inability to act, and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chair. The Vice-Chair shall perform such other duties as from time to time may be assigned to him/her by the Chair or the Board of Directors.

Section (6) Treasurer: The Treasurer shall be charge and custody of and be responsible for all funds and securities of the BID. The Treasurer shall perform all the duties incident to the office of Treasurer. The Chair and the Treasurer shall prepare or have prepared an annual operating budget showing income and expense and shall present it to the Board for approval and shall prepare or have prepared the annual audit required by law.

Section (7) Secretary: The Secretary shall keep the permanent minutes of the Board; insure that copies of the minutes, reports and records of the Board are filed with the City Clerk; see that all notices are duly given in accordance with the provisions of these bylaws or as required by law; and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him/her by the President or by the Board of Directors.

Article VI. Committees

Section (1) Executive Committee: The Executive Committee shall be composed of the officers of the Board of Directors plus two at-large Board Members. When the Board of Directors is not in session, the Executive Committee shall have and may exercise all the powers of the Board of Directors, except in respect to the election of officers or the filling of vacancies in the Board of Directors, or any of its

committees and the approval of BID Contracts. The Executive Committee shall transact such additional and other businesses which the Board of Directors delegates to it; and shall transact urgent business requiring immediate action.

Section (2) *Standing Committees:* In order to better facilitate the work of the BID, five standing committees will conduct business throughout the year:

Economic Restructuring
Marketing and Promotions
Public Safety and Maintenance
Design
Organization

Membership in a Standing Committee is open to the public. However, each committee will be made up of at least two (2) BID Board members and no more than eleven (11) BID #8 assessed property owners. Each committee may have ex-officials as members. Each committee will be chaired by a BID Board member. Each committee will be assigned through the Annual Operating Plan a budget for program implementation. These budgets will be approved by the Board of Directors. A majority of the members of each committee will constitute a quorum and the act of the majority of a quorum will constitute the act of such committee. Any member of any committee who is absent from four consecutive meetings (without being excused by the Chairperson of the Committee) will be deemed to have resigned.

Section (3) *Removal:* Any Standing Committee member may be removed by the Board whenever in its judgment the best interest of the Standing Committee would be served. Such removal requires a two-thirds vote from the membership of the Board after notice and opportunity for a hearing afforded the Standing Committee member in question.

Article VII. Contracts, Checks, Deposits, Records and Funds

Section (1) *Fiscal Year:* The fiscal year of the BID shall begin on the first day of January and end on the last day of December in each year.

Section (2) *Contracts:* The Board of Directors may authorize any officer(s) or staff of the BID to enter into any contract or execute and deliver any instrument in the name of and on behalf of the BID, and such authority may be general or confined to specific instances.

Section (3) *Checks, Drafts, etc.:* All checks, drafts or order for payment, notes or other evidences of indebtedness issued in the name of the BID, shall be signed by such officer or officers as indicated by these bylaws. The signatures of two (2) officers shall be required on any check for an amount more than \$2,000 or for any withdrawal. A check less than \$2,000 shall require the signature of one officer. The Secretary shall certify the names and signatures of the current officers to any financial institutions and the institution shall be fully protected in relying on any such certification by the Secretary until it receives written notice of change in such office or signing authority.

Section (4) *Deposits:* All funds of the BID shall be deposited from time to time to the credit of the BID in such banks, trust companies or other depositories as the Board of Directors may select.

Section (5) *Gifts:* The Board of Directors may accept on behalf of the BID any contribution, gift, bequest or device for the general purpose or for any special purposes of the BID.

Section (6) *Reimbursement:* Board members may make application to the Chair for reimbursement of out of pocket expenses up to \$50. Reimbursement for out of pocket expenses in excess of \$50 will require prior Board approval.

Section (7) Minutes and Financial Record: The BID shall keep complete books and records of accounts. There shall be minutes of proceedings of its Board of Directors and these records will be kept at the principal office of the BID. The BID's records and minutes shall be open to inspection upon written request by any Board member, BID member, City official or private citizen.

Section (8) Funding: The BID shall receive funds primarily from its annual assessment process and the City of Milwaukee contribution. The BID Board can instruct its Executive Director to pursue funds outside of its assessment process including private foundations, other public entities and corporations.

Article VIII. Liability of Officers and Directors; Indemnification

Section (1) Liability: No person shall be liable to the BID for any loss or damage caused by any action which he or she took in his or her capacity as an Officer or Director of the BID, if he or she acted in good faith and in a manner which he or she reasonably believed to be in the bests of the Business Improvement District.

Section (2) Indemnification: The BID shall indemnify the Directors, Officers and others in a manner not inconsistent with the laws of the State of Wisconsin. The BID shall purchase and maintain Director and Officer Liability insurance. Indemnification shall be with respect to any and all costs, expenses, attorney fees, judgments, individual deductible required by insurance and all other damages as may be incurred by or imposed upon said indemnified individual .

Article IX. Governance

Section (1) Parliamentary Procedure: The rules contained in the current edition of the Robert's Rules of Order shall govern the Board in all cases which are applicable and in which they are not inconsistent with these bylaws, the Operating Plan and any statues applicable.

Section (2) Agenda: The order and items of business may be varied as the Chair, with the consent of the members present at the meeting, may determine.

Article X. Executive Director

The BID's day to day activities will be managed by a paid Executive Director who serves at the discretion of the Board of Directors

Section (1) Responsibilities: The Director's primary responsibilities will include but not limited to the facilitation of board and committee meetings; public representation of the BID; development of promotional and marketing activities; preparation of annual BID operating plan; management of budgetary expenditures and the identification of resources needed for retention and attraction of businesses.

Section (2) Compensation & Benefits: The Executive Director's salary and benefit package shall be determined by the Board of Directors. The Board shall review compensation and benefit adjustments in conjunction with the Executive Director's performance review.

Section (3) Termination: The Executive Director serves at the will of the Board of Directors. The Board may at any time terminate the services of the Executive Director for any reason.

Article XI Amendment To Bylaws

These bylaws may be altered, amended or repealed and new bylaws may be adopted by a majority of

. the Directors present at any regular meeting or at any special meeting.

**BUSINESS IMPROVEMENT DISTRICT NO. 10
CITY OF MILWAUKEE**

Operating Plan for 2012

Activities, Boundaries, Assessments

The objective of Business Improvement District No. 10 is as stated in its first year, to "...continue the revitalization and improvements of a portion of Milwaukee's near west side." This objective is intended to be accomplished by maximizing both human and capital resources through the operation of an office whose staff implements and promotes activities determined appropriate by the board of directors in achieving the District's objective. The District has a continuing contract with the Avenues West Association Inc. to provide the necessary staffing and Operating Plan implementation.



BUSINESS IMPROVEMENT DISTRICT NO. 10

AVENUES WEST

ANNUAL OPERATING PLAN – 2012

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APPENDIX B: Values and Special Assessments

BUSINESS IMPROVEMENT DISTRICT NO. 10 AVENUES WEST

ANNUAL OPERATING PLAN – 2012

I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created Sec. 66.608 (currently Sec. 66.1109) of the Statutes enabling cities to establish Business Improvement Districts (BIDs). 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 October 30, 1992, the Common Council of the City of Milwaukee, by Resolution File Number 921091, created BID No. 10 - Avenues West and adopted its initial Operating Plan for the year 1993.

Section 66.1109 (3) (b), Wisconsin Statutes, requires that a BID Board "... shall annually consider and may 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 Business Improvement District No. 10 submits this Operating Plan for the year 2012 in fulfillment of the statutory requirement.

This plan proposes a continuation and expansion of activities described in the initial BID Operating Plan. Therefore, it incorporates by reference the earlier plans adopted by the Common Council. In the interest of brevity, this plan emphasizes the elements which are required by Sec. 66.1109, Wisconsin Statutes, and the proposed changes for 2012. It does not repeat the background information which is contained in the original plan nor include the Business Improvement District Statute, original petitions from property owners, or BID No. 10 Bylaws.

B. Physical Setting

BID No. 10 consists of the commercial sections of five (5) arterial streets on the near west side of Milwaukee primarily within the Avenues West neighborhood. The Avenues West neighborhood transitions land uses from downtown Milwaukee, to the east, and the residential neighborhoods to the west.

II. DISTRICT BOUNDARIES

Boundaries of the District remain unchanged and are shown on the map in Appendix A of this plan. The District is contained within the area bounded by I-43 west to 28th Street and I-94 north to Highland Avenue. A listing of all the properties included within the District is provided in Appendix B.

III. PROPOSED OPERATING PLAN - 2012

A. Plan Objectives

The objective of Business Improvement District No. 10 is as stated in its first year, to "...continue the revitalization and improvements of a portion of Milwaukee's near west side." This objective is intended to be accomplished by maximizing both human and capital resources through the operation of an office whose staff implements and promotes activities determined appropriate by the board of directors in achieving the District's objective. The District has a continuing contract with the Avenues West Association Inc. to provide the necessary staffing and Operating Plan implementation.

B. Proposed Activities 2012

The principal activities to be undertaken during 2012 are intended to result in enhanced neighborhood safety, improved area image, new development, and the increased value of present improvements. Possible staff activities include:

1. Direct and/or collaborate with other agencies in the implementation of long range plans approved by the board of directors;
2. Encourage all commercial buildings to be maintained graffiti-free and financially support and coordinate the means to accomplish this goal;
3. Encourage and support facade improvements to commercial properties within the BID, with emphasis on the SOHI District;
4. Advise area businesses on safety and security measures and to serve as liaison with the security offices of area institutions and the Milwaukee Police Department;
5. Liaison with owners of private and public property to encourage quality maintenance and management of said property;
6. Provide staff assistance to property owners and developers who are engaged in property improvements and redevelopment actions;
7. Marketing and visual enhancement of the Avenues West neighborhood;
8. Liaison with economic development programs of area organizations, institutions, government agencies.

C. Proposed Expenditures – 2012

Recognizing that it is beyond the resources and capacity of Business Improvement District No. 10 to address every significant issue affecting the Avenues West area, the Board shall set priorities for expenditures based on cost effectiveness and fulfillment of the goals of the BID. Grants may be awarded during the program year that are not presently identified as such but fit within the intent of the Operating Plan.

Functional expenditures, including staff consisting of a full time executive director and a part time assistant, are anticipated to be in these approximate amounts: (Presentation in accordance with audit format.)

Program Services:

Salaries	\$ 38,000
Payroll taxes & benefits	3,700
Grants and /or Projects (ex: façade grants, streetscape, lighting, graffiti, safety, Marketing and promotion, programs/meetings)	19,000
Office supplies, incl. copier, computer	200
Postage	500
Telephone	<u>670</u>
	\$ 62,070

Management and General:

Salaries	\$ 42,000
Payroll taxes & benefits	4,000
Insurance	3,600
Office supplies, incl. copier, computer	1,000
Equipment repair and maintenance	750
Equipment lease	2,000
Postage	300
Advertising/Promotion	600
Conferences, professional training	150
Subscriptions/memberships	500
Printing	150
Professional fees	8,000
Rent & Utilities	12,000
Telephone	670
Personal Property	<u>400</u>
	\$ 76,120

Fund raising:

Salaries	\$ 15,000
Payroll taxes & benefits	1,450
Telephone	100
Postage	<u>250</u>
	\$ 16,800

Other:

\$ 2,500

TOTAL \$ 157,490

D. Financing Method

It is proposed that \$128,640 be obtained from assessments on property within the District and \$500 from interest. (See Appendix B.) This is approximately 82% of the budget. The assessment method is described in Section IV of this plan.

It is proposed that \$28,350 approximately 18% of the budget, be obtained from the Avenues West Association.

The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of the BID Board

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district. The board's primary responsibility is implementation of the annual Operating Plan.

The Mayor appoints directors who serve without compensation for three year terms. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The BID Board elects its own officers each year.

All meetings of the Board shall be governed by the Wisconsin Open Meetings Law. Files and records of the Board's affairs shall be kept pursuant to public record requirements.

The board shall meet quarterly, as stated in its bylaws.

F. Relationship to the Avenues West Association, Inc.

The BID shall be a separate entity from the Avenues West Association, Inc., a 501 (c) (3) corporation, notwithstanding the fact that members, officers, and directors of each may be shared. Current BID 10 bylaws allow a maximum of three directors of BID 10 to also serve on the Avenues West Association board of directors. The Association shall remain a private organization, not subject to the open meeting law and not subject to the public record law except for records generated in connection with its contract with the BID Board.

The Association may, and it is intended shall, continue to contract with the BID to provide services to the BID in accordance with this plan. The Executive Director of the Association shall also serve as the Executive Director of the BID with staff as necessary to implement the annual Operating Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The District proposes to continue the assessment rate and method used in its prior plans. The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of each property was selected as the basic assessment method for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$6,000.00 per parcel will be applied. The method of assessing shall not be materially altered, except with the consent of the City of Milwaukee.

As of January 1, 2011, the assessable property in the District had a total value of over \$118,035,500 (260 parcels). Value of property assessable for BID purposes is \$85,967,800 (135 parcels). This plan proposes to assess the property in the District at a rate of \$3.00 per \$1,000.00 of assessed value, subject to the maximum assessment of \$6,000 for the purposes of the BID and other adjustments as listed below. Appendix B shows the projected BID assessment for each property included in the District.

B. Excluded and Exempt Property

The BID law requires explicit consideration of certain classes of property.

1. 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 plan because they also benefit from the activities of the District.

2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes may not be assessed by the District. Such properties will be identified as BID exempt properties in Appendix B, as revised each year.

There are several large residential buildings in the District in which ground floor retail or office space is provided. To prevent the disproportional assessment of such properties, this Plan provides for an adjustment to the assessment of "substantially residential property".

Real property, on which more than 66-2/3% of the square footage of the floor area of the building on such real property is used for residential purposes, is defined as "substantially residential property." The law authorizing the creation of BIDs states the intention that

residential space is considered a residential, and not a commercial use. Therefore, the owner of any substantially residential property within the BID may certify to the BID Board the square footage of such real property used for residential and nonresidential purposes. The percentage of square footage used for nonresidential purposes, as compared to the total square footage of such building, multiplied by the assessed value for the entire value for the entire building on such real property, shall be the value of the real property used for multiplication against the BID assessment rate, subject to the \$6,000.00 per parcel cap. (There is no minimum assessment.) Calculation of floor area shall exclude basement area. Properties which received an adjusted assessment for 2011 shall be assessed for 2012 only on the non-residential portion of the property as certified by the owner and accepted by the Board. These adjustments are reflected in the amounts shown in Appendix B.

3. In accordance with the interpretation of the City Attorney regarding State Statute 66.608 (1)(b), property exempt from general real estate taxes has been excluded. Privately owned tax-exempt property adjoining the District and which is expected to benefit from District activities may be asked to make a financial contribution to the District on a voluntary basis.

V. RELATIONSHIP TO THE 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 Avenues West business areas 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.

The Near West Side Area Comprehensive Plan was adopted as part of the City of Milwaukee's Overall Comprehensive Plan in March, 2004. According to Common Council Resolution, File No. 031371, "...Comprehensive Plan as approved shall provide guidance and serve as the basis for decision-making by the Common Council in its consideration of land use and physical development issues;..."

B. City Role in District Operations

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

1. Provide technical assistance as appropriate to the BID Board.
2. Monitor and, when appropriate, apply for outside funds which could be used in support of the District.
3. Collect BID assessments, maintain them in a segregated account, and disburse the monies of the district.
4. Receive a copy of the annual report including an independent audit from the BID Board as required per Sec. 66.1109(3) (c) of the BID law. If said audit is not provided within six months of the due date, the City may contract for an independent certified audit with the cost paid from BID appropriations.
5. Provide the Board, through the Tax Commissioner's Office, on or before June 30th of each Plan year with the official city records and assessed value of each tax key number within the District as of January 1st of each Plan year for purposes of calculating the BID assessments for the following Plan year.
6. Encourage the State of Wisconsin, Milwaukee County, and other units of government to support the activities of the District.

VI. FUTURE YEAR OPERATING PLANS

A. Phased Development

Section 66.1109 (3) (a) of the BID law requires an annual review of the Operating Plan, but permits rather than requires, revisions to the Plan. (Operating Plan Section I. Introduction) The Board interprets this wording as encouraging consistency in program and approach from year to year.

The Board expects to revise the Operating Plan each year to reflect changes in assessed values and costs, completion of specific programs, and changing development needs and opportunities. However, the Board intends each Plan to reflect the same purposes and objectives which provided the basis for the creation of the District. 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. Approval by the Common Council of the Annual Operating Plan shall be conclusive evidence that the Plan has complied with Section 66.1109 Wisconsin Statutes.

B. Amendment, Severability and Expansion

This BID was created under authority of Section 66.608 (currently 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 Operating 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 Operating 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. The action is specifically authorized under Section 66.1109 (3) (b).

**BUSINESS IMPROVEMENT DISTRICT #11
BRADY STREET BUSINESS AREA
2012 OPERATING PLAN**

September 21, 2011

BUSINESS IMPROVEMENT DISTRICT #11
BRADY STREET BUSINESS AREA
OPERATING PLAN

I. INTRODUCTION

In 1984, the Wisconsin legislature created s. 66.608 of the Statutes 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." Upon petition from property owners within the Brady Street Business District, the Common Council of the City of Milwaukee, on September 28, 1993, by Resolution File Number 930854, created BID No. 11 (Brady Street Business Area) and adopted its initial operating plan.

Section 66.608(3) (b), Wisconsin Statutes requires that a BID board "shall annually consider and make changes to the operating plan.....the board shall then submit the operating plan to the local legislative body for approval." The Board Of BID No.11 (Brady Street Business Area) submits this operating plan in fulfillment of statutory requirement.

This plan proposes a continuation and expansion of the activities described in the initial (JULY 1993) BID operating plan. Therefore, it incorporates by reference the earlier plan as adopted by the Common Council. In the interest of brevity, this plan emphasizes the elements which are required by section 66.608, Wis. Stats., the proposed changes for , and does not repeat the background information which is contained in the earlier plan

II. DISTRICT BOUNDARIES

Boundaries of the district are shown on the map in Appendix A of this plan. A listing of the properties in the district is provided in Appendix B.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

1. The Business Improvement District has been used to finance Brady Street property owners' share of "streetscape" improvements in the public sidewalk area.

The objectives of this streetscape project were as follows:

- a. To protect and reinforce the street's historic character
 - b. To act as a catalyst for private investment
 - c. To improve the overall appearance and image of the street, including a public art project which was done to enhance and encourage pedestrian traffic.
 - d. To enhance safety and security by increasing the amount of street lighting.
2. To organize the commercial interests on the street in order to facilitate joint economic development.
 3. Work with area organizations, schools and churches to solidify, enhance and strengthen the residential base of the neighborhood.
 4. Work on creating and enhancing infrastructure to augment commercial connections to neighborhoods by facilitating and encouraging non-automotive modes of transportation.

B. Proposed Activities

Principal activities to be undertaken by the district will include:

1. Continue to monitor, maintain and repair the streetscape.
2. Monitor the installation and implementation of streetscape improvements, and continue to plan for gateways to the district.
3. Review and update strategic plan for expanding retail opportunities West of Humboldt Avenue
4. Continue to market and promote the area through joint advertising, installation of banners, kiosk signage, sponsorship of events and seasonal decorations.

5. Continue to investigate and study parking options and alternatives for patrons of the commercial district.

C. Proposed Expenditures:

Capital Maintenance and repair	22,000.00
Maintenance / Upkeep	28,795.00
Advertising, Promotions, Events, & Seasonal Decorations:	40,365.00
Direct Operating Expenses	15,289.00
Consultant / Staff	34,500.00

Total Expenditures: \$140,949.00

Proposed Income:

BID Assessments	\$139,089.00
Interest	360.00
Other Income	1,500.00

Total Income: \$140,949.00

D. Financing Methods:

It is proposed that the City of Milwaukee and the district jointly and cooperatively fund the streetscaping. The district's share of the cost of the streetscaping and the operating expenses of the district will be funded by special assessment on the properties within the district.

The district will enter into a development agreement with the City of Milwaukee. The agreement will include the issuing of municipal bonds for the district's portion of the cost. The district shall pay each year for the term of the bonds, the amount necessary for principal, interest and other expenses on its portion of the cost.

The development agreement will constitute a long term commitment and the district will not be terminated until all repayments to the City have been made and adequate provision is made for the operation and management of the improvements financed through

the district. The development agreement will be in addition to this operating plan. Adoption of the development agreement by both the City of Milwaukee and the BID Board will be necessary.

Allocation of the district's annual expenses will be based on each individual property's assessed valuation as a percentage of the district's total assessed valuation. It is proposed to raise \$140,949 in 2012 through BID assessments. (see Appendix B). The BID Board will have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Bid Board

The Board's primary responsibility will be implementation of this Operating Plan. This will require the Board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan and to ensure district compliance with the provisions of applicable statutes and regulations.

The Bid Board is structured and operates as follows:

1. Board size - Eleven
2. Composition - At least seven members shall be owners or occupants of property within the District. Any non-owner or non-occupant appointed to the Board shall be a resident of the City of Milwaukee. The Board shall elect its Chairperson from among its members.
3. Term - Appointments to the Board shall be for a period of three years.
4. Current Board:
 - Bryce Clark – Chair
 - Aala Musa - Vice-Chair
 - Pat Suminski – Secretary / Treasurer
 - Leroy Buth - Director
 - Josephine Fazio – Director
 - Pamela Flasch - Director
 - Pamela Glorioso - Director
 - Salvatore (Ted) Glorioso – Director
 - Michael Lee – Director
 - Teri Regano - Director
 - Marlene Garacci – Recording Secretary

5. Compensation - None
6. Meetings - All meetings of the Board shall be governed by the Wisconsin Open Meetings Law.
7. Record Keeping - Files and records of the Board's affairs shall be kept pursuant to public records requirements.
8. Staffing - The Board may employ staff and/or contract for staffing services pursuant to this plan and subsequent modifications thereof.
9. Meetings - The Board shall meet regularly, at least twice a year. The Board has adopted rules of order (by-laws) to govern the conduct of its meetings.

IV. METHODS OF ASSESSMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, an assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

As of January 1, 2012, the property in the district has a total assessed value of approximately \$61,690 million. Appendix B shows the projected BID assessment for each property in the district.

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. State Statute 66.608(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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.608(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix B, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.608(1)(b), property exempt from general real estate taxes have been excluded from the district. Privately owned tax exempt property which is expected to benefit from district activities may be asked to make a financial contribution on a voluntary basis.

V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY

A. Area Planning and Zoning

No changes in District planning or zoning have occurred since adoption of the initial operating plan in 1993.

B. City Role in District Operation

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

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds which could be used in support of the district.

3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.608(3)(c) of the BID law.
5. Provide the Board, through the Tax Commissioner's Office on or before June 1st of each Plan year, with the official City records on the assessed value of each tax key number with the district, as of January 1st each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. 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 this Operating Plan.

Section 66.608(3)(a) of the BID law requires the 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 activities, and information on specific assessed values, budget amounts and assessment amounts are based on anticipated 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. NOTE: Amended Improvements List approved by the Common Council March 12, 2001 – See Appendix D.

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 66.608 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 of 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 66.608(3)(b).

APPENDICES

- A. District Boundaries
- B. Projected Assessments
- C. Description and Cost of Streetscape Project
- D. Amended Improvements List

APPENDIX C

DESCRIPTION AND COST OF STREETScape PROJECT

The street improvements will include replacing concrete walk, driveway approaches, curb and gutter. Adding Milwaukee Harp pedestrian level lights, Milwaukee Lantern (acorn fixture) overhead lights, street trees with grates, information kiosks, trash receptacle, benches and planters. A public art project will incorporate medallions with symbols depicting historic facts about the area. These medallions will be placed in the tree border area which will consist of pressed and formed decorative concrete.

PROJECT COSTS

BID	\$582,000
MATCHING CITY FUNDS	\$500,000
CAPITAL IMPROVEMENT/PAVING	\$454,000
TOTAL	\$1,536,000

APPENDIX D

Business Improvement District #11
Brady Street Business Area
Amended Improvements List – Approved by Common Council March 12, 2001

Improvements List

The following improvements will be located in the public right-way within the area illustrated by the attached map. All improvements will be owned by the City of Milwaukee.

A. BID Specific Improvements:

1. Sandblasted artwork in the stamped concrete area.
2. Special street furniture or other items which may be placed in the street right of way at the BID expense including but not limited to planters, bicycle racks, trash receptacles (non City standard), information kiosks, signing, and accent lighting.
3. Stamped concrete sidewalk pavement 2.5 feet in width parallel to the curb line.
4. East/west curb pushouts at four intersections.
5. Sidewalk planters at curb pushout locations.
6. Tree grate and guards in the streets commercial area.
7. Installation of bike racks.
8. Planning and upgrade of East End Brady Street pedestrian and bike path.
9. Planning and upgrade of West End Brady Street pedestrian and bike path.
10. Planning and construction of Marsupial Bridge.
11. Planning and construction of Under Bridge Pocket Park.
12. Planning and construction of Lift Station Path and bus shelter.
13. Planning and construction of Brady Street Triangle (Northeast corner Brady St. & Water St.)
14. Public Art in specified areas.
15. Repair specialty stamped concrete crosswalks.

B. City Standard Improvements

1. Street trees.
2. Pedestrian harp lights with accessory outlets.
3. New sidewalks, curbs and gutters.
4. Repaved Brady Street.

**Oakland Ave.
Business Improvement District #13**

OPERATING PLAN FOR YEAR NINETEEN: 2012

SUBMITTED BY:

**THE OAKLAND AVENUE BUSINESS IMPROVEMENT DISTRICT
BOARD OF DIRECTORS**

PREPARED BY: Michael D'Amato, BID Director

**OPERATING PLAN
BID #13**

2012: Year Nineteen

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I. INTRODUCTION

In 1984, the Wisconsin legislature created s. 66.608 of the Statutes 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 Wis. Act 184, Section 1, legislative declaration.) On November 9, 1993, the Common Council of the City of Milwaukee, by Resolution File Number 931058, created BID #13 (Oakland Avenue: University Square) and adopted its initial operating plan. Section 66.608(3) (b), Wis. Stats., requires that a BID Board "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 BID #13 submits this 2010 Operating Plan in fulfillment of the statutory requirement.

This plan proposes a continuation and expansion of activities described in the initial (November, 1993) BID Operating Plan and subsequent years' University Square Operating Plans. Therefore, it incorporates by reference the earlier plan as adopted by the Common Council. This plan emphasizes the elements that are required by Sec. 66.608 Wis. Stats and the changes for 2010. It does not repeat the background information which is contained in the previous plans nor include the Business Improvement District Statute, original petitions from property owners or BID #13 By-Laws.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are North Oakland Avenue, between East Linwood on the north and East Newberry Blvd. on the south, and along East Locust Street a half-block to each alleyway both east and west of North Oakland Ave. A listing of the properties included in the district is provided in the attached Excel Spreadsheet entitled **BID #13 – 2011 Assessments**.

III. PROPOSED OPERATING PLAN

A. Plan Objective

The Plan Objectives of University Square Business Improvement District involves utilizing available funds to continue to improve the business climate for existing and new district merchants. The available funds will be utilized for continued existence of critical projects such as the graffiti removal, street maintenance and facade improvement projects offering assistance to businesses wishing to make aesthetic improvements along the street.

Additional funds are utilized for general operating expenses of the BID. Other improvements may be made as decided by the BID members.

The priorities of the BID Board for 2010 are as stated:

1. Act as a catalyst for private investment by owners and tenants in their properties through continuation of the street re-building process, façade improvements, and parking lot screening.
2. Continue our landscaping program initiated in 2003 using hanging planter baskets.

3. Continue existing programs including, the Graffiti Removal Program, the Street Maintenance program, the University Square Facade Matching Grant Program, along with ongoing assessment of critical general safety and cleanliness matters for improvement of the overall appearance of the district.
4. Revive exploration of possible streetscape improvements, utilizing existing funds, that will help create an identity for the district, keep customers on the street 18 hours/day and bolster pedestrian safety.

Meeting these objectives will enhance the business area's competitiveness relative to other shopping areas that are also currently undergoing rehabilitation, while enhancing the surrounding neighborhood. The BID will continue to work with DCD, DPW, the City Council and area merchants to achieve stated objectives.

B. Proposed Activities – Year Nineteen

The principal activities to be undertaken by the district during its nineteenth year of operation to achieve stated objectives will include:

1. Continue work on business recruitment and retention initiatives. Provide technical assistance to new and existing businesses regarding location, improvements or expansion. Cooperative efforts of the BID Members, merchants, City officials and staff will be necessary to achieve desired outcomes.
2. Approval of applications/award funding and monitoring of facade designs/installation of improvements for Upper East Side Facade Program. Coordinate efforts with the City of Milwaukee and other available programs.
3. Coordination and monitoring of the Graffiti Removal and Street Maintenance Program for area merchants.
4. Continued communication of BID Board Activities to members of the BID.

C. Proposed Expenditures - Year Nineteen

Program Expenses

Streetscape (tbd)	\$ 50,000
Street Banners	\$ 5,000
Streetscape Maintenance Program:	\$ 6,800
Planter landscaping:	\$ 4,800
Graffiti Removal Expenses:	\$ 2,000
Marketing:	\$ 1,000
Professional Services:	\$ 3,600
Holiday Lighting:	\$ 4,500
<u>Utilities</u>	<u>\$ 600</u>
Total expenditures:	\$ 78,300

Operating Revenues:

Current Year Special Assessments (City Milw.):	\$ 7,500
Carry Over, 2011 funds:	\$ 69,800
<u>City of Milw. Graffiti/Matching Funds:</u>	<u>\$ 1,000</u>
Total available revenues:	\$ 78,300

D. Financing Method

It is estimated that the district will carry forward approximately \$110,000 from 2010. On August 11, 2010 the Board of Directors of BID#13 voted unanimously to temporarily reduce their assessment to 15% of the traditional amount collected by virtue of their adopted formula. Members indicated that the depressed real estate market had led to higher than normal vacancies and lower than normal rents that harmed their ability to continue paying the special assessment at the normal rate. The board decided to draw down on their reserves for the year 2011 in order to sustain their functions. That policy will continue into 2012. The BID will collect \$7,500 from property owners through the special assessment and use approximately \$14,000 in reserves to pay for the services that they have determined to be essential to the health of the district. They will also consider the use of the remainder of the reserves to initiate any "signature" project that they believe will improve the health and vitality of the district.

It is expected that this deviation from the traditional formula will be temporary. At some time the BID will once again begin to collect \$50,000 from property owners for BID operations in 2013 and beyond.

E. Organization of BID Board

The Board's primary responsibility will be implementation of this Operating Plan. This will require the Board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayment of BID assessments.

IV. Method of Assessment

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. The method of assessment is a 50% split between assessed value and linear front footage. Property owners believe this to be a method that takes into account all characteristics of a property in relation to benefits derived. Appendix A shows the projected BID assessment for each property included in the district. The formula for 2012 is identical to that of 2011 and represents collections of only 15% of the traditional collection rate for the BID on a temporary basis.

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. State Statute 66.608(1)(f)1m: 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.608(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix A, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.608(1)(b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.
4. Property determined to be a residential hotel will be assessed at half the rate of normal assessment.

V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY

A. CITY PLANS

BID #13 was actively involved in the development of the recently adopted Northeast Side plan and will pursue improvements to the area that are consistent with that plan.

B. City Role in District Operations

The City of Milwaukee has committed to helping private property owners in the district. To this end, the City expected to play a significant role in the creation of the Business Improvement District and in the implementation of the Operation Plan. In particular, the City will:

- Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
- Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
- Collect assessments, maintain in a segregated account, and disburse the monies of the district.
- Receive annual audits as required per sec. 66.08(3)(c) of the BID law.
- Provide the Board, through the Tax Commissioner's Office on or before June 1st of each Plan year, with the official city records on the assessed value of each tax key number with the district, as of January 1st each Plan year, for purposes of calculating the BID assessments.
- Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.
- Prepare, with the participation of the BID Board, the development agreement described in section III.B. and section III.D. of this plan and submit the draft

agreement to the BID Board and the appropriate city officials for their consideration.

- Investigate whether improvements previously planned for the business district over the next fifteen years may be accelerated to coincide with BID funded improvements.

VI. 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 initial Operating Plan.

Section 66.608(3)(a) of the BID law requires the 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 Nineteen activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Nineteen condition. 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 66.608 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 re-establishment.

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 66.608(3)(b).

APPENDIX A

Board of Directors

BID #13

2011-2012

1. Chairperson- Clark Kaufmann, Clark Graphics
2. Secretary/Treasurer- David Wilson, property and business owner
3. Board Member- Gil Snyder, University of Wisconsin-Milwaukee
4. Board Member- Robert Zellmer, Action Property Management
5. Board Member- Connie Haas, Riverside University High School
6. Board Member- Vacant
7. Board Member- William Stace, Miramar Theatre
8. Board Member – Sharon Grinker, neighborhood representative

BUSINESS IMPROVEMENT DISTRICT NO. 15
MILWAUKEE RIVERWALK
2012 OPERATING PLAN

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I. INTRODUCTION

On March 31, 1994 the Common Council of the City of Milwaukee (the "Common Council") approved the creation of Business Improvement District No. 15 (the "BID") and the initial Operating Plan for the BID. The objective of the initial Operating Plan was to establish a development scheme and funding mechanism for the construction of a series of riverwalks and related amenities along the Milwaukee River in downtown Milwaukee (the "Riverwalk System"). Subsequent to the creation of the BID, the BID and the City of Milwaukee entered into a Riverwalk Development Agreement dated as of May 23, 1994 (and the parties have subsequently entered into a series of amendments thereto) to further implement the development of the Riverwalk System consistent with the framework established in the initial Operating Plan. (The May 23, 1994 Riverwalk Development Agreement and all amendments thereto are collectively referred to as the "Development Agreement").

Section 66.1109(3)(b), Wisconsin Statutes, requires that a business improvement district board "shall annually consider and make changes to the operating plan.....the board shall then submit the operating plan to the local legislative body for approval." The board of the BID (the "Board") hereby submits this 2012 Operating Plan in fulfillment of its statutory requirement.

This Operating Plan proposes a continuation and expansion of the activities described in the initial BID Operating Plan. Therefore, it incorporates by reference the initial Operating Plan as adopted by the Common Council. In the interest of brevity, this Operating Plan emphasizes the elements which are required by section 66.1109, Wis. Stats., and does not repeat the background information that is contained in the initial Operating Plan.

II. DISTRICT BOUNDARIES

Boundaries of the BID are shown on Exhibit A of this Operating Plan. A listing of the properties included in the BID is provided in Exhibit B. Section 66.1109(1)(b), Wisconsin Statutes, provides that the boundaries of a business improvement district shall include parcels that are contiguous to the district but that were not included in the original boundaries of the district because the parcels were tax-exempt when the boundaries of the district were initially determined and such parcels subsequently became taxable. Two properties shown on Exhibit B fall into the category of properties described under section 66.1109(1)(b). Accordingly, the boundaries of the BID shown on Exhibit A vary from the boundaries of the BID shown in prior Operating Plans, as these two properties have been added to the BID by operation of law. The two properties that have been added to the BID and that are being assessed for the first time are: (1) 1122

North Edison Street (Tax Parcel No. 392-1209-100); and (2) 1150 North Water Street (Tax Parcel No. 392-292-2000).

III. DEVELOPMENT OF PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to complete the improvements described in Exhibit C of this Operating Plan. These improvements will increase public access to the Milwaukee River and promote, attract, stimulate and revitalize commerce and industry within the City. In particular, these improvements will further the City policies identified in the initial Operating Plan for the BID.

B. Proposed Activities

A description of the improvements to be completed by the BID, including both those improvements already commenced or undertaken and those improvements that remain to be completed, is set forth in Exhibit C of this Operating Plan. Much of the work is dependent upon obtaining easements and/or other access rights from owners of property within the BID and upon the City agreeing to finance those portions of the Riverwalk System originally contemplated by the Development Agreement but not completed within the time frame set forth therein. Accordingly, the Board may alter the schedule of the work as it deems necessary or appropriate.

C. Financing Method

The actual and estimated costs for each of the BID's completed and proposed development activities are set forth on Exhibit C of this Operating Plan (the "Development Costs"). The BID and the City will share the Development Costs in accordance with the terms of the Development Agreement. The Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

The BID's share of the Development Costs will be obtained through the issuance of bonds and/or other sources. These funds will be loaned to the BID and the BID will repay the loan through annual assessments against the assessable properties within the BID. The assessments for Development Costs first commenced in 2000 in accordance with the BID's 2000 Operating Plan and appeared on the property tax bills of the assessable properties within the BID toward the end of 2000. Interest on funds

advanced to the BID prior to commencement of the annual assessments for Development Costs has accrued. To the extent that certain Development Costs will be incurred in 2012 or later years, the assessments for such Development Costs will be deferred until completion of the construction to which such Development Costs are attributable. During such period of deferral, interest will accrue. The interest rate charged to the BID is the interest rate paid on the funds raised to finance the loan to the BID. If the City subsequently refinances all or parts of any funds it loans to the BID at a lower interest rate, such interest rate savings shall be passed through to the BID. The proposed terms of the City's loan to the BID, including the estimated annual payments due the City throughout the life of the loan, were set forth on Appendix F of the initial Operating Plan for the BID and were revised and restated on subsequent Operating Plans. The current repayment schedule that reflects the foregoing is attached to Exhibit D.

The loan from the City to the BID will constitute a long-term contractual obligation of the BID, necessitating the continuous existence of the BID for at least the term of the loan.

In addition to the assessments necessary to repay the funds borrowed by the BID, the BID will incur annual operating expenses for the administration of the BID and for operational, maintenance and repair costs (including energy costs) of any elevator/lift components of the Riverwalk System that may be installed and located on privately owned project segments. Such elevator lift components shall remain the property of the BID. The estimated annual operating expenses for 2012 are \$38,215.00, to pay for the foregoing elevator lift costs and for accounting, administrative and legal expenses likely to be incurred in connection with the management and administration of the BID.

The Board may also make Improvement Loans or enter into Maintenance Agreements as provided in Article IV.B.1 of this Operating Plan. Any funds so expended for the benefit of specific property owners will be recouped (including any interest allocable thereto) from special assessments against such property owners in the year following expenditure and repaid to the lender.

Pursuant to the 11th and 12th Amendments to the Development Agreement, the City and the Board agreed to increase the Development Costs to make certain improvements benefiting the Riverwalk System as a whole. These improvements include a new riverwalk segment linking the BID's Riverwalk System to the riverwalk system being developed by Business Improvement District No. 2 in the Historic Third Ward as well as the

installation of a signage program and the construction of other amenities along various parts of the Riverwalk System (collectively, the "Upgrades and Amenities"). The total cost of the Upgrades and Amenities is set forth on Exhibit C. The BID's aggregate share of the cost for the Upgrades and Amenities is \$210,100 (\$45,100 for the connector segment to the Historic Third Ward Riverwalk System and \$165,000 for the additional amenities to the BID's Riverwalk System).

Pursuant to the 14th Amendment to the Development Agreement, the City and the Board agreed to increase the Development Costs to fund a series of accessibility improvements throughout the Riverwalk System (the "Accessibility Improvements"). As shown on Exhibit C, the total budget for the Accessibility Improvements is \$4,797,473, of which the BID's share is \$910,714.00.

The method of assessing the BID's share of the Development Costs, the BID's share of the Upgrades and Amenities, the BID's share of the Accessibility Improvements, the Improvement Loans, the costs incurred under Maintenance Agreements and annual operating expenses against properties located within the BID is set forth in Article IV of this Operating Plan. Subsequent revisions to this Operating Plan will specify any additional categories and amounts for operating expenses.

D. Organization of BID Board

Upon creation of the BID, the Mayor appointed members to the Board. The Board's primary responsibility is implementation of this Operating Plan. This requires the Board to negotiate with providers of services and materials to carry out this Operating Plan; to enter into various contracts; to monitor development activity; to periodically revise this Operating Plan; to ensure compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the Board be composed of at least five members and that a majority of the Board members be owners or occupants of property within the BID.

The Board is structured and operates as follows:

1. Board size - Seven.

2. Composition - At least four members shall be owners or occupants of property within the BID. Any nonowner or nonoccupant appointed to the Board shall be a resident of the City of Milwaukee. The Board shall elect its Chairperson from among its members.
3. Term - Appointments to the Board shall be for a period of three years.
4. Compensation - None.
5. Meetings - All meetings of the Board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the Board's affairs shall be kept pursuant to public records requirements.
7. Staffing - The Board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The Board shall meet regularly, at least twice each year. The Board shall adopt rules of order to govern the conduct of its meetings.

E. Relationship to the Milwaukee Riverwalk District, Inc.

The BID is a separate entity from the Milwaukee Riverwalk District, Inc., a private, not for profit corporation exempt from taxation under section 501(c)(3) of the Internal Revenue Code, notwithstanding the fact that members, officers and directors of each may be shared. The Milwaukee Riverwalk District, Inc. shall remain a private organization, not subject to the open meeting law, and not subject to the public records law except for its records generated in connection with the Board. The Milwaukee Riverwalk District, Inc. has contracted with the BID to provide services to the BID, in accordance with this Operating Plan.

IV. METHOD OF ASSESSMENT

A. Annual Assessment Rate and Method

The general principle behind the assessment methodology for this BID is that each property should contribute to the BID in proportion to the benefit derived from the BID. After due consideration, it was determined that the following assessment methods will be applied:

1. The annual assessment for repayment of all of the Development Costs other than the Upgrades and Amenities and Accessibility Improvements identified in subparagraph 3, below, will be levied against each property within the BID in proportion to the current assessed value of each property for real property tax purposes (thus, the amount of a special assessment against a particular property may change from year to year if that property's assessed value changes relative to other properties within the BID), and subject to the following conditions:

a. For purposes of this subsection 1, there shall be two categories of properties within the BID.

(i) Class 1 Properties. These properties either (i) are not located on the Milwaukee River; or (ii) are located on the Milwaukee River but will not have new riverwalks constructed on their river frontage as part of the BID Operating Plan.

(ii) Class 6 Properties. These properties are located on or near the Milwaukee River and will have new riverwalks and/or related amenities constructed on their river frontage or directly benefiting their properties as part of the BID Operating Plan.

b. The minimum annual assessment under this subsection 1 for all properties within the BID for the calendar years 2005-2019 shall be as follows:

2005 through 2009	\$485
2010 through 2014	\$510
2015 through 2019	\$535

c. The maximum annual assessment under this subsection 1 for Class 1 Properties within the BID for the calendar years 2005-2019 shall be as follows:

2005 through 2009	\$6,825
2010 through 2014	\$7,150
2015 through 2019	\$7,425

There is no maximum assessment for Class 6 Properties.

- d. Subject to the minimum and maximum assessments set forth in subparagraphs b and c, above, and adjustments necessitated thereby, Class 1 Properties shall be assessed at approximately 1/6 the rate of Class 6 Properties.

Exhibit B identifies each property included in the BID by category and shows the estimated 2012 Development Costs assessment for each property under this subsection.

2. The annual assessment for BID operating expenses will be levied against each property within the BID in proportion to the current assessed value of each property for real property tax purposes (thus, the percentage of annual assessments for operating expenses allocable to a particular property may change from year to year if that property's assessed value changes relative to other properties within the BID). Exhibit B shows the estimated 2012 assessment for operating expenses for each property within the BID.
3. The annual assessment for the BID's share of the Upgrades and Amenities and the Accessibility Improvements will be levied against each property in the same manner as the annual assessments for BID operating expenses. Exhibit B shows the estimated 2012 Upgrades and Amenities assessment and Accessibility Improvements assessment for each property within the BID.
4. The annual assessments under Maintenance Agreements and Improvement Loans (as such terms are defined in Article IV.B., herein) shall be levied directly against the property benefited by such agreement or loan. The amount of such assessment shall match the actual annual costs of the BID in providing services or funds; thus, the amount of the assessment will not vary as a result of changes in the benefited property's assessed value. Exhibit B shows the estimated 2011 Maintenance Agreement and Improvement Loan assessments for each property that may be subject to same.
5. As was explained in the 2003 Operating Plan (for calendar year 2002), the annual BID assessments for 2002 were calculated and fixed based upon the City of Milwaukee real property assessments as of August 1 of such year. As was also explained in the 2003 Operating Plan, for calendar year 2003 and subsequent years, the annual BID assessments shall be calculated and fixed based upon the

City of Milwaukee real property assessments as of June 1 of such year. No BID assessment for a given year shall be modified for such year as a result of an increase or decrease in the assessed value of a property for such year that occurs after June 1 of the year in which such BID assessment has been levied. However, as noted in subsections 1, 2 and 3, above, the amount of some BID assessments levied against a particular property may change from year to year to the extent that the property's assessed value changes in relation to the assessed values of other properties within the BID.

B. Unique Assessment Categories and Methods

1. The Development Agreement between the City and the BID requires those property owners who will have new improvements constructed on their river frontage or for their benefit to maintain such improvements to a standard acceptable to the City and the Board. If any property owner fails to so maintain its improvements (after expiration of all applicable cure periods), either the City or the BID may perform any necessary work on such improvements and the cost therefor shall be specially assessed directly (and exclusively) against such property owner. Further, one or more of such property owners may elect to enter into an agreement with the BID pursuant to which the BID shall be responsible for certain maintenance activities (such as cleaning, landscaping, watering of plants) on their respective improvements (a "Maintenance Agreement") or request that the BID make a loan to fund certain upgrades or modifications to their respective improvements (an "Improvement Loan"). If the Board agrees to enter into a Maintenance Agreement or to make an Improvement Loan, the maintenance costs and/or loan repayment shall be specially assessed directly against the property owners who have requested such services or received such loan.

2. Any improvements made by property owners within the BID to their properties that will increase access to and use of the Riverwalk System will further the public purposes and objectives set forth in Article III.A. of this Operating Plan. Accordingly, future loans from the City may be available to or through the BID for owners of property located within the BID and adjacent to riverwalks for improvements that enhance the use and enjoyment of the Riverwalk System. In the event such loans become available from the City, the BID may lend such funds to individual property owners who shall repay such funds through special assessments incorporating such terms and conditions as the City requires.

C. 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. State Statute 66.1109(1)(f)1m: The BID 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 BID.
2. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Exhibit B, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.1109(1)(b), property exempt from general real estate taxes at the time of creation of the BID has been excluded from the BID. Privately owned, tax exempt property adjoining the BID and which is expected to benefit from BID activities may be asked to make a financial contribution to the BID on a voluntary basis.

D. Prepayment and Acceleration of Assessments

1. Any property owner shall be entitled to prepay at any time either: (a) the then outstanding principal portion (together with accrued interest) of the general BID assessment (i.e., the assessment for Development Costs, including the Upgrades and Amenities and Accessibility Improvements) allocable to such owner's property (with such allocation to be determined by the Board); or (b) as to a recipient of an Improvement Loan, the principal amount (together with accrued interest) of the Improvement Loan. For administrative convenience, no partial prepayments shall be permitted. Any interested owner of property that is subject to general BID assessments may make a written request to the Board for a statement of the outstanding principal portion (together with accrued interest) of the general BID assessment allocable to such property. Upon receipt from a property owner of payment of all principal and accrued interest for either category of assessments identified above, the Board shall prepare and deliver to the respective property owner a written confirmation of payment and satisfaction of assessment in

recordable form. The released property shall continue to be assessed for annual BID operating expenses and for any subsequent expenses (capital or otherwise) incurred by the Board pursuant to future operating plans. A schedule of the principal portion, and accrued interest, of the BID's assessment for Development Costs allocable to each assessable property is attached hereto as Exhibit B. The allocations set forth on Exhibit B are effective only for calendar year 2012, and will be revised, at the discretion of the Board, in subsequent operating plans.

2. The entire outstanding principal portion (together with accrued interest) of the general BID assessment (i.e., the assessment for Development Costs) allocable to a particular property (as determined by the Board) and, if applicable, the entire outstanding principal amount (together with accrued interest) of any separate assessment allocable to a particular property shall become immediately due and payable in full in either of the following events: (a) if the particular property or any portion thereof becomes wholly residential such that the property in its entirety or any portion thereof would not be assessable under subsequent operating plans pursuant to Chapter 66.1109, Wis. Stat.; or (b) if the particular property becomes exempt from general real estate taxes. If either of such accelerated assessments is not paid in full within 15 days following the event giving rise to such acceleration, the Board may commence any action it deems appropriate to collect same, including initiation of proceedings to foreclose the statutory lien securing such assessments.

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.

This BID is a means of formalizing and funding the public-private partnership between the City and property owners in the River Walk Corridor 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.

The BID is also compatible with, and intends to follow, the recommendations in applicable comprehensive planning studies such as:

Historic Preservation Planning Recommendations for Milwaukee's Central Business District, September 1993;

Milwaukee Riverlink Guidelines, March 1992;

A Planning Guide for the Middle and Upper Portions of the Milwaukee River, June 1988; and

Planning and Zoning Concepts for Downtown Milwaukee, Spring 1985.

B. City Role in District Operations

The City of Milwaukee has committed to helping private property owners in the BID promote its development. To this end, the City has played a significant role in the creation of the BID and in the implementation of the initial Operating Plan. In furtherance of its commitment, the City will:

1. Provide technical assistance to the BID in the adoption of this and subsequent Operating Plans, and provide such other assistance as may be appropriate.
2. Monitor and, when appropriate, apply for outside funds which could be used in support of the BID.
3. Collect assessments, maintain same in a segregated account, and disburse the monies of the BID.
4. Receive annual audits as required per Section 66.1109(3)(c) of the BID law.

5. Provide the Board, through the Office of Assessment on or before June 1st of each plan year, with the official City records on the assessed value of each tax key number within the BID, as of January 1st of each plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the BID.

VI. FUTURE YEARS OPERATING PLANS

A. Phased Development

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

Section 66.11.09(3)(b) of the BID law requires the 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 development program, information on specific assessed values, budget amounts and assessment amounts are based solely upon current conditions. Greater detail about subsequent years' 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 Operating 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 Operating Plan shall be amended to conform to the law without need of re-establishment.

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 Operating 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).

EXHIBIT A

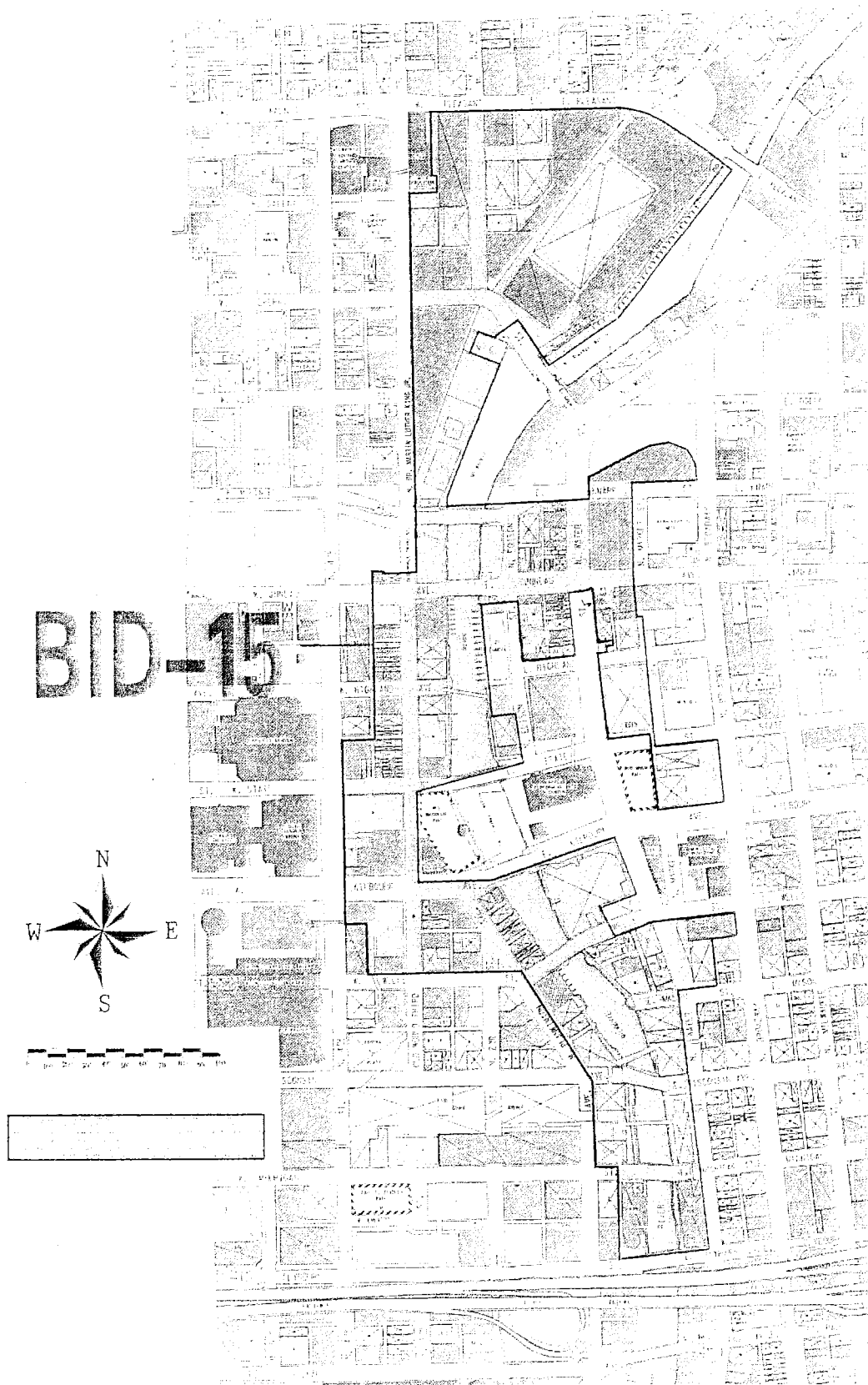


EXHIBIT B

CITY OF MILWAUKEE BID #15

Calculation of the 2011

Riverwalk Capital Assessment

<u>Proposed Assessments</u>	
Minimum Payment	\$510
Max Class 1 pymt	\$7,150
Annual Debt Svc.	\$294,178
Annual Conector Seg	\$4,419
Annual Operating Cost:	\$38,215

Taxkey	Chk Dgt	Assessment Factor	Property Address	Owner Name	Current Assessment	Assessment/ Agreement/ Class 1 ratio of 6 to 1 0.16667	Proposed Debt Assessments Base Debt	Proposed Operating Assessments	Debt Payments Upgrades & Amenities Debt	Final Proposed Assessments	Individual Loan Payments Base Debt	Amount of Total Debt Payment In Full
3,610,184,112	4	1	1505 N RIVERCENTER	SCHLITZ RIVERCENTER LLC	34,324,000	5,720.667	7,150	2,059	238	9,447	0	54,120
3,921,197,000	x	1	1127 N WATER	1127 N WATER STREET LLC	398,000	66.333	510	24	3	537	0	3,760
3,921,200,000	4	1	1119 N WATER	WATER STREET DESIGN CENTER LLC	1,992,000	332.000	1,399	119	14	1,532	0	10,359
3,922,562,100	3	1	1101 N MARKET	SSG PROPERTIES LLC	4,417,000	736.167	2,481	265	31	2,777	0	18,417
3,921,208,000	8	1	1101 N WATER	ROBERT C SCHMIDT JR	1,680,000	280.000	1,260	101	12	1,372	0	9,323
3,921,194,100	x	1	1135 N WATER	D & D REALTY ON WATER LLC	1,174,000	195.667	510	70	8	589	0	3,798
3,922,572,100	2	1	1114 N WATER	SSG PROPERTIES LLC	1,311,000	218.500	510	79	9	598	0	3,805
3,922,096,112	9	1	1303 N BROADWAY	M & I MARSHALL & ILSLEY BANK	1,091,000	181.833	510	65	8	583	0	3,794
3,922,127,100	2	1	1214 N WATER	M & I MARSHALL & ILSLEY BANK	2,097,000	349.500	1,446	126	15	1,586	0	10,708
3,922,131,000	8	1	1245 N WATER	PAGET ON WATER LLC	1,029,000	171.500	510	62	7	579	0	3,791
3,921,196,000	4	1	1129 N WATER	WATER STREET INVESTMENTS LTD P1	612,000	102.000	510	37	4	551	0	3,771
3,921,189,100	2	1	145 E JUNEAU	D & D REALTY ON WATER LLC	35,400	5.900	510	2	0	512	0	3,743
3,921,192,000	2	1	1139 N WATER	D & D REALTY ON WATER LLC	307,000	51.167	510	18	2	531	0	3,756
3,922,133,100	5	1	1233 N WATER	PAGET ON WATER LLC	342,000	57.000	510	21	2	533	0	3,758
3,920,203,000	2	1	840 N OLD WORLD THIRD	EARL & JOANNE CHARLTON REVOC LI'	772,000	128.667	510	46	5	562	0	3,779
3,920,302,000	0	1	104 E MASON	CITY HALL SQUARE LLC	6,269,000	1,044.833	3,308	376	43	3,727	0	24,570
3,920,401,110	2	1	789 N WATER	K&K MCKINNEY PROPERTIES LLC	10,777,000	1,796.167	5,320	646	75	6,041	0	39,548
3,920,411,000	3	1	753 N WATER	DERMOND ASSOCIATES LLC	933,000	155.500	510	56	6	572	0	3,786
3,920,604,110	6	1	100 E WISCONSIN	CW WISCONSIN AVENUE LLC	75,381,000	12,563.500	7,150	4,521	523	12,194	0	56,121
3,922,932,000	7	1	731 N WATER	COMPASS PROPERTIES 731 NORTH W	8,088,000	1,348.000	4,120	485	56	4,681	0	30,614
3,921,187,110	9	1	1128 N EDISON	1144 EDISON LLC	1,809,000	301.500	1,317	109	13	1,438	0	9,751
3,920,605,111	x	1	111 E WISCONSIN	BREOF BNK MIDWEST LLC	28,610,000	4,768.333	7,150	1,716	198	9,064	0	53,841
3,920,707,111	4	1	778 N WATER	M & I MARSHALL & ILSLEY BANK	28,277,000	4,712.833	7,150	1,696	196	9,042	0	53,824
3,921,183,100	x	1	113 E JUNEAU	113 IRISH LLC	444,000	74.000	510	27	3	540	0	3,763
3,922,132,000	3	1	1241 N WATER	DOUGLAS J WIED & SHIRLEY M WIED,	161,000	26.833	510	10	1	521	0	3,749
3,922,137,000	0	1	1217 N WATER	SURVIVORS TRUST C/O/T THOMAS DE	93,900	15.650	510	6	1	516	0	3,745
3,922,136,000	5	1	1221 N WATER	WARD & KENNEDY CO	1,144,000	190.667	510	69	8	587	0	3,797
3,922,513,000	4	1	761 N WATER	TAP PROPERTIES LLC	473,000	78.833	510	28	3	542	0	3,764
3,922,431,000	9	1	740 N PLAKINTON	RIVER BANK PLAZA LLC	4,333,000	722.167	2,444	260	30	17,940	15,206	129,675
3,922,441,000	3	1	123 E WELLS	CITY HALL SQUARE LLC	3,460,000	576.667	2,054	208	24	2,286	0	15,237
3,922,511,000	3	1	767 N WATER	PACHEFSKY PROP LLC	355,000	59.167	510	21	2	534	0	3,758
3,922,512,000	9	1	765 N WATER	DAVID D VOIGHT	227,000	37.833	510	14	2	525	0	3,752

CITY OF MILWAUKEE BID #15

Calculation of the 2011

Riverwalk Capital Assessment

<u>Proposed Assessments</u>	
Minimum Payment	\$510
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Annual Debt Svc.	\$294,178
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3,922,531,000	2	1	771 N WATER	WATER STREET ASSOCIATES LLC	1,024,000	170,667	510	61	7	579	0	3,791
3,922,514,000	x	1	759 N WATER	DEAN N JENSEN	328,000	54,667	510	20	2	532	0	3,757
3,922,423,000	5	1	1010 N WATER	BEVERLY HILLS PROPERTIES I MODEF	1,282,000	213,667	510	77	9	596	0	3,803
3,970,331,000	5	1	101 W WISCONSIN	IVORY RETAIL OFFICE INVESTORS LLC	573,000	95,500	510	34	4	548	0	3,769
3,970,332,000	0	1	101 W WISCONSIN	IVORY RETAIL OFFICE INVESTORS LLC	4,850,000	808,333	2,675	291	34	2,999	0	19,855
3,970,333,000	6	1	101 W WISCONSIN	HISTORIC HOTEL MILWAUKEE LLC	12,900,000	2,150,000	6,268	774	89	7,131	0	46,602
3,970,334,000	1	1	101 W WISCONSIN	AMERICAN SOCIETY FOR QUALITY INC	10,032,000	1,672,000	4,988	602	70	5,659	0	37,073
3,922,424,000	0	1	1000 N WATER	AAP PROPERTIES LLC	21,300,000	3,550,000	7,150	1,278	148	8,575	0	53,484
3,922,401,000	5	1	815 N WATER	HALES CORNERS DEV CORP	4,161,000	693,500	2,367	250	29	2,646	0	17,566
3,922,138,000	6	1	1215 N WATER	SURVIVOR'S TRUST C/U/T THOMAS DE	206,000	34,333	510	12	1	524	0	3,751
3,922,143,000	3	1	144 E JUNEAU	CHARLOTTE D VOLK TRUST DTD 12/02	291,000	48,500	510	17	2	529	0	3,755
3,922,139,000	1	1	1213 N WATER	FORTNEY FORTNEY & FORTNEY LLC	496,000	82,667	510	30	3	543	0	3,765
3,922,140,000	7	1	1209 N WATER	FORTNEY FORTNEY & FORTNEY LLC	428,000	71,333	510	26	3	539	0	3,762
3,922,141,000	2	1	1207 N WATER	C/O BIECK MANAGEMENT INC.	781,000	130,167	510	47	5	562	0	3,779
3,922,142,000	8	1	146 E JUNEAU	CHARLOTTE VOLK TRUST U/A D12-02-0	236,000	39,333	510	14	2	526	0	3,752
3,922,149,111	8	1	1232 N EDISON	1232 NORTH EDISON LLC	709,000	118,167	510	43	5	557	0	3,775
3,922,146,100	6	1	134 E JUNEAU	ROSSI & ROSSI LLC	504,000	84,000	510	30	3	544	0	3,765
3,922,361,000	9	1	107 E KILBOURN	HUB MILW CENTER PROPERTIES LLC	49,244,000	8,207,333	7,150	2,954	342	10,445	0	54,847
3,922,150,111	3	1	1201 N EDISON	1201 NORTH EDISON LLC	841,900	140,317	510	50	6	566	0	3,782
3,922,301,100	8	1	250 E KILBOURN	MORTGAGE GUARANTY INSURANCE C	25,879,000	4,313,167	7,150	1,552	179	8,882	0	53,708
3,922,352,000	x	1	135 E KILBOURN	MARCUS W LLC	13,000,000	2,166,667	6,312	780	90	7,182	0	46,934
3,611,992,000	5	1	201 W CHERRY	RIVERBEND PLACE LLC	54,376,000	9,062,667	7,150	3,261	377	10,789	0	55,097
3,970,335,000	7	1	101 W WISCONSIN	IVORY RETAIL/OFFICE INVESTORS LLC	5,690,000	948,333	3,050	341	39	3,430	0	22,646
3,610,523,000	6	1	1023 N OLD WORLD THIRD	1023 OLD WORLD ENTERPRISE	1,211,000	201,833	510	73	8	591	0	3,800
3,610,437,000	9	1	1103 N OLD WORLD THIRD	OLD WORLD DEV LLC	1,334,000	222,333	510	80	9	599	0	3,806
3,610,438,000	4	1	316 W HIGHLAND	FRED USINGER, INC	132,000	22,000	510	8	1	519	0	3,747
3,610,519,100	0	1	1037 N OLD WORLD THIRD	G VICTOR MADER & MARIE A MADER	1,575,000	262,500	1,213	94	11	1,318	0	8,974
3,610,521,000	5	1	1033 N OLD WORLD THIRD	1033 OLD WORLD 3RD LLC	1,318,000	219,667	510	79	9	598	0	3,805
3,610,522,000	0	1	1029 N OLD WORLD THIRD	TOM AND PATTY LLC	581,000	96,833	510	35	4	549	0	3,769
3,610,524,000	1	1	1021 N OLD WORLD THIRD	RICHARD WAGNER	247,000	41,167	510	15	2	527	0	3,753
3,610,431,000	6	1	1109 N OLD WORLD THIRD	CHARLES E OR AILEEN ALBERT TRUS*	317,000	52,833	510	19	2	531	0	3,756
3,610,527,000	8	1	1015 N OLD WORLD THIRD	BUCK BRADLEY LLC	1,519,000	253,167	1,188	91	11	1,290	0	8,788
3,610,528,000	3	1	1013 N OLD WORLD THIRD	THOMAS P EHR & YVETTE R EHR IRRE	223,000	37,167	510	13	2	525	0	3,752

CITY OF MILWAUKEE BID #15

Calculation of the 2011

Riverwalk Capital Assessment

<u>Proposed Assessments</u>	
Minimum Payment	\$510
Max Class 1 pymt	\$7,150
Annual Debt Svc.	\$294,178
Annual Conector Seg	\$4,419
Annual Operating Cost:	\$38,215

Taxkey	Chk Dgt	Assessment Factor	Property Address	Owner Name	Current Assessment	Assessment/ Agreement Class 1 ratio of 6 to 1 0.16667	Proposed Debt Assessments Base Debt	Proposed Operating Assessments	Debt Payments Upgrades & Amenities Debt	Final Proposed Assessments	Individual Loan Payments Base Debt	Amount of Total Debt Payment In Full
3,610,529,000	9	1	1009 N OLD WORLD THIRD	LENRAK LLC	421,000	70,167	510	25	3	538	0	3,761
3,610,530,000	4	1	1005 N OLD WORLD THIRD	TAIRI PULLUM	306,000	51,000	510	18	2	530	0	3,756
3,610,531,110	3	1	332 W STATE	JOURNAL COMMUNICATIONS INC	950,000	158,333	510	57	7	574	0	3,787
3,610,432,000	1	1	1105 N OLD WORLD THIRD	CARMELINO CAPATI & CONCEPCION C	273,000	45,500	510	16	2	528	0	3,754
3,610,430,000	0	1	1113 N OLD WORLD THIRD	HIGHLAND BEACH SURFERS INC	108,000	18,000	510	6	1	8,965	8,448	65,713
3,611,844,000	x	1	101 W PLEASANT	101 WEST PLEASANT LLC	3,951,000	658,500	2,273	237	27	2,538	0	16,868
3,610,409,100	2	1	300 W JUNEAU	SYDNEY HIH DEVELOPMENT LLC	523,300	87,217	510	31	4	545	0	3,766
3,610,429,000	5	1	1117 N OLD WORLD THIRD	FRED USINGER, INC	113,000	18,833	510	7	1	518	0	3,746
3,610,421,000	1	1	1137 N OLD WORLD THIRD	RRD REAL EST HOLDINGS I LLC	348,000	58,000	510	21	2	533	0	3,758
3,610,425,000	3	1	1129 N OLD WORLD THIRD	MILW RIVER HOTEL-P LLC	294,000	49,000	510	18	2	530	0	3,755
3,610,426,000	9	1	1125 N OLD WORLD THIRD	CARMELINO CAPATI JR & CONCEPCIO	380,000	63,333	510	23	3	535	0	3,759
3,610,427,000	4	1	1121 N OLD WORLD THIRD	FRED USINGER INC	90,000	15,000	510	5	1	516	0	3,745
3,610,534,000	6	1	324 W STATE	BRIAN E O'LEARY	114,000	19,000	510	7	1	518	0	3,746
3,610,535,000	1	1	322 W STATE	SANDRA STONE RUFFALO	701,000	116,833	510	42	5	557	0	3,775
3,610,536,000	7	1	316 W STATE	JOHN HINKEL BUILDING LLC	64,500	10,750	510	4	0	514	0	3,744
3,610,537,000	2	1	1001 N OLD WORLD THIRD	JOHN HINKEL BUILDING LLC	884,000	147,333	510	53	6	569	0	3,784
3,610,776,114	9	1	105 W MICHIGAN	TOWNE REALTY INC	15,344,000	2,557,333	7,150	920	106	11,514	3,337	77,671
3,610,538,000	8	1	1003 N OLD WORLD THIRD	TAIRI PULLUM	202,000	33,667	510	12	1	524	0	3,751
3,610,631,000	3	1	830 N PLANKINTON	ROBERT E JOHN	205,000	34,167	510	12	1	524	0	3,751
3,610,635,000	5	1	808 N PLANKINTON	ROBERT E JOHN	414,000	69,000	510	25	3	538	0	3,761
3,611,801,110	9	1	1104 N OLD WORLD THIRD	RFP OFFICE LLC	8,137,000	1,356,167	4,142	488	56	4,686	0	30,777
3,610,625,000	0	1	206 W WELLS	LOTS OF LUCK LLC	658,000	109,667	510	39	5	554	0	3,773
3,612,001,000	4	1	235 W GALENA	BREWERY WORKS INC	900,000	150,000	510	54	6	570	0	3,785
3,611,841,110	7	1	1610 N 2ND	1610 N 2ND STREET LLC	8,598,900	1,433,150	4,348	516	60	4,923	0	32,311
3,611,842,000	9	1	111 W PLEASANT	SCHLITZ PARK ASSOCIATES I	1,736,000	289,333	1,285	104	12	1,401	0	9,509
3,610,629,000	2	1	840 N PLANKINTON	QAZEX INVESTMENTS LLC	1,475,000	245,833	1,168	88	10	1,267	0	8,642
3,610,630,000	8	1	834 N PLANKINTON	ROBERT E JOHN	571,000	95,167	510	34	4	548	0	3,769
3,610,624,000	5	1	808 N OLD WORLD THIRD	SIXTH PROPERTY LLC	2,752,000	458,667	1,738	165	19	1,922	0	12,885
3,610,622,000	4	1	823 N 2ND	CHALET AT THE RIVER LLC	5,852,000	975,333	3,122	351	41	3,513	0	23,185
3,610,571,100	4	1	330 W KILBOURN	JOURNAL COMMUNICATIONS INC	1,280,000	213,333	510	77	9	596	0	3,803
3,610,620,000	3	1	830 N OLD WORLD THIRD	AMARAWAN PHOUNGPHOL 2008 REVC	1,307,000	217,833	510	78	9	597	0	3,805
3,610,619,000	8	1	836 N OLD WORLD THIRD	ANAT CHONGVATANABANDIT & DARAV	285,000	47,500	510	17	2	529	0	3,755

CITY OF MILWAUKEE BID #15

Calculation of the 2011
Riverwalk Capital Assessment

<u>Proposed Assessments</u>	
Minimum Payment	\$510
Max Class 1 pymt	\$7,150
Annual Debt Svc.	\$294,178
Annual Conector Seg	\$4,419
Annual Operating Cost:	\$38,215

Taxkey	Chk Dgt	Assessment Factor	Property Address	Owner Name	Current Assessment	Assessment/ Agreement Class 1 ratio of 6 to 1 0.16667	Proposed Debt Assessments Base Debt	Proposed Operating Assessments	Debt Payments Upgrades & Amenities Debt	Final Proposed Assessments	Individual Loan Payments Base Debt	Amount of Total Debt Payment In Full
3,610,621,100	5	1	822 N OLD WORLD THIRD	AMARAWAN PHOUNGPHOL 2008 REVC	462,000	77,000	510	28	3	541	0	3,763
3,610,618,115	7	1	302 W WELLS	NOBLE I MILWAUKEE, LLC 1100 MONAF	626,100	104,350	510	38	4	552	0	3,771
3,610,603,116	3	1	333 W KILBOURN	NOBLE I MILWAUKEE, LLC 1100 MONAF	26,000,000	4,333,333	7,150	1,559	180	8,890	0	53,713
3,610,559,111	4	1	333 W STATE	JOURNAL SENTINEL INC	9,948,600	1,658,100	4,950	597	69	5,616	0	36,796
3,920,202,000	7	1	843 N PLANKINTON	THANKS-A-LOT LLC	798,000	133,000	510	48	6	563	0	3,780
3,612,002,000	X	1	205 W GALENA	BREWERY WORKS INC (Prev #3611882	350,000	58,333	510	21	2	533	0	3,758
3,611,954,000	8	1	215 W PLEASANT	SCHLITZ PARK ASSC. II LTD PARTNER:	1,061,000	176,833	510	64	7	581	0	3,793
3,611,961,000	6	1	201 W PLEASANT	THE BREWERY WORKS INC	667,000	111,167	510	40	5	555	0	3,773
3,611,962,000	1	1	1500 N 2ND	SCHLITZ PARK ASSC. I LTD PARTNERS	418,800	69,800	510	25	3	538	0	3,761
3,611,963,100	7	1	101 E PLEASANT	SCHLITZ PARK ASSC. LTD PTN (Prev #3	1,930,600	321,767	1,372	116	13	1,501	0	10,155
3,611,994,100	2	1	1254 N MARTIN L KING JR	CLF TW MILWAUKEE LLC	25,463,000	4,243,833	7,150	1,527	177	8,854	0	53,687
3,611,993,000	0	1	1330 N MARTIN L KING JR	BREWERY WORKS INC	431,400	71,900	510	26	3	539	0	3,762
3,611,991,100	6	1	1420 N MARTIN L KING JR	COMMERCE POWER LLC	1,568,800	261,467	1,210	94	11	1,315	0	8,953
3,922,922,000	8	1	1150 N WATER	DOC MILWAUKEE LP	9,500,000	1,583,333	4,750	570	66	5,386	0	35,305
3,611,802,100	7	1	1124 N OLD WORLD THIRD	MILWAUKEE RIVER HOTEL-P LLC	1,933,300	322,217	1,373	116	13	1,502	0	10,164
3,620,472,000	7	1	1220 N OLD WORLD THIRD	MILW BLOCK 10 PROP LLC	11,000,000	1,833,333	5,420	660	76	6,156	0	40,289
3,611,852,121	2	1	1542 N 2ND	SCHLITZ PARK ASSOC II LP	268,000	44,667	510	16	2	528	0	3,754
3,612,101,000	8	1	1141 N OLD WORLD THIRD	MILWAUKEE MODERNE LLC	18,400	3,067	510	1	0	511	0	3,742
3,612,102,000	3	1	1141 N OLD WORLD THIRD	MILWAUKEE MODERNE LLC	92,000	15,333	510	6	1	516	0	3,745
3,921,209,100		1	1122 N EDISON ST	EDISON STREET PARTNERS	896,000	149,333	510	54	6	570	0	3,785
3,922,931,000	7	1	735 N WATER	COMPASS PROPERTIES NORTH WATE	16,743,000	2,790,500	7,150	1,004	116	8,270	0	53,262
3,922,941,000	1	1	1111 N WATER	PRETZEL BOYS LLC	709,000	118,167	510	43	5	557	0	3,775
					610,127,900	101,687,983	214,920	36,595	4,231	282,738	26,991	1,804,190

CITY OF MILWAUKEE BID #15

**Calculation of the 2011
Riverwalk Capital Assessment**

<u>Proposed Assessments</u>	
Minimum Payment	\$510
Max Class 1 pymt	\$7,150
Annual Debt Svc.	\$294,178
Annual Conector Seg	\$4,419
Annual Operating Cost:	\$38,215

Taxkey	Chk Dgt	Assessment Factor	Property Address	Owner Name	Current Assessment	Assessment/ Agreement Class 1 ratio of 6 to 1 0.16667	Proposed Debt Assessments Base Debt	Proposed Operating Assessments	Debt Payments Upgrades & Amenities Debt	Final Proposed Assessments	Individual Loan Payments Base Debt	Amount of Total Debt Payment In Full
3,610,539,110	7	6	1044 N OLD WORLD THIRD	HIGHLAND BEACH SURFER INC	2,473,000	2,473,000	7,133	148	17	7,298	0	52,439
3,610,540,111	0	6	1030 N OLD WORLD THIRD	FRED USINGER INC	3,100,200	3,100,200	8,812	186	22	9,020	0	64,789
3,610,642,111	5	6	710 N PLANKINTON	TOWNE REALTY INC	8,054,000	8,054,000	22,078	483	56	23,926	1,309	171,936
3,922,462,000	7	6	108 W WELLS	BARTELS LTD PARTNERSHIP	698,000	698,000	2,379	42	5	2,426	0	17,486
3,610,634,000	x	6	810 N PLANKINTON	PLANKINTON PROFESSIONAL BUILDIN	375,000	375,000	1,514	22	3	4,482	2,943	32,713
3,610,633,000	4	6	814 N PLANKINTON	BARTELS LTD PTN	1,271,000	1,271,000	3,914	76	9	9,472	5,473	68,914
3,610,627,100	8	6	111 W KILBOURN	KILBOURN BRIDGE ASSOCIATES	1,491,000	1,491,000	4,503	89	10	4,603	0	33,101
3,922,461,000	1	6	108 W WELLS	BARTELS LTD PARTNERSHIP	83,100	83,100	510	5	1	18,262	17,746	133,914
3,922,442,000	9	6	107 E WELLS	FAB LLC	359,000	359,000	1,471	22	2	9,943	8,448	72,777
3,920,614,111	9	6	543 N WATER	BREOF BNK MIDWEST LLC	6,500,000	6,500,000	17,917	390	45	18,352	0	131,737
3,611,901,000	9	6	730 N PLANKINTON	MOSTREET III LLC	304,000	304,000	1,324	18	2	1,344	0	9,727
3,610,632,000	9	6	826 N PLANKINTON	BARTELS LIMITED PARTNERSHIP II	1,360,000	1,360,000	4,152	82	9	12,704	8,461	92,583
3,921,178,100	2	6	1005 N EDISON	ROJAHN & MALANEY CO	714,000	714,000	2,422	43	5	2,470	0	17,801
3,921,179,100	8	6	100 E STATE	ROJAHN & MALANEY CO	231,000	231,000	1,129	14	2	1,144	0	8,290
					<u>27,013,300</u>	<u>27,013,300</u>	<u>79,258</u>	<u>1,620</u>	<u>187</u>	<u>125,445</u>	<u>44,380</u>	<u>908,206</u>
					<u>637,141,200</u>	<u>128,701,283</u>	<u>294,178</u>	<u>38,215</u>	<u>4,419</u>	<u>408,183</u>	<u>71,371</u>	<u>2,712,396</u>
					Annual Debt Svc	\$294,178						
					Debt Assessment Ratio	0.0022857426						
					Min Assessment	\$223,122						
					Annual Operating Costs	\$38,215						
					Annual Conector Segment Assessment	\$4,419						
					Debt - Conector Segment - Assessment Ratio*	0.0000069353						
					Operating Assessment Ratio*	0.0000599789						
					*Based upon full assessment value of	<u>637,141,200</u>						

EXHIBIT "C"

Construction Budget

Project Segment	Budget	Private/BID Share	City Share	City Source
1. Sidewalk (Highland to Edison)	\$ 45,927.00	\$ 10,000.00	\$ 35,927.00	Dwntwn Fund
2. Highland Plaza East	\$ 560,810.00 (note #1)	\$ 183,000.00	\$ 377,810.00	Dwntwn Fund
3. Highland to State - East Side (Rojan)	\$ 596,611.00	\$ 164,000.00	\$ 432,611.00	Dwntwn Fund
4. Highland Pedestrian Bridge	\$ 3,611,883.00 (note #13) (note #14)	\$ 545,000.00	\$ 3,066,883.00	TID 13 Dwntwn Fund & Bridge Fund
5a. Michigan to Clybourn - Eastside (Bank One Parking)	\$ 519,533.00	\$ 155,000.00	\$ 364,533.00	Dwntwn Fund
5b. Michigan to Clybourn - Eastside (connection to 3rd Ward)	\$ 660,000.00	\$ 90,200.00 (note #16)	\$ 569,800.00	Stewardship Grant, Development Fund
6. Wisconsin to Riverbank Plaza	\$ 659,368.00	x	\$ 659,368.00	TID 9
7. Wells to Kilbourn - West side (Multi-Owner)	\$ 1,790,158.00	\$ 1,080,567.00	\$ 709,591.00	Dwntwn Fund
8. State to Highland - West side (Usingers)	\$ 762,362.00 (note #5)	\$ 302,000.00 (note #5)	\$ 460,362.00	Dwntwn Fund
9. Highland Plaza West	\$ 298,765.00 (note #1)	\$ 86,000.00	\$ 212,765.00	Dwntwn Fund & Bridge Fund
10a. Commerce Street Park & Riverwalk (Perimeter lighting)	\$ 343,381.00 (note #2)		\$ 343,381.00	TID 13
10b. Commerce Street Park & Riverwalk (Warner Cable Segment)	\$ 2,407,916.00 (note #12)	\$ 529,742.00 (note #12)	\$ 1,878,174.00	TID 41
10c. Commerce Street Park & Riverwalk (Harley Segment)	\$ 1,635,979.00 (note #12)	\$ 359,915.00 (note #12)	\$ 1,276,064.00	TID 41
10d. Commerce Street Park & Riverwalk (Switch House)				TID 41
11. Crosswalk Connections	\$ 362,000.00	\$ 80,000.00	\$ 282,000.00	TID 9 & Dwntwn Fund
12. Mason Street Plaza	\$ 573,565.00	\$ 159,000.00	\$ 414,565.00	Dwntwn Fund
13. Pedestrian Alley - 3rd to 4th Street	\$ 64,889.00	\$ 17,000.00	\$ 47,889.00	Dwntwn Fund
14. Kilbourn to State - West Side (Pere Marquette Park)	\$ 896,152.00	\$ 100,000.00	\$ 796,152.00	Dwntwn Fund
SUBTOTALS	\$ 15,789,299.00	\$ 3,861,424.00	\$ 11,927,875.00	
15. Wells to Kilbourn - East Side (Milwaukee Ctr. Enhancements)	\$ 37,527.00	\$ 22,400.00	\$ 15,127.00	Dwntwn Fund
16. Wisconsin to Michigan - East Side (Bank One Enhancements)	\$ 16,600.00	\$ 16,600.00		Dwntwn Fund
17. Clybourn to Michigan - West Side (Towne Garage Enhancements)	\$ 345,665.00	\$ 67,000.00	\$ 278,665.00	Dwntwn Fund
18. Michigan to Wisconsin - West Side (Marshall Fields Enhance.)	\$ 141,113.00	\$ 51,000.00	\$ 90,113.00	Dwntwn Fund
19. Highland to Juneau - West Side (Weissgerber Enhancements)	\$ 128,658.00	\$ 39,000.00	\$ 89,658.00	Dwntwn Fund

20. Wells South - West Side (Riverbank Plaza Enhancements)	\$	292,000.00	(note #3)	\$	209,000.00	(note #3)	\$	83,000.00	Dwntwn Fund
21. Kilbourn to State - East Side (PAC Enhancements)	\$	14,459.00		\$	8,000.00		\$	6,459.00	Dwntwn Fund
22. Fine Arts Building Enhancements	\$	438,302.00	(note #4)	\$	205,414.00	(note #4)	\$	232,888.00	Dwntwn Fund
23. Empire Building & Towne Garage Enhancements	\$	55,000.00	(note #7)	\$	55,000.00	(note #7)	\$	-	Dwntwn Fund
SUBTOTALS	\$	1,469,324.00		\$	673,414.00		\$	795,910.00	
24. Monitoring & Inspections (DPW Engineers)	\$	181,000.00		\$	42,000.00		\$	139,000.00	Dwntwn Fund
25. System Upgrades	\$	750,000.00	(note #17)	\$	165,000.00		\$	585,000.00	Development Fund
26. ADA Improvements	\$	4,797,473.00	(note #18) (note #19)	\$	910,714.00		\$	3,886,759.00	Development Fund, Contingent Borrowing
27. Building Amenities (Signage, etc) (note #6)	\$	238,574.00	(note #11)	\$	57,000.00		\$	181,574.00	Dwntwn Fund & Dev. Opp Fund
SUBTOTALS	\$	<u>5,967,047.00</u>		\$	<u>1,174,714.00</u>		\$	<u>4,792,333.00</u>	
GRAND TOTALS	\$	23,225,670.00		\$	5,709,552.00		\$	17,516,118.00	

Footnotes

1. Includes \$125,000 for dockwall repairs authorized by Common Council Resolution No. 941733 and \$40,000 for additional enhancements authorized by Common Council Resolution No. 990128
2. This figure includes installation of pedestrian lighting on North Martin Luther King Jr. Drive and on West Cherry Street adjacent to the commerce Street/WEPCO Power Plant block. It also includes design plans for dockwall improvement and a temporary Riverwalk. This temporary Riverwalk will not be constructed as part of the overall project.
3. Includes \$100,000 added by Common Council File No. 950603 to upgrade the Riverbank Plaza plus an additional \$80,000 added by File No. 960465.
4. Includes \$100,000 added by the Common Council File No. 950603 to upgrade the Fine Arts Building.
5. Includes \$100,000 for dockwall repairs added by Common Council File No. 941184.
6. This line includes funds for project signage, building amenities, water taxi stops not included with other segment improvements and general project contingency funds.
7. Added by Common Council File No. 950957.
8. In addition to the budget shown, \$495,400 was previously approved for the segment per Common Council File No. 940926. Of this total, \$336,000 will be provided through a Federal Grant and \$159,400 will be provided by the City. The total budget for this segment is \$933,702.
9. The budget for each of the individual project components has been adjusted to reflect actual and expected costs as of September 1, 1997.
10. Includes \$1,278,000 added per amendment number 7 (Common Council File No. 970824). Of this amount, \$871,035 is for project up-grades to be paid back to the City by benefited property owners. The remaining \$406,965 reflects increases in base project costs and will be split 78% City and 22% BID 15. The \$871,035 for project up-grades was subsequently reduced by \$200,000 (see footnote #13).
11. Includes \$75,000 added per amendment number 7 (Common Council File No. 970824). This \$75,000 addition will be used as a building amenity grant in the multi-owner block.
12. These funds were established per amendment number 9 (Common Council File No. 000690).

13. This figure includes \$200,000 transferred from the multi-owner block budget. The \$200,000 was allocated 78% City, 22% BID.
14. Includes \$62,000 added per amendment number 10 (Common Council File No. 011165). This \$62,000 will be used to fund Change Order #8 for the Highland Avenue Bridge (pressure switches).
15. These funds were established per amendment number 11 (Common Council File No. 031225) and amendment number 12 (Common Council File No. 040010). Included in the \$660,000 total is a \$250,000 State of Wisconsin Stewardship Grant.
16. The \$90,200 private share will be split equally between BID #15 (Downtown Riverwalk) and BID #2 (Historic Third Ward Riverwalk). The amount to be paid back to the City by BID #15 under the terms of this development agreement is \$45,100.
17. These funds were established per amendment number 11 (Common Council File No. 031225).
18. These funds were established per amendment number 13 (Common Council File No. 051694). Includes a total amount of \$1.5 million, with \$330,000 to be paid back to the City by BID #15 under the terms of this development agreement.
19. These funds were established per amendment number 14 (Common Council File No.). Includes the \$1.5 million established per amendment number 13 (Common Council File No. 051694), with an additional \$3,297,473 for a total project amount of \$4,797,473. The total amount to be paid back to the City for this project by the BID #15 under the terms of this development agreement is \$910,714.

EXHIBIT "D"

Updated
4/7/2008

Repayment schedules - BID 15

<u>Assessment Dates</u>	<u>Total Riverwalk</u> (per prior schedule)		<u>Connector Segment</u> (add new loan - 2005)	=	<u>New total loan payment</u> Due March 31, 2006 & annually thereafter
Dec. 05	\$344,364	+	\$4,418.77	=	\$348,782.77
Dec. 06	\$347,807	+	\$4,418.77	=	\$352,225.77
Dec. 07	\$351,285	+	\$4,418.77	=	\$355,703.77
Dec. 08	\$354,798	+	\$4,418.77	=	\$359,216.77
Dec. 09	\$358,346	+	\$4,418.77	=	\$362,764.77
Dec. 10	\$361,930	+	\$4,418.77	=	\$366,348.77
Dec. 11	\$365,549	+	\$4,418.77	=	\$369,967.77
Dec. 12	\$369,205	+	\$4,418.77	=	\$373,623.77
Dec. 13	\$372,897	+	\$4,418.77	=	\$377,315.77
Dec. 14	\$376,626	+	\$4,418.77	=	\$381,044.77
Dec. 15	\$380,392	+	\$4,418.77	=	\$384,810.77
Dec. 16	\$384,196	+	\$4,418.77	=	\$388,614.77
Dec. 17	\$388,038	+	\$4,418.77	=	\$392,456.77
Dec. 18	\$391,918	+	\$4,418.77	=	\$396,336.77
Dec. 19	\$395,837	+	\$4,418.77	=	\$400,255.77

Note: Prior Riverwalk schedule prepared by Comptroller's Office provided for graduated payments.
The loan payments for the Time Warner segment of the Riverwalk are included in the above.

Assumptions for new Connector Segment are as follow:

Total loan amount:\$45,100

Interest rate based upon recent discussion with Richard Li regarding City's cost of borrowing

25 basis points added to rate for administrative costs

Interest during construction has not been capitalized as with other Riverwalk BID loans

Fixed annual payments

Maturity is to coincide with the term of the prior Riverwalk BID loan (March 31, 2020)

**BUSINESS IMPROVEMENT DISTRICT NO. 16
UPTOWN CROSSING BUSINESS DISTRICT
2012 PROPOSED OPERATING PLAN**

September 15, 2011

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WEST NORTH AVENUE BUSINESS IMPROVEMENT DISTRICT 2012 OPERATING PLAN

I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created Sec. 66.1109 (formerly S. 66.608) of the Statutes (See Appendix A) enabling cities to establish Business Improvement Districts (BID) 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, manage and promote the Districts and to establish an assessment method to fund these activities.”

Upon petition from property owners within the West North Avenue Business District, the Common Council of the City of Milwaukee on September 27, 1995, by Resolution File Number 95078 created BID No. 16 (West North Avenue) and adopted its initial Operating Plan.

Section 66.1109 (formerly 66.608) (3) (b), Wis. Stats., requires that a BID Board “shall annually consider and make changes to the Operating Plan . . . The Board shall then submit the Operating Plan to the local legislative body for approval.” The Board of BID No. 16 (Uptown Crossing Business District) submits this 2011 BID Operating Plan with technical assistance from the City of Milwaukee Department of City Development in fulfillment of the statutory requirement.

This plan proposes a continuation and expansion of the activities described in the initial July, 1995, BID Operating Plan. Therefore, it incorporates by reference the earlier plan as adopted by the Common Council. In the interest of brevity, this plan emphasizes the elements which are required by Sec. 66.608, Wis. Stats., and the proposed changes

for 2012. This plan does not repeat the background information, which is contained in the initial Operating Plan.

B. Physical Setting

No changes in District planning or zoning have occurred since adoption of the initial Operating Plan. The BID District is now part of the City of Milwaukee's Comprehensive West Side Plan. (<http://city.milwaukee.gov/Plansandstudies/West.htm>)

II. DISTRICT BOUNDARIES

Boundaries of the District are put forth in Appendix B of this plan. A listing of the properties included in the District is provided in Appendix C.

III PROPOSED OPERATING PLAN

A. Plan Objectives

The BID will be used to finance the business property owners' share of the cost and ongoing maintenance of streetscape improvements. The objectives of this ongoing streetscaping project are as follows:

- A. To improve the overall appearance and image of the street.
- B. To enhance safety and security by increasing the amount of street and pedestrian level lighting.
- C. To attract new businesses and increase private investment in the District.

- D. To create an environment which will attract new customers and increase the economic viability of the area.

The streetscaping may include, but is not limited to, improvements such as; installation of pedestrian level “harp” lighting; replacing portions of the curb, gutter, and sidewalk; distinctive painting of pedestrian street crossings in the District; replacing portions of the sidewalk with paving brick; planting of street trees; and installation of bollards, benches, waste containers, information kiosks, banners, landscaping, public art and other streetscape amenities.

B. Proposed Activities

Principal activities to be undertaken by the BID during 2012 will include, but are not limited to the following:

- A. Maintaining communication with the property owners and business operators in the District regarding the design and implementation of the project via quarterly newsletters to the District.
- B. Via involvement with other community resources and/or private developers, the BID will investigate avenues to facilitate economic development, real estate acquisition and redevelopment opportunities, and activities including management of BID functions. In the previous years’ plan the board authorized expenditures for field measuring and preparing architectural drawings for two properties in the district which are listed for sale but are currently vacant and in need of major repair. The renovation plans were completed in 2011 and the BID issued an RFP aimed at a small developer or investor with

the intent of creating a redevelopment partnership to improve one or both of these target properties. The deadline for response was June 7, 2011. Given that these properties have been vacant for several years and detract from the BID area and our business development objectives the BID board will be much more proactive in seeking a development partner and is planning on forming a separate entity or partnership to acquire and rehab one of these properties. We plan to coordinate/partner with the City's Department of City Development in obtaining matching funding to maximize the positive impact that a building redevelopment will have on the entire BID District. This project also ties in with the objectives of the City's recently adopted West Side Plan.

C. Monitoring the ongoing maintenance of streetscape improvements, including maintenance to the public art projects at the French Immersion School and west triangle.

D. Negotiating and entering into a landscape maintenance agreement to provide installation and ongoing maintenance of plants, street banners including five (5) seasonal changes, and weekly portering services.

C. Proposed Expenditures

PROJECT BUDGET 2012

Expenses

Repairs and Maintenance (street/sidewalk cleaning; refuse container repair/replacement; electrical maintenance, maintenance to the public art sculptures; electric usage for holiday décor, etc.)	\$ 36,000
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Grounds (landscaping; crosswalk striping; holiday light pole decorations)	\$ 20,300
Administrative (management fee; postage; street banners; District newsletter; website updates; accounting for annual audit; special events; façade program)	\$ 49,680
Insurance	<u>\$ 1,700</u>
Total Operating Expenses	\$107,680
Real Estate Development/Rehab	\$100,000
Debt Expense* (Repayment to City of Milwaukee)	\$ 50,000
Total BID Expenses for 2012	\$257,680

* The streetscaping project was initiated in September 1996. In 2010, the BID completed this major project which was nearly completed in 2009, including the changing out of all cobra street lighting to match the pedestrian level lighting; adding holiday lighting and other street amenities (i.e., street furniture, bus shelter amenities, etc.). Project costs were initially approved for approximately \$250,000. This is a matching grant project with 50% paid by the BID and 50% paid by the City.

The District will expend funds for maintenance of the streetscape amenities and the direct operation of the District. As City of Milwaukee resources get stretched by increasingly limited available funds, greater levels of private (BID) activity become necessary to keep the District clean, well maintained and attractive to new business prospects and people frequenting retail establishments in the area. Visitors to West North Avenue and West Lisbon Avenue expect an environment that makes them feel comfortable and safe as they conduct business in the area.

The BID Board will have the authority and responsibility to prioritize expenditures and to revise the District budget as necessary to match the funds actually available. Any funds unspent at the end of 2012 shall be carried over to 2013 and applied against future expenses.

D. Financing Method

It is proposed to raise \$151,238.00 through BID assessments (see Appendix D).

The City of Milwaukee and the District jointly and cooperatively fund the streetscaping. The District's share of the cost of the streetscaping and the operating expenses of the District have been funded by BID assessments on taxable properties within the District

The District entered into a Public Improvement Development and Maintenance Agreement, identified as Contract No. 96-239 (CM), dated April 2, 1997, with the City of Milwaukee.

The Public Improvement Development and Maintenance Agreement constitutes a long-term commitment and the District will not be terminated until all repayments to the City have been made and adequate provision is made for the operation and management of the improvements financed through the District. The Public Improvement Development and Maintenance Agreement are in addition to this Operating Plan.

E. Organization of BID Board

The Board's primary responsibility is the implementation of this Operating Plan. The current BID No. 16 Board of Directors is comprised as follows:

- Gordon Steimle
Neighborhood resident, Washington Heights location

- Chris Hau
Neighborhood resident, Architect Quorum Architects
- Christine McRoberts
Property owner, business owner, North Avenue location
- Matthew O'Neill
Neighborhood resident, Washington Heights location
- Brian Burke
Neighborhood resident, Washington Heights location
- Jason Rae
Associate at Nation Consulting, area business

The BID Board is currently seeking area property owners and business owners to join the BID Board; there is currently one (1) open leadership position on the Board.

F. Relationship to Milwaukee West North Avenue Business Association

The BID shall be a separate entity from the Milwaukee West North Avenue Business Association notwithstanding the fact that members, officers, and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law and not subject to the public record law except for its records generated in connection with the BID to provide services to the BID. At present, the Business Association is not operating.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

As of 2011 the commercial properties in the District had a total assessed value of \$27,497,800. This plan proposes to assess the taxable property in the District at a 2011 rate of \$5.50 per \$1,000 of assessed value for the purposes of the BID. Appendix A shows the projected BID assessment for each commercial property included in the District.

The principle behind the assessment methodology is that each property owner should contribute to the BID in proportion to the benefit derived from the BID. After consideration of assessment methods, it was determined that the assessed value of the property was the characteristic most directly related to the potential benefit provided by the BID.

The variables used to determine the regular BID assessments are:

1. The total assessed value of each tax key parcel within the District; and
2. The specific dollar amount per \$1,000 of the assessed value of each tax key parcel.

The assessment methodology is as follows: For each of the taxable tax key parcels within the BID boundaries, the BID assessment is calculated by applying a \$5.50 per \$1,000 charge against the assessed value of the parcel.

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. Sec. 66.608 (1) (f) Im: The District may 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 plan because it is assumed that they will benefit from development in the District.
2. Sec. 66.608 (5) (a): Property known to be used exclusively for residential purposes will not be assessed. Such properties are identified as BID Exempt Properties in Appendix A, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding Sec. 66.608 (1) (b), Wis. States., property exempt from general real estate taxes have been excluded from the District. Privately owned tax exempt property, which is expected to benefit from District activities, may be asked to make a financial contribution on a voluntary basis.

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 West North Avenue Bid District #16 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 promote its development. To this end, the City has played a significant role in the creation of the BID and in the implementation of its Operating Plan. In particular, the City will continue to:

1. Provide technical assistance to the proponents of the District through adoption of the Operating Plan and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds, which could be used in support of the District.

3. Collect BID assessments, maintain the BID assessments in a segregated account, and disburse the BID assessments to the District.
4. Receive annual audits as required per Sec. 66.608 (3) (c) of the BID law.
5. On or before June 1st of each plan year, provide the Board, through the Tax Commissioner's Office, with the official City records on the assessed value of each tax key number within the District as of January 1st of each plan year for the purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the District.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement District law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed Operating Plan to all

owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.

3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.

4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.

5. The Common Council will act on the proposed BID Plan.

6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.

7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the District Board established to implement the Plan.

B. Petition Against Creation of the BID

The City may not create the Business Improvement District if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to no more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

VII. FUTURE YEARS' OPERATING PLANS

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 this Operating Plan.

Section 66.608 (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 project, it focuses upon 2012 activities. Information on specific assessed values, budget amounts, and assessment amounts are based on 2012 conditions. Greater detail about subsequent years' activities will be provided in the required annual plan updates. Approval by the Common Council of such Operating Plan updates shall be conclusive evidence of compliance with this Operating Plan and the BID law.

VIII. AMENDMENT, SEVERABILITY, AND EXPANSION

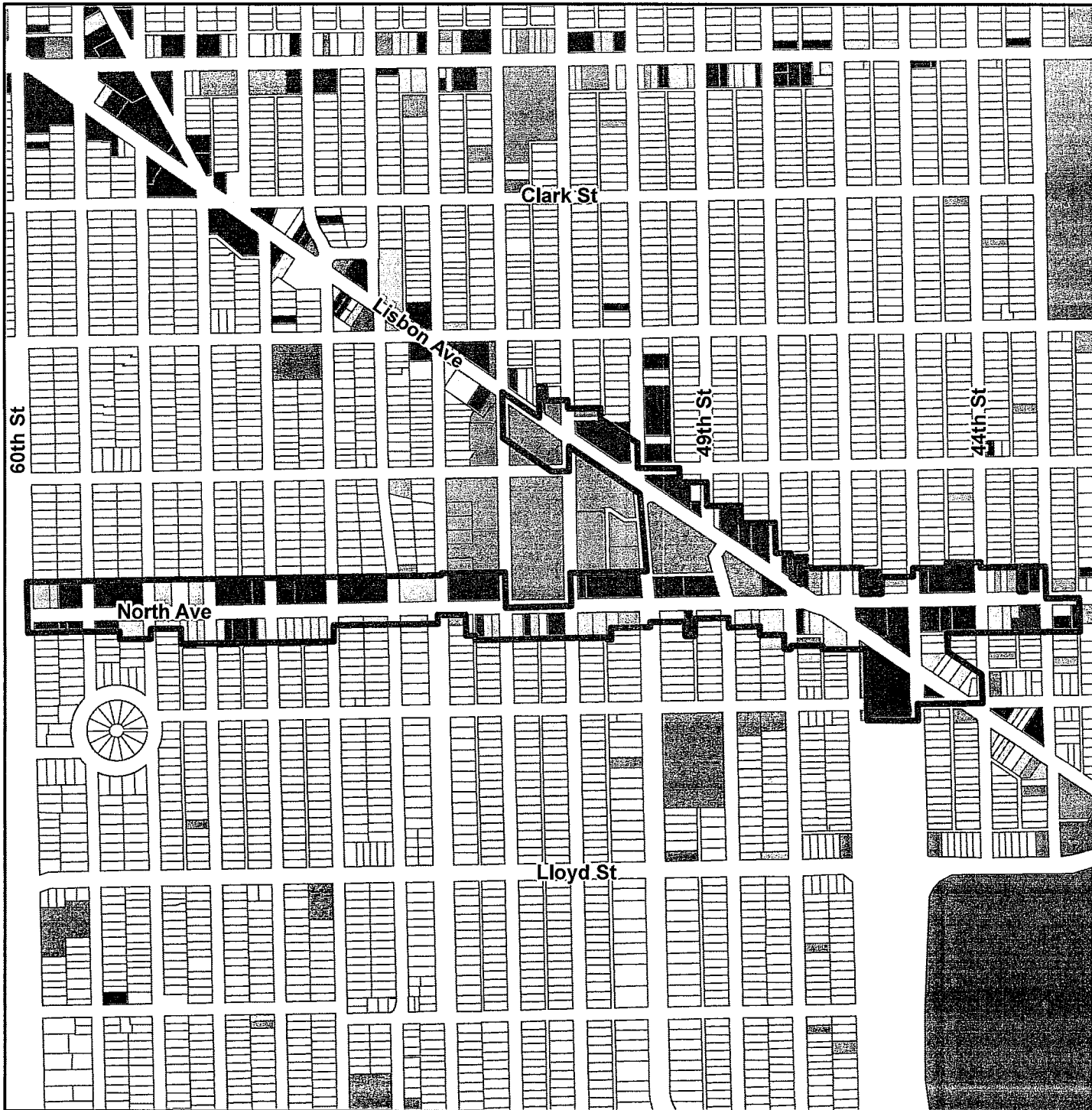
The BID has been created under the authority of Section 66.608 of the Statutes of the State of Wisconsin. Should any court find any portion of this statute invalid or unconstitutional, its decision will not invalidate or terminate the BID and this BID Operating Plan shall be amended to conform to the law without need of re-establishment.

Should the legislature amend the statute to narrow or broaden the process of a BID so as to exclude or include as assessable properties of a certain class or classes of properties, then this BID Operating Plan may be amended by the Common Council of the City of Milwaukee as and when it conducts its annual review and approval of the Operating Plan and without necessity to undertake any other act. This is specifically authorized under Sec. 66.608 (3) (b), Wis. Stats.

APPENDICES

- A. STATUTE
- B. DISTRICT BOUNDARIES
- C. PROPERTY LISTING
- D. 2012 PROJECTED ASSESSMENTS

**Business Improvement District
No. 16**



Land Use

BID Boundary

Residential

Single Family

Duplex

Multi-Family

Commerical

Commerical

Mixed Commerical and Residential

**Manufacturing, Construction,
and Warehousing**

**Transportation, Communications,
and Utilites**

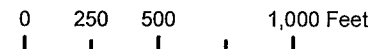
Public and Quasi-Public

Public Parks and Quasi-Public
Open Space

Public Schools and Buildings,
Churches, Cemeteries, and
Quasi-Public Buildings

**Vacant Land or
Recent Taxkey Change**

Produced By:
Department of City Development Information Center, AT
Project file:
E:\Rich's Files 9.36\GBI\Projects\BIDs 2009\BID PDF
Map File:
E:\Rich's Files 9.36\GBI\Projects\BIDs 2009\BID MXD
Generated: 25-Aug-2009, Scale = 1:8,586



APPENDIX C & D - 2011 ASSESSED VALUES AND BID NO. 16 ASSESSMENTS

Property Address	Owner 1	Owner 2	Property Class	Assessed Value	Total Assessment
4428 W NORTH	CITY OF MILW		Exempt	\$0.00	\$ -
4820 W LISBON	ALPHA WOMEN'S CENTER INC		Exempt	\$0.00	\$ -
4716 W LISBON	AGAPE LOVE DELIVERANCE	CHURCH	Exempt	\$0.00	\$ -
4923 W LISBON	CITY OF MILWAUKEE		Exempt	\$0.00	\$ -
5105 W LISBON	CITY OF MILW HOUSING AUTH		Exempt	\$0.00	\$ -
4530 W LISBON	CITY OF MILW		Exempt	\$0.00	\$ -
4522 W LISBON	CITY OF MILW		Exempt	\$0.00	\$ -
4500 W GARFIELD	CITY OF MILW		Exempt	\$0.00	\$ -
4510 W LISBON	CITY OF MILW		Exempt	\$0.00	\$ -
4404 W NORTH	DANIEL T DEVALK		Local Commercial	\$32,900.00	\$ 180.95
4420 W NORTH	NICHOLAS A BUTTITTA	REVOCABLE LIVING TRUST	Local Commercial	\$82,500.00	\$ 453.75
4424 W NORTH	DIVERSIFIED EQUITY	INVESTMENTS LLC	Local Commercial	\$152,000.00	\$ 836.00
4806 W LISBON	AMJAD TUFAIL		Local Commercial	\$157,000.00	\$ 863.50
4828 W LISBON	RONALD I PACHEFSKY	CHERYL F MENDELOFF	Local Commercial	\$213,000.00	\$ 1,171.50
4842 W LISBON	NICK HUNT		Local Commercial	\$113,000.00	\$ 621.50
4700 W NORTH	HATZLACHAH LLC		Local Commercial	\$213,000.00	\$ 1,171.50
4708 W NORTH	EDGAR JILES		Local Commercial	\$152,000.00	\$ 836.00
4720 W LISBON	UPTOWN CROSSING LLC	C/O BUD VASTONE	Local Commercial	\$137,000.00	\$ 753.50
4734 W LISBON	STEPHEN BIALK		Local Commercial	\$178,000.00	\$ 979.00
4534 W NORTH	SANDRA A JONES		Local Commercial	\$92,700.00	\$ 509.85
4900 W NORTH	SAT LE	LUC LE	Local Commercial	\$618,000.00	\$ 3,399.00
5006 W LISBON	WILHELM COMMERCIAL HOLDING	LLC	Local Commercial	\$313,000.00	\$ 1,721.50
2432 N 51ST	WILHELM COMMERCIAL	HOLDING LLC	Local Commercial	\$12,600.00	\$ 69.30
4630 W NORTH	JHH ENTERPRISES LLC		Local Commercial	\$246,000.00	\$ 1,353.00
5038 W NORTH	KLAPPER & CO INC		Local Commercial	\$148,000.00	\$ 814.00
5814 W NORTH	RIECO INC		Local Commercial	\$602,000.00	\$ 3,311.00
5916 W NORTH	HOP TRUNG TRAN		Local Commercial	\$180,000.00	\$ 990.00
5920 W NORTH	HILBERT COMPANY LLC		Local Commercial	\$771,000.00	\$ 4,240.50
5700 W NORTH	DIROT PROPERTIES TWO LLC		Local Commercial	\$673,000.00	\$ 3,701.50
5600 W NORTH	L J NEUMAN & SHARON E LAVIN		Local Commercial	\$320,000.00	\$ 1,760.00
5522 W NORTH	ROBIN PITTS		Local Commercial	\$334,000.00	\$ 1,837.00
5508 W NORTH	AZ MANAGEMENT LLC		Local Commercial	\$520,000.00	\$ 2,860.00
5114 W LISBON	PARIS S CROSSLEY		Local Commercial	\$48,800.00	\$ 268.40
5428 W NORTH	FAMILY DOLLAR STORS OF WI		Local Commercial	\$599,500.00	\$ 3,297.25
5710 W NORTH	5714 REAL EST HOLDINGS LLC		Local Commercial	\$400,000.00	\$ 2,200.00
5104 W LISBON	WILHELM COMMERCIAL	HOLDINGS LLC	Local Commercial	\$12,800.00	\$ 70.40
5304 W NORTH	NLJ PARTNERS LLC		Local Commercial	\$443,000.00	\$ 2,436.50
5722 W NORTH	R.A. EVANS LLC		Local Commercial	\$191,000.00	\$ 1,050.50
5725 W NORTH	JGS HOLDINGS LLC		Local Commercial	\$260,100.00	\$ 1,430.55
5803 W NORTH	PAUL R ORWAL		Local Commercial	\$229,000.00	\$ 1,259.50
5823 W NORTH	HANI S MATLOUB AND BRENDA S	MATLOUB REV LIV TRUST	Local Commercial	\$60,400.00	\$ 332.20
5901 W NORTH	KEREN PROPERTIES 4 LLC		Local Commercial	\$84,500.00	\$ 464.75

5909 W NORTH	KEREN PROPERTIES 4 LLC		Local Commercial	\$58,800.00	\$	323.40
5919 W NORTH	KEREN PROPERTIES 4 LLC		Local Commercial	\$216,000.00	\$	1,188.00
2255 N 54TH	PAULETTE A BLAKE		Local Commercial	\$62,700.00	\$	344.85
5419 W NORTH	LOREN MICHAELS PROP, LLC		Local Commercial	\$110,700.00	\$	608.85
5501 W NORTH	ROBERT C & EDITH I PRESCHER	REVOCABLE TRUST D11-19-98	Local Commercial	\$296,000.00	\$	1,628.00
5507 W NORTH	KLAUSE HARTTER	JUERGEN HARTTER	Local Commercial	\$110,000.00	\$	605.00
5511 W NORTH	KLAUSE HARTTER	JUERGEN HARTTER	Local Commercial	\$157,000.00	\$	863.50
5517 W NORTH	JEANETTE MALONE		Local Commercial	\$369,000.00	\$	2,029.50
5523 W NORTH	WAYNE AND BETH PRETSCHOLD	REVOCABLE FAMILY TRUST	Local Commercial	\$211,000.00	\$	1,160.50
5527 W NORTH	QUINCY LYNK		Local Commercial	\$248,000.00	\$	1,364.00
5601 W NORTH	MIDWEST AMERICAN PROP LLC		Local Commercial	\$217,000.00	\$	1,193.50
5609 W NORTH	VIKTORIYA SHTEYNBUK	YURIY SHTEYNBUK	Local Commercial	\$145,000.00	\$	797.50
5611 W NORTH	RONALD W BARCHUS		Local Commercial	\$232,000.00	\$	1,276.00
5623 W NORTH	PELICARIC GOJO	PELICARIC LORI	Local Commercial	\$96,700.00	\$	531.85
5629 W NORTH	5629 LLC		Local Commercial	\$128,000.00	\$	704.00
5701 W NORTH	JACK RABON	KATHRYN RABON	Local Commercial	\$100,000.00	\$	550.00
5707 W NORTH	WATERSTONE BANK SSB		Local Commercial	\$317,000.00	\$	1,743.50
5713 W NORTH	WATERSTONE BANK SSB		Local Commercial	\$238,000.00	\$	1,309.00
5101 W NORTH	ROSEMARIE DUNHAM REVOC TRUST		Local Commercial	\$247,000.00	\$	1,358.50
5119 W NORTH	SECOND STORY PROP MGMT		Local Commercial	\$90,600.00	\$	498.30
5125 W NORTH	B C MANAGEMENT LLC		Local Commercial	\$163,000.00	\$	896.50
5129 W NORTH	HEFENG CHU		Local Commercial	\$265,200.00	\$	1,458.60
5211 W NORTH	NORTH HEIGHTS PROPERTIES LLC		Local Commercial	\$106,000.00	\$	583.00
5205 W NORTH	NORTH HEIGHTS PROPERTIES, LL		Local Commercial	\$161,000.00	\$	885.50
5201 W NORTH	WILLIAM TRACHTE	JILL TRACHTE	Local Commercial	\$120,000.00	\$	660.00
5311 W NORTH	FREYA ALVARADO LLC		Local Commercial	\$112,000.00	\$	616.00
4503 W NORTH	ADEL INVESTMENT GROUP LLC		Local Commercial	\$277,000.00	\$	1,523.50
4517 W NORTH	MICHAEL W PERRY		Local Commercial	\$94,400.00	\$	519.20
4525 W NORTH	CFSC PROPERTIES LLC		Local Commercial	\$378,000.00	\$	2,079.00
4538 W LISBON	RALPH E NEELY		Local Commercial	\$66,400.00	\$	365.20
4518 W LISBON	REDEVELOPMENT AUTHORITY OF T	CITY OF MILWAUKEE	Local Commercial	\$91,600.00	\$	503.80
4733 W NORTH	S PRICE REAL ESTATE	HOLDINGS LLC	Local Commercial	\$131,000.00	\$	720.50
4729 W NORTH	ANCHORBANK		Local Commercial	\$159,000.00	\$	874.50
4719 W NORTH	ANCHORBANK		Local Commercial	\$476,200.00	\$	2,619.10
4701 W LISBON	ANCHORBANK		Local Commercial	\$688,000.00	\$	3,784.00
2238 N 48TH	ANCHORBANK		Local Commercial	\$15,400.00	\$	84.70
4415 W NORTH	31ST ST HOLDINGS LLC		Local Commercial	\$134,000.00	\$	737.00
4419 W NORTH	KEITH B TERRY		Local Commercial	\$127,000.00	\$	698.50
4425 W NORTH	MICHAEL S WISNIEWSKI		Local Commercial	\$210,000.00	\$	1,155.00
4321 W NORTH	COMMUNITY BAPTIST CHURCH		Local Commercial	\$4,900.00	\$	26.95
2246 N 44TH	NORTH AVENUE INVESTMENTS LLC		Local Commercial	\$73,900.00	\$	406.45
4319 W NORTH	NORTH AVENUE INVESTMENTS LLC		Local Commercial	\$63,700.00	\$	350.35
4801 W NORTH	S PRICE REAL ESTATE HOLDINGS	LLC	Local Commercial	\$626,000.00	\$	3,443.00
4815 W NORTH	JAMES E SMITH		Local Commercial	\$114,000.00	\$	627.00
4823 W NORTH	S PRICE REAL ESTATE HOLDINGS		Local Commercial	\$314,000.00	\$	1,727.00
4919 W NORTH	CHRISTINE MCROBERTS		Local Commercial	\$143,000.00	\$	786.50

5019 W NORTH	NEIL E & BEVERLY J PETERSON	TRUSTEES OF NEIL EDWARD &	Local Commercial	\$171,000.00	\$ 940.50
4625 W NORTH	J & S INV & MGMT INC		Local Commercial	\$664,000.00	\$ 3,652.00
4401 W NORTH	NEW COVENANT 4401	COMMERCIAL LLC	Local Commercial	\$190,000.00	\$ 1,045.00
4407 W NORTH	4401 NORTH AVE LLC		Local Commercial	\$270,000.00	\$ 1,485.00
5027 W NORTH	HIMOUNT INVESTMENTS LLC	ATTN: JOSH MORBY	Local Commercial	\$170,000.00	\$ 935.00
5033 W NORTH	JOHN H KOSTECKI		Local Commercial	\$84,000.00	\$ 462.00
4414 W NORTH	BACHAN SINGH		Mercantile Apartment	\$108,800.00	\$ 598.40
2309 N 46TH	LUCILLE E MUSTA		Mercantile Apartment	\$60,300.00	\$ 331.65
5009 W NORTH	RICHARD V & MARY JEAN	ZANONI TRUSTEES OF THE	Mercantile Apartment	\$146,200.00	\$ 804.10
2303 N 46TH	JAKE R LEMMER		Residential	\$63,400.00	\$ -
2429 N 50TH	ROBERTA LAMB		Residential	\$86,100.00	\$ -
5115 W NORTH	ASKIA HANEY		Residential	\$157,900.00	\$ -
2236 N 46TH	GREG S ALLES	KEVIN M KNIGHT	Residential	\$72,800.00	\$ -
2230 N 46TH	MARK A WAMSER		Residential	\$60,000.00	\$ -
2257 N 49TH	THEODIE D FREEMON SR	IRMAZENE M FREEMON	Residential	\$80,300.00	\$ -
2252 N HI MOUNT	CHARLES A BAURES &	MARY MONICA LEONARD	Residential	\$111,300.00	\$ -
4926 W NORTH	FRANK HEILBRONNER	SINCLAIR INVESTMENTS LLC	Special Mercantile	\$277,000.00	\$ 1,523.50
4930 W LISBON	NORTH SIDE PETROLEUM INC		Special Mercantile	\$1,066,000.00	\$ 5,863.00
4500 W NORTH	WALGREEN NEW BERLIN #01336	TAX DEPARTMENT STORE #01336	Special Mercantile	\$1,164,000.00	\$ 6,402.00
5220 W NORTH	FIRSTAR BANK MILWAUKEE NA	C/O MB BEITLER	Special Mercantile	\$675,500.00	\$ 3,715.25
5020 W NORTH	MORTIMER LEVITT FOUNDATION	INC	Special Mercantile	\$2,955,000.00	\$ 16,252.50
5900 W NORTH	ASSOCIATED BANK NA	INTERNAL SERV MS 7857	Special Mercantile	\$575,000.00	\$ 3,162.50
5612 W NORTH	BORDER PATROL WISCONSIN INC	ATTN TACO BELL #2381	Special Mercantile	\$292,000.00	\$ 1,606.00
4623 W LISBON	FIRST MIL BANK	C/O ASSOCIATED BANK RE DIV	Special Mercantile	\$300,000.00	\$ 1,650.00
4527 W LISBON	ABDIKADER H ASKAR		Special Mercantile	\$298,000.00	\$ 1,639.00
4601 W NORTH	4601 WEST NORTH LLC	ATTN: LEGAL DEPARTMENT	Special Mercantile	\$676,000.00	\$ 3,718.00
				\$28,129,600.00	\$ 151,237.90

BUSINESS IMPROVEMENT DISTRICT NO. 19

Villard Avenue
2012 PROPOSED OPERATING PLAN



September 8th, 2011

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Villard Avenue business area on Milwaukee's North Side (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Villard Avenue district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

Boundaries of the District, as shown on the map in Appendix A of this plan, are Villard Avenue from 29th Street on the East to 42nd Street on the West, 35th Street one half blocks on the South continuing Northeast until Rohr Avenue

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objectives of the BID are:

1. To improve the overall appearance and image of the street.
2. To enhance safety and security of the District.
3. To attract new businesses and increase private investment in the District.
4. To create an environment that will attract new customers and increase shopping in the area

Proposed Activities – Year One

Principle activities to be engaged in by the district during its first year of operation will include:

1. To improve the overall appearance and image of the street:
 - a. Providing maintenance and management of the streetscape improvements.
 - b. Encouraging design-sensitive renovations of the buildings within the District.

2. To enhance the safety and security of the District by:
 - a. Encouraging and supporting Safety Programs in the District including police protection.
 - b. Working with business and property owners of properties that are a nuisance.
 - c. Implement a committee to reinforce and govern Villard Ave. night life activities.

3. To attract new businesses and increase private investment in the District by:
 - a. Promote private and public financing of District development activities.
 - b. Generating business recruitment leads and facilitating development within the BID in order to gain new business.
 - c. Creating and maintaining a Villard Avenue presence on the web with links to business resources; Using Federal resources through the Technology.
 - d. Developing a tool to identify properties to be targeted for renovation or redevelopment.

4. To create an environment that will attract new customers and increase patronage in the District by:
 - a. Maintaining communication with the property owners and business operators in the District regarding the design and implementation of BID activities.
 - b. Developing a marketing plan which includes strategies, media coverage, promotional materials and special events for District to increase customer traffic.
 - c. Providing information regarding business, site preparation and selection, and rehabilitation resources in order to strengthen existing and new businesses, and to improve the appearance of the businesses.
 - d. Review and revise the three-year plan for the District.
 - e. Participating in the annual Villard Avenue Day Festival.
 - f. Advocate for the Villard Library remaining open and the building of Villard Square.

C. Proposed Expenditures – Year One The principal expenses of the District in 2012 shall be used to fund business technical assistance, maintenance projects, and streetscape. The BID #19 will contract with Northwest Side Community Development Corporation to manage activities for the BID. The BID will also help fund the Villard Avenue Day Festival.

Villard Avenue BID#19	
	2011 Budget
ADMINISTRATIVE SERVICES	
Debt Service	
Loan Repayment-Principal and Interest	\$ 26,488.53
Contractual Services	
Staff Support	35000.00
Accounting Services	
2010 Audit	2700.00
General Expenses	
Postage & Copies	400
Utilities	900
Street Upkeep	3000
PROGRAM ACTIVITIES	
Marketing/Advertising	2000
Contingency Fund	
Villard Events	5,000
TOTAL Proposed Budget for 2011	75,488.53

B. Financing Method

It is proposed to raise 76,021.63 through BID assessments (see Appendix D). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

C. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

The Board's primary responsibility will be the implementation of this operating plan. The current BID #19 Board of Directors is comprised as follows:

- Tom Dienhart, Chairman
Property owner, Business owner of "Marine Land Pet Store"
- Charles Belin, Vice Chairman
Business owner of "Villard Ave. Washer and Dryer"
- Peggy Mier, Treasurer
Branch Manager, Wells Fargo Bank
- Yvonne Ali, Secretary
Property Owner, Business Owner of "Agape Theater"
- Rita Warford, Board Member
Property Owner, Business Owner of "Sew What"
- Sandra Renfro, Board Member
Business Owner of "Sista Sista"
- Michelle Spicer,
Previous Operational Supervisor, Westbury Bank

It is recommended that the BID board be structured and operate as follows:

1. Board Size – Five
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

D. Relationship to the Villard Avenue Business Association

The BID shall be a separate entity from the Villard Avenue Business Association notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

BID-eligible properties are assessed in the following manner:

1. An unimproved tax parcel is assessed at a rate of \$4/1,000 of assessed value. No minimum assessment is applied to unimproved parcels.

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

As of January 1, 2009, the property in the proposed district had a total assessed value of over 19 million. This plan proposed to assess the property in the district at a rate of \$4 per \$1,000.00 of assessed value, for the purposes of the BID.

Appendix D shows the projected BID assessment for each property included in the district.

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. State Statute (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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.608(1)(b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Villard Avenue 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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.

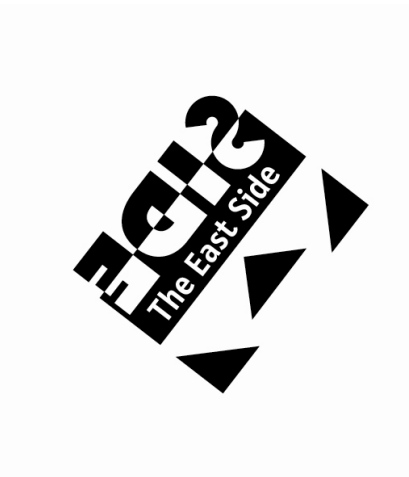
B. Amendment, Severability and Expansion

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).

APPENDICES

- A. STATUTE
- B. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. YEAR ONE PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION



THE EAST SIDE
BUSINESS IMPROVEMENT DISTRICT NO. 20
2012 OPERATING PLAN

September 23rd, 2011

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 - 2. Proposed Activities
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 - 4. Financing Method.
 - V. METHOD OF ASSESSMENT
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 - B. Excluded and Exempt Property
 - VI. CITY ROLE IN DISTRICT OPERATION
 - VII. BOARD OF DIRECTORS AND EXECUTIVE DIRECTOR
 - VIII. EAST SIDE ASSOCIATION
 - IX. FUTURE YEARS' OPERATING PLANS
 - X. AMENDMENT, SEVERABILITY, AND EXPANSION
- Appendix A – 2011 Assessed Values and BID No. 20 Assessments

THE East Side BUSINESS IMPROVEMENT DISTRICT 2012 OPERATING PLAN

I. INTRODUCTION

In 1984, the Wisconsin legislature created Sec. 66.1109 of the Statutes 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, manage and promote the districts and to establish an assessment method to fund these activities." Upon petition from property owners within the East Side business district, the Common Council of the City of Milwaukee on 9/23/97 Resolution File Number 970779 created BID No. 20 (The East Side Business Improvement District) and adopted its initial operating plan.

The BID law requires that a BID Board "shall annually consider and make changes to the operation plan. . .The board shall then submit the operating plan to the local legislative body for approval." The Board of BID No. 20 (The East Side Business Improvement District) submits this 2012 BID operating plan in fulfillment of the statutory requirement.

This plan proposes a continuation and expansion of the activities described in the initial 1997 BID operating plan. Therefore, it incorporates by reference the earlier plans as adopted by the Common Council. In the interest of brevity, this plan emphasizes the elements, which are required by Sec. 66.1109, Wis. Stats. and the proposed changes for 2012. This plan does not repeat the background information that is contained in the initial operating plan.

II. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY

No changes in the District planning or zoning have occurred since adoption of the initial operating plan.

III. DISTRICT BOUNDARIES

A listing of the properties in the district is provided in Appendix A.

IV. PROPOSED OPERATING PLAN 2012

A. Plan Objectives

The objectives of the BID are as follows:

- Act as a catalyst for private investment. Closely monitor new development opportunities, active recruiting of quality retail in new development and new vacancies, and marketing of area for renewed reinvestment.
- Promotion of the BID District as a desirable place to do business and to visit. Create signature events that drive traffic to the district.
- Improve the overall appearance and image of the area via clean programs, landscaping, and holiday lighting programs.

Proposed Activities

Principal activities to be undertaken by the BID during 2012 include, but are not limited to:

- 1) Continued promotion of the district via special events including the *East Side Green Market*, *Summer Soulstice Music Festival*, and *Tomato Romp!* festival, and general marketing initiatives for the neighborhood.
- 2) Implementation of Design and Development Guidelines for BID #20 and creation of an Architectural Review Board in coordination with City of Milwaukee.
- 3) Increased programming for planters, trash maintenance, and graffiti removal.
- 4) Promotion of the district as a place to do business, live, work, and recreate.
- 5) Recruitment of new businesses, retail, and retention of existing businesses.

C. Proposed Expenditures

Income for 2012

(numbers rounded)

Carryover 2011 to 2012	\$24,254
<u>2012 Assessment (received 4/11)</u>	<u>\$211,666</u>
Projected Income Available in 2012	\$235,920

Expenses for 2012

Operating Expenses (office, contracts, district maintenance, etc.)	\$151,142
<u>Loan Payment for 2012</u>	<u>\$78,150</u>
Total Expenses for 2012	\$229,292

The BID Board will have the authority and responsibility to prioritize expenditures and to revise the district budget as necessary to match the funds actually available. Any

funds unspent at the end of 2012 shall be carried over to 2013 and applied against future expenses.

D. Financing Method

The City of Milwaukee and the district jointly and cooperatively funded the streetscaping. The district's share of the cost of the streetscaping and the operating expenses of the district will be funded by BID assessments on taxable properties within the district.

The district entered into a Development Agreement with the City of Milwaukee in 2001. The Agreement includes the issuing of municipal bonds to finance the district's portion of the total cost. The district shall pay, each year for the term of the bonds, the amount necessary for principal, interest and other expenses on its portion of the cost. This year's annual payment is \$78,150.00. The total loan period will be for 20 years.

The Development Agreement will constitute a long-term commitment and the district will not be terminated until all repayments to the City have been made and adequate provision is made for the operation and management of improvements financed through the district. The Development Agreement will be in addition to the operating plan. Both parties have executed the Development Agreement.

V. METHOD OF ASSESSMENT

A. Assessment Rate and Method

As of January 1, 2011, the properties in the district had a total BID assessable value of 101,572,000. This plan proposes to assess the taxable property in the district at a rate of \$5.00 per \$1,000 of assessed value with a cap at \$5,000 for the purposes of the BID. Appendix A shows the projected BID assessment for each property included in the district.

The principle behind the assessment methodology is that each property owner should contribute to the BID in proportion to the benefit derived from the BID. After consideration of assessment methods, it was determined that the assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a uniform rate applied on the

assessed value of each property was selected as the basic assessment method for BID No. 20.

The variables used to determine the regular BID assessments are:

- 1) The total assessed value of each tax key parcel within the district; and
- 2) the specific dollar amount per \$1,000 of the assessed value of each tax key parcel.

The assessment methodology is as follows: For each of the taxable tax key parcels within the BID boundaries, the BID assessment is calculated by applying a \$5.00 per \$1000 charge against the assessed value of the parcel.

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) *Sec. 66.608 (1) (f) Im: The district may 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 plan because it is assumed that they will benefit from development in the district.*
- 2) *Sec. 66.608 (5) (a): Property known to be used exclusively for residential purposes will not be assessed. Such properties are identified as BID Exempt Properties in Appendix B, as revised each year.*

Real property, of which more than 66 2/3 percent of the square footage of the floor area of the building is used for residential purposes, is defined as "substantially residential property." The law authorizing the creation of BIDs states the intention that residential space is considered a residential, and not commercial use. Therefore, the owner of any substantial residential property within the BID may certify to the BID Board the square footage of such real property used for residential and non-residential purposes. The percentage of square footage used for non-residential, as compared to the total square footage of such building, multiplied by the assessed value for the entire building on such real property, shall be the value of the real property used for multiplication against the BID assessment rate, subject to the \$5,000 per parcel cap. Calculation of floor area shall exclude basement area. Properties that receive an adjusted BID assessment in 1998 shall be assessed in 2012 only on the non-

residential portion of the property as certified by the owner and accepted by the Board of Directors of BID No. 20.

- 3) *In accordance with the interpretation of the City Attorney regarding Sec. 66.1109 (1) (b), Wis. Stats., property exempt from general real estate taxes have been excluded from the district. Privately owned tax exempt property, which is expected to benefit from district activities, may be asked to make a financial contribution on a voluntary basis.*

VI. CITY ROLE IN DISTRICT OPERATION

The City of Milwaukee has committed to helping private property owners in the district promote its development. To this end, the City has played a significant role in the creation of the BID and in the implementation of its operating plan. In particular, the City will continue to:

- 1) Provide technical assistance to the proponents of the district through adoption of the operating plan and provide assistance as appropriate thereafter.
- 2) Monitor and, when appropriate, apply for outside funds, which could be used in support of the district.
- 3) Collect BID assessments; maintain the BID assessments in a segregated account; and disburse the BID assessments to the district.
- 4) Receive annual audits as required per Sec. 66.1109 (3) (c) of the BID law.
- 5) On or before June 1st of each plan year, provide the Board, through the Tax Commissioner's Office, with the official City records on the assessed value of each tax key number within the district as of January 1st of each plan year for the purposes of calculating the BID assessments.
- 6) Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VII. BUSINESS IMPROVEMENT DISTRICT NO. 20 BOARD OF DIRECTORS AND EXECUTIVE DIRECTOR

The Board's primary responsibility will be implementation of this operating plan. The current BID No. 20 Board of Directors is comprised as follows:

- ❖ **Paul Miller**, President, property owner, co-owner *Alterra Coffee Roasters*
- ❖ **Mike Honkamp**, Vice-President, property owner, co-owner, the Jazz Estate
- ❖ **Dan Gumm**, Treasurer, representative of *Wisconsin Paperboard*
- ❖ **Geralyn Flick**, Secretary, owner of *Murray Hill Pottery Works*
- ❖ **Peg Silvestrini**, property owner, co-owner *Beans and Barley Café and Market*
- ❖ **Nancy Vogel**, representative from *Small Animal Hospital*
- ❖ **Jeff Sherman**, co-owner *On Milwaukee.com*
- ❖ **Jim Plaisted** -- Executive Director

VIII. EAST SIDE ASSOCIATION

The BID shall be a separate entity from the East Side Association notwithstanding the fact that members, officers, and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law and not subject to the public record law except for its records generated in connection the BID Board. In accordance with this plan, the Association may contract with the BID to provide services to the BID.

IX. FUTURE YEARS' OPERATING PLANS

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 this 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 project, it focuses upon 2012 activities. Information on specific assessed values, budget amounts, and assessment amounts are based on 2011 conditions. Greater detail about subsequent years' activities will be provided in the required annual plan updates. Approval by the Common Council of such operating plan updates shall be conclusive evidence of compliance with this operating 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. The method of assessing shall not be materially altered, except with the consent of the City of Milwaukee.

X. AMENDMENT, SEVERABILITY, AND EXPANSION

The BID has been created under the authority of Section 66.608 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 operating plan shall be amended to conform to the law without need of re-establishment.

Should the legislature amend the statute to narrow or broaden the process of a BID so as to exclude or include as assessable properties of a certain class or classes of properties, then this BID operating plan may be amended by the Common Council of the City of Milwaukee as and when it conducts its annual review and approval of the operating plan and without necessity to undertake any other act. This is specifically authorized under Sec. 66.1109 (3) (b), Wis. Stats.

Appendix A

TxKey	addr	Owner	2011 value	2012 BID \$\$
3190699000	2427 N. Murray Ave.	2429 N. Murray LLC	\$260,000	\$1,300
3190700000	2423 N MURRAY	RED HOUSE LLC	\$330,000	\$1,650
3190704000	1922 E THOMAS	PAUL HANNA INC	\$259,000	\$1,295
3190721000	2018 E THOMAS	JAMES D STRATTE	\$371,000	\$1,855
3190722000	2400 N MURRAY	ROBERT F ZELLMER	\$537,000	\$2,685
3190723000	2406 N MURRAY	GOLDBERG FAMILY LTD	\$331,000	\$1,655
3190724000	2410 N MURRAY	CORY J GASSMANN	\$226,000	\$1,130
3190727100	2428 N MURRAY	WILLIAM F JUDGE & JOAN M	\$578,000	\$2,890
3190743000	2426 N FARWELL	GURDEV SINGH	\$800,000	\$4,000
3190744000	2414 N FARWELL	ARTHUR R KING MD	\$221,000	\$1,105
3190745000	2401 N MARYLAND	RESOURCE MANAGEMENT	\$1,392,200	\$5,000
3190757000	2012 E NORTH	SHASHA LLC	\$1,294,000	\$5,000
3190760110	2330 N FARWELL	FARWELL GROUP LLP	\$1,459,000	\$5,000
3190764111	2303 N FARWELL	FIRSTAR BANK MILWAUKEE NA	\$1,047,900	\$5,000
3190766100	2339 N MURRAY	ORLEN G WOOD	\$868,000	\$4,340
3190768000	2333 N MURRAY	SAMUEL J LLANAS	\$291,000	\$1,455
3190769000	2327 N MURRAY	Matthew and Patricia Linn	\$261,000	\$1,305
3190770100	2319 N MURRAY	SHAFTON FAMILY LTD	\$1,196,000	\$5,000
3190770200	1930 E NORTH	CONTINENTAL SAVINGS &	\$746,000	\$3,730
3190790000	1832 E NORTH	DOROTHY M VITUCCI REVOCABLE	\$509,000	\$2,545
3190793000	1800 E NORTH	1800-1814 E NORTH AVE LLC NORTHPOINT PROSPECT	\$133,400	\$667
3191371000	2305 N PROSPECT	COMMONS	\$14,268,000	\$5,000
3191372000	2311 N PROSPECT	COLUMBIA ST MARYS INC	\$14,800,000	\$5,000
3191373000	2311 N PROSPECT	COLUMBIA ST MARYS INC	\$0	\$0
3200302112	1514 E THOMAS	WISCONSIN PAPERBOARD CORP	\$5,888,400	\$5,000
3201523100	1726 E NORTH	TLO HOLDINGS LLC	\$390,000	\$1,950
3201524000	2303 N OAKLAND	JAMES & SUE WIECHMANN	\$496,000	\$298
3201525000	1700 E NORTH	RKA PROP OF WIS LLC	\$1,293,000	\$5,000
3201531100	2340 N NEWHALL	ESV LLC	\$1,156,000	\$5,000
3201532110	1614 E NORTH	MCDONALDS CORP	\$796,000	\$3,980
3201534100	2333 N NEWHALL	WISCONSIN PAPERBOARD CORP	\$289,700	\$1,449
3201535100	1530 E NORTH	ROBERT C SCHMIDT, JR	\$322,000	\$1,610
3201537100	1518 E NORTH	MANDEL NORTHTOWN II LLC	\$735,000	\$3,675
3201539000	1504 E NORTH	GEORGE SALVAT REAL ESTATE	\$585,000	\$2,925
3201540000	2320 N CAMBRIDGE	MANDEL NORTHTOWN II LLC	\$15,000	\$75
3201721000	2340 N CAMBRIDGE	WISCONSIN ELECTRIC POWER CO	\$0	\$0
3201722000	2326 N CAMBRIDGE	WISCONSIN ELECTRIC POWER CO	\$0	\$0
3209948113	1436 E NORTH	CITY OF MILWAUKEE	\$0	\$0
3548103000	1507 E. North Ave.	Clear Channel	\$37,000	\$185
3548104000	1507 E. North Ave.	Clear Channel	\$37,000	\$185

3550101000	1507 E NORTH	MICHAEL D LEE, RICHARD	\$211,300	\$1,057
3550103000	1515 E NORTH	E & K LAND LLC	\$294,000	\$1,470
3550139110	1431 E NORTH	MLRB LLC	\$435,000	\$2,175
3550431116	2202 N BARTLETT	PIERCE MILWAUKEE LLC	\$3,732,900	\$5,000
3550432000	1617 E NORTH	ROBERT E JOHN	\$465,000	\$2,325
3550448100	1609 E NORTH	E&K LAND LLC	\$735,000	\$3,675
3560215100	2252 N PROSPECT	DOS LOCOS LLC	\$2,879,000	\$5,000
3560229000	2140 N PROSPECT	LDC-2150 PROSPECT LLC	\$835,000	\$4,175
3560278000	2211 N PROSPECT	TOWN DOGS LLC	\$698,000	\$3,490
3560279000	2201 N PROSPECT	PAIGE-WALLACE LLC	\$1,024,000	\$1,705
3560281100	2214 N FARWELL	GEORGE PANAGIOTOPOLOUS	\$631,000	\$3,155
3560282000	2216 N FARWELL	NEW LAND INVESTMENTS NO 7	\$2,049,000	\$5,000
3560283000	2238 N FARWELL	NEW LAND INVESTMENTS NO 7	\$1,439,000	\$2,396
3560284000	2217 N PROSPECT	PROSPECT I LLC	\$870,000	\$4,350
3560285000	2017 E NORTH	2017 EAST NORTH, LLC	\$406,600	\$2,033
3560286000	2043 E NORTH	BV PROSPECT III LLC	\$1,270,000	\$5,000
3560287000	2034 E. Ivanhoe Pl.	Educators Credit Union Ivanhoe Pl. LLC	\$4,560,000	\$5,000
3560289111	1901 E NORTH	2B REAL ESTATE LLC	\$1,980,000	\$5,000
3560290100	2227 N FARWELL	NORTH FARWELL, LLC	\$560,000	\$2,800
3560296120	2219 N FARWELL	GOLDBERG RUEHL PROPERTIES	\$906,000	\$4,530
3560297000	2201 N FARWELL	SPECTRUM HOLDINGS INC	\$1,266,500	\$2,109
3560298110	1854 E KENILWORTH	A DE PALMA PROPERTIES LLC	\$502,000	\$2,510
3560301000	1801 E NORTH	SYDNEY C CHARNEY ESTATE ETAL	\$172,900	\$865
3560302000	1819 E KENILWORTH	SYDNEY C CHARNEY ESTATE ETAL	\$1,377,000	\$5,000
3560310100	2169 N FARWELL	GEORGE KASHOU COMPANY	\$378,000	\$1,890
3560311000	2159 N FARWELL	MAGNETIC NORTH ES LLC	\$225,000	\$1,125
3560312111	2121 N FARWELL	PIERCE MILWAUKEE LLC	\$1,906,400	\$5,000
3560609100	2200 N PROSPECT	KHALID AHMED	\$648,500	\$3,243
3560611100	2214 N PROSPECT	PROSPECT II LLC	\$925,300	\$4,627
3561471000	2170 N PROSPECT	DOWN DOG! LLC	\$518,000	\$2,590
3561472000	2009 E KENILWORTH	TRUST OF MORRIS KATZ	\$940,000	\$4,700
3561521000	1835 E KENILWORTH	1857 E KENILWORTH LLC	\$11,766,000	\$5,000
3568100000	2017 E. North Ave.	Clear Channel Outdoor	\$37,000	\$185
3568101000	2017 E. North Ave.	Clear Channel Outdoor	\$37,000	\$185
3568102000	2227 N. Farwell Ave.	Clear Channel Outdoor	\$37,000	\$185
3568103000	1801 E. North Ave.	Lamar Central Outdoor, Inc.	\$896,000	\$4,480
			\$101,572,000	\$211,666
UWM Foundation Contribution			<i>voluntary</i>	<i>\$5,000</i>
			BID \$\$	\$216,666

BID	20	3201722000	3	Active	2326 N CAMBRIDGE	WISCONSIN ELECTRIC POWER CO		231 W MICHIGAN ST	MILWAUKEE WI	53201	Exempt		0	0	\$0	\$0	\$0	13869	8100		\$0
BID	20	3209948113	6	Active	1436 E NORTH	CITY OF MILWAUKEE		809 N BROADWAY	MILWAUKEE WI	53202	Exempt		0	0	\$0	\$0	\$0	63474	0		\$0
BID	20	3548103000		Active	1507 E. North Ave.	Clear Channel					Special Mercantile				\$37,000	\$185		100			
BID	20	3548104000		Active	1507 E. North Ave.	Clear Channel					Special Mercantile				\$37,000	\$185		100			
BID	20	3550101000	4	Active	1507 E NORTH	MICHAEL D LEE, RICHARD	Atomic Tattoo	929 N ASTOR ST # 1402	MILWAUKEE WI	53202	Local Commercial	50400	160900		\$211,300	\$1,057	\$211,300	5600	1520		\$0
BID	20	3550103000	5	Active	1515 E NORTH	E & K LAND LLC	former OP	10505 CORPORATE DR # 101	PLEASANT PRAIRIE WI	53158	Local Commercial	86400	207600		\$294,000	\$1,470	\$294,000	9600	2500		\$0
BID	20	3550139110	5	Active	1431 E NORTH	MLRB LLC	Judge's	1431 E NORTH AV	MILWAUKEE WI	53202	Local Commercial	370300	64700		\$435,000	\$2,175	\$435,000	15428	5293		\$0
BID	20	3550431116	1	Active	2202 N BARTLETT	PIERCE MILWAUKEE LLC	Thermo Fisher	2202 N BARTLETT AV	MILWAUKEE WI	53202	Manufacturing	3732800	100		\$3,732,900	\$5,000	\$3,622,200				\$110,700
BID	20	3550432000	4	Active	1617 E NORTH	ROBERT E JOHN		834 N PLANKINTON AVE	MILWAUKEE WI	53203	Local Commercial	141100	323900		\$465,000	\$2,325	\$465,000	15682	29076		\$0
BID	20	3550448100	8	Active	1609 E NORTH	E&K LAND LLC	New Open Pantry/Classic Slice	10505 CORPORATE DR # 101	PLEASANT PRAIRIE WI	53158	Local Commercial	118800	616200		\$735,000	\$3,675	\$509,500	13200	6438		\$225,500
BID	20	3560215100	8	Active	2252 N PROSPECT	DOS LOCOS LLC	Clock Tower	3055 N FREDERICK AV	MILWAUKEE WI	53211	Local Commercial	722800	2156200		\$2,879,000	\$5,000	\$2,879,000	32117	85412		\$0
BID	20	3560229000	8	Active	2140 N PROSPECT	LDC-2150 PROSPECT LLC	Izumi's	2140 N PROSPECT AVE	MILWAUKEE WI	53202	Local Commercial	360100	474900		\$835,000	\$4,175	\$835,000	18000	7998		\$0
BID	20	3560278000	5	Active	2211 N PROSPECT	TOWN DOGS LLC	Alterra Coffee Roasters	2999 N HUMBOLDT BL	MILWAUKEE WI	53212	Local Commercial	275500	422500		\$698,000	\$3,490	\$648,200	7200	14400		\$49,800
BID	20	3560279000	0	Active	2201 N PROSPECT	PAIGE-WALLACE LLC	Vintage/Yield	2203 N PROSPECT AV	MILWAUKEE WI	53202	Local Commercial	162000	862000		\$1,024,000	\$1,705	\$1,024,000	7200	18834		\$0
BID	20	3560281100	8	Active	2214 N FARWELL	GEORGE PANAGIOTOPOLOUS	Ma Fischers	2214 N FARWELL AV	MILWAUKEE WI	53202	Local Commercial	162000	469000		\$631,000	\$3,155	\$631,000	7200	3788		\$0
BID	20	3560282000	7	Active	2216 N FARWELL	NEW LAND INVESTMENTS NO 7	Landmark Lanes/Oriental Theater	PO BOX 511448	MILWAUKEE WI	53203	Local Commercial	816900	1576100		\$2,049,000	\$5,000	\$2,393,000	36300	70710	Obj	-\$344,000
BID	20	3560283000	2	Active	2238 N FARWELL	NEW LAND INVESTMENTS NO 7	Replay/East Side Framing	P O BOX 511448	MILWAUKEE WI	53203	Local Commercial	216000	1223000		\$1,439,000	\$2,396	\$1,439,000	9600	26304		\$0
BID	20	3560284000	8	Active	2217 N PROSPECT	PROSPECT I LLC	P Mall building	311 E CHICAGO ST, STE 210	MILWAUKEE WI	53202	Local Commercial	506400	363600		\$870,000	\$4,350	\$870,000	22500	41915		\$0
BID	20	3560285000	3	Active	2017 E NORTH	2017 EAST NORTH, LLC	Hooligan's	N6585 LEICHT RD	BLACK RIVER FALLS WI	54615	Local Commercial	35600	371000		\$406,600	\$2,033	\$406,600	1584	2964		\$0
BID	20	3560286000	9	Active	2043 E NORTH	BV PROSPECT III LLC	Brueggers/lans	311 E CHICAGO ST, STE 210	MILWAUKEE WI	53202	Local Commercial	90800	1179200		\$1,270,000	\$5,000	\$1,270,000	6052	6114		\$0
BID	20	3560287000		Active	2034 E. Ivanhoe Pl.	Educators Credit Union Ivanhoe Pl. LLC	WECU	1400 E. Newman Rd.	Racine, WI	53406	Local Commercial	222000	4338000		\$4,560,000	\$5,000	\$4,560,000	8881	11574		\$0
BID	20	3560289111	7	Active	1901 E NORTH	2B REAL ESTATE LLC	Beans and Barley/Decibel	1901 E NORTH AVE	MILWAUKEE WI	53202	Local Commercial	397600	1582400		\$1,980,000	\$5,000	\$1,980,000	19876	17870		\$0
BID	20	3560290100	7	Active	2227 N FARWELL	NORTH FARWELL, LLC	Von Trier	2235 N FARWELL AVE	MILWAUKEE WI	53215	Local Commercial	88800	471200		\$560,000	\$2,800	\$560,000	4438	4163		\$0
BID	20	3560296120	4	Active	2219 N FARWELL	GOLDBERG RUEHL PROPERTIES	Utrecht/Z Pantry	5205 N IRONWOOD RD, STE 201	GLENDALE WI	53217	Local Commercial	142200	763800		\$906,000	\$4,530	\$906,000	7110	6374		\$0
BID	20	3560297000	9	Active	2201 N FARWELL	SPECTRUM HOLDINGS INC	Village Bazaar	6651 N TEUTONIA AV	MILWAUKEE WI	53209	Local Commercial	180000	1086500		\$1,266,500	\$2,109	\$1,266,500	9000	17250		\$0
BID	20	3560298110	8	Active	1854 E KENILWORTH	A DE PALMA PROPERTIES LLC	YNOT III	706 E LYON ST	MILWAUKEE WI	53202	Local Commercial	32000	470000		\$502,000	\$2,510	\$502,000	2130	4509		\$0
BID	20	3560301000	9	Active	1801 E NORTH	SYDNEY C CHARNEY ESTATE ETAL	Sil's and parking lot	PO BOX 2035	MILWAUKEE WI	53201	Local Commercial	109700	63200		\$172,900	\$865	\$172,900	7315	265		\$0
BID	20	3560302000	4	Active	1819 E KENILWORTH	SYDNEY C CHARNEY ESTATE ETAL	Cans/Hotch A Do	PO BOX 2980	MILWAUKEE WI	53201	Local Commercial	225000	1152000		\$1,377,000	\$5,000	\$1,377,000	15000	15000		\$0
BID	20	3560310100	4	Active	2169 N FARWELL	GEORGE KASHOU COMPANY	Kashou Carpets	2169 N FARWELL	MILWAUKEE WI	53202	Local Commercial	360100	17900		\$378,000	\$1,890	\$378,000	18000	18469		\$0
BID	20	3560311000	3	Active	2159 N FARWELL	MAGNETIC NORTH ES LLC	Magnetic North	2163 N FARWELL AV	MILWAUKEE WI	53202	Local Commercial	82500	142500		\$225,000	\$1,125	\$225,000	4125	2064		\$0
BID	20	3560312111	0	Active	2121 N FARWELL	PIERCE MILWAUKEE LLC	Thermo Fisher	2202 N BARTLETT AVE	MILWAUKEE WI	53202	Manufacturing	1906300	100		\$1,906,400	\$5,000	\$1,849,800				\$56,600
BID	20	3560609100	X	Active	2200 N PROSPECT	KHALID AHMED	Clark gas station	13545 N NORTHWOOD LN UNIT 5W	MEQUON WI	53097	Special Mercantile	151700	496800		\$648,500	\$3,243	\$648,500	12645	1748	Obj	\$0
BID	20	3560611100	0	Active	2214 N PROSPECT	PROSPECT II LLC	P Mall parking lot	311 E CHICAGO AV, STE #210	MILWAUKEE WI	53202	Local Commercial	666700	258600		\$925,300	\$4,627	\$925,300	29617	2520		\$0
BID	20	3561471000	2	Active	2170 N PROSPECT	DOWN DOG! LLC	Crank Daddy's	2999 N HUMBOLDT BLVD	MILWAUKEE WI	53212	Local Commercial	108800	409200		\$518,000	\$2,590	\$518,000	9065	7471		\$0
BID	20	3561472000	8	Active	2009 E KENILWORTH	TRUST OF MORRIS KATZ	Laundromat/Seoul Korean	9281 N BROADMOOR RD	MILWAUKEE WI	53217	Local Commercial	289200	650800		\$940,000	\$4,700	\$940,000	24100	11501		\$0
BID	20	3561521000	3	Active	1835 E KENILWORTH	1857 E KENILWORTH LLC	Latitude Apts/Verizon	757 N WATER ST STE 200	MILWAUKEE WI	53202	Mercantile Apartment	945000	10821000		\$11,766,000	\$5,000	\$5,960,000	27000	0		\$5,806,000
BID	20	3568100000		Active	2017 E. North Ave.	Clear Channel Outdoor					Special Mercantile				\$37,000	\$185					
BID	20	3568101000		Active	2017 E. North Ave.	Clear Channel Outdoor					Special Mercantile				\$37,000	\$185					
BID	20	3568102000		Active	2227 N. Farwell Ave.	Clear Channel Outdoor					Special Mercantile				\$37,000	\$185					
BID	20	3568103000		Active	1801 E. North Ave.	Lamar Central Outdoor, Inc.					Special Mercantile				\$896,000	\$4,480					
															\$101,572,000	\$211,666	\$95,452,700				\$6,119,300
															<i>voluntary</i>	\$5,000					
														BID \$	\$216,666	<i>after UWM Foundation Contribution</i>					

2010-2011 Annual Report

East Side Business Improvement District #20



Activities for 2010-2011

The East Side B.I.D. #20 respectfully submits its Annual Report on the following activities undertaken in 2010-11. They include:

- 1) Operated the 11th season of **The East Side Green Market**. Each Saturday, between June and October, neighborhood residents are invited to come down and enjoy fresh and organic produce, freshly prepared foods, arts and crafts, and free live music. Over 20 vendors have participated in this season and foot traffic from the neighborhood continues to increase.
- 2) The East Side BID hired a consultant to create **Design and Development Guidelines** for properties within BID #20. The consultant's work product is complete and the appropriate legislation has been introduced at the Common Council to create Milwaukee's second Architectural Review Board for BID #20
- 3) Planted over **100 street planters** with variety of annuals, perennials, and bushes. New planters were installed west of Oakland Ave. on North Ave. Included installation of new planters in western portion of BID.
- 4) Tenth year of our **East Side Litter Maintenance** program with Riverworks/NMIDC BID and Oakland Ave. BID. The group has contracted for services with a maintenance company to pick up litter weekly in the commercial neighborhoods on the East Side.
- 5) Hosted 11th annual **Summer Soulstice Music Festival** on June 18th, 2011, which attracted over 5,000 people to our all day celebration of the East Side. Featured arts and crafts vending, 3 music stages with 10 bands, food from East Side restaurants, and a climbing wall for all ages.
- 6) Hosted our 5th annual **Tomato Romp!** featuring the East Side Bloody Mary Contest and famous Tomato Fight. The fight featured over 200 participants and raised \$2,200 for organizations fighting hunger in our community.
- 7) Continued efforts to **shape the retail environment** in our neighborhood. We continue to monitor development issues and inform interested investors and realtors about neighborhood goals related to redevelopment and preferred retail mix.
- 8) **Annual audit** for 2010 was completed and forwarded to DCD with the 2012 Operating Plan.

**EAST SIDE BUSINESS IMPROVEMENT DISTRICT #20
MILWAUKEE, WISCONSIN**

**FINANCIAL STATEMENTS AND
INDEPENDENT AUDITOR'S REPORT
DECEMBER 31, 2010 AND 2009**

EAST SIDE BUSINESS IMPROVEMENT DISTRICT #20
MILWAUKEE, WISCONSIN

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KRAUSE & ASSOCIATES, S.C.

CERTIFIED PUBLIC ACCOUNTANTS

1214 BRIDGE STREET
P.O. Box 368
GRAFTON, WISCONSIN 53024

TELEPHONE: (262) 377-9988
FAX: (262) 377-9617

Independent Auditor's Report

Board of Directors
East Side Business Improvement District #20
Milwaukee, Wisconsin

We have audited the accompanying statements of financial position of East Side Business Improvement District #20 as of December 31, 2010 and 2009, and the related statements of activities and changes in net assets and cash flows for the years then ended. These financial statements are the responsibility of the District's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with U.S. generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, financial statements referred to above present fairly, in all material respects, the financial position of the East Side Business Improvement District #20 as of December 31, 2010 and 2009 and the results of its operations and cash flows for the years then ended.

Krause & Associates SC

Krause & Associates, SC
Grafton, Wisconsin
February 14, 2011

EAST SIDE BUSINESS IMPROVEMENT DISTRICT #20
 STATEMENTS OF FINANCIAL POSITION
 DECEMBER 31, 2010 AND 2009

	<u>2010</u>	<u>2009</u>
	<u>ASSETS</u>	
Cash and cash equivalents	\$ 23,854	\$ 46,992
Accounts receivable	<u>400</u>	<u>-</u>
TOTAL ASSETS	<u>\$ 24,254</u>	<u>\$ 46,992</u>

LIABILITIES AND NET ASSETS

LIABILITIES		
Accounts payable	\$ 4,834	\$ 2,083
Payroll tax liabilities	<u>970</u>	<u>-</u>
TOTAL LIABILITIES	5,804	2,083
NET ASSETS		
Unrestricted	<u>18,450</u>	<u>44,909</u>
TOTAL NET ASSETS	<u>18,450</u>	<u>44,909</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 24,254</u>	<u>\$ 46,992</u>

The accompanying notes are an integral part of these financial statements.

EAST SIDE BUSINESS IMPROVEMENT DISTRICT #20
STATEMENTS OF ACTIVITIES AND CHANGES IN NET ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2010 AND 2009

	<u>2010</u>	<u>2009</u>
REVENUE		
BID assessments	\$ 220,024	\$ 220,975
Donations	903	813
Events – sponsorships and fees	28,751	21,881
Interest	<u>213</u>	<u>390</u>
Total revenue	<u>249,891</u>	<u>244,059</u>
EXPENSES		
Program:		
Public improvements	\$ 2,890	\$ 8,905
Street maintenance and utilities	87,825	47,228
Equipment	563	3,396
Loan repayment to City of Milwaukee	78,150	78,150
Special events and member programming:		
Open Market	7,155	12,706
Tomato Romp	11,491	9,217
Public relations	29,004	23,947
Event marketing	2,317	6,859
Contributions	<u>-</u>	<u>525</u>
Total program	219,395	190,933
Administrative expenses:		
Executive director	46,200	46,200
Audit	1,100	1,070
Insurance	3,372	2,730
Dues and subscriptions	555	525
Internet services and design	-	100
Office supplies	921	1,733
Professional fees	3,787	-
Rent	<u>1,020</u>	<u>935</u>
Total administrative	<u>56,955</u>	<u>53,293</u>
Total expenses	<u>276,350</u>	<u>244,226</u>
Changes in net assets	(26,459)	(167)
Net assets, beginning of year	<u>44,909</u>	<u>45,076</u>
Net assets, at end of year	<u><u>\$ 18,450</u></u>	<u><u>\$ 44,909</u></u>

The accompanying notes are an integral part of these financial statements.

EAST SIDE BUSINESS IMPROVEMENT DISTRICT #20
 STATEMENTS OF CASH FLOWS
 FOR THE YEAR ENDED DECEMBER 31, 2010 AND 2009

	<u>2010</u>	<u>2009</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Changes in net assets	\$ (26,459)	\$ (167)
Adjustments to reconcile changes in net assets to net cash provided by operating activities		
Increase in accounts receivable	(400)	-
Increase (decrease) in accounts payable	2,751	(6,550)
Increase in payroll tax liabilities	<u>970</u>	<u>-</u>
Net cash used in operating activities	<u>(23,138)</u>	<u>(6,717)</u>
Net decrease in cash and cash equivalents	(23,138)	(6,717)
Cash and cash equivalents at beginning of year	<u>46,992</u>	<u>53,709</u>
Cash and cash equivalents at end of year	<u>\$ 23,854</u>	<u>\$ 46,992</u>
Cash paid for interest	<u>\$ -</u>	<u>\$ -</u>

The accompanying notes are an integral part of these financial statements.

EAST SIDE BUSINESS IMPROVEMENT DISTRICT #20
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2010 AND 2009

A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A summary of the significant accounting policies consistently applied in the preparation of the accompanying financial statements follows.

1. Organization and business activity

The East Side Business Improvement District #20 (BID) represents Milwaukee's most exciting retail, entertainment, and residential district. Located between Lake Michigan, the Milwaukee River, downtown Milwaukee and the University of Wisconsin-Milwaukee, the BID is actively involved in the conscientious development of an enhanced business district designed for people looking for a dynamic place to live, work, shop, and relax.

The Mayor and the Common Council created the BID in October 1997 under the authority granted by Wisconsin Statutes Section 66.608. The BID is an association of property owners governed by seven board members. Members are appointed to three-year terms by the Mayor and confirmed by the Common Council. The BID is managed by a contracted executive director.

The BID is independent of the East Side Association, an organization of merchants, residential neighbors in the immediate business area that focuses on marketing, events, and other neighborhood initiatives.

2. Accounting method

The BID follows the accrual method of accounting in accordance with accounting principles generally accepted in the United States of America, wherein revenues and expenses are recorded in the period earned or incurred. Net assets and revenues, expenses, gains and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets of the BID are classified and reported as follows:

Unrestricted net assets - Net assets that are not subject to donor-imposed restrictions.

Temporarily Restricted net assets - Net assets subject to donor-imposed restrictions that may or may not be met, either by actions of the BID and/or the passage of time. When a restriction is met, restricted net assets are transferred to unrestricted net assets and reported in the statement of activities as net assets released from restrictions. As of December 31, 2010, the BID has no temporarily restricted net assets.

Permanently Restricted net assets - Net assets subject to a donor imposed restriction that they be maintained permanently by the BID. As of December 31, 2010, the BID has no permanently restricted net assets.

EAST SIDE BUSINESS IMPROVEMENT DISTRICT #20
NOTES TO FINANCIAL STATEMENTS - CONTINUED
DECEMBER 31, 2010 AND 2009

A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

3. Cash and cash equivalents

The BID considers all highly liquid investments with original maturities of three months or less to be cash equivalents.

4. Streetscape improvements

Streetscape improvements are not capitalized; rather they are expenses as incurred as they are considered part of the City of Milwaukee's public infrastructure.

5. Income taxes

The BID is a not-for-profit corporation as described in Section 501(c)(3) of the Internal Revenue Code and is exempt from federal income taxes on related income pursuant to Section 501(a) of the Code.

The BID evaluates its tax positions and assesses their uncertainty, if any, through review and application of various sources of tax authority including statutes, regulations, rulings, court cases and widely held administrative practices.

6. Use of estimates

The preparation of the financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

7. Subsequent Events

Management has evaluated subsequent events for recognition and disclosure in the financial statements through February 14, 2011, which is the date that the financial statements were available to be issued. No subsequent events were noted.

EAST SIDE BUSINESS IMPROVEMENT DISTRICT #20
 NOTES TO FINANCIAL STATEMENTS - CONTINUED
 DECEMBER 31, 2010 AND 2009

B – REPAYMENT OF CITY OF MILWAUKEE ADVANCE

The BID, in cooperation with the City of Milwaukee finished streetscape improvements in 2003. Financing for the \$1.7 million project was funded partially by a \$500,000 contribution from the City of Milwaukee plus proceeds from a city bond issue.

The BID is obligated to repay the City of Milwaukee for its streetscape improvement assistance over 20 years, plus interest at 5.89%. The principal and interest amounts will be funded through future special tax assessments. The principal balance at December 31, 2010 and 2009 was \$578,203 and \$619,845, respectively.

The BID's annual debt service obligation to the City of Milwaukee is \$78,150 through 2020 is as follows:

<u>Repayment Year</u>	<u>Principal</u>	<u>Interest</u>
2011	\$ 44,094	\$ 34,056
2012	46,691	31,459
2013	49,442	28,708
2014	52,354	25,796
2015	55,437	22,713
2016-2020	<u>330,185</u>	<u>60,566</u>
	<u>\$ 578,203</u>	<u>\$ 203,298</u>

C – MANAGEMENT SERVICES

The BID has contracted with its former executive director for administrative services and office space for \$3,850 per month. The total paid in 2010 and 2009 under this contract was \$46,200 for each year. .

PROPOSED
BUSINESS IMPROVEMENT DISTRICT NO. 21
MILWAUKEE DOWNTOWN
YEAR FIFTEEN OPERATING PLAN

SEPTEMBER 15, 2011

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APPENDICES

- A. Wisconsin Statutes section 66.1109
- B. Map of District Boundaries
- C. Listing of Properties Included in the District
- D. Proposed 2012 Budget
- E. 2011 Strategic Plan Priorities and Goals

I. INTRODUCTION

Under Wisconsin Statutes section 66.1109, cities are authorized to create Business Improvement Districts ("BIDs") upon the petition of at least one property owner within the proposed district. The purpose of the BID statute 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 Wis. Act 184, Section 1, legislative declaration. See Appendix A.

On or about July 16, 1997, the City of Milwaukee (the "City") received a petition from property owners which requested creation of a BID known as the Milwaukee Downtown Management District (the "District"). On October 14, 1997, the Common Council of the City adopted resolution no. 970900, creating the District and approving the initial operating plan for the District (the "Initial Operating Plan"). On November 4, 1997, the Mayor of the City appointed members to the board of the District (the "Board") in accordance with the requirements set forth in Article III.D. of the Initial Operating Plan.

On or about August 20, 2008, owners of additional properties on the fringes of the District's original boundaries petitioned the City to expand the District to include their properties. On October 29, 2008, the Common Council of the City adopted resolution no. 080617, expanding the District boundaries.

The original purpose of the District was to sustain the competitiveness of Downtown and ensure a safe, clean environment conducive to business activity. In connection with strategic planning conducted in 2011, a new mission and vision for the District surfaced. The District adopted as a new mission "to lead and inspire believers in Milwaukee to engage in efforts that build Downtown as the thriving, sustainable, innovative and vibrant heart of the community". The District's vision is "to be an economic catalyst, causing Downtown to emerge as a premier destination of choice and Milwaukee to become a renowned world class city."

Pursuant to the BID statute, this Year Fifteen Operating Plan (the "Operating Plan") for the District has been prepared to establish the services proposed to be offered by the District, proposed expenditures by the District and the special assessment method applicable to properties within the District for its fifteenth year of operation. This Plan has been developed by the District Board with technical assistance from the Department of City Development, the Department of Public Works and the Police Department.

II. DISTRICT BOUNDARIES

When created in 1997, the District boundaries covered approximately 120 square blocks and encompassed the City's Downtown. The original District boundaries extended to North 4th Street and North 10th Street to the west; West St. Paul Avenue, the Menomonee River, and West Clybourn Street to the south; Lake Michigan to the east and Schlitz Park to the north. As a result of the expansion of the District in 2008, the District's current boundaries include expansion areas adjacent to its original boundaries. The District's current boundaries extend to I-94 on the west; West St. Paul Avenue, the Menomonee River and West Clybourn Street to the south; Lake Michigan and North Van Buren Street to the east; and Schlitz Park and McKinley Street to the north, as shown in Appendix B of this Operating Plan. A narrative listing of the properties now included in the District is set forth in Appendix C.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The historic objectives of the District are to increase pedestrian traffic Downtown and to better enable Downtown to compete for customers with suburban residential and commercial areas. As a result of recent strategic planning, the District has committed to elevate its role in Downtown economic development.

Since its inception, the District has attempted to achieve its objectives by, among other methods, supplementing the maintenance and security services provided by the City in order to increase the safety and cleanliness (and the perceived safety and cleanliness) of Downtown. The City will continue to provide its current level of maintenance and policing services. The City and the District have entered into the cooperation agreement on file in the District's office (the "Cooperation Agreement"). For several years, the District also has sought to achieve its objectives by marketing Downtown as a great place to live, work and play and by working with like-minded associates to attract and retain businesses.

The District's 2011 strategic planning dictates new priorities, including: (1) to reposition the District as a driver of economic prosperity in Downtown; (2) to fully implement recommendations and priorities of the Responsible Hospitality Task Force regarding successful management of Downtown's night time economy; and (3) to invest in expanded staffing and resources to maintain existing levels of excellent services while strengthening the District's leadership role in Downtown economic

development. A summary of the District's priorities and goals arising out of its 2011 strategic planning are attached hereto as Appendix E.

B. Proposed Activities

The District offers Downtown owners and occupants additional safety personnel, enhanced sidewalk cleaning, supplemental public space maintenance and integrated marketing and promotional services to complement the base level of services currently being provided by the City. As a supplement to City services, the District retains and manages its own safety and maintenance staff and develops and implements its own marketing initiatives. The District has also hired an executive director, who reports to the Board, to implement and manage the day to day activities of the District, to supervise all District staff and independent contractors and to spearhead 2011 strategic planning initiatives. The following are the activities proposed by the District for calendar year 2012. The District may, from time to time and as it deems necessary, adjust the size and scope of the activities and staffing levels described below, but only so long as such adjustments in activities and staff are part of the activities identified in this Operating Plan. The District may not undertake new activities except as included in duly approved operating plans for future years.

1. Public Service Ambassadors Program. The District will continue to sponsor a Public Service Ambassador Program to provide safety and goodwill services to Downtown, supplemental to existing City police services. The aim of the program is to increase the public's comfort and sense of security through a visible, uniformed presence in addition to law enforcement.

The District may implement this program either by hiring staff directly or by hiring independent contractors to provide staff. In either case, a PSA director, who will report to the executive director, will be hired to manage this program, hire and supervise staff and maintain communications with police. Public Service Ambassadors ("PSAs"), including shift supervisors, will be retained to provide between 41,080 and 46,750 on-duty hours subject to dictates from the District. The District, in cooperation with the City Police Department, Visit Milwaukee, the Shops at Grand Avenue and other City departments and resources, will develop an intensive initial training program, as well as on-going in-service and field training, for PSAs. Training will focus on available City services, preventing and reporting crime, dealing with panhandlers and the homeless, applicable sanitation and building codes, radio communications, first

aid and CPR, Milwaukee history and local attractions, general retailing, communications skills and interactions with residents and visitors. For a portion of their training PSAs will be paired with police officers or experienced PSAs patrolling their beats. Training will be supplemented by a book of Operating Rules and Procedures serving as a guide for handling both common and unusual incidents.

Following their training, uniformed but unarmed PSAs will be assigned "beats" to patrol on foot. Beat assignments will be based on the amount of foot traffic in the area, hours of business operation, special event schedules, police beat assignments, crime statistics and trends, and Responsible Hospitality Task Force recommendations for night time economy management. Generally, PSAs will be deployed on beats to maximize the provision of security services during peak hours like weekday lunch hours, before and after business hours at burgeoning nighttimes and for special events. During weekday shifts, "beats" will range from 10 to 16 blocks. During evenings and on weekends, PSAs will be deployed on a more concentrated basis.. A schedule for deploying PSAs on their beats shall be developed by the District's executive director together with the PSA director and altered as appropriate for weather, redeployment for special events and for changing circumstances.

PSAs' primary responsibilities will be to assist and direct workers, shoppers, socialites and visitors, and to observe and report suspicious behavior. PSAs must familiarize themselves with the businesses and residents in their beats and be able to recognize suspicious behavior. PSAs will be supplied with uniforms to create an official but approachable appearance and will be equipped with handheld PDA-type devices to report any incidents to a PSA supervisor/dispatcher linked directly to the City Police Department. One PSA supervisor/dispatcher shall be on duty whenever PSAs are on patrol. Using handheld PDA-type devices, the PSA supervisor will maintain communications among PSAs, other Downtown security personnel and City police.

The City Police Department shall provide the District with the ability to monitor police calls for service. The District will permit any on-duty police officers assigned to the Downtown area to work out of the District office. The agreement between the District and the City Police Department regarding services to be provided is more fully described in the letter from Chief of Police Arthur L. Jones dated July 17, 1997 on file in the District's office.

The District will pursue partnerships with other service providers. These partnerships may include development of a policy for referring panhandlers and the homeless to appropriate resources and/or working with other Downtown security resources to share information and develop response strategies.

2. Clean Sweep Ambassadors Program. The District will continue to sponsor a Clean Sweep Ambassador Program to provide additional sidewalk cleaning and public space maintenance, to implement special projects and, more generally, to introduce an active, positive force in Downtown.

The District may provide cleaning, maintenance, graffiti removal and landscaping services in any manner deemed reasonable by the District Board, including hiring staff directly or hiring independent contractors to provide staff. In any event, a CSA director will be selected, who will report to the District's executive director, to manage this program, hire and supervise staff and serve as a liaison among City departments and property owners and businesses. During the summer months, a minimum of 12 full-time equivalent Clean Sweep Ambassadors ("CSAs") will report directly to the CSA director. Fewer CSAs may service the District during the winter months. Full-time CSA staff will be trained in maintenance, safety and informational services and furnished with identifiable uniforms. In addition, the District may retain other staff and/or independent contractors as it deems reasonable to perform the tasks necessary to implement the program.

The maintenance efforts of CSAs, other staff and independent contractors retained, paid and uniformed by the District will complement the efforts of the City Department of Public Works. CSAs will manually sweep sidewalks and riverwalks, pick up litter and remove graffiti each day. Weather permitting, CSAs will mechanically sweep public sidewalks and riverwalks in a rotation consistent with the City's street sweeping schedule--with approximately one fifth of the District being swept each working day. From April through October, CSAs will also power wash and steam clean sidewalks and clean, maintain, water, plant and weed tree wells and planters. CSAs will be assigned "beats" depending on the public use of the area and the need for services. A schedule for deploying CSAs and their tasks, shall be developed by the District's executive director and the CSA director and altered as appropriate

for restrictions imposed by weather and redeployment as necessary in the judgment of District staff.

In addition to their daily cleaning and maintenance duties, the District may deploy CSAs to accomplish special projects. These projects may range from the installation and removal of holiday lights to set up and clean up for special events.

In servicing all aspects of the CSA program, CSAs and other staff servicing this program will maintain a friendly and helpful presence Downtown. Working during busy hours in recognizable uniforms, they will create an aura, not only of cleanliness, but also of safety. CSAs will be trained in crime resistance and to furnish helpful information and directions to residents and visitors. CSAs will remain in contact with the District office and its other resources using handheld PDA-type devices.

3. Economic Development; Marketing; Business Recruitment and Retention. District staff will coordinate and/or contract to implement public relations programming to promote the cleaner, safer, friendlier Downtown being created through District efforts. Marketing and programming will aim to encourage increased use of Downtown, to attract businesses to locate and remain and expand in Downtown and to convince both constituents of the District and potential users that Downtown is a positive destination with unique qualities and amenities.

District staff will continue the District's marketing efforts commenced in previous years of operation, including utilizing the graphics and media packages developed and materials purchased. District staff will continue an internal communications program to inform members about District activities and benefits. Internal communications may include a semi-annual newsletter, an annual report and various print and e-mail notices. District staff will maintain an umbrella-advertising theme, graphics package and media relations program. District staff will cross sell Downtown's assets with various seasonal promotions, including Trolley Loop and Lake Express high-speed ferry promotions, if available.

In addition, District staff will develop and/or contract for other marketing initiatives, attractions and/or events promoting Downtown. Among these marketing initiatives, the District will continue the comprehensive marketing campaign targeted at

residents in the area including Milwaukee, Waukesha, Ozaukee, Washington, Racine and Kenosha Counties, and upgrade marketing to other target markets such as the Fox Valley and Northern Illinois. The campaign may include public relations and advertising on busboards, billboards, news coverage and in print, television and radio ads to reinforce positive impressions and to encourage businesses, residents and tourists to locate within and use Downtown. The District has purchased and will maintain traveling information kiosks and/or similar devices which may be staffed and deployed at various events (inside and outside of Downtown) to increase District visibility and outreach.

The District has engaged a retail recruiter to focus on attracting and retaining synergistic retail businesses. The District's recruiter will administer, together with the City of Milwaukee, a program of grants and forgivable loans for retailers and landlords to upgrade storefront spaces within the District. Unless otherwise expressly agreed by majority vote of the Board, the District shall not fund more than \$25,000 in such grants and/or loans in the 2012 calendar year. Rather, in 2012, the District's retail recruiting initiative shall be expanded to recruiting synergetic businesses of all types, as well as to spur Downtown economic development by any means as directed by the Board.

The District may undertake other marketing initiatives and programming reasonably estimated to attract and retain businesses, residents and tourists to Downtown as deemed appropriate by the District Board. Specifically, the District may cooperate and/or contract with other like-minded associates to solicit and collect data about Downtown businesses and the Downtown real estate market and to proactively identify and address property owner concerns. The District may also sponsor or co-sponsor special events such as Downtown Dining Week and Downtown Employee Appreciation Week.

Finally, the District will continue its sponsorship of holiday lighting each November. Each year, the District will cause lighting purchased by the District in previous years and remaining in good condition to be reinstalled. In addition, the District may spend and/or solicit additional money as it deems necessary to purchase additional and/or replacement holiday lighting. For the winter of 2011-2012, the District will sponsor the thirteenth annual Holiday Lights Festival in Downtown. This festival will continue previous

year's street lighting efforts, encourage private owner roofline lighting and implement intense lighting displays in select Downtown parks such as Pere Marquette Park, Ziedler Union Square and Cathedral Square.

The District may contract with Milwaukee Downtown, Inc. to coordinate and implement the marketing initiatives described above, as well as related activities. In connection with contracting with Milwaukee Downtown, Inc., the District intends to donate approximately \$864,415 to Milwaukee Downtown, Inc. to provide operating funds necessary to implement marketing initiatives and related activities.

4. Contracting to Extend Activities/Services Outside of the District. Given the District's success, various constituencies periodically request the District to extend activities or provide services outside of the District boundaries. The District is authorized to contract to extend its activities and/or services outside District boundaries so long as, by majority vote of the Board, any such contract is deemed to (a) advance the District's objectives and (b) provide activities and/or services on a revenue-neutral basis such that the District avoids incurring any costs not directly benefiting properties within the District.

C. Proposed Expenditures and Financing Method

The 2012 proposed annual operating budget for the District is \$3,155,786. \$3,015,461 will be the amount received from District assessments from properties within the District. \$60,000 in cash carryover collected but unspent in 2011 shall be made available. \$80,325 is additional income that is anticipated to come from several sources, including voluntary contributions from tax-exempt properties. See Appendix D. Of these amounts, \$905,850 will finance the Public Service Ambassadors Program, \$878,725 will fund the Clean Sweep Ambassadors Program, \$924,415 will pay for economic development, marketing, promotions and business retention and recruitment efforts, including retail marketing efforts, and \$446,796 will be reserved for administrative expenses and a contingency (including, without limitation, the salaries of a full-time executive director, a business recruiter, a marketing/events coordinator, an administrative assistant, interns and other District staff, legal fees, insurance costs and office expenses). In the event that the Board reasonably determines that amounts allocated to any particular program are not needed for that program, unneeded amounts for one program may be used for another

program. In addition, any funds collected but unspent pursuant to previous years' operating plans and any unanticipated voluntary contributions or other income will be made available in 2012 (for any purpose set forth in this Operating Plan, including without limitation for public information, marketing, promotions and/or business retention and recruitment efforts). The Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

The Board shall approve an annual operating budget for the District each year. Prior to approving any annual operating budget, the District will mail a public hearing notice and make available a copy of the proposed annual operating plan and budget to all owners of real property within the District. In addition, a Class 2 notice of the public hearing will be published in a local newspaper of general circulation, and the notice, annual operating plan and budget will be posted on the District's website. The District Board will hold a public hearing and approve the annual operating plan and budget for the District for that year. If any year's annual operating budget exceeds the prior year's annual operating budget by 4% or more, such budget must be approved by a 2/3 majority of the entire District Board. (This Year Fifteen Operating Plan was unanimously approved by 13 Board members in attendance at the Board meeting of September 15, 2011.) Any capital improvements costing more than \$15,000 each or \$40,000 in the aggregate for any one year must be approved by a 2/3 majority of the entire District Board. For the purposes of this Operating Plan, "capital improvement" means any physical item that is permanently affixed to real estate including, without limitation, street lighting and sidewalk improvements. The term "capital improvement" shall not include, among other things, any maintenance equipment or supply, any communications equipment, any vehicles, any seasonal improvement or any holiday lighting or decorations. After the District Board has approved the annual operating plan and budget, they will be sent to the City for approval, adoption and inclusion in the City's annual budget for that year.

The 2011 assessed valuation of all property subject to assessment within the original District boundaries was approximately \$1,983,528,400. The method of assessing annual operating expenses against properties located within the District is set forth in Article IV of this Operating Plan. Any change in the method of assessing annual operating expenses against properties located within the District must be approved by a 3/4 majority of the entire District Board and a majority of the Common Council of the City. Subsequent revisions to this Operating Plan will specify any additional assessment methodologies and amounts for operating expenses. In

addition, if any year's annual aggregate assessment to property owners exceeds the prior year's annual aggregate assessment by 6% or more, such increased assessment must be approved by the owners of property assessed by the District having a property tax assessed valuation equal to at least 3/4 of the aggregate property tax assessed valuation of all property assessed by the District.

The District may not borrow funds without approval of a 2/3 majority of the entire District Board.

D. Organization of the District Board

The Mayor shall appoint members to the District Board. The Board shall be responsible for implementation of this Operating Plan. This requires the Board to negotiate with providers of services and materials to carry out the Operating Plan; to enter into various contracts; to monitor the effectiveness of the District's activities; to ensure compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of District assessments.

Wisconsin Statutes section 66.1109(3)(a) requires that the Board be composed of at least five members and that a majority of the Board members be owners or occupants of property within the District.

The Board shall be structured and operate as follows:

1. Board size - 17 members.
2. Composition -
 - (a) Three members shall be representatives of each of the three largest (as measured by assessed valuation) multi-tenant office buildings in the District. In 2012, U.S. Bank Center (777 and 811 East Wisconsin Avenue), 411 East Wisconsin Avenue and 100 East Wisconsin Avenue are the three largest office buildings.
 - (b) Two members shall be representatives of the fourth through the ninth largest (as measured by assessed valuation) multi-tenant office buildings in the District. In 2012, 875 East Wisconsin Avenue, The Milwaukee Center (107 East Kilbourn Avenue), Plaza East (330 East Kilbourn Avenue), Schlitz Rivercenter (1505 North Rivercenter), Cathedral Place (555 East Wells Street) and Federal Plaza

(310 West Wisconsin Avenue) are the fourth through the ninth largest multi-tenant office buildings.

- (c) Three members shall be representatives of any multi-tenant office buildings in the District.
- (d) Three members shall be representatives of owner-occupied or single tenant buildings in the District with assessed valuations in excess of \$5,000,000. One member from this category shall be a representative of The Northwestern Mutual Life Insurance Company.
- (e) One member will be a designee of The Shops of Grand Avenue or its successors and assigns.
- (f) One member shall be an owner or operator of a street-level retail business located within the District (which business may, but need not, be a restaurant).
- (g) Two members shall be representatives of hotels located within the District. Such hotels shall not be owned or controlled by the same or related entities or individuals.
- (h) One member shall be a representative of a tax-exempt entity making a voluntary contribution to the District of not less than \$71,671 in the year 2012, which minimum contribution shall increase each year by the proportionate increase in the District operating budget for that year.
- (i) One member shall be an "at large" member who shall not represent any particular constituency but who shall be an owner or occupant of real property located within the District used for commercial purposes.

For purposes of measuring the assessed valuations of any building or site set forth above, all contiguous buildings and/or sites connected above- or below-ground, separated only by an intervening street and with identical ownership shall be included as one building or site. (For example, the U.S. Bank Center, consisting of property located at 777 and 811 East Wisconsin Avenue, constitutes one site.) Each year, the Board shall reconfirm the assessed valuations, ownerships and occupancies of all properties located within the District. If the assessed valuation, ownership or occupancy of any particular building or site in any year ceases to satisfy the criteria set forth

above, the Board shall rearrange such building or site in the appropriate category. In addition to the composition requirements set forth above, one member of the Board shall also be a member of the board of directors of Westown Association as long as the Westown Association remains in existence, and one member of the Board shall also be a member of the board of directors of East Town Association as long as the East Town Association remains in existence. In satisfying the categories for Board members set forth above, the geographic representation of Board members shall be varied to the extent possible.

3. Term - Appointments to the Board shall generally be for a period of three years. To the extent possible, the terms of members representing each of the categories set forth in subparagraph (2) above shall be staggered so that the terms of not more than 60% of the representatives of any one category shall expire simultaneously. Despite the expiration of a Board member's term, the member shall continue to serve, subject to the by-laws adopted by the Board, until the member's successor is appointed.
4. Compensation - None.
5. Meetings - All meetings of the Board shall be governed by the Wisconsin Open Meetings Law if and as legally required.
6. Record Keeping - Files and records of the Board's affairs shall be kept pursuant to public record requirements.
7. Staffing and Office - The Board may employ staff and/or contract for staffing services pursuant to this Operating Plan and subsequent modifications thereof. In 2012, the Board shall employ, at minimum, a full-time executive director, a full-time administrative assistant, a retail marketing coordinator and at least two interns. The Board shall maintain an office for the District, which shall be centrally located in Downtown. The District's current office is located at 600 East Wells Street, but such office may be relocated as the District Board deems reasonable. All District staff, including PSAs and CSAs, may work out of the District office.
8. Meetings - The Board shall meet regularly, at least once quarterly. The Board has adopted rules of order (by-laws) to govern the conduct of its meetings.

9. Executive Committee - The Board shall elect from its members a chair, a vice-chair, a secretary, a treasurer and an assistant secretary who shall comprise an Executive Committee of the Board. At least one member of the Executive Committee shall be elected from the category of members set forth in subparagraphs (2)(a) or (b) above. Moreover, the member representing The Northwestern Mutual Life Insurance Company under subparagraph (2)(d) above shall be elected to some office on the Executive Committee. The Executive Committee shall be authorized to oversee the day to day operations of the District, subject to the by-laws adopted by the Board.
10. Non-voting Members - At the option of a majority of the members of the Board, representatives of Visit Milwaukee, the Milwaukee Development Corporation, the Metropolitan Milwaukee Association of Commerce, one or more significant Milwaukee arts venues (and/or similar organizations) may be invited to attend meetings of the Board or Executive Committee as nonvoting members.
11. Emeritus Members – By resolution of a majority of the members of the Board, former Board members who have demonstrated extraordinary service to the District may be appointed "emeritus" members in honor and recognition of their exceptional contributions.

E. RELATIONSHIP TO MILWAUKEE DOWNTOWN, INC. AND ALLIANCE FOR DOWNTOWN PARKING AND TRANSPORTATION, INC.

The District is a separate entity from Milwaukee Downtown, Inc., a private, not for profit corporation, exempt from taxation under section 501(c)(3) of the Internal Revenue Code, notwithstanding the fact that some or all of the members, officers and directors of each entity may be shared. Milwaukee Downtown, Inc. shall remain a private organization, not subject to the open meeting law, and not subject to the public records law except for its records generated in connection with the Board. The Board may contract with Milwaukee Downtown, Inc. to provide marketing and promotional services to the District and donate operating funds to Milwaukee Downtown, Inc. to facilitate the provision of such services, all in accordance with this Operating Plan.

The District and Milwaukee Downtown, Inc. are also separate entities from Alliance for Downtown Parking and Transportation, Inc. (the "Alliance"), a private, not for profit corporation, notwithstanding the fact that the District Board appoints all members to the board of directors of the Alliance. The

Alliance shall remain a private organization, not subject to the open meeting law, and not subject to the public records law except for its records generated in connection with the Board. The Board may work in tandem with the Alliance and other Downtown commercial organizations to improve and mitigate adverse parking and transportation issues impacting Downtown Milwaukee and to promote positive parking and transportation options within the area, consistent with the purposes of this Operating Plan.

IV. METHOD OF ASSESSMENT

A. Annual Assessment Rate and Method

The annual assessment for District operating expenses will be levied against each property within the District in direct proportion to the current assessed value of each property for real property tax purposes as of the date the District held the public hearing regarding its Year Fifteen Operating Plan (September 15, 2011). No owner of property within the District shall be eligible to receive or be subject to any reductions or increases in its assessment as a result of a decrease or increase in the assessed value for their property occurring after such date. In addition, the amount of an assessment against a particular property may change from year to year if that property's assessed value changes relative to other properties within the District.

Appendix C identifies each property included in the District and shows the proposed BID assessment for each property for the fourteenth year of operation. Such proposed assessments are based on the assessed value and classification estimated in 2011 pursuant to the foregoing formula.

In addition, any amounts due to the District from a property owner pursuant to a contract between the District and the property owner may, at the option of the District Board, become a special assessment or special charge against that property upon 30 days' prior written notice to the property owner.

B. Excluded and Exempt Property

The BID statute requires explicit consideration of certain classes of property. In compliance with the law, the following statements are provided.

1. Wisconsin Statutes section 66.1109(1)(f)(1m): 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.

2. Wisconsin Statutes section 66.1109(5)(a): Property used exclusively for residential purposes will not be assessed. Mixed use properties containing some residential use will be fully assessed by the District.
3. Consistent with Wisconsin Statutes section 66.1109(5)(a), property within the District boundaries but exempt from general real estate taxes under Wisconsin Statutes section 70.11 may not be specially assessed by the District but will be asked to make a financial contribution to the District on a voluntary basis. Funds collected in this manner in any given year may be used in any manner deemed appropriate by the Board. In addition, consistent with Wisconsin Statutes section 66.1109(1)(b), those tax exempt properties within the original or amended boundaries of the District which later become taxable shall automatically become included within the District and subject to assessment under any current operating plan without necessity to undertake any other act.

V. PROMOTION OF ORDERLY DEVELOPMENT OF THE CITY

A. Enhanced Safety and Cleanliness

Under Wisconsin Statutes section 66.1109(1)(f)(4), this Operating Plan is required to specify how the creation of the District promotes the orderly development of the City. The District will enhance the safety and cleanliness of Downtown and, consequently, encourage commerce in the City. Increased business activity in the City will increase sales tax revenues and property tax base.

B. City Role in District Operation

The City has committed to assisting owners and occupants in the District to promote its objectives. To this end, the City has played a significant role in creation of the District and in the implementation of this Operating Plan. In furtherance of its commitment, the City shall:

1. Perform its obligations and covenants under the Cooperation Agreement.
2. Provide technical assistance to the District in the adoption of this and subsequent operating plans and provide such other assistance as may be appropriate.

3. Collect assessments, maintain the same in a segregated account and disburse monies to the Board.
4. Receive annual audits as required per Wisconsin Statutes section 66.1109(3)(c).
5. Provide the Board, through the Office of Assessment, on or before July 1 of each year, and periodically update, with the official City records on the assessed value of each tax key number within the District as of January 1 of each year for purposes of calculating the District assessments.
6. Promptly appoint and confirm members to the Board, consistent with this Operating Plan.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The BID statute establishes a specific process for reviewing and approving operating plans. Pursuant to the statutory requirements, the following process will be followed:

1. The District shall submit its proposed Operating Plan to the Department of City Development.
2. The Community and Economic Development Committee of the Common Council will review the proposed Operating Plan at a public meeting and will make a recommendation to the full Common Council.
3. The Common Council will act on the proposed Operating Plan.
4. If adopted by the Common Council, the proposed Operating Plan is sent to the Mayor for his approval.
5. If approved by the Mayor, this Year Fifteen Operating Plan for the District is approved and the Mayor will appoint, in accordance with Article III.D., new members to the Board to replace Board members approved whose terms have expired or who have resigned.

VII. FUTURE YEAR OPERATING PLANS

A. Changes

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

Wisconsin Statutes section 66.1109(3)(b) requires the Board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms proposed activities, information on specific assessed values, budget amounts and assessment amounts are based solely upon current conditions. Greater detail about subsequent years' 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 Operating Plan and the BID statute.

In later years, the District 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 approval of a 3/4 majority of the entire District Board and consent of the City of Milwaukee. In addition, if any year's annual aggregate assessment to property owners exceeds the prior year's annual aggregate assessment by 6% or more, such increased assessment must be approved by the owners of property assessed by the District having a property tax assessed valuation equal to at least 3/4 of the aggregate property tax assessed valuation of all property assessed by the District. Further, as set forth in Article III.C. above, a 2/3 majority of the entire District Board must approve increases in the District operating budget exceeding 4% of the prior year's budget and capital improvement expenditures of over \$15,000 in any one instance or of \$40,000 in the aggregate in any one year.

B. Early Termination of the District

The City shall consider terminating the District if the owners of property assessed under the Operating Plan having a valuation equal to more than 50% of the valuation of all property assessed under the Operating Plan, using the method of valuation specified herein, or the owners of property assessed under the Operating Plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the

Operating Plan, file a petition with the City Plan Commission requesting termination of the District. On or after the date such a petition is filed, neither the Board nor the City may enter into any new obligations by contract or otherwise until the expiration of thirty (30) days after the date a public hearing is held and unless the District is not terminated.

Within thirty (30) days after filing of a petition, the City Plan Commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a Class 2 notice. Before publication, a copy of the notice with a copy of the Operating Plan and a copy of the detail map showing the boundaries of the District shall be sent by certified mail to all owners of real property within the District.

Within thirty (30) days after the date of such hearing, every owner of property assessed under the Operating Plan may send a written notice to the City Plan Commission indicating, if the owner signed a petition, that the owner retracts the owner's request to terminate the District or, if the owner did not sign the petition, that the owner requests termination of the District.

If, after the expiration of thirty (30) days after the date of the public hearing, by petition or subsequent notification and after subtracting any retractions, the owners of property assessed under the Operating Plan having a valuation equal to more than 50% of the valuation of all property assessed under the Operating Plan, using the method of valuation specified in the Operating Plan, or the owners of property assessed under the Operating Plan having an assessed valuation equal to more than 50% of the assessed valuation of all properties assessed under the Operating Plan have requested the termination of the District, the City shall terminate the District on the date that the obligation with the latest completion date entered into to implement the Operating Plan expires.

C. Amendment, Severability and Expansion

This District has been created under authority of Wisconsin Statutes section 66.1109. Except as set forth in the next sentence, should any court find any portion of this statute invalid or unconstitutional its decision will not invalidate or terminate the District and this Operating Plan shall be amended to conform to the law without need of re-establishment. Should any court find invalid or unconstitutional the organization of the entire District Board, any requirement for a 2/3 or 3/4 majority vote of the District Board, the budgeting process or the automatic termination provision of this or any subsequent Operating Plan, the District shall automatically terminate and this Operating Plan shall be of no further force and effect.

Should the legislature amend the statute to narrow or broaden the definition of a BID so as to exclude or include as assessable properties a certain class or classes of properties, then this Operating Plan may be amended by a 2/3 majority of the entire District Board and a majority of the Common Council of the City of Milwaukee as and when they conduct their annual Operating Plan approval and without necessity to undertake any other act. This is specifically authorized under section 66.1109(3)(b).

D. Automatic Termination Unless Affirmatively Extended.

The District Board shall not incur obligations extending beyond fifteen years from the date on which the District was created. At the end of the fifteenth year of the District's existence, the District Board shall prepare an operating plan for the sixteenth year that contemplates termination of the District at the commencement of the sixteenth year as set forth in Wisconsin Statutes section 66.1109(3)(b), unless the owners of property assessed by the District having a valuation equal to 60% of the valuation of all property assessed by the District affirmatively vote to continue the District.

In addition, the Board may elect by majority vote to terminate the District if the City is in default of any obligation or covenant of the City set forth in the Cooperation Agreement. In such event, the District shall terminate as set forth in Wisconsin Statutes section 66.1109(4m).

APPENDIX A

Wisconsin Statutes section

66.1109 Business improvement districts. (1) In this section:

(a) "Board" means a business improvement district board appointed under sub. (3) (a).

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

1. The special assessment method applicable to the business improvement district.

1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.

2. The kind, number and location of all proposed expenditures within the business improvement district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that subds. 1. to 4. have been complied with.

(g) "Planning commission" means a plan commission under s. 62.23, or if none a board of public land commissioners, or if none a planning committee of the local legislative body.

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

(a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. (b) has petitioned the municipality for creation of a business improvement district.

(b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3) (a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par. (c) and unless the business improvement district is not terminated under par. (e).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under par. (c), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

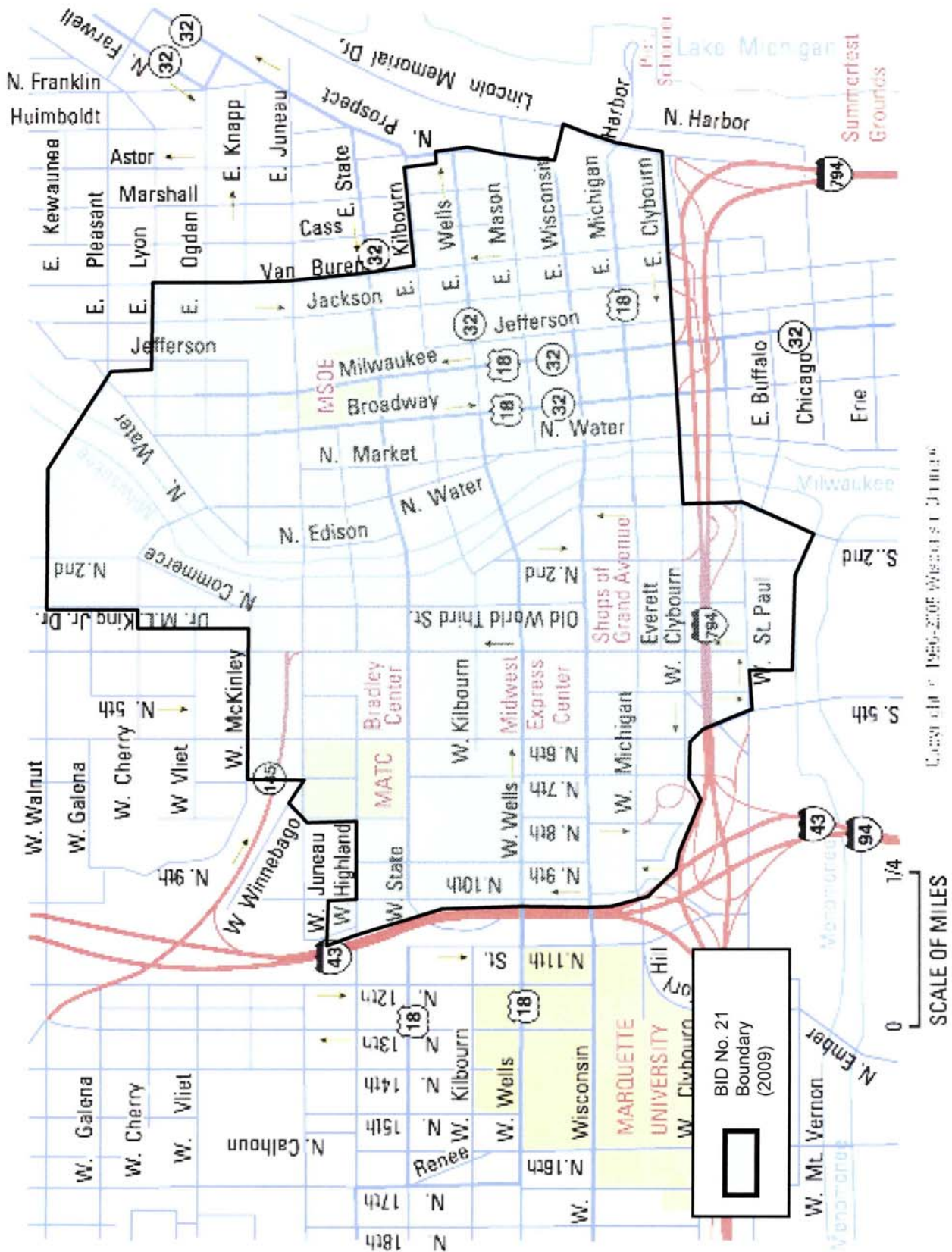
(e) If after the expiration of 30 days after the date of hearing under par. (c), by petition under this subsection or subsequent notification under par. (d), and after subtracting any retractions under par. (d), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5) (a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under s. 70.11 may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

APPENDIX B Map of District Boundaries



APPENDIX D
Proposed 2012 Budget (Subject to Change)

BUSINESS IMPROVEMENT DISTRICT #21
CLEAN*SAFE*FRIENDLY
2012 BUDGET

INCOME

2012 BID #21 Assessments (Based on a mill rate of \$1.52 per \$1,000 of assessed value)	\$3,015,461
2011 Carryover	\$ 60,000
Additional Income	<u>\$ 80,325</u>
TOTAL INCOME	\$3,155,786

EXPENSES

Clean Sweep Ambassador Program	
Sidewalk Cleaning	\$ 515,000
Landscaping	\$ 354,225
Graffiti Removal	<u>\$ 9,500</u>
	\$ 878,725 (27.84% of total)
Public Service Ambassador Program	\$ 905,850 (28.70% of total)
Administrative	\$ 446,796 (14.16% of total)
Economic Development/Marketing/Business Retention/Recruitment	<u>\$ 924,415</u> (29.29% of total)
TOTAL EXPENSES	\$3,155,786

Milwaukee Downtown BID #21 Strategic Plan Priorities

Proposed Top Priorities

- **Downtown Economic Development Leader:** Reposition BID 21 as a driver of economic prosperity of Milwaukee's Downtown.
- **Night time Economy Initiatives:** Fully implement recommendations and action priorities of the Responsible Hospitality Task Force
- **Internal Organizational Capacity:** Invest in expanded staffing and resources in order to maintain existing levels of excellent service while strengthening the BID's leadership role in Downtown economic development.

Goal 1: Expand BID #21's leadership position in growing the economy in Downtown Milwaukee.

- Objective 2. Establish an economic development strategy for Downtown
- Objective 3. Fully implement recommendations and action priorities of the RHI Task Force
- Objective 4. Evaluate and determine required levels of staffing and resources to support the BID economic development strategy and retool the BID staff accordingly.

Goal 2: Be a catalyst for an effective, feasible, affordable, accessible, and connected transportation and parking system.

- Objective 2. Develop a comprehensive transportation plan that integrates a range of parking and transportation mechanisms serving Downtown and provides connectivity to the greater Milwaukee and regional transportation systems.
- Objective 5. Fully implement recommendations and action priorities of the RHI Task Force that relate to transportation and parking.

Goal 3: Continue and expand efforts that make Downtown Milwaukee a safe destination.

- Objective 2. Collaborate with MPD and Downtown Security Network (DSN) to leverage security and safety resources to address hotspots in the Downtown.
- Objective 5. Work with the media to increase the number of positive stories about Downtown as a thriving, sustainable, innovative, vibrant, and safe destination.
- Objective 6. Fully implement recommendations and action priorities of the RHI Task Force that relate to night-time safety.

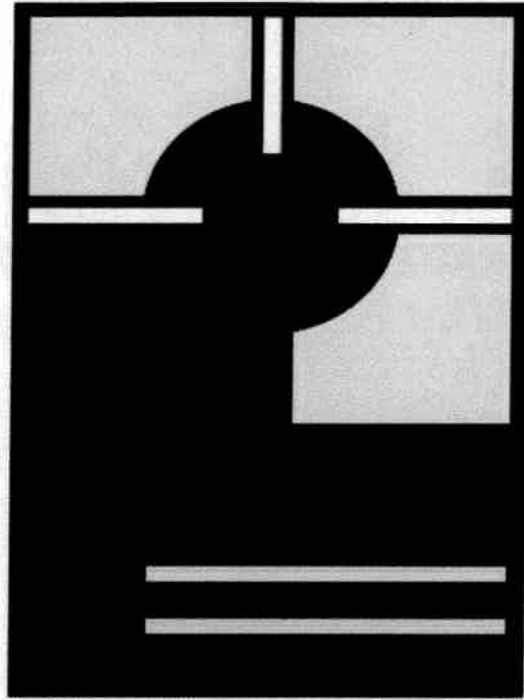
Goal 4: Brand and consistently market Downtown Milwaukee to targeted constituencies.

- Objective 3. Evaluate and determine required levels of staffing and resources needed to support the BID branding and marketing strategies.

Goal 5: Harness the energy and vibrancy of downtown residents, young professionals and other downtown believers to position them for leadership roles in the Downtown community.

- Objective 1. Develop a staff leadership succession plan
- Objective 2. Develop a board leadership succession plan that includes creation of a pipeline positioning emerging leaders for BID board and committee work.

RIVERWORKS
BUSINESS IMPROVEMENT DISTRICT #25
YEAR 2012 OPERATING PLAN



RIVERWORKS

CENTER

**Riverworks Business Improvement District #25
Annual Operating Plan Year Thirteen (2012)**

Introduction

In 1984, the Wisconsin Legislature created Sec. 66.608 of the Statutes 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 and commercial property owners within those districts to develop, manage and promote the districts and to establish an assessment method to fund these activities."

Section 66.608 (3) (b), Wis. Stats. 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."

This plan details the elements that are required by Sec. 6.608 Wis. Stats. for operation of the Riverworks Business Improvement District #25 in Year Thirteen. It re-emphasizes the primary mission of the Riverworks Business Improvement District to facilitate commercial and industrial development within the district.

Relationship To Milwaukee's Comprehensive Plan & Orderly Development Of The City

This Annual Operating Plan is consistent with the City of Milwaukee's planning efforts. Specifically, the City of Milwaukee has adopted and instituted a Renewal Plan for the Riverworks area and a tax incremental financing district. Further, the City has played a significant role in the planning and development of the reuse of the former AMC/ Chrysler factory located off of Capitol Drive. It is also involved in plans to improve the appearance of East Capitol Drive, including the streetscape completed in the summer of 2003.

The business improvement district is a means for further formalizing the efforts of the Renewal Plan, the tax incremental financing district and the City of Milwaukee's efforts to find adaptive reuses for the former AMC/Chrysler factory site and attract more commerce to East Capitol Drive and the surrounding area.

District Boundaries

The boundaries of the Riverworks BID are the same as originally proposed. The Riverworks BID is generally bounded by Hope Street to the north, Keefe Avenue to the south, Humboldt Boulevard to the east and Port Washington Road to the west.

Proposed Operating Plan

The objective of the Riverworks BID is to maintain and promote the Riverworks Industrial and Commercial District for the benefit of the BID members. The BID plans to again contract with the Riverworks Development Corporation to promote to carry out the administrative functions of the BID.

The BID will undertake the following activities:

- ◆ *Install gateway signs and/or sign tower/pole signs in the area.*

- ◆ *Streetscape Improvement projects for Capitol Drive, Holton Street and Keefe Avenue corridors.*
- ◆ *Promote the area as a great place to work, live, play and do commerce.*
- ◆ *Coordinate with RBID# 36 the possibility of creating a new TIF/TID for the Riverworks Center Area; which could include developing a market analysis of the area.*
- ◆ *Implement part or all of the Main Street 4 Point Approach® for the Riverworks BIDs (Organization, Promotion, Design and Economic Restructuring)*
- ◆ *Develop an organizational strategic Plan and Riverworks Center Strategic Action Plan for the BIDs.*
- ◆ *Pay the debt associated with the BID's contribution to the significant streetscape completed on East Capital Drive in 2003.*
- ◆ *Maintain the landscaping and other amenities owned by the BID on East Capital Drive, East Keefe Avenue and area side streets.*
- ◆ *Coordinate a district-wide litter and graffiti removal program.*
- ◆ *Safety program:*
 - ◆ *Assist area businesses and property owners with Exterior Lighting and/or Exterior Cameras to their property through direct matching grants of funds up to \$3,000 or 40% of the project cost.*
 - ◆ *District-wide BID exterior security cameras to be purchased or donated and installed in high incident areas in partnership with the City of Milwaukee Police Department or a security firm.*
- ◆ *Assist area business and property owners with improvements to their property facades through direct matching grants of funds up to \$5,000 or 40% of the project cost.*
- ◆ *Established a Catalytic Improvement Projects Fund (CIP) to stimulate exterior building improvements to existing commercial buildings in the Business District which are sufficient in scope to produce visible changes to the building facades. Minimum Allocation: \$10,000 and Maximum Allocation: \$25,000.*
- ◆ *Act as an ombudsman for BID members in seeking assistance, change, or services from the City, County, State, and Federal government.*
- ◆ *Coordinate business recruitment and development.*
- ◆ *Initiate positive media coverage regarding District development activities.*
- ◆ *Coordinate activities and promotional events with the Riverworks Business Improvement District # 36.*
- ◆ *Maintain the fiscal integrity of the BID.*

Budget

The proposed expenditures will be financed from funds collected through the BID assessment process, voluntary private contributions and public grants. The estimated assessed value of BID properties is \$99,347,900. This represents a \$7,618,900 increase from the previous year's value of \$91,729,000 indicative of the difference the BID is making to improve the area. The estimated assessment generated for the Year 2011 is \$208,973.50.

The budget for the Riverworks BID is detailed below.

		<u>REVENUE</u>
BID ASSESSMENT		\$208,973
	Program Funding Carried Forward	\$135,000
	Interest Income	\$150
	Miscellaneous	\$1,500
<hr/>		
TOTAL REVENUE		\$345,623
		 <u>EXPENSES</u>
ADMINISTRATIVE SUPPORT		
	RDC Management	\$60,000
	Insurance Expense	\$993
	Account Services	\$1,500
	Consulting Services	\$7,000
	Auditing Services	\$2,400
	Office Supplies	\$2,500
	Meeting Expense	\$450
	Memberships	\$500
	Miscellaneous	\$100
	Subtotal	<hr/> \$75,443
PUBLIC SAFETY & APPEARANCE PROGRAM		
	Area Wide Cleaning Expense	\$23,520
	Landscaping Maintenance	\$10,500
	RBID Safety Program	\$1,800
	Equipment Purchase	\$1,200
	Maintenance/Replacement of Streetscape	\$50,965
	Maintenance Reserve	\$20,000
	Streetscape Lighting	\$3,100
	Graffiti Removal	\$2,200
	Subtotal	<hr/> \$113,285
DEBT SERVICE		
	Capitol Drive Streetscape Project	\$44,894
	Subtotal	<hr/> \$44,894
MARKETING & PROMOTIONS PROGRAM		
	Biennial Meeting/Advertising/Newsletters/Report/Events/Banner	\$20,000
	Subtotal	<hr/> \$20,000
BUSINESS & PROPERTY OWNER ASSISTANCE PROGRAM		
	Property Improvement Grants	\$10,000
	Safety and Security Grant Program	\$8,000
	Subtotal	<hr/> \$18,000
SPECIAL IMPROVEMENT PROJECTS		
	Catalytic Improvement Projects Fund	\$25,000
		<hr/> \$25,000
Budget Contingency		<hr/> \$40,000

Method Of Assessment

The method of assessment for the Year 2011 will remain the same as previous years. 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 for industrial properties and \$3,500 for commercial properties 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 the 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 system is proposed since no one large property stands to gain significantly more benefits than other properties.

The Riverworks BID assessment method also addresses the differences between industrial and commercial properties. Although each type of property benefits from the formation of a BID and BID activities, commercial properties tend to see a more direct benefit. Therefore, the assessment method proposes two different cap levels, \$1,500 for industrial properties and \$3,500 for commercial properties.

BID-eligible properties are assessed in the following manner:

- ◆ For industrial and warehouse properties, the assessment is \$125 plus \$5/1,000 assessed value up to a maximum of \$1,500.
- ◆ For commercial properties, the assessment is \$125 plus \$5/1,000 assessed value up to a maximum of \$3,500.

The Business Improvement District law requires explicit consideration of certain classes of property. In compliance with the law, the following statement is provided:

- ◆ Section 66.608 (5) (a): "*Property known to be used exclusively for residential purposes will not be assessed.*"
- ◆ Section 66.608(1)(f): As mentioned before, the district will contain property used exclusively for manufacturing purposes, as well as properties used in part of manufacturing. These properties will be assessed according to the method set forth in this plan because it is assumed that they will benefit from development in the district.
- ◆ In accordance with the interpretation of the City Attorney regarding State Statute 66.608 (1) (b), property exempt from general real estate taxes has been excluded from the district.

City Role In District Operations

The City of Milwaukee has committed assistance to private property owners within the District to promote the area's 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:

- ◆ Provide assistance as appropriate to the BID Board of Directors.
- ◆ Monitor and when appropriate apply for outside funds, which could be used in support of the district.
- ◆ Collect BID assessments and maintain them in a segregated account.
- ◆ Disburse all District funds, no earlier than January 31st and no later than March 31st. 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.
- ◆ Obtain a copy of the annual audit from the BID Board of Directors as required per Sec. 66.608 (3) © of the BID law prior to September of the following year.
- ◆ Provide the Board of Directors through the Tax Commissioner's office on or before July 1 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.
- ◆ Encourage the State of Wisconsin, County of Milwaukee and other units of government to support the activities of the BID.

The presentation of this plan to the City of Milwaukee shall be deemed a standing order of the Board of Directors under Sec. 66.608 (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.

Business Improvement District Board of Director

The Board will consist of nine (9) members, all of which will either own commercial or industrial property or operate a business within the BID. The Riverworks BID's residential outreach will be achieved through its partnership with Riverworks Development Corporation, a community based development corporation with residential and business Board representation. Board terms are three years. Officers are appointed by the board to one calendar year term.

Riverworks Development Corporation

The BID shall be a separate entity from the Riverworks Development Corporation. Riverworks Development Corporation shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with its contract with the BID Board of Directors. Riverworks Development Corporation shall provide the daily administrative support and

program implementation required by the Business Improvement District. This contract shall be reviewed on an annual basis, and will require BID Board approval.

Any contract 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 provision of materials, it shall follow the requirements of such statutes to the extent applicable. Further, the annual accounting required under Sec 66.608 (3) @ 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.

Severability And Expansion

The Riverworks BID will be created under authority of Sec. 66.608 of the Statutes of the State of Wisconsin. Should any court find any portion of this statute invalid or unconstitutional, said decision will not invalidate or terminate the BID, and this plan shall be amended to conform to the law without need for reestablishment. Should the Wisconsin State Legislature amend the statute to narrow or broaden the process of a BID so as amongst other things 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 budget approval and without necessity to undertake any other act. All the above is specifically authorized under Section 66.608 (3) (b).

The Riverworks Business Improvement District Board of Directors will engage in a performance review after its fifteen (15) operating year to determine continuation of the business improvement district. This performance review also recognizes that the Statutes of the State allow for a petition of dissolution on an annual basis.

Business Improvement District #26
2010-11 Annual Report

The Menomonee Valley Business Improvement District (BID #26) Board of Directors adopted its 2010-11 Operating Plan in August of 2010. In this program year the following administrative actions occurred:

Board of Directors

In the 2010-11 year, we reappointed John Jennings to the board for another term. We also developed a component to meetings that includes all board committee chairs to share directly with BID directors on results and progress to help best meet business needs. The leadership for the BID #26 is as follows; John Brennan – President, Larry Stern – Vice-President, John Jennings – Treasurer, Pat Fitzgibbons – Secretary, David Brien – Member at Large, Art Downey – Member at Large and Jeffery Morgan – Member at Large .

Finances

The BID contracted with Scribner Cohen to provide an audit. The BID assessment for 2010 totaled \$114,016. Per its Operating Plan, the BID paid \$80,000 to Menomonee Valley Partners, Inc. for staffing the BID programs; \$4,401.54 in audit expenses; \$7,245 The Menomonee Valley Resource Calendar; \$156.20 for graffiti removal services; \$2,377.51 for the Milwaukee Brewer Outing; \$928 for Annual BID Member Meeting; and \$1,817.20 for the Menomonee Valley Health and Wellness Expo. Dues collected from the Menomonee Valley Business Association totaled \$1000.00. The Board voted to make a contribution of \$2,000 to the Friends of the Hank Aaron State Trail in support of the 10th Annual Hank Aaron State Trail Run/Walk. The BID completed its 2010-11 fiscal year with \$82008.06 in its account.

ACTIVITIES OF MENOMONEE VALLEY PARTNERS, INC. AS STAFF TO THE BID

In June 2010, BID #26 renewed its ongoing partnership with Menomonee Valley Partners, Inc. (MVP) through entering into a one-year agreement, through which the BID will contribute \$80,000 in funding towards MVP's programmatic activities benefitting the BID. MVP facilitated various programs to improve the district in key areas, including safety, hospitality and maintenance, economic development, transportation, physical improvements and marketing and special events. The accomplishments and highlights of the past year include:

Business Recruitment

MVP works to recruit to the district new businesses that provide family supporting jobs and contribute to the Milwaukee economy.

- In 2010-11, the following tenants opened their doors: Helios USA, LLC, Zimmerman Architectural Studios, Harwood Engineering Consultants, LTD, Aurora Healthcare, the Bridge Health Clinics & Research and Ingeteam Inc.

Palermo Villa completed its 135,000 sq. ft. expansion of its headquarters which nearly doubled its size. These companies have brought over 900 additional jobs to the Valley. Recently announced moves include Suzy's Cream Cheesecakes Inc. which will move into a new 50,000 sq. ft. facility, and J.F. Ahern, which plans to construct a 67,000 sq. ft. facility, both in the Menomonee Valley Industrial Center. Both of these companies also plan to pursue LEED certification. With these two announcements, there is only 7.8 acres remaining in the Industrial Center, which has nearly hit the 1280 targeted job count for the entire site.

- MVP hosted the 4th Annual Menomonee Valley Real Estate Open House in partnership with Chase Bank at the Tannery office complex. The event drew more than 100 real estate professionals that attended to network and learn about the Valley development opportunities.
- MVP staff met regularly with brokers, real estate advisors, business owners, and others to direct interested parties toward development opportunities within the Menomonee Valley.
- The City approved the 17-acre Reed Street Yards project TID. The site is slated to become part of the M7 Water Campus and serve as a water technology R&D hub and serve as the new home of the University of Wisconsin – Milwaukee School of Freshwater Science headquarters and conference center. Construction is slated to begin on the site later this fall.
- The City of Milwaukee has approved a pilot program for St. Paul Avenue businesses to receive grant dollars to aid in their façade and landscaping improvement projects. The St. Paul Enhancement Grant is a program design to help business owners with exterior infrastructure updates that will improve the look and overall appearance of the St. Paul area.
- The City approved tax incremental financing for two areas in the Valley, the Milwaukee Light complex on N.25th St. and Reed Street Yards property on the Valley's east end. Zimmerman Architectural Studios has renovated and will lease a key building in the Milwaukee Light complex. Reed Street Yards is slated to become an anchor in the M7 Water Campus.

Business Services

MVP provides services that help district businesses in various ways:

- The Menomonee Valley Employee Calendar was revised to make a sleeker yet more appealing calendar. The Resource Guide was pulled out and given to businesses to use as needed so that it was easier to update. Both resources provide Valley employees and employers with information such as Brewer game dates to connections on nearby housing to restaurant options along with ways to get involved in Valley events.
- For the second year Milwaukee County has maintained the Canal Street bus route (#17), without financial assistance from the BID. Valley businesses continue to be more accessible to the surrounding workforce. The BID continues to provide support to MCTS as needed with updates on worker use, scheduling and services.
- MVP partnered with Discovery World Museum and Journey House Urban Careers Institute, to develop the Discover the Valley Workplace Fair. This fair allowed students and their parents the opportunity to learn about the various jobs

in the Menomonee Valley and speak directly with 11 Valley business owners or hiring managers about the opportunities or schooling needed to get employed at their facilities. Nearly 200 residents attended the fair.

- The BID increased capacity of the Business Resource Committee by creating a sub-committee, which focuses on Workplace Wellness. This committee has members that work together to promote and network with one another to develop programs, training events, and activities for the entire Menomonee Valley. This helps to support small businesses without budgets who want to explore health and wellness offerings. Together the Valley is creating healthier workplaces and reductions in healthcare costs.
- Hosted the first Menomonee Valley Workplace Wellness Expo at the Potawatomi Bingo Casino, with over 20 vendors participating. This event was designed to connect business representatives with minimal knowledge of workplace wellness or those seeking to learn what has been successful at other local businesses the opportunity to network and learn about local wellness service providers.
- A new program that has been developed and offered to Valley companies is the Menomonee Valley Business-to-Business Connector. This Connector provides Businesses the opportunity to develop relationships within local Valley businesses to buy and sell products.
- Increased the capacity of the Business Resource Committee by engaging new representatives from several businesses in developing new and improving existing structure.
- Created cluster neighborhoods in coordination with the Milwaukee Police Department District 3 in order to provide more timely and accurate information on policing efforts. It has been a slow start getting them totally functional but we have had several incidents that were easily communicated to local businesses as a result of the cluster groups.
- Organized the bi-monthly Menomonee Valley Business Association luncheons, providing district businesses with updates on Valley happenings as well as networking opportunities.
- Organized bi-monthly Menomonee Valley Business Improvement District meetings that the Chairpersons of each committee can come in to speak with the BID Board about objectives, plans and goals and develop new strategies together.

Park Planning

MVP facilitates the planning of the Menomonee Valley Community Park to provide community greenspace, biking and walking trails, access to the Menomonee River, and make these amenities available to Valley employees, their families, and community members. This year, MVP:

- In November of 2010, construction was completed on the Valley Passage, the bike / pedestrian bridge that reconnects the Menomonee Valley to Silver City neighborhood. This new bike and pedestrian connection rejoins the Valley and south side neighborhoods at 37th and Pierce St. On the walls of the Valley Passage is a mural that reflects the Valley's past and the history of surrounding neighborhoods.

- In November of 2010, construction was completed Hank Aaron State Trail extension. Now you can take the Trail from Lake Michigan to 94th place to visit some of Wisconsin's biggest tourist destinations.
- Coordinated the Earth Day and the Community Planting Day events, which drew more than 500 volunteers into the Valley. Participants gathered more than 4000 pounds of litter, removed invasive species, performed maintenance on structures in the park, and planted hundreds of trees and native plants.
- Led the planning and fundraising for additional park construction.
- Facilitated the fourth year of programming of the Stewardship Program through which business "Stew Crews" adopt a section of the Valley, committing three hours per month to removing trash or planting along the Trail. Three additional teams were recruited this year, bringing the total number of Stew Crews to 12.
- Redesigned and executed the Seeds for the Future program, through which more than 100 students from neighborhood schools were educated on the history of the Valley and its redevelopment, and then participated in a planting activity.

Outreach and Marketing

MVP provides education, outreach and marketing regarding the needs and accomplishments of the District

- Sponsored the 11th Annual Hank Aaron State Trail 5K event, which brought over 1500 people to the Valley to have their annual tour of the Menomonee Valley along the Hank Aaron State Trail. This was a record setting year for attendance.
- The redevelopment of the Menomonee Valley is breathtaking and was captured in various art forms in fall of 2010 with the Beyond the Canvas event held in the Valley. Local artists spent two weeks in the Menomonee Valley creating works for art and using the Valley as its canvas. The culminating event featured the completed works and was open to the public.
- Distributed a business eNewsletter every other month, containing information that markets resources in and surrounding the Valley to Valley businesses.
- Distributed a Valley eNewsletter to over 2500 individuals, promoting the developments of the District to the entire Milwaukee community.
- Conducted outreach and promotion regarding redevelopment of the District, including presentations to legislators, professional associations, local civic groups, and national conferences.

Improvement Projects within the District

- Completed a River Improvement Project for a long term solution to problems of debris collection and access to the Menomonee River at Emmer Lane, in partnership with Milwaukee Riverkeeper, City of Milwaukee, Wisconsin Coastal Management Program, and district businesses.
- MVP and the Urban Ecology Center are currently planning and fundraising to open an Urban Ecology Center branch just south of the Valley, which would use the Menomonee River and Hank Aaron State Trail as a learning laboratory, this site is scheduled to start construction in the spring of 2012.
- In partnership with the City of Milwaukee, the MV BID designed a program for St. Paul Ave. businesses to improve their buildings and bring additional green

space along the corridor. The program, St. Paul Enhancement Grant provides financial resources to those businesses to help provide exterior infrastructure improvements.

- Manage the contracts for the landscape restoration of the 24-acre project, including a landscape installation process for the Airline Yards area.
- Begin to facilitate two public land agreements that are associated with the Airline Yards project; (1) will facilitate the development of the ownership and maintenance agreement and shepherd it through city, county, and state legislative processes and (2) to transfer the easement rights and responsibilities from the Redevelopment Authority to the WDNR and City for public lands north of the river, and assisting the city in developing a financing and long-term maintenance plan for this land.

Administrative activities

- Providing general staffing services to the work of the BID Board and its committees

Graffiti Removal Program

- The Board entered into an agreement in 2010 with the City of Milwaukee Department of Neighborhood Services, through which the City and the BID would each pay for half of the cost for removing graffiti from private parcels throughout the district. The BID budgeted \$2,000 for graffiti related expenses, for the second year graffiti costs were significantly lower at \$156.20. Although the cost spent on graffiti removal from businesses was minimal, we were tagged frequently near 37th/Pierce St., the Valley Passage, which is just outside of the BID. The Department of Neighborhood Services and Menomonee Valley Partners, Inc. took on the majority of the costs to repaint the area; however, the graffiti removal needs were quite extensive.

FN 110863

BUSINESS IMPROVEMENT DISTRICT NO. 26

MENOMONEE VALLEY BID

PROPOSED 2011-12 OPERATING PLAN



September 26, 2011

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners that requests creation of a Business Improvement District for the purpose of revitalizing and improving the Menomonee Valley business area , which is located in the heart of Milwaukee's (see Appendix A). The BID law requires that every district have an annual Operating Plan. This document serves as the Operating Plan for the proposed Menomonee Valley district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The Menomonee Valley is primarily an industrial area, located west of Downtown Milwaukee and the Historic Third Ward. Its general boundaries are I-94 on the north, the confluence of the Menomonee and Milwaukee Rivers on the east, Bruce St. and the Soo Line Railroad tracks on the south, and U.S. 41 on the west.

C. District Boundaries

Boundaries of the Menomonee Valley Business Improvement District (“district”) are shown on the map in Appendix A of this plan. A listing of the properties included in the district is provided in Appendix B.

II. OPERATING PLAN OBJECTIVES

A. 2011-12 Plan Objectives

The objective of the BID is to contribute to the redevelopment of the Menomonee Valley and provide important business services to the businesses within the district.

B. Principle activities to be engaged in by the district during its 2011-12 fiscal year of operation will include:

- a. Recruiting to the District new businesses that will provide family supporting jobs and contribute to the Milwaukee economy.
- b. Facilitating the development of business resources for companies operating throughout the district.
- c. Facilitating the planning of and fundraising for the *Menomonee Valley - From the Ground Up* effort, a collaboration of the City of Milwaukee, State of Wisconsin, Menomonee Valley Partners, Inc., and the Urban Ecology Center. The component projects of *From the Ground Up* include transforming a 24-acre remnant brownfield parcel into a natural area of the Hank Aaron State Trail and converting an abandoned building into a third Urban Ecology Center branch that will serve neighborhood schools and residents, as well as Valley employers and their employees. The BID has made a \$100,000 multi-year pledge toward this project.

- d. Negotiating on behalf of the District with the City of Milwaukee, Wisconsin Department of Natural Resources, Department of Transportation, and other local, state and federal agencies having jurisdiction in regards to the Menomonee Valley.
- e. Developing Business-to-Business opportunities to increase the buyer and vendor relationships amongst Valley businesses.
- f. Increasing capacity of the Business Resource Committee and to build workforce strategies to increase the linkages to community and workforce organizations.
- g. Developing options for site improvements throughout the District.
- h. Implementing a Graffiti Removal Project in the District whereby properties within the District boundary will be eligible to have graffiti removed at a minimal cost.
- i. Developing safety clusters areas to improve the overall safety and neighborhood relations of all areas of the Menomonee Valley.
- j. Increasing capacity for the Workplace Health & Wellness Committee by providing exceptional workplace wellness services to Valley companies through resource provision (Wellness Expo), training, and direct programming along the Hank Aaron State Trail.
- k. Organizing and providing support to the 12 "Stew Crew" teams of volunteers from Valley companies in their efforts to keep Valley public areas well maintained and remove invasive species along the Hank Aaron State Trail.
- l. Provide improvements, resources and services particularly toward the aesthetic appearance of St. Paul Ave, through the St. Paul Commercial District Initiative and the St. Paul Enhancement Grant.
- m. Facilitating and creating awareness of the public transportation options for the Menomonee Valley to ensure Valley businesses are accessible to the surrounding workforce.
- n. Administrative activities including, but not limited to, securing an independent certified audit, securing insurance for the activities of the District Board, and complying with the open meeting law, Subchapter V of Chapter 19 of the Wisconsin Statutes.

III. PROPOSED DISTRICT BUDGET

INCOME

2011 Special Assessments.....	\$126,204.37
Menomonee Valley Business Association dues	\$1,000.00

Total Income **\$127,204.37**

EXPENSES

Yearly contract with Menomonee Valley Partners, Inc., a 501 (c)(3) organization, to assist in staffing and implementation of activities outlined above.....	\$80,000.00
Contribution to Valley Employee Resource Calendar.....	\$7,000.00
Expenses for supplies, insurance, audit and events	\$5,000.00
Graffiti Removal.....	\$2,000.00
Friends of the Hank Aaron State Trail Run/Walk.....	\$2,000.00

Health & Wellness Initiative.....	\$3,000.00
Menomonee Valley - From the Ground Up.....	\$10,000.00
* This year's investment of a \$100,000 multi-year pledge toward this project.	
St. Paul Commercial District Initiative.....	\$25,000.00
* Funding will be matched (3:1 ratio) through the Industrial Business Initiative	
Total Expenses.....	\$134,000.00

NET ASSETS at June 30, 2011 **\$82,008.06**

It is proposed to raise **\$127,204.37** through BID assessments and fees collected(see Appendix B). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

IV. ORGANIZATION OF DISTRICT BOARD

The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size – Seven
2. Composition – The majority of members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.

8. Meetings - The board shall meet regularly, at least twice each year. The board shall follow rules of order ("by laws") to govern the conduct of its meetings.

The BID shall be a separate entity from Menomonee Valley Partners, Inc. (MVP), notwithstanding the fact that members, officers and directors of each may be shared. MVP shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. MVP may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

V. METHOD OF ASSESSMENT

A. Assessment Rate and Method

To support the District Board's budget for calendar year 2011, the City of Milwaukee shall levy in 2011 and carry into the tax rolls for inclusion in tax bills to be sent out in December 2011 special assessments on all properties in the District subject to special assessment. Property that is not tax-exempt shall be included in the property subject to special assessment. The District Board uses a special assessment formula, whereby each tax key number parcel is assessed the rate of \$1.50 per \$1,000 in assessed property value, subject to a minimum assessment per tax key number parcel of \$350 and a maximum assessment per tax key number parcel of \$2,500.

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment rate based on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$2,500 per parcel will be applied, and a minimum assessment of \$350 per parcel will be applied.

As of January 1, 2011, the property in the proposed district had a total assessed value of more than \$156.2 million. This plan proposed to assess the property in the district at a rate of \$1.50 per \$1,000.00 of assessed value, subject to the maximum and minimum assessments, for the purposes of the BID.

Appendix B shows the projected BID assessment for each property included in the district.

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.

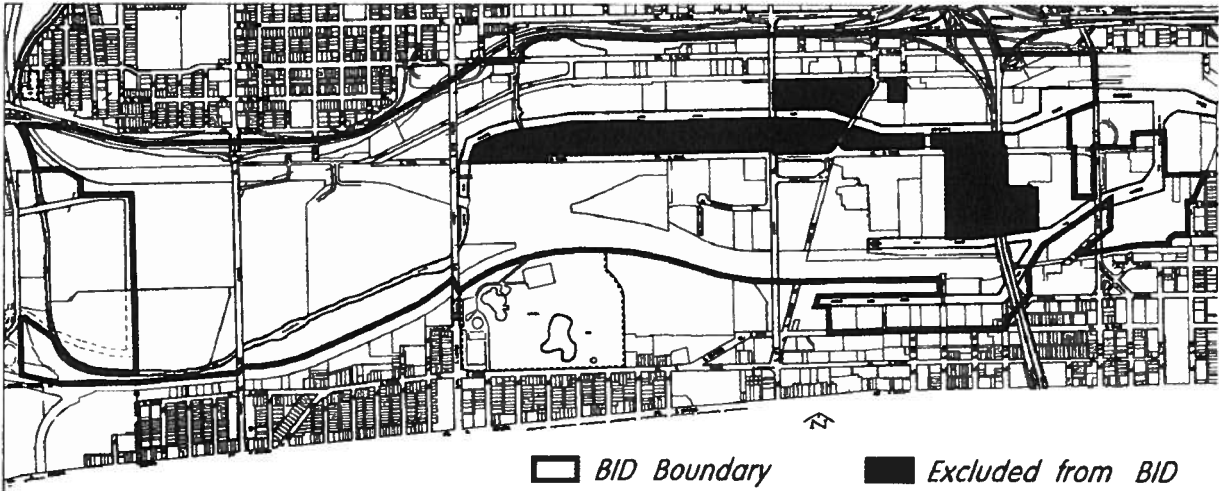
1. State Statute 66.1109(1) (f) 1m: The district will contain property used exclusively for manufacturing purposes, as well as properties used in part for manufacturing. These properties will be assessed according to the method set forth in this plan because it is assumed that they will benefit from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

2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix B, as revised each year.
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. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

APPENDICES

- A. DISTRICT BOUNDARIES**
- B. 2011 PROJECTED ASSESSMENTS**

APPENDIX A: DISTRICT BOUNDARIES



APPENDIX B: 2011 PROJECTED ASSESSMENTS, SORTED BY TAX KEY

TaxKey	Property Owner	Address	Total Assessed Value	BID #26 Assessment
3611587116	STATE OF WI DEPT OF TRANS	701 W ST PAUL	0	0
3611615120	STATE OF WISCONSIN	901 W HINMAN	0	0
3611617200	CITY OF MILWAUKEE	651 W ST PAUL	0	0
3970001113	HD MILW LLC	126 N 6TH	12368000	2500
3980181100	JRB VIII LLC	1118 W ST PAUL	57700	350
3980184100	STATE OF WISCONSIN DEPT OF	940 W ST PAUL	0	0
3980303110	ST MARY'S CEMENT INC	712 W CANAL	1632000	2448
3980305112	ST MARY'S CEMENT	880 W CANAL	117000	350
3980403100	JRB VIII LLC	324 N 12TH	1890800	2500
3980405112	STATE OF WISCONSIN	1027 W ST PAUL	0	0
3980409121	STATE OF WIS- DEPT OF TRANS	260 N 12TH	0	0
3980698100	READCO	1505 W ST PAUL	353700	530.55
3980700100	READCO	1601 W ST PAUL	107000	350
3980702000	WISC INVESTMENT CO LLC	1635 W ST PAUL	690700	1036.05
3980705110	STONE PROPERTIES LLC	1701 W ST PAUL	402400	603.6
3980705120	GARNET ABRASIVE & WATER	1719 W ST PAUL	191000	350
3980707000	PATRICIA J OLIVOTTI TRUSTEE	1739 W ST PAUL	327000	490.5
3980713000	HENRY ALBERT & SANDRA ALBERT	1925 W ST PAUL	256000	384
3980803112	CR INTERNATIONAL INC	405 N 12TH	1115200	1672.8
3980805000	ANCHOR ENTERPRISES II	315 N 12TH	705900	1058.85
3980903100	City of Milwaukee	1313 W MT VERNON	0	0
3980906111	GIUFFRE I LLC	1601 W MT VERNON	1373100	2059.65
3981212110	ANDREW G MUELLER	1200 W CANAL	540100	810.15
3981231000	STANDARD ELECTRIC SUPPLY CO	222 N EMMBER	992000	1488
3981232100	481DA LLC	254 N EMMBER	786300	1179.45
3981241000	MYRIAD PROPERTY GROUP LLC	272 N 12TH	661000	991.5
3981242000	ASTOR APTS LTD PTN	250 N 12TH	2353000	2500
3981261000	JOSEPH A SANTORO REAL	1205 W MT VERNON	620000	930
3990013110	WISC INVESTMENT CO LLC	1610 W ST PAUL	744000	1116
3990026000	MONITOR CORP	1500 W ST PAUL	561800	842.7
3990213111	1922 WEST ST PAUL LLC	1922 W ST PAUL	70300	350
3990215110	LUCILLE L LIEBNER	1906 W ST PAUL	129400	350
3990229110	PAIN ENTERPRISES INC	1816 W ST PAUL	217000	350
3990231111	GUERRERO PROPERTIES LLC	1800 W ST PAUL	35000	350
3990271000	MELANIE SOBELMAN	1900 W ST PAUL	291000	436.5

3990272000	YVONNE M ZAFFIRO REVOCABLE	1902 W ST PAUL	22000	350
3990281100	CANAL ST LLC / Sigma	1300 W CANAL	1671000	2500
3990291000	GUERRERO PROPERTIES LLC	1741 W ST PAUL	1228000	1842
3990292000	HENRY ALBERT &	1907 W ST PAUL	177000	350
3999988100	ROBERT F ZELLMER	1418 W ST PAUL	865400	1298.1
3999990100	CR INTERNATIONAL INC	1410 W ST PAUL AV	91200	350
3999991100	CR INTERNATIONAL INC	407 N 13TH	1017200	1525.8
3999997100	1435 CORPORATION	1357 W ST PAUL	276600	414.9
3999997200	READCO	324 N 15TH	566000	849
3999999110	FOREST COUNTY POTAWATOMI	313 N 13TH	2555000	2500
4000401110	DOGS WORLD LLC	2501 W ST PAUL	346800	520.2
4000774110	2326 LLC	2326 W ST PAUL	1146200	1719.3
4000784110	HENRY ALBERT & SANDRA ALBERT	2015 W ST PAUL	557000	835.5
4000786110	2033 ASSOCIATES LLP	2033 W ST PAUL	323800	485.7
4000788100	ARUNDEL LLC	2045 W ST PAUL	355000	532.5
4000789100	BRENNAN FAMILY LIMITED	2101 W ST PAUL	731000	1096.5
4000789210	2301 LLC	2301 W ST PAUL	905600	1358.4
4009990000	ALMACEN DEVELOPMENT LLC	321 N 25TH	262000	393
4009991110	ALMACEN DEVELOPMENT LLC	305 N 25TH	404000	606
4009991215	2612 GREVES LLC	2612 W GREVES	1070000	1605
4009995115	RAYMOND F KUBACKI,	2401 W ST PAUL	934000	1401
4009995117	GIUFFRE VIII LLC	200 N 25TH	2000000	2500
4009995118	GIUFFRE I LLC	2001 W MT VERNON	587000	880.5
4009998111	DIEDRICH ACQUISITIONS LLC	2615 W GREVES	1035800	1553.7
4010409111	CITY OF MILWAUKEE	3002 W CANAL	0	0
4011401112	RED STAR PROPERTY LLC	2702 W GREVES	2230000	2500
4019999110	THIELE TANNING CO	123 N 27TH	606200	909.3
4230001000	JOHN F STIMAC JR	600 S 44TH	514800	772.2
4230013000	CAM-JWM, LLC/Charter Wire	3754 W. Milwaukee Rd.	8797400	2500
4230014000	MULHANEY PROPERTIES LLC	3880 W MILWAUKEE	1610100	2415.15
4230016000	CALEFFI NORTH AMERICA INC	3883 W MILWAUKEE	2600000	2500
4230021000	VALTAY LLC	3630 W WHEELHOUSE	3260200	2500
4230031000	HSI INDUSTRIAL I LLC	3800 W CANAL	7974300	2500
4230032000	Ingeteam	3757 W. Milwaukee Rd.	1800000	2500
4239999017	THE SE WI PROFESSIONAL	400 S 44TH	0	0
4240311000	PALERMOS PROPERTIES LLC	3301 W CANAL	0	0
4240401000	PALERMOS PROPERTIES LLC	3301 W CANAL	8069400	2500
4249998110	REXNORD INDUSTRIES LLC	3001 W CANAL	9472600	2500
4259983122	FCPC PLANKINTON YARDS	2301 W CANAL	1323000	1984.5

4260022100	ALDRICH CHEMICAL CO INC	210 S EMMBER	1151100	1726.65
4260033120	EMMPACK FOODS INC	219 S EMMBER	2844600	2500
4260061110	EMMPAK FOODS INC	1513 W CANAL	532000	798
4260071113	EMMPAK FOODS INC	1901 W CANAL	2734400	2500
4260111000	FOREST COUNTY POTAWATOMI	1611 W CANAL	364500	546.75
4260131000	PFC INC	104 S EMMBER	100000	350
4260132000	ZIEGLER BENEC PARTNERS 5 LLC	1207 W CANAL	8600000	2500
4260133000	EMMPACK FOODS INC	320 S EMMBER	1080200	1620.3
4269940111	FOREST COUNTY POTAWATOMI	305 S 16TH	809200	1213.8
4269947111	FOREST COUNTY POTAWATOMI	338 S 17TH	12052000	2500
4269948112	FOREST COUNTY POTAWATOMI	320 S 19TH	12052000	2500
4269965112	SOO LINE RAILROAD COMPANY	500 S MUSKEGO	325000	487.5
4269985000	MID-CITY FOUNDRY CO	1400 W BRUCE	308600	462.9
4269986000	WESTERN LIME CORPORATION	1304 W BRUCE	738000	1107
4270101100	GEORGE A DAMMAN CHARITABLE	754 W VIRGINIA	206000	350
4270103100	LCM FUNDS 20 LLC	800 W VIRGINIA	34500	350
4270104100	AHMED A KAHIN	840 W VIRGINIA	634900	952.35
4270203111	JOHN STOLLENWERK	131 S 7TH	352800	529.2
4270203120	STATE OF WI	833 W CANAL	0	0
4270207100	BERNARD KLEIN	754 W VIRGINIA	118800	350
4270210112	SOO LINE RAILROAD COMPANY	904 W BRUCE	57400	350
4270401110	PAUL E OLSEN	920 W BRUCE	625000	937.5
4270406110	WISCONSIN ELECTRIC POWER CO	1135 W CANAL	0	0
4270409121	RNC CANAL ST PROPERTY LLC	1201 W CANAL	1316000	1974
4270411120	SOO LINE RAILROAD COMPANY	1104 W BRUCE	294300	441.45
4270418100	HURON TRANSPORTATION INC	470 S 11TH	638000	957
4270422100	KARL H ZIELKE	902 W BRUCE	19900	350
4270422200	DOMINGO MUNOZ	904 W BRUCE	58000	350
4270425000	AKSS, LLC	1102 W BRUCE	611000	916.5
4270426000	BERNARD KLEIN	1134 W BRUCE	206200	350
4270427000	BRUCE STREET PROPERTIES LLC	1230 W BRUCE	604000	906
4270521211	BUILDING 41 LLC	615 W OREGON	30000	350
4270541000	JOHN STOLLENWERK MILWAUKEE	841 W CANAL	412200	618.3
4270542111	LONE STAR INDUSTRIES AKA	643 W CANAL	2381000	2500
4270571100	JNA INVESTMENT	530 S 11TH	367000	550.5
4270572100	JIMENEZ LLC	1000 W BRUCE	466200	699.3
4270573000	JIMENEZ LLC	920 W BRUCE	194100	350
4270574000	COMMUNITY WAREHOUSE INC	521 S 9TH	0	0
4280516110	BUILDING 41 LLC	220 S 6TH	274100	411.15
4280512114	BUILDING 41 LLC	339 W PITTSBURGH	2282300	2500

3990243112	WISC INVESTMENT CO LLC	1712 W ST PAUL	744000	1116
4009999221	Milwaukee Metropolitan Sewage District	199 N. 25	0	0
4000972000	GIUFFRE I LLC	224 N. 25th	965000	1447.5
4260072110	FOREST COUNTY POTAWATOMI	1721 W. Canal st.	195000	350
4269958200	FOREST COUNTY POTAWATOMI	1916 W. Potawatomi Circle	14900	350
4270531100	H D MILW LLC	143 S. 6th	761500	1142.25
3981221100	H D MILW LLC	131 N. 6th	677282	1015.92
		Totals	\$156,206,982	\$126,204.37

BUSINESS IMPROVEMENT DISTRICT NO. 27
Burleigh Street Business Improvement District
PROPOSED OPERATING PLAN (Year Eleven)

Draft
June 21, 2011

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

Business improvement district assessments are quite similar to traditional special assessments wherein property owners are assessed for improvements or services that benefit them. Unlike the traditional special assessment, however, business improvement district assessments can be used to finance a wide range of activities, services, and improvements. Some BIDs in Wisconsin have funded physical improvements like street lighting or parking; others have funded business recruitment programs; others have promoted increased services in the district such as security or snow removal; still others have produced promotional and marketing materials and events.

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Burleigh Street business area on Milwaukee's Northwest side (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the year ninth Operating Plan for the proposed Burleigh Street district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development and UW Extension.

Section 66.608(3) (b), Wis. Stats. 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.*” Given that, a grassroots and comprehensive planning process, consisting of business operators and property owners, did establish the primary mission of the Burleigh Street BID— to facilitate commercial development within the proposed District.

Development of the District through creation of the BID is proposed because:

1. The BID law provides a mechanism whereby private property owners can work together in conjunction with the City to develop the District.
2. Existing public funding sources used to help maintain and promote the District may not be sufficient. Continuing unified development efforts will have to be financed with new private resources as well as existing public dollars.
3. The District includes properties of varying types and sized. Some form of cost sharing is necessary because it is not feasible for a small group alone to support District development efforts. The BID Plan provides a fair and equitable mechanism for cost sharing which will benefit all businesses and properties within the District.
4. Use of the BID mechanism will help ensure that the entire District will be promoted and developed as expeditiously as possible.

B. Physical Setting

The boundaries of the proposed Burleigh Street BID follow Burleigh Street from Sherman Boulevard on the east, to 60th Street on the west and shall include all properties and buildings within these boundaries. While predominantly commercial in character, the District includes several residential properties. By statute residential properties are not assessed, as noted in Section IV B (2) of this document.

The Burleigh Street BID occupies a strategic location within Milwaukee's northwest side. It is one of the main shopping districts located between the major Routes 41 (Appleton Avenue) and 145 (Fond du Lac Avenue) and is accessed by Roosevelt Boulevard on the west and Sherman Boulevard on the east.

The Burleigh Street BID contains a large concentration of late 19th and early 20th century commercial buildings. Several individual buildings have a characteristic "Milwaukee" architectural quality providing a common denominator among the older stock.

The Burleigh Street BID location near major thoroughfares would help support its future role as a high-value commercial and residential area. Low density commercial uses might best be either selectively maintained or eventually phased out, given the area's higher density development potential.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are exhibited in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to: Maximize resources and implement activities to promote, manage, maintain and develop the District in ways that will result in neighborhood safety, improved area image and new business developments.

B. Proposed Activities – Year Eleven

Principle activities to be engaged in by the district during its year eleven of operation will include:

- Put out timely information on topics such as police patrol, garbage clean-up, marketing opportunities, and other topics of local concern, to members, retailers and others in the form of articles, fliers, e-mails and other appropriate methods.
- Create a business directory and encourage businesses to relocate to the district.
- Direct and/or collaborate with other appropriate agencies in the implementation of streetscape and other long-range plans approved by the board of directors.
- Encourage all commercial buildings to be maintained graffiti-free and financially support and coordinate the means to accomplish this goal.
- Encourage and support façade improvements to properties within the BID.

- Advise area businesses on safety and security measures and to serve as liaison with the security offices of area institutions and the Milwaukee Police Department.
- Liaison with owners of private and public property to encourage quality maintenance and management of said property.
- Provide staff assistance to property owners and developers who are engaged in property improvements and redevelopment actions.
- Marketing and visual enhancement of the Commercial District
- Engage in building exterior enhancement work for select properties within the BID District.

<u>Building exterior enhancement work - \$7,500</u>	\$ 7,500
<u>Clean-up/Safety and Security- \$12,842.80</u>	
A Street clean-up/Maintenance	\$ 6,842.80
B. Security-Cameras & Lights	\$ 6,000
C. Adopt-a-Block program	in-kind
<u>Promotion/Marketing/Image Campaign- \$4,794</u>	
A. Business Directory	in-kind
B. Marketing	\$ 1,000
C. Planting and / or Landscaping	\$ 3,044
D. Winter lighting project	\$ 250
E. SPCA Newsletter	\$ 1,000

Proposed Budget — Year Eleven

Recognizing that it is beyond the resources and capacity of Business Improvement District No. 27 to address every significant issue affecting the district, the Board shall set priorities for expenditures based on cost effectiveness and fulfillment of the goals of the BID. Grants may be awarded during the program year that are not presently identified as such but fit within the intent of the Operating Plan.

The Board shall have the authority to revise the budget as necessary during the year to match the funds actually available. Functional expenditures anticipated being in these approximate amounts:

Consultative Expenses

Director/Manager services include work performance and incentives \$ 22,500

General Expenses

Rent	3,900
Office Supplies and/or Equipment	\$ 250
Telephone	\$ 858
Postage	\$ 150
Printing	\$ 500
Insurance	\$ 1,379
Equipment including repair and maintenance	in-kind
Utilities	in-kind

Outside Services

Accountant (regular and audit)	\$ 3,500
Legal	in-kind

<u>BID Programs Eleventh Year)</u>	
Building exterior enhancement work	\$ 7,500
Clean-up/Safety and Security	\$ 12,842.80
Promotion/Marketing/Image Campaign	\$ 4,794
<u>Sub-Total</u>	\$ 58,173.80
 <u>Miscellaneous and Contingency</u>	 \$ 00000
 <u>Total</u>	 \$ 58,173.80

Except as identified herein, all expenditures will be incurred during the current Plan year. Any funds remaining on any budget line item above may be moved to another budget line item, as determined by the BID Board. Any unused funds remaining at the end of the year shall be used for the following Plan year. Of these funds fifty percent of the difference between the annual gross incomes vs. the expenditures will be held in reserve.

The BID Board may consider Grants made for financial hardships on a case-by-case basis. The BID Director/Manager has immediate authority to spend up to seventy five dollars without first obtaining Board approval. The petty cash items purchased are to be reviewed monthly. The BID Director/Manager is not authorized to spend over the total budgeted cost per project. The BID Board will not incur any long term debt which cumulatively exceeds twice the current operating budget without the consent of the majority of the board. Long term debt is defined as any debt with payments of principle and interest that exceeds twelve months.

If any additional funds are received by the BID, whether from gifts, grants, government programs, or other sources, they shall be expended for the purposes identified herein, and in the manner required by the source of such funds, or, if the funds have no restriction, in the manner determined by the BID Board. All physical improvements made with these funds shall be made in the BID District. The location of other expenditures shall be as determined by the BID Board. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

D. Financing Method

It is proposed to raise 58,173.80 through BID assessments (see Appendix D). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

The proposed expenditures will be financed from monies collected from the BID assessments. The BID assessment is levied by the City which shall be a lien against each of the non-exempt tax parcels of real property contained in the BID District. It is estimated that 100 percent of the BID budget will be raised through assessments (see Appendix D).

E. Organization of BID Board

The grassroots planning process that petitioned for the creation of the Burleigh Street BID will establish a slate of Director Candidates for Mayoral and Common Council approval as required by Wis. Stats. Section 66.608 (6).

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least six members and that a majority of the board members be owners or occupants of property within the district. For purposes of this section "member" means an individual owner-occupant of a parcel, or a representative of an entity owner of such parcel. No one individual, and no more than one representative of any entity, may hold more than one Board position. If, during the course of a term a Board member's situation changes, so that he/she no longer fits the definition for that seat, such as by selling their parcel, he/she shall continue to serve in that position until the end of that calendar year, and a new member fitting the requirements of that seat shall be appointed to complete that term, prior to the next January 1, with the members whose terms are expiring.

On or before December 1 of each year, the Board will submit its recommendations to the Mayor of the City of Milwaukee for seats of expiring Board members.

It is recommended that the BID board be structured and operate as follows:

1. Board Size – at least Six members –Not too exceed nine members.
2. Composition – Seven members shall be owners of BID assessed property or operators of businesses within the District, and ONE representative of the Sherman Park Community, to be recommended by the president of the Sherman Park Community Association (SPCA) and approved by the sitting BID Board. The board shall elect its Officers from among its members.
3. Term - New appointments to the Board shall be for a period of two years. Reappointments to the Board shall be for a period of three years.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings. (see Exhibit One.)

9. Powers — It is intended that the BID Board shall have all powers authorized by law, and by their Plan including, but not limited to, the following powers:

- To manage the affairs of the District.
- To promote new investment and appreciation in value of existing investments.
- To contract on behalf of the BID.
- To develop, advertise and promote the existing and potential benefits of the District.
- To lease office space within the District.
- To undertake on its own account public improvements and/or to assist in development, underwriting or guaranteeing public improvements within the District.
- To apply for, accept, and use grants and gifts for these purposes.
- To elect officers, hire employees and contract out work as necessary to carry out these goals.
- To add to the security of the District.

10. Officers — The Board shall elect a Chairman, Vice-Chairperson, Treasurer and Secretary, from its members, any two of the four of which shall have the power to execute documents on behalf of the full Board, for the purposes authorized by the full Board. The Board may also give its staff limited ability to execute documents and/or to write checks to carry out the Plan.

F. Relationship to the Burleigh Street Community Development Corporation (BSCDC) and the Sherman Park Community Association (SPCA)

The BID shall be a separate entity from the Burleigh Street Community Development Corporation (BSCDC) and the Sherman Park Community Association (SPCA). The BSCDC and the SPCA shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The BSCDC and the SPCA may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

The use of a minimum 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 the 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.

As of June 13, 2011 the property in the proposed district had a total assessed value of \$15,693,813.00

This plan proposed to assess the property in the district at a rate of \$3.70 per \$1,000.00 of assessed value; assessments less than \$150.00 but more than \$100.00 will be assessed a flat rate of \$150.00; assessments less than \$100.00 will be assessed a flat rate of \$100.00.

The maximum amount of assessment increase that the BID Board can affect can be no more than 25% greater than the assessment in the previous year without first obtaining a positive vote of property owners representing at least 50% of the assessed properties. Any assessment increase of 25% or less must be approved by a simple majority vote of assessed property owners at a special meeting called for that purpose with at least 5 days written notice given of that meeting.

Appendix D shows the projected BID assessment for each property included in the district.

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. 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
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. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.
4. When and if any amendment to the BID law is enacted, that will allow tax-exempt parcels to be included within the boundaries of BIDs any tax-exempt parcels that are excluded from the boundaries shown in Appendix C but which have frontage on BID 27 area shall be included in the district without need of separate action by the Common Council of the City of Milwaukee.

Privately owned tax exempt property adjoining the district that is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

Further, property which is presently not taxable within the BID district (e.g. wholly residential or partial residential property), which receive a benefit from district activities, may be asked to make a financial contribution to the district on a voluntary or other basis.

5. The BID has determined that properties which are zoned commercial, whether or not any substantial portion of the property is used for residential purposes or uses, is included within eligible property subject to BID assessments. In the event that there is a change in Wisconsin Law or in any applicable local municipal or other ordinance governing the regulation and operation of business improvement districts, our BID reserves the right to take steps as are necessary and deemed appropriate to prevent any disproportional assessment of such properties and either amend this Operating Plan or have its Board pass appropriate resolutions providing for the adjustment to the assessment of substantially residential property.

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 Burleigh Street BID 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the Board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax

key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.

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

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 Eleven activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Eleven 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).

APPENDICES

APPENDIX A

STATUTE

1983 Wisconsin Act 184

AN ACT to create 66.608 of the statutes, relating to business improvement districts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Legislative declaration. It is declared that 83 WisAct 184

(1) The continued vitality of the commercial business districts of this state, especially those in downtown and central city areas, is necessary to retain existing businesses in and attract new businesses to this state.

(2) Declining public revenues emphasize the importance of assembling viable public-private partnerships to undertake revitalization of these districts.

(3) The establishment of a business improvement district system benefits the health, safety, welfare and prosperity of the people of this state.

(4) It is the purpose of this act to authorize cities, villages and towns to create one or more business improvement districts to allow business within those districts to develop, to manage and promote the districts and to establish an assessment method to fund these activities.

SECTION 2. 66.608 of the statutes is created to read:

66.608 Business improvement districts. (1) In this section:

(a) "Board" means a business improvement district board appointed under sub: (3) (a).

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels subject to general real estate taxes. Other than railroad right-of-way, and may include railroad rights-of way, rivers or highways continuously bounded by the parcels on at least one side.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairman.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

1. The special assessment method applicable to the business improvement district.

1m: Whether real property used exclusively for manufacturing purposes will be specially assessed.

2. The kind, number and location of all proposed expenditures within the business improvement district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that subs. 1 to 4 has been complied with.

(g) "Planning commission" means a plan commission under s. 62.23, or if none a board of public land commissioners, or if none a planning committee of the local legislative body.

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

- (a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. (b) has petitioned the municipality for creation of a business improvement district.
- (b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.
- (c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.
- (d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.
- (e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.
- (3) (a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.
- (b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.
- (c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.
- (d) Either the board or the municipality, as specified in the operating plan as adopted or amended and approved under this section, shall have all power necessary or convenient to implement the operating plan, including the power to contract.
- (4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for

appropriations other than special assessments, to pay the costs of audits required under sub. (3) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all money collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par. (c) and unless the business improvement district is not terminated under par. (e).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under par. (c), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under par. (c), by petition under this subsection or subsequent notification under par. (d), and after subtracting any retractions under par. (d), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5) (a) Real property used exclusively for residential purposes may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

APPENDIX B

PETITION

Petition for the Creation of a Business Improvement District

We, the undersigned owners of real property used for industrial and commercial purposes and located in the proposed business improvement district in Appendix A, hereby petition the City of Milwaukee, pursuant to the provision of Sec. 66.608 (2)(a), Stats. For the creation of a business improvement district for the area described in Appendix A.

Initial Petition submitted with year one plan on file with the City of Milwaukee and the BID office.

APPENDIX C

DISTRICT BOUNDARIES

Burleigh Street from Sherman Boulevard on the east to 60th Street on the west and shall include all properties and buildings within these boundaries.

APPENDIX D

PROJECTED ASSESSMENTS as of June 2011

Owner's / Operator's Name	Commercial Property Address	Taxkey/Account No.	Property Assessment Year 11	BID Assessment At \$3.70/\$1000 Assessed Value or Established Minimum
Living Epistle Church of Holiness Inc.	4300 W. Burleigh	288-0731-000	92,800.00	343.36
Jill L. Goldberg	4326 W. Burleigh	288-0732-000	86,400	319.68
T. Hull	4408 W. Burleigh	288-0704-000	179,000	662.30
Justin D. Jackson	4424 W. Burleigh	288-0705-000	56,100	207.57
Yer Lor	4425 W. Burleigh	307-0802-000	63,100	233.47
D3 Investments	4500-4506 W. Burleigh	288-0103-000	92,500	342.25
E. & J Byas & D. Bealin	4508-4514 W. Burleigh	288-0104-000	38,500	142.45
WB & H Inc llc	4515-4521 W. Burleigh	307-0675-000	170,000	629.00
Costigan Properties	4518-4526 W. Burleigh	288-0105-000	301,000	1,113.70
R. Sherrill	4523-4525 W. Burleigh	307-0674-000	54,000	199.80
D Wasmund	4532 W. Burleigh	288-0106-000	120,000	444.00
Wang Trust	4606 W. Burleigh	288-0123-000	116,000	429.20
A. Yee, J. Ng	4610-4614 W. Burleigh	288-0124-000	7,200	100.00
31st Street Holdings LLC	4616-4634 W. Burleigh	288-0125-000	558,000	2,064.60

Owner's / Operator's Name	Commercial Property Address	Taxkey/Account No.	Property Assessment Year 11	BID Assessment At \$3.70/\$1000 Assessed Value or Established Minimum
B L Martin Investments, LLC	4623 W. Burleigh	307-0501-100	307,000	1,135.90
PSRALM LTD	4642 W. Burleigh	288-0480-000	75,600	279.72
Mckplaco Inc	4704 W. Burleigh	288-0492-000	54,700	202.39
Costigan Properties	4705 W. Burleigh	307-0513-000	735,000	2,719.50
E. & R. Fleming	4712-4716 W. Burleigh	288-0493-000	76,100	281.57
P & C Rubitsky	4726-4728 W. Burleigh	288-0495-100	121,000	447.70
D & M Eisenbach	4731 W. Burleigh	307-0515-100-4	174,000	643.80
JO LLC	4800 W. Burleigh	288-0519-000	297,000	1,098.90
Mutual Savings Bank	4812 W. Burleigh	288-0520-100	403,000	1,491.10
St Joseph's Hospital	4829-4833 W. Burleigh	307-0541-000	444,600	1,645.02
Paul & Carol Rubitsky	4912 W. Burleigh	288-1161-000	119,000	440.30
St Joseph's Hospital	5000 W. Burleigh	307-0805-100	2,759,000	10,208.30
St. Joseph's Hospital	5020 W. Burleigh	288-1162-000	121,000	447.70
Covenant Health Care	5025 W. Burleigh	307-0805-200	4,400,000	16,280.00
Makbul Sajan	5100 W. Burleigh	289-0965-000	300,000	1,110.00

Owner's / Operator's Name	Commercial Property Address	Taxkey/Account No.	Property Assessment Year 11	BID Assessment At \$3.70/\$1000 Assessed Value or Established Minimum
Burleigh Realty	5300-5304 W. Burleigh	289-1096-000	201,000	743.70
M. & R Grisby	5301 W. Burleigh	306-0430-000	156,000	577.20
Burleigh LLC	5312 W. Burleigh	289-1097-000	580,000	2,146.00
Comprehensive Neuropsychiatric Serv	5325 W. Burleigh	306-0459-100	169,000	625.30
CV LLC	5401 W. Burleigh	306-0461-000	107,000	395.90
St Joseph's Hospital	5408 W. Burleigh	289-0318-000	284,400	1,052.28
M. & R Grisby	5425 W. Burleigh	306-0489-000	99,800	369.26
Pamela McNealy	5501 W. Burleigh	306-0203-000	201,000	743.70
Transformation Temple Inc.	5506 W. Burleigh	289-0341-100	25,713	100.00
B L Braden	5512 W. Burleigh	289-0340-000	85,900	317.83
Federal National Mortgage	5520 W. Burleigh	289-0339-000	267,000	987.90
Irvin Bostwick	5606 W. Burleigh	289-0367-000	215,000	795.50
D. Karagianis	5616 W. Burleigh	289-0368-000	118,000	436.60
L Herrman	5625 W. Burleigh	306-9998-000	36,100	133.57

Owner's / Operator's Name	Commercial Property Address	Taxkey/Account No.	Property Assessment Year 11	BID Assessment At \$3.70/\$1000 Assessed Value or Established Minimum
M. & D. Schmidt	5701 W. Burleigh	306-0101-000	151,000	558.70
Northern Motors, LLC	5716 W. Burleigh	289-0371-100	106,000	392.20
R & V Rost	5722 W. Burleigh	289-0373-000	90,600	335.22
Pak Rentals & Construction LLC	5725 W. Burleigh	306-0102-000	105,000	388.50
D. Amos	5800 W. Burleigh	289-0383-000	94,400	349.69
Barbara Sage	5814 W. Burleigh	289-0385-000	103,700	383.69
Jewish Community Funeral Home Service Inc	5820 W. Burleigh	289-0386-000	142,700	527.99
Jewish Community Funeral Home Service Inc.	5910 W. Burleigh	289-0374-100	32,900	150.00
Totals			\$15,693,813.	\$58,173.80

Properties listed below are included in the BID zone to establish geographic Continuity only. They are not subject to any BID tax assessments.

Name	Address	Tax-key #	Category	Assessment
Dieudonne Mananga George Azeha	4325 W Burleigh	307-0625-000	RESIDENTIAL	Not Applicable
J D Kelly	4409 W Burleigh	307-0627-000	RESIDENTIAL	Not Applicable
L & G Thompson	4419 W Burleigh	307-0626-000	RESIDENTIAL	Not Applicable
The Power of G-d Full Gospel Baptist Church	4600-4602 W Burleigh	288-0122-000	EXEMPT	Not Applicable
SAC INVESTMENT	4720 W Burleigh	288-0494-000	RESIDENTIAL	Not Applicable
Good Samaritan Church of God in Christ	5226 W Burleigh	289-0991-000	EXEMPT	Not Applicable
Rosalie Manor, Inc	4803 W Burleigh	307-0583-100	RESIDENTIAL	Not Applicable
WE source	4821 W. Burleigh	3070540000	RESIDENTIAL	Not Applicable
Transformation Temple inc.	5412-5430 W Burleigh	289-0317-000	EXEMPT	Not Applicable
Central Assembly of God	5511 W. Burleigh	306-0201-000	EXEMPT	Not Applicable
Tina Bates	5601 W. Burleigh	306-9995-000	RESIDENTIAL	Not Applicable
Peter Evans	5611 W Burleigh	306-9996-000	RESIDENTIAL	Not Applicable
R Merriweather	5615 W Burleigh	306-9997-000	RESIDENTIAL	Not Applicable
J Yourkovich	5624 W Burleigh	289-0369-000	RESIDENTIAL	Not Applicable
FAMILY MONTESSORI SCHOOL LTD	5806 W Burleigh	2890384000	EXEMPT	Not Applicable
St. Anne's Cathedral Holy Church of Deliverance Inc.	5831 W Burleigh	306-1501-000	EXEMPT	Not Applicable
EASTER SEAL SOC FOUND INC	3090 N 53RD ST 53210	3060428100	EXEMPT	Not Applicable
Mary De Buhr	3287 N. 48 th St	288-040-8000	RESIDENTIAL	Not Applicable
Congregation Beth Jehudah	3116 thru 3118 N 52 nd St.	289-0967-000	EXEMPT	Not Applicable
Good Samaritan Church of God in Christ	3117-3119 N 52 nd St	289-0990-000	EXEMPT	Not Applicable
Benjamin Smith	3125 N. 52 nd St	289-0989-000	RESIDENTIAL	Not Applicable
Arlene M Bucholtz Revocable Living Trust	3116-3118 N 53 rd St	289-0992-000	RESIDENTIAL	Not Applicable
Mary Talsky	3170 N 55 th St.	289-030-7000	RESIDENTIAL	Not Applicable

APPENDIX E

CITY ATTORNEY'S OPINION

Original City Attorney's opinion submitted with year one plan on file with the City of Milwaukee and the BID office.

EXHIBIT ONE

BY LAWS

BOARD OF DIRECTORS
BURLEIGH STREET
BUSINESS IMPROVEMENT DISTRICT

1.0 **Objectives**

1.1 The objective of the Board shall be those set forth in section 66.608 Wisconsin Statutes, and in the operating plan adopted by the City of Milwaukee for the Burleigh Street Business Improvement District.

2.0 **Officers and Their Duties**

2.1 The officers of the Board shall consist of a Chair and Vice-Chair, a Secretary, and a Treasurer.

2.2 The Chair shall preside at all meetings and hearings of the Board and shall perform such duties as are customarily exercised by a presiding officer. In addition, the Chair may appoint general or special committees if and when the occasion requires.

2.3 The Vice-Chair shall perform the duties of the Chair in the latter's resignation, absence or inability to act.

2.4 The Secretary shall keep the permanent minutes of the Board; file copies of the minutes, reports and records of the Board with the City Clerk; see that all notices are duly given in accordance with the provisions of these bylaws, or as required by law; and, in general, perform all duties incident to the office of Secretary.

2.5 The Treasurer shall have charge and custody of and be responsible for all funds and securities of the BID. The Treasurer shall perform all the duties incident to the office of Treasurer. The Treasurer and Chair shall prepare or have prepared an annual operating budget showing income and expenses, shall present it to the Board for approval and shall prepare or have prepared the annual audit required by law.

2.6 The Board may assign other duties to each officer as may from time to time be deemed necessary. The officers shall be required to fulfill all duties so assigned by the Board.

3.0 **Election of Officers**

3.1 The officers shall be elected at the first meeting in January to serve for one (2) year or until their successors have been elected, and their term of office shall begin at the meeting at which they are elected.

4.0 **Meetings**

4.1 The Board shall hold regularly scheduled meetings. At least one week written notice, delivered to the members and the City Clerk, shall be necessary to schedule a meeting of the Board.

4.2 A quorum of the Board shall consist of a simple majority of the current members of the Board of Directors. A current member is defined as someone who has accepted nomination to the Board, has been approved and sworn by the Common Council of the City of Milwaukee.

4.3 Special meetings may be called by the Chair or at the request of three (3) members of the Board.

4.4 All meetings shall be open to the public, except those specified in section 19.85 Wisconsin Statutes.

4.5 Attendance and voting at all meetings shall be in person unless the President deems it necessary to conduct meetings and voting by telephone or proxy.

5.0 **Hearings**

5.1 Prior to submitting its annual operating plan to the Common Council of the City of Milwaukee, the Board shall hold a public hearing on the proposed plan. Written notice of the hearing shall be mailed to all owners of property within the BID at least one week prior to the hearing. The notice shall state that copies of the operating plan are available from the Board on request.

5.2 In addition to the annual hearing on the operating plan, the Board may hold public hearings or informational meetings when it decides such hearings will be in the public interest.

6.0 **Financial**

6.1 The Board shall open such bank account, checking account, or other accounts with a financial institution in the City of Milwaukee, as the Board may deem necessary or advisable.

6.2 The officers shall be the authorized signers of checks or withdrawal orders in connection with any such account. The signatures of two (2) officers shall be required on any check or for any withdrawal.

6.3 The Secretary shall certify the names and signatures of the current officers to the financial institution and the financial institution shall be fully protected in relying on any such certification by the Secretary until it receives written notice of change in such office or signing authority.

6.4 All invoices for goods supplied or services rendered to the BID shall be approved for payment by the Chair and payment will be made by procedures established by the Chair and the Treasurer.

7.0 **Board Membership**

7.1 A Board member may resign by submitting a written resignation to the Secretary.

7.2 A Board member may be removed from the Board for cause by a two-thirds vote of the membership of the Board after notice and opportunity for a hearing are afforded the member in question. A Board member who fails to attend more than 4 meetings per year, without good cause, may be removed from the Board.

7.3 Upon a vacancy being created on the Board, the Board shall notify the Mayor and petition the Mayor to appoint a replacement.

7.4 A Board member who has submitted a written resignation or whose term has expired shall continue to serve on the Board, if otherwise able, until a successor is confirmed by the Common Council.

8.0 **Amendment**

8.1 These bylaws may be amended, to the extent not in conflict with section 66.608 Wisconsin Statutes or the operating plan, by an amendment adopted by two-thirds vote of the Board, provided advance notice of the amendment was previously forwarded to each member of the Board, at least one week before the meeting.

9.0 **Parliamentary Authority**

9.1 The rules contained in the current edition of Robert's Rules of Order shall govern the Board in all cases which are applicable and in which they are not inconsistent with these bylaws, the operating plan, and any statutes applicable.

EXHIBIT TWO

BUSINESS IMPROVEMENT DISTRICT

OFFICERS

Paul Rubitsky: Chair Irwin Bostwick: Vice-Chair

Abigail Navti Abongwa: Secretary

Ethel Washington: Treasurer

BUSINESS IMPROVEMENT DISTRICT

<u>BOARD MEMBER</u>	<u>TERM EXPIRES</u>
Irvin Bostwick	3/11/12
James Hiller	3/9/12
Paul Rubitsky	2/19/12
Vacant	
Abigail Navti Abongwa	2/18/12
Ethel Washington	3/23/12
Tom Lifvendahl-SPCA	
vacant	
Vacant	

BUSINESS IMPROVEMENT DISTRICT #28

ANNUAL REPORT

2011

GLASS REPLACEMENT: The BID has set up a \$7,000.00 fund to provide glass replacement assistance to several local businesses, paying up to 50% up to a maximum of \$750 for replacing glass as a result of vandalism in the district. There have been several requests so far for glass replacement claims.

TRASH/CLEANUP: The BID continues to focus on keeping the area clean of trash, including some problem residential neighborhoods. The BID partnering with the Ambassadors Program provided resources through cleaning crews which began in January.

SECURITY: The BID has not yet determined that the installation of security cameras is necessary but will be looking to pursue the feasibility of this initiative in 2012.

LANDSCAPING: The BID focused on removing weeds, maintaining vacant lots, as part of the cleaning from NACDC and the Ambassadors Program resources.

NORTH AVENUE DAY: The BID in conjunction with NACDC and the Mainstreet Committee held the 1st annual North Avenue Day on August 21 2010 The event was designed to highlight all of the work done along the North Avenue Corridor to attract the existing businesses to the corridor as well as bring attention to the existing businesses who have already located in the area. The event included a Classic Car Club (Unique), a Corvette Club, and a number of local food merchants. The event attracted in excess of 300 residents and was covered by Channel 4 television and Majic 102.5 FM radio station. The BID has decided to pursue this event in 2012 and looks forward again working with NACDC to put on the event in 2012.

BUSINESS LOAN INITIATIVES: The District still has money available to provide short-term business loans but did not grant any in 2011.

NEW BUSINESSES ATTRACTED TO AREA: The BID has attracted a number of new businesses to the area, including; West Side Health Clinic Medical Records, The replacement owner for the CITGO Station on 36th and North, Hair Doctor's Salon. The Bid is still working with Emeralds Hall and events, New Covenant to open a new health foods store in the building on 42nd and North in the Boulevard Commons Building

NEIGHBORHOOD COMMUNITY AMBASSADORS: The Neighborhood Ambassador Program provides work crews that work along the corridor in clean ups, hot spot assessments; encourage business on keeping areas clean, litter free, and weed free landscaping; report on abandon cars, crime and prostitute loitering. Inform businesses on police department and aldermanic 15th district contacts. Pass out flyers and brochures of corridor businesses.

The Ambassadors placed participants in businesses to assist business owners and job shadowing; thus being exposed to the operation of a business. The ambassadors worked in BID 28 and Washington Park. This is the fifth year partnering with Maximus and the YWCA for community ambassador [W2 participants]. Job training on janitorial and environmental services. Worked on four (4) Tax credit projects providing janitorial services; also worked with Help Keep Milwaukee Green Program.

BUSINESS IMPROVEMENT DISTRICT NO. 28__

North Avenue Gateway District

PROPOSED 2012 OPERATING PLAN



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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the North Avenue Gateway **BID 28** business area on Milwaukee's North Side (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed North Avenue Gateway BID 28 district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The District covers a commercial area on North Avenue from 27th St west to Sherman Blvd.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to:

- Improve the Image of the Target Area.
- Improve negative perceptions of crime/safety in the target area.
- Increase the number and variety of businesses in the target area.
- Coordinate public improvements in the Gateway District.
- Protect and preserve the historical significance and integrity of structures in the target area.

B. Proposed Activities – Year One

Principle activities to be engaged in by the district during its first year of operation will include:

- Continue the “Ambassador Program” providing the following services:
 - Coordinate and provide street cleanups on a daily bases.

- Visit with each business owner to confer concerns
- Interact with homeowners as an avenue to develop block clubs, neighborhood watches
- Street Security ie. Camera's, personnel etc.
- Coordinate events in the district in collaboration with the Main street Initiative
- Window Breakage Fund
- Audit
- Provide a short term Business loan fund to support business development in the BID
- Event Planning

C. Proposed Expenditures – 2012

Proposed Budget

Items	Expenditure
Ambassador Program	\$9,300
Street Security	\$4,618
Window Breakage Fund	\$5,900
Event Planning	\$1,019
Audit	\$4,000
Management Fee	\$10,000
Total	\$34,837

D. Financing Method

It is proposed to raise \$34,837 through BID assessments (see Appendix D). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size – Seven
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order (“by laws”) to govern the conduct of its meetings.

F. Relationship to the North Avenue Community Development Corporation

The BID shall be a separate entity from the North Avenue Community Development Corporation, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$1,500 per parcel will be applied and a minimum of \$150 per parcel will be applied.

As of January 1, 2010, the property in the proposed district had a total assessed value of over \$15,717,100. This plan proposed to assess the property in the district at a rate of .0444 per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID. Appendix D shows the projected BID assessment for each property included in the district.

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. State Statute 66.1109(1) (f) Im: 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
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. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 North Avenue Gateway BID 28 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.

2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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).

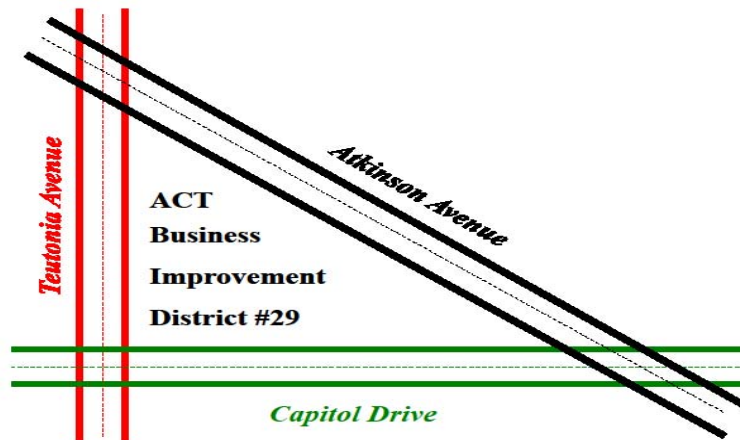
APPENDICES

- A. ASSESSMENTS FOR 2011-12**
- B. MAP OF NORTH AVENUE GATEWAY DISTRICT BOUNDARIES**
- C. 2011 ANNUAL REPORT**

BUSINESS IMPROVEMENT DISTRICT NO. 29

Atkinson Capitol Teutonia

PROPOSED OPERATING PLAN 2012



September 12, 2011

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APPENDICES

I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Atkinson Capitol Teutonia business area on Milwaukee's North Side (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Atkinson Capitol Teutonia district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The vast majority of the ACT Triangle is made up of residential properties. Of the nearly 8,000 total parcels in and immediately surrounding the ACT Triangle, approximately 200 are commercial or industrial in nature. Thirty parcels are institutional (schools, churches, and municipal and government facilities). Eighty-four parcels are vacant lots, boarded up properties, or residential units owned by the City of Milwaukee, some other governmental unit, or a lending institution as a result of foreclosure, tax delinquency or public nuisance.

The overwhelming majority of the housing is single-family detached homes. The second most prevalent type of land use is duplex housing. There are a few three and four flat units. The area surrounding the intersection of West Capitol Drive, Atkinson Avenue and Teutonia Avenue supports a number of apartment buildings. The apparent largest of these, a 55 unit complex located at the intersection of Roosevelt Drive and Teutonia is a boarded up property.

An estimated 70% of the housing in the ACT area was built prior to World War II. Much of this housing stock was built in the 1920's and 1930's. While the housing stock is not in danger of falling down, it has become expensive to maintain. This has caused much maintenance to be deferred, and has led to blight conditions.

There is a significant portion of newer housing at the northeast corner of the ACT Triangle. This housing stock differs greatly from the majority of the community's housing. It is brick or faced, and is evident of styles popular after World War II. Furthermore, lot and parcel sizes are larger in this section of the neighborhood.

The median value of a house in the ACT area in 1990 was estimated at \$36,718.00. Current estimates place the median value of a house in this neighborhood at \$46,110.00.

This represents an increase of just over 25.5% in the eight years since the 1990 Census was conducted. Recent housing sales do not exactly support the estimated current housing value.

Single-family residential sales in 1997 and 1998 averaged \$37,100.00. Duplex sales averaged just over \$42,550.00.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to: Encourage new business development, expand current business activity and assist in redevelopment, promotion, and maintenance of the ACT commercial district.

Proposed Activities – Year One

Principle activities to be engaged in by the district during its first year of operation will include:

- a. Develop and implement new marketing strategy
- b. Create partnerships with public and private sector to enhance development and reinvestment.
- c. Enhance safety and security in the district.
- d. Maintain newly finished Streetscape project

B. Proposed Expenditures – Year One

The principal expenses of the district in 2012 shall be used to fund business technical assistance, BID marketing, and maintenance projects. The BID #29 will contract with Northwest Side Community Development Corporation to manage proposed activities for the BID. The BID will also help fund the ACT BID #29 Festival event.

Proposed Budget

Atkinson Capitol Teutonia BID#29	
	2012 Budget
ADMINISTRATIVE SERVICES	
Contractual Services	
Support Staff	55,000.
Accounting Services	
2009 Audit	3000.
General Expenses	
Postage & Copies	1000.
Utilities	1000.
Streetscape Upkeep	9000.
PROGRAM ACTIVITIES	
Commercial District Revitalization	
ACT EVENTS	5000.
Business Assistance	
	8000.
TOTAL Proposed Budget for 2011	
	\$92,000.

A. Financing Method

It is proposed to raise \$92,997.80 through BID assessments (see Appendix D). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

B. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the

Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

Atkinson Capitol Teutonia Board of Directors is:

Jaclynne Lopez-President, HJR Investors Inc.
Wanda Scruggs-Vice President, Scruggs and Sons
Cherry Welch Perkins-Treasurer, Mr. Perkins Restaurant
Deonta Hudson, Guaranty Bank
Willie Cunningham, Precious Child Care and Pre-School

It is recommended that the BID board be structured and operate as follows:

1. Board Size – Five
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order (“by laws”) to govern the conduct of its meetings.

C. Relationship to the ACT Business Association

The BID shall be a separate entity from the ACT Business Association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public

record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

BID-eligible properties are assessed in the following manner:

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

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$1625 per parcel will be applied.

As of January 1, 2008, the property in the proposed district had a total assessed value of over 29 million. This plan proposed to assess the property in the district at a rate of \$4 per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID.

Appendix D shows the projected BID assessment for each property included in the district.

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. State Statute (1)(f)lm: The district will contain property used exclusively for manufacturing purposes, as well as properties used in part for manufacturing.

2. These properties will be assessed according to the method set forth in this plan because it is assumed that they will benefit from development in the district.
3. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
4. In accordance with the interpretation of the City Attorney regarding State Statute 66.608(1)(b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Atkinson Capitol Teutonia businesses 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.

2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the

Mayor for his approval.

7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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).

APPENDICES

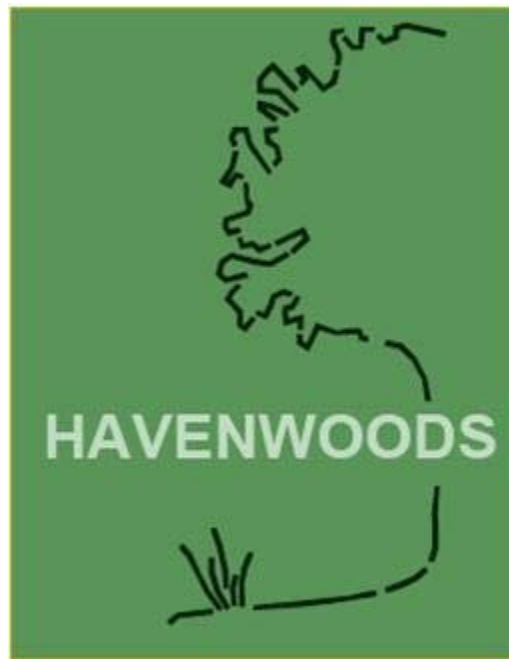
- A. STATUTE
- B. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. YEAR ONE PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION

BUSINESS IMPROVEMENT DISTRICT NO. 31

Havenwoods

PROPOSED OPERATING PLAN

2012



I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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 November 5, 2003, the Common Council of the City of Milwaukee approved the creation of Business Improvement District No. 31 (“BID”) and the initial Operating Plan for the BID. The objective of the initial Operating Plan of the BID is revitalizing and improving the Havenwoods business area on Milwaukee's far northwest side. The BID law requires that every district have an annual Operating Plan. This document is the Operating Plan for the BID for 2012 which proposes a continuation of the initial BID Operating Plan. Therefore, it incorporates by reference the initial Operating Plan as adopted by the Common Council of the City of Milwaukee.

B. Physical Setting

The physical setting of the BID District consists of industrial and retail businesses.

II. DISTRICT BOUNDARIES

Boundaries of the BID district are shown on the map in Appendix B of this plan. A listing of the properties included in the district is provided in Appendix C.

The boundaries include industrial and retail businesses while excluding the optimum amount of residential properties. The boundaries go from W. Silver Spring Drive to W. Good Hope Road. The boundaries east and west vary throughout the district. The most easterly boundary is N. 52nd St. and the most westerly boundary is N. 77th St. Please refer to the attached map for exact boundaries

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to market the industrial and the retail corridor to attract more businesses to the Havenwoods Neighborhood. Additional objectives include neighborhood revitalization, community organizing, and increased safety.

The anticipated result of forming this BID and improving the business corridors will be the creation of family supporting jobs and increase tax revenue for the City of Milwaukee.

Additional objectives include:

- Providing economic development support to the district.
- Developing real estate marketing strategies
- Providing advocacy at City, State and Federal levels.
- Seek additional funding mechanisms for activities outlined below.

B. Proposed Activities

These proposed activities will result in enhanced neighborhood image and safety, increased investment and increased property values.

Principle activities to be engaged in by the district in 2012 will include:

- a. Market the “Havenwoods Industrial Park” to developers, realtors and various investors for the potential for new industry.
- b. Promote Façade Grant program for Havenwoods commercial building owners.
- c. Implement Landscape Grant Program
- d. Serve as Liaison between city service providers such as DNS, Milwaukee Police and DPW.
- e. Liaison with owner of private and public property to encourage quality maintenance of said property.
- f. Liaison with economic development programs from public and private institutions.
- g. Graffiti Abatement Program
- h. Promote Homeownership
- i. Participate in the Healthy Neighborhoods Initiative
- j. Acquisition of key properties in need of development.
- k. Refurbishing of Railroad Bridges
- l. Workforce Development

C. Proposed Expenditures

Revenue	
Revenue Carry Over from 2011(projected approx.)	\$120,000.00
BID Assessments for 2012	\$172,000.00
Total Revenue	\$292,000.00
Expenses	
General Operating	\$90,000.00
Capital Improvements: Railroad bridge Painting, Identity Signage	\$80,000.00
Annual audit	\$3,000.00
D&O Insurance	\$1,400.00
Liability Insurance	\$1,500.00
Façade grant Program	\$15,000.00
Sign Grant Program	\$5000.00
Landscape Grant Program	\$20,000.00
Maintenance Costs for W. Silver spring Drive	\$10,000.00
Maintenance Costs for N. 76 th St.	\$5,000.00
Workforce Development	\$20,000.00
Contingency Fund for Operations and Development	\$35,000.00
	\$285,900.00

The Board has established priorities for expenditures based on objectives of the BID. Grants may be awarded to the partnering organization (Havenwoods Economic Development Corporation) to implement the plan to achieve the BID's objectives.

D. Finance Method

It is proposed to raise \$172,000 through BID assessments (see Appendix C). Block Grant funding of \$45,000 and \$35,000 from private foundations will assist in financing the activities of the BID. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

The Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size – Seven
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.

8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order (“by laws”) to govern the conduct of its meetings.

F. Relationship to the Havenwoods Economic Development Corporation.

The BID shall be a separate entity from the Havenwoods Economic Development Corporation, notwithstanding the fact that members, officers and directors of each may be shared. HEDC shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Havenwoods Economic Development Corporation may, and it is intended, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

This describes the assessment method most commonly used by Milwaukee BIDs. Other methods are possible. DCD staff can assist in developing other methods to fit the proposed BID’s circumstances.

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$7,000 for retail parcel and a maximum assessment of \$5,000 per industrial parcel will be applied. A minimum of \$400.00 will be required of retail parcels and \$300.00 for industrial parcels.

These amounts translate to \$1.00 per \$1,000 in assessed value for industrial parcels and \$1.20 per \$1,000 in assess value for retail parcels.

As of September 16th, 2011, the property in the proposed district had a total assessed value of over \$173,641,500 to be determined.

This plan proposes to assess the property in the district at a rate of .12% of assessed value for retail property and a rate of .10% for industrial property, subject to the maximum assessment, for the purposes of the BID.

Appendix C shows the projected BID assessment for each property included in the district.

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. State Statute 66.1109(1) (f) 1m: 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix C, as revised each year.
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. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Havenwoods 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI.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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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, information on specific assessed values, budget amounts and assessment amounts are based solely on current 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).

APPENDICES

- A. STATUTE
- B. DISTRICT BOUNDARIES
- C. 2012 PROJECTED ASSESSMENTS

BUSINESS IMPROVEMENT DISTRICT NO. 32



PROPOSED OPERATING PLAN 2012



September 19, 2011

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the North Avenue Marketplace BID 32 business area on Milwaukee's North Side. The area is bounded on North Avenue between I-43 and 27th Streets and Fond du Lac Avenue between 17th and 27th Street. The BID law requires that every district have an annual Operating Plan. (see Appendix B). This document is the initial Operating Plan for the proposed Marketplace Business Improvement District #32. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The District covers the retail and commercial corridors of North Avenue from I-43 to 27th Streets and Fond du Lac from 17th to 27th Avenue. This area involves several major commercial nodes; North and Fond du Lac Avenues, Center Street, 27th and Fond du Lac Ave and Teutonia and North Avenue. It creates a great opportunity for increasing human capital, business and employment growth.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to: Create a viable and sustainable commercial corridor that supports local entrepreneurs, encourage business and job growth and encourage local, regional or national businesses to locate to the community.

STRATEGIC GOALS

- Implementation of strategies outline in the comprehensive market analysis (2011)
- Allocate resources to continue implementation of BID 32's Strategic Plan

- Strategic outreach and engagement of BID Property Owners
- Strategic communication and engagement of BID Business Owners
- Implementation of BID Marketing Strategy

KEY STRATEGIC FOCUS AREAS

- Façade Improvement
- Commercial Corridors Clean and Green Initiatives
- Streetscaping and Lighting Project
- Business Development Supports
- Safety and Security Initiatives

FOCUS AREAS FOR 2012

- ✓ Continue to incorporate Main Street Operational approach in organizational development and planning
- ✓ Continuation of board and organizational development activities that strengthen the BID to better serve businesses
- ✓ Address existing and future issues concerning public improvements and safety projects
- ✓ Develop relationship with various governmental, business and community based organizations that serve and support the target area
- ✓ Plan and implement projects and incentive programs that support area businesses and entrepreneurs
- ✓ Plan and implement programs and projects that promote a positive business climate for the area, based on surveys, feedback forms and market analysis

B. Proposed Activities – Year One

Principle activities to be engaged in by the district during its first year of operation will include: Creating a viable and sustainable commercial district

- a. Survey businesses about business needs
- b. Develop outreach and marketing campaign to “Brand” the commercial district
- c. Increase collaborations with strategic partners to accomplish identified goals

C. Proposed Activities

- Implement a Commercial Corridor Clean and Green initiatives
- Implement a façade, sign and lighting program
- Implement a safety and security initiative
- Create business development loan and matching grant fund

Principle activities to be engaged by the district for 2012 include:

Ongoing BID Marketing Plan

- Promote BID quarterly newsletter, Website and other social media markets
- Sponsor community focused events
- Security improvements and lighting enhancements recognized through the CPTED approach
- Continue “Brand” image of organization and commercial corridor

D. Proposed Expenditures – Year One

Proposed Budget – **\$142,626**

	Proposed 2012 Budget
Ordinary Income/Expense	
Income	
Advertising Revenue	10,000.00
Business Contributions/Sponsorships	2,000.00
Gifts in Kind	1,000.00
BID 32 Property Assessment	90,626.00
Misc Revenue/Carry Over	38,000.00
Interest-Money Mkt	1,000.00
	<hr/>
Total Income	142,626.00
Expense	
Commercial District Revitalization	40,000.00
Contract Services	
Accounting Fees	8,000.00
Audit Fees	2,000.00
Legal Fees	2,000.00
Management Services	45,000.00
Clerical Services	12,000.00
Newsletter/Marketing Collateral Consult	4,800.00
Other Contract Services	4,015.00
	<hr/>
Total Contract Services	117,815.00
Office Supplies	600.00
Program Supplies	500.00
Food & Refreshments	1,500.00
Telephone & Internet	1,800.00
Postage	500.00
Equipment	1,000.00
Printing Marketing Collateral	6,500.00
Rent Expense	4,800.00
Utilities	1,200.00
Insurance - D&O/Gen Liability	2,000.00

Conference & Meetings	600.00
Travel	500.00
License, Permit & Fees	200.00
Publications & Subscriptions	200.00
Membership Dues	400.00
Website Develop. & Maint.	1,200.00
Board & Staff Development	300.00
Marketing/Pr/Outreach	500.00
Depreciation Expense	500.00
Miscellaneous Expense	11.00
	<hr/>
	24,811.00
	<hr/>
Total Program Budget	142,626.00

E. Proposed 2012 Budget Expenditures – See Appendix E

F. Financing Method

It is proposed to raise \$90,626.06 through BID assessments (see Appendix D). If other resources are raised (grants, program revenue, etc.) they will also be used to fund projects outlined in the BID budget. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

G. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size – Five
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.

3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.

4. Compensation – None

5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.

6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.

7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.

8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

H. Relationship to the -no official business association located in the BID 32 service area.

The BID shall be a separate entity from the – no official business association located in the BID 32 service area - notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

Marketplace BID 32 assess the property in the district at a rate of .0066/1000 of assessed value, subject to the maximum assessment of \$1,500 and a minimum assessment of \$300 for the purposes of the BID. DCD staff can assist in developing other methods to fit the proposed BID's circumstances.

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the

disproportional assessment of a small number of high value properties, a maximum assessment of \$1,500 per parcel will be applied.

As of January 1, 2011, the property in the proposed district had a total assessed value of over \$28,935,800. This plan proposed to assess the property in the district at a rate of \$.0066 per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID.

Appendix D shows the projected BID assessment for each property included in the district.

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. State Statute (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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.608(1) (b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 North Avenue Marketplace BID #32 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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).

APPENDICES

- A. STATUTE
- B. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. YEAR ONE PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION

Appendix 1

Marketplace Business Improvement District 32
Annual Update 2011



September 19, 2011

Marketplace Business Improvement District 32 2011 Annual Update



Strategic Goals:

Develop a comprehensive BID 32 Commercial Property Inventory

- ✓ **Outcome:** Completed a comprehensive Market Analysis in collaboration with Walnut Way/Lindsay Heights, LISC Milwaukee and WGS Consulting.

Cultivate and enhance resources to implement BID 32's Strategic Plan

- ✓ **Outcome:** Several business and property owners were able to take advantage of the safety and security camera program, four completed and one major beautification project.

Active engagement of BID Property Owners

- ✓ **Outcome:** Consistent outreach and communication by phone and mail to property owners to engage them in activities in the BID, information sharing, and resource opportunities. Property owners are encouraged to attend over two dozen workshops to help sustain and grow their business.

Active engagement of BID Business Owners

- ✓ **Outcome:** Consistent outreach and communication to business owners, by phone, in person, electronically and by mail to engage them in business development opportunities available to them.

Develop comprehensive BID Marketing Strategy

- ✓ **Outcome:** The BID a quarterly news Magazine that features business development articles, community development resources and a business highlight in the community. Also this year is the Marketplace BID's Website, with functionality to register for classes, view our newsletter and donate funds. The BID would have completed one of three business mixers it planned for the area. One of the remaining mixers will host local, national and international guests of the Land Trust Rally Conference. We expect attendance for all three events to host nearly three hundred guests.



Activities'

- The BID contracted with a new maintenance crew in 2011. They are responsible for the basic upkeep and cleanliness of the area, work with property and business owners and to keep their properties neat and clean and to be a liaison between the BID and the city to ensure all partners are actively participating in the clean and safety issue in the community.
- Attended community outreach meetings regarding strategies for improving image and marketing for Marketplace BID 32
- Continue its mission to operate in the Main Street community development approach.
- Provided quarterly neighborhood business walks to communicate goals and on-going activities of the BID that are helping promote a more positive image of the area
- Two major clean-ups for 2011



Goal: Improve the negative perceptions of crime and safety in the Target Area

Activities:

- Consistence communication and collaboration with District 3 Community Prosecution unit to develop strategies to improve consumer confidence regarding safety along North Avenue and Fond du Lac
- Worked with District Three Community Liaison Officers to increase number of safety and security inspections done by police and to encourage businesses to access matching safety and security grants. At the end of the 2011 the BID expect to have expended all five security camera grants to business and property owners.
- Attended community outreach meetings regarding strategies for improving image and marketing for Marketplace BID 32



Goal: Increase the number and variety of businesses in the Target Area

Activities:

- Held business consultation meetings with current and potential business owners
- Ongoing meetings with Great Lakes Capital Fund for future investments in BID 32
- Held meetings with sales reps, and businesses interested in the BID
- Met with several property owners regarding their vacant properties and how to help get them occupied
- Meetings and presentations with African Women Entrepreneurs (AWE) about an African Village Concept to be developed in BID 32 area
- Conducted walking Neighborhood Tours with various developers and investors
- Provided technical assistance and entrepreneurial advice to individuals seeking to locate in the BID area.

Goal: Coordinate public improvements in the Marketplace District

Activities:

- Coordinated worked with DCD, DPW and other city Departments to complete Fond du Lac Streetscape.



Goal: Façade improvement

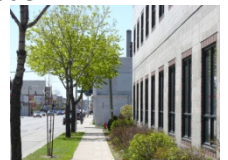
Activities:

- Consistent updates and revisions to the Safety and Security and Business Incentive Grant application

Goal: Commercial Corridor Clean-up

Activities:

- Coordinated with Maintenance team to complete two major commercial corridors cleanups. This is in collaboration with the Northside YMCA, WAICO Corp and community volunteers.
- Maintained decorative containers on North Avenue and Fond du Lac.
- Ongoing partnership with DNS and DPW resolving any concerns related to cleanliness and code issues in BID 32



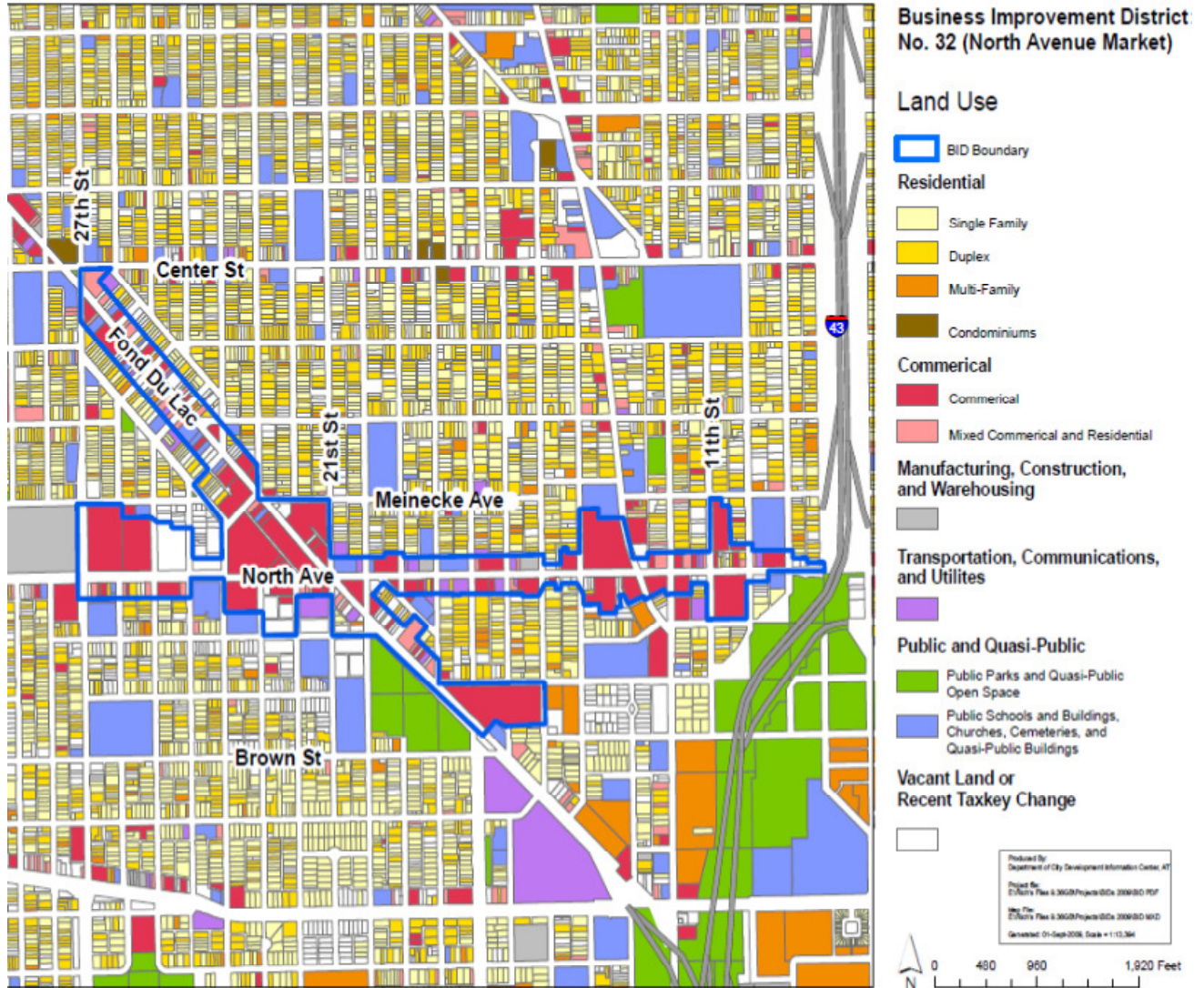
Goal: Support Business Development (Through Classes and Workshops)

Activities:

- Developed business workshops and collaborated with new partners to make presentation. Some of the partners are: IRS, Milwaukee Bar Association, Atzlan Business Plans, Lida Accounting Services and The Third District Milwaukee Police Department, including the CPU Division and social media and website design firms and many others.
- Utilized newly developed documents and protocols for business development workshops
- utilized Marketplace BID Feedback Survey to gather information regarding needs and input of BID 32 businesses and others

Appendix 3 (C)

Marketplace Business Improvement District 32 Area Map



Appendix E
Budget Expenditures BID 32 2011

	Proposed 2012 Budget
Expense	
Commercial District Revitalization	40,000.00
Contract Services	
Accounting Fees	8,000.00
Audit Fees	2,000.00
Legal Fees	2,000.00
Management Services	45,000.00
Clerical Services	12,000.00
Newsletter/Marketing Collateral Consult	4,800.00
Other Contract Services	4,015.00
Total Contract Services	117,815.00
Office Supplies	600.00
Program Supplies	500.00
Food & Refreshments	1,500.00
Telephone & Internet	1,800.00
Postage	500.00
Equipment	1,000.00
Printing Marketing Collateral	6,500.00
Rent Expense	4,800.00
Utilities	1,200.00
Insurance - D&O/Gen Liability	2,000.00
Conference & Meetings	600.00
Travel	500.00
License, Permit & Fees	200.00
Publications & Subscriptions	200.00
Membership Dues	400.00
Website Develop. & Maint.	1,200.00
Board & Staff Development	300.00
Marketing/Pr/Outreach	500.00
Depreciation Expense	500.00
Miscellaneous Expense	11.00
	24,811.00
Total Program Budget	142,626.00

Appendix 5

Marketplace Business Improvement District 32 2011 Board of Directors

Karl Tatum, Chair

Community Financial Service Center
4535 W. North Ave.
Milwaukee, WI 53208
414-449-5646
karl@cfsc-online.com

John Mullarkey, Treasurer

Gold Rush Chicken, Owner
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Milwaukee, WI 53205
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Young Kim, Secretary

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Sharon Adams
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Joann Harris
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Mark Teper
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Glendale, WI 53209
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galstfoods@aol.com

Sue Eick
Legacy Redevelopment Corp.
2102 W. Fond du Lac Ave.
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414-343-3041
seick@legacyredevelopmentcorp.org

BUSINESS IMPROVEMENT DISTRICT NO. 35
Kinnickinnic River Business Improvement District

OPERATING PLAN
2012

Approved by BID Board:
September 13, 2011

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created S. 66.1109 of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee received a petition from property owners which requested creation of a Business Improvement District for the purpose of revitalizing and improving the business area on the Kinnickinnic River bordering the 12th and the 14th Aldermanic District's on Milwaukee's Southside. (See Appendix B.) The BID law requires that every district have an annual Operating Plan. This document is the eighth year Operating Plan for the Kinnickinnic River Business Improvement District. The BID Board prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The BID includes eleven (11) properties which have river frontage along the Kinnickinnic River, many of which are home to marine related businesses. Boat storage, marine repair, an antique boat restorer, and a marine construction business share the three-block area with a thriving fire restoration business, and other small commercial firms.

II. DISTRICT BOUNDARIES

The BID District is made up of properties that stretch along the Kinnickinnic River banks, bounded by the Becher Street Bridge on the south and the Kinnickinnic Avenue Bridge on the East. (See Appendix C.)

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The Objective of the Kinnickinnic River BID is to maintain and promote the KK-Becher commercial district for the benefit of the members.

B. Planned Activities – Year 8.

Principle activities to be engaged in by the district during its eighth year of operation will include:

- a. Assist businesses and property owners with improvements to their riverfronts.
- b. Provide oversight and technical assistance on the KK River Environmental Restoration Project.
- c. Promote and market the Business Improvement District and the City of Milwaukee.
- d. Maintain the fiscal integrity of the BID.
- e. Act as an ombudsman for the BID members seeking assistance, change of service from the City, County, State, and Federal agencies.
- f. Initiate positive media coverage regarding the BID district's activities.

- g. Assist the Department of City Development in connection with the Southeast Side Area Comprehensive Plan.
- h. Assist BID members with issues regarding public safety and security. Develop plans for a "Business Block Watch" for the BID neighborhood.
- i. Develop a Streetscape Plan for maintaining the public landscape along Becher Street, S. 4th Street and S. 1st Street. (First impressions set the tone for visitors.)
- j. Participate with the City and State to support activities relating to the redesign of the intersection of W. Becher Street and Interstate 94.

C. Planned Expenditures – Year 8

Budget:

The expenditures will be financed from funds collected through the BID assessment process, voluntary private contributions and public grants. The estimated assessed value of BID properties is \$8,581,600.00.

The budget for the BID is as follows:

Revenue	
1, BID annual assessment	\$5,755.23
2. Interest income	-0-
3. Miscellaneous (contributions, grants, gifts)	<u>-0-</u>
Total Revenue:	\$5,755.23
Expenses	
1. Administration	
Payroll	\$ - 0 -
Taxes	- 0 -
2. Office materials	100.00
3. Postage	100.00
4. Professional Fees	
Consulting	-0-
Legal	- 0 -
Accounting	- 0 -
Auditing	2,500.00
5. Insurance	1,300.00
6. Promotion/Public Relations	150.00
7. River and neighborhood maintenance	1,500.00
8. Miscellaneous	<u>105.23</u>
Total Expenses:	\$5,755.23

Financing Method

It is proposed to raise **\$5,755.23** through BID assessments (Appendix D). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

C. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the

Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

The BID board be structured and operate as follows:

1. Board Size – Seven (7)
2. Composition - A majority of Board members shall be owners or occupants of property within the district. Any non-owner or non-occupant of a property within the district appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The BID shall have no employees in the Plan year. To carry out the activities described in the Plan of Operation, the Board will contract for services as needed.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order (“by laws”) to govern the conduct of its meetings.

D. Relationship to the KK River Revitalization Association, Inc.

The BID shall be a separate entity from the KK River Revitalization Association, Inc., notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method - General Operations

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that lineal foot of riverfront of each property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment per lineal foot of river frontage of the property was selected as the basic assessment methodology for this BID.

The total KK River frontage of properties in the BID is 3,385.43 feet. This plan proposes to assess the property in the district at a rate of **\$1.70** per lineal foot of riverfront of each property for general BID operations. Appendix D shows the projected BID assessment for each property included in the district for this purpose.

B. Assessment Rate and Method - Loan Repayment

In addition to the funds required for General Operations, it is proposed to raise an additional **\$27,237.50** to be applied to payments of principal and interest in the Plan year as required under the terms of the BID's Promissory Note to the City of Milwaukee dated December 1, 2008. This plan proposes to assess the parcels in the district for this purpose in direct proportion to the percentage of the loan funds that were applied for the benefit of the parcel. Appendix E shows the projected BID assessment for each such parcel for this purpose.

C. 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. State Statute 66.1109(1)(f)Im: 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes and property exempted from the general property taxes under the State Statute 70.11 will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.

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 Kinnickinnic River-Becher 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The BID statute establishes a specific process for reviewing and approving operating plans. Pursuant to the statutory requirements, the following process will be followed:

1. The BID shall submit its proposed Operating Plan to the Department of City Development.
2. The Zoning, Neighborhoods and Development Committee of the Common Council will review the proposed Operating Plan at a public meeting and will make a recommendation to the full Common Council.
3. The Common Council will act on the proposed Operating Plan.
4. If adopted by the Common Council, the proposed Operating Plan is sent to the Mayor for his approval.
5. If approved by the Mayor, this Operating Plan for the BID is approved and the Mayor will appoint new members to the Board to replace Board members approved whose terms have expired or who have resigned.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the board and the City to annually review and make changes as appropriate in the Operating Plan.

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).

EXHIBIT D

BID NO. 35 (KK River) - 2012 ASSESSMENTS - General Operations

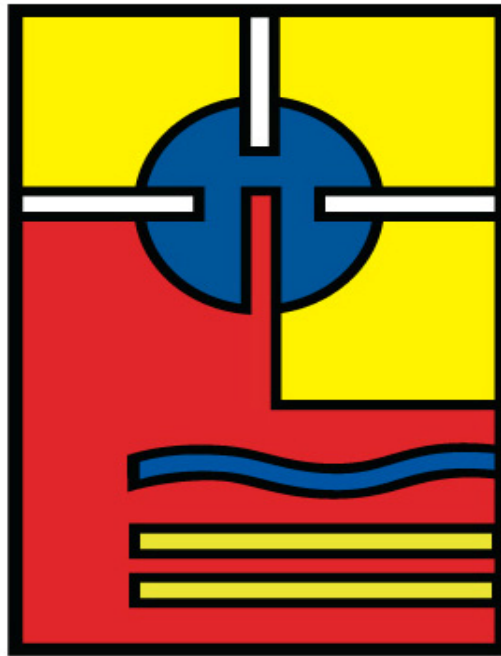
TAX KEY	PROPERTY	Frontage LF	Rate per LF \$	1.70
466-1155-000	2005 S KK	162.85	\$	276.85
467-000-1110	2011 S 1ST	152.16	\$	258.67
467-0005-000	218 W BECHER	345.65	\$	587.61
467-0006-100	222 W BECHER	0	\$	-
467-0103-100	138 E BECHER	173	\$	294.10
467-0104-110	2018R S 1ST	373.37	\$	634.73
467-9982-100	2078 S 4TH	374.23	\$	636.19
467-9981-110	2000 S 4TH	343.66	\$	584.22
467-0008-111	2029 S 1ST	222.64	\$	378.49
467-9990-110	1958 S 1ST	560.68	\$	953.16
467-9992-220	1933 S 1ST	677.19	\$	1151.21
467-9992-230	1933 S 1ST	0	\$	-
		<u>3,385.43</u>	<u>\$</u>	<u>5,755.23</u>

EXHIBIT E

BID NO. 35 (KK River) - 2012 ASSESSMENTS - Loan Repayment

TAX KEY	PROPERTY	LOAN FUNDS RECEIVED	LOAN FUNDS AS % OF \$250,000	% x \$27,237.50 2012 PMT DUE
466-1155-000	2005 S. KK AVE	0.00	0.0000000	0.00
467-000-1110	2011 S 1ST	\$15,199.59	0.0607984	\$1,656.00
467-0005-000	218 W BECHER	0.00	0.0000000	0.00
467-0006-100	222 W BECHER	0.00	0.0000000	0.00
467-0103-100	138 E BECHER	\$17,246.75	0.0689870	\$1,879.03
467-0104-110	2018R S 1ST	\$37,331.31	0.1493252	\$4,067.25
467-9982-100	2078 S 4TH	0.00	0.0000000	0.00
467-9981-110	2000 S 4TH	\$34,328.93	0.1373157	\$3,740.14
467-0008-111	2029 S 1ST	\$22,239.98	0.0889599	\$2,423.05
467-9990-110	1958 S 1ST	\$56,007.50	0.2240300	\$6,102.01
467-9992-220	1933 S 1ST	\$67,645.94	0.2705838	\$7,370.02
467-9992-230	1933 S 1ST	0.00	0.0000000	0.00
		\$250,000.00	1.0000000	\$27,237.50

RIVERWORKS
BUSINESS IMPROVEMENT DISTRICT II #36
YEAR 2012 OPERATING PLAN



RIVERWORKS

CENTER

Riverworks Business Improvement District II Proposed Annual Operating Plan Year Seven (2012)

Introduction

In 1984, the Wisconsin Legislature created Sec. 66.608 of the Statutes 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 and commercial property owners within those districts to develop, manage and promote the districts and to establish an assessment method to fund these activities."

Section 66.608 (3) (b), Wis. Stats. 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."

This plan details the elements that are required by Sec. 6.608 Wis. Stats. for operation of the Riverworks Business Improvement District II in Year Seven. It re-emphasizes the primary mission of the Riverworks Business Improvement District II to facilitate commercial and industrial development within the district.

Relationship To Milwaukee's Comprehensive Plan & Orderly Development Of The City

This Annual Operating Plan is consistent with the City of Milwaukee's planning efforts. Specifically, the City of Milwaukee has adopted and instituted a Renewal Plan for the Riverworks area and a tax incremental financing district. Further, the City has played a significant role in the planning and development of the reuse of the former AMC/Chrysler factory located off of Capitol Drive. This involves the plans to improve the appearance of North Holton Street, including the City recently purchased the CMC old railroad corridor between Keefe Avenue and Auer Avenue for redevelopment into a recreational trail.

The business improvement district is a means for further formalizing the efforts of the Renewal Plan, the tax incremental financing district and the City of Milwaukee's efforts to find adaptive reuses for the former AMC/Chrysler factory site and attract more commerce to East Capitol Drive and the surrounding area.

District Boundaries

The boundaries of the Riverworks BID II are generally bounded by 1st Street to the west, Pierce Street to the east Auer Avenue to the south and Keefe Avenue to the north.

Proposed Operating Plan

The objective of the Riverworks BID II is to maintain and promote the Riverworks Industrial and Commercial District for the benefit of the BID members. The BID plans to again contract with the Riverworks Development Corporation to promote to carry out the administrative functions of the BID.

The BID will undertake the following activities:

- ◆ *Promote the area as a great place to work, live, play and do commerce.*

- ◆ *Coordinate with RBID 25 the possibility of creating a new TIF/TID for the Riverworks Center Area; which could include developing a market analysis of the area.*
- ◆ *Pay the debt associated with the BID's contribution to the significant streetscape completed on Holton Street in 2010.*
- ◆ *Implement part or all of the Main Street 4 Point Approach[®] for the Riverworks BIDs (Organization, Promotion, Design and Economic Restructuring)*
- ◆ *Develop an organizational strategic Plan and Riverworks Center Strategic Action Plan for the BIDs.*
- ◆ *Create and install a community mural within the BID's boundary.*
- ◆ *Streetscape Improvement projects for Holton Street and Keefe Avenue corridors.*
- ◆ *Make additional improvements to the Beerline Recreational Trail, aka Linear Park.*
- ◆ *Maintain the landscaping and other amenities owned by the BID that are installed on Holton Street, Keefe Avenue and area side streets and the recreational trail from Keefe Avenue to Auer Avenue.*
- ◆ *Install hanging flower baskets, gateway signs, pole signs or sign towers in the area*
- ◆ *Coordinate a district-wide litter and graffiti removal program.*
- ◆ *Assist area business and property owners with improvements to their property facades through direct matching grants of funds up to \$3,000 or 40% of the project cost.*
- ◆ *Catalytic Improvement Projects Fund (CIP) is established to stimulate exterior building improvements to existing commercial buildings in the Business District which are sufficient in scope to produce visible changes to the building facades. Minimum Allocation: \$6,000 and Maximum Allocation: \$15,000*
- ◆ *Safety program:*
 - ◆ *Assist area businesses and property owners with Exterior Lighting and/or Exterior Cameras to their property through direct matching grants of funds up to \$1,800 or 40% of the project cost.*
 - ◆ *District-wide BID exterior security cameras to be purchased or donated and installed in high incident areas in partnership with the City of Milwaukee Police Department or a security firm.*
- ◆ *Act as an ombudsman for BID members in seeking assistance, change, or services from the City, County, State, and Federal government.*
- ◆ *Coordinate business recruitment and development.*
- ◆ *Initiate positive media coverage regarding District development activities.*
- ◆ *Maintain the fiscal integrity of the BID.*
- ◆ *Coordinate activities and promotional events with the Riverworks Business Improvement District #25.*

Budget

The proposed expenditures will be financed from funds collected through the BID assessment process, voluntary private contributions and public grants. The estimated assessed value of BID properties is \$8,080,500. This represents a \$14,900 increase from the previous year's value of \$8,065,600 indicative of the difference the BID is making to improve the area. The estimated assessment generated for the Year 2011 is \$43,134.50.

The budget for the Riverworks BID is detailed below.

	<u>REVENUE</u>	
BID ASSESSMENT		
Program Funding Carried Forward	\$43,135	
Interest Income	\$59,000	
Misc.	\$25	
	\$1,000	
TOTAL REVENUE		<u>\$103,160</u>
	<u>EXPENSES</u>	
ADMINISTRATIVE SUPPORT		
RDC Management	\$12,000	
Insurance Expense	\$840	
Accounting Services	\$420	
Auditing Services	\$2,000	
Consulting Services	\$2,500	
Office Supplies	\$300	
Memberships, Conferences & Seminars	\$100	
Misc.	\$100	
Subtotal		<u>\$18,260</u>
PUBLIC SAFETY & APPEARANCE PROGRAM		
Equipment Purchase	\$500	
Appearance/Landscaping/Maintenance	\$6,000	
Area Wide Cleaning Expense	\$9,000	
Graffiti Removal	\$2,400	
Subtotal		<u>\$17,900</u>
MARKETING & PROMOTIONS PROGRAM		
Advertising/Newsletters/Brochures/Reports/website/ Biennial/Brokers Open/Tailgate	\$6,800	
Subtotal		<u>\$6,800</u>
BUSINESS & PROPERTY OWNER ASSISTANCE PROGRAM		
Property Improvement Grants	\$6,000	
Subtotal		<u>\$6,000</u>
DEBT SERVICE		
Holton Street Streetscape Project	\$11,700	
Subtotal		<u>\$11,700</u>
CATALYTIC IMPROVEMENT PROJECTS FUND		
Holton Street/Keefe Avenue/ Recreational Trail	\$15,000	
Subtotal		<u>\$15,000</u>
Budget Contingency		<u>\$27,500</u>
TOTAL EXPENSES		<u><u>\$103,160</u></u>

Method Of Assessment

The method of assessment for the Year 2011 will be as follows. 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 for industrial properties and \$3,500 for commercial properties 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 the 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 system is proposed since no one large property stands to gain significantly more benefits than other properties.

The Riverworks BID II assessment method also addresses the differences between industrial and commercial properties. Although each type of property benefits from the formation of a BID and BID activities, commercial properties tend to see a more direct benefit. Therefore, the assessment method proposes two different cap levels, \$1,500 for industrial properties and \$3,500 for commercial properties.

BID-eligible properties are assessed in the following manner:

- ◆ For industrial and warehouse properties, the assessment is \$125 plus \$5/1,000 assessed value up to a maximum of \$1,500.
- ◆ For commercial properties, the assessment is \$125 plus \$5/1,000 assessed value up to a maximum of \$3,500.
- ◆ The Business Improvement District law requires explicit consideration of certain classes of property. In compliance with the law, the following statement is provided: Section 66.608 (5) (a): "*Property known to be used exclusively for residential purposes will not be assessed.*"
- ◆ Section 66.608(1)(f): As mentioned before, the district will contain property used exclusively for manufacturing purposes, as well as properties used in part of manufacturing. These properties will be assessed according to the method set forth in this plan because it is assumed that they will benefit from development in the district.
- ◆ In accordance with the interpretation of the City Attorney regarding State Statute 66.608 (1) (b), property exempt from general real estate taxes has been excluded from the district.

City Role In District Operations

The City of Milwaukee has committed assistance to private property owners within the District to promote the area's 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:

- ◆ Provide assistance as appropriate to the BID Board of Directors.
- ◆ Monitor and when appropriate apply for outside funds, which could be used in support of the district.
- ◆ Collect BID assessments and maintain them in a segregated account.

- ◆ Disburse all District funds, no earlier than January 31st and no later than March 31st. 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.
- ◆ Obtain a copy of the annual audit from the BID Board of Directors as required per Sec. 66.608 (3) © of the BID law prior to September of the following year.
- ◆ Provide the Board of Directors through the Tax Commissioner's office on or before July 1 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.
- ◆ Encourage the State of Wisconsin, County of Milwaukee and other units of government to support the activities of the BID.

The presentation of this plan to the City of Milwaukee shall be deemed a standing order of the Board of Directors under Sec. 66.608 (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.

Business Improvement District Board of Director

The Board will consist of seven members: One (1) possible Member from the existing Riverworks BID #25 and Six (6) Members from Riverworks BIDII or all Seven (7) Members from Riverworks BIDII; all of which will either own commercial or industrial property or operate a business within the BIDs. The Riverworks BID II's residential outreach will be achieved through its partnership with Riverworks Development Corporation, a community based development corporation with residential and business Board representation. Board terms are three years. Officers are appointed by the board to one calendar year term.

Riverworks Development Corporation

The BID shall be a separate entity from the Riverworks Development Corporation. Riverworks Development Corporation shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with its contract with the BID Board of Directors. Riverworks Development Corporation shall provide the daily administrative support and program implementation required by the Business Improvement District. This contract shall be reviewed on an annual basis, and will require BID Board approval.

Any contract 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 provision of materials, it shall follow the requirements of such statutes to the extent applicable. Further, the annual accounting required under Sec 66.608 (3) © 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.

Severability And Expansion

The Riverworks BID II will be created under authority of Sec. 66.608 of the Statutes of the State of Wisconsin. Should any court find any portion of this statute invalid or unconstitutional, said decision will not invalidate or terminate the BID, and this plan shall be amended to conform to the law without need for reestablishment. Should the Wisconsin State Legislature amend the statute to narrow or broaden the process of a BID so as amongst other things 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 budget approval and without necessity to undertake any other act.

All the above is specifically authorized under Section 66.608 (3) (b).

The Riverworks Business Improvement District II Board of Directors will engage in a performance review after its fifth operating year to determine continuation of the business improvement district. This performance review also recognizes that the Statutes of the State allow for a petition of dissolution on an annual basis.

BID #37 2011 ANNUAL REPORT

The 30th Street Industrial Corridor Business Improvement District (BID #37) is pleased to provide this annual report highlighting its accomplishments in 2011. BID #37 has continued its focus on implementing programs and services designed to attract and retain businesses and jobs in the area as well as to spur excitement regarding the positive transformation of the area.

HIGHLIGHTS AND ACCOMPLISHMENTS OF 2011

Temporary Public Art Project

BID #37 sponsored a two year temporary public art project in the district. The goal of the project was to generate excitement regarding the redevelopment of the former A.O. Smith site into the Century City Business Park while much of the behind the scenes work is occurring. In 2010, the installations focused on the community and businesses, residents and community groups participated. 2011 installations focus on environmental initiatives in the area. Involvement and partnerships grew significantly with the second phase of the project which generated a lot of positive attention for the area. 2011 also offered the opportunity for artists from the neighborhoods surrounding the district to work with the lead artists and gain valuable experience.

Bioretention Planters

BID #37 worked cooperatively with the City of Milwaukee on a project that includes 13 bioretention planters installed along N. 27th Street between Capitol Drive and Roosevelt Drive. The BID works with the City to maintain these planters and has twice monthly litter clean ups in this area during the spring, summer and fall to help the planters stay clean and attractive and function properly.

Graffiti Abatement

BID #37 continues to contract with the Milwaukee Christian Center/ Neighborhood Improvement Project to abate graffiti at no charge to property owners in the district. As of August 1st, 2011, BID #37 has funded, with support from the City of Milwaukee, the removal of 110 instances of graffiti since the program began in late 2006.

Safety & Security Project Grants

One of the initial programs of BID #37 was the creation of a safety and security matching grant program to assist businesses with improvements to enhance the security of their property as well as the safety of their employees and the neighborhood. Since the program's inception through August 1st, 2011, BID #37 has awarded sixteen matching grants including six in 2011. These funds have leveraged an additional \$99,000 in investments by the property owners.

Safety & Security Initiatives

BID #37 is also working closely with businesses, residents and community groups to sponsor community walks, develop neighborhood watches and foster relationships among businesses, residents and community groups. In addition, BID #37 is coordinating with City departments to prevent litter, dumping, graffiti and other illegal activities in the district.

Streetscape

Our Capitol Drive streetscape project is nearing completion now that lighting has been installed. We hope to add trash receptacles and benches in the near future. We have also collaborated with the City on streetscape improvements for Fond du Lac Avenue. The BID will be evaluating future streetscape projects as well.

Litter Clean Ups

We continue litter clean ups throughout the district to reduce the amount of litter in the area and improve aesthetics.

Communications & Events

BID #37 strongly believes it is important to share its successes, information on its programs and services, and other resources with BID #37 property owners. Therefore, BID #37 partners with the 30th Street Industrial Corridor Corporation (The Corridor) to issue a newsletter that is sent to all property owners within the district. In addition, BID #37 works with The Corridor to hold networking events that allow businesses, community groups and others with an interest in the area to meet and share ideas. In 2011, a Real Estate Open House was held to share development and real estate opportunities in the area with developers, businesses and the public. BID #37 also maintains a webpage with information on projects and services, meeting notices and other information at www.30thstreeticc.org/bid37.htm.

Committees & Strategic Plan

BID #37, in conjunction with The Corridor, has several committees comprised of volunteers from area businesses, community groups and others working on behalf of the 30th Street Industrial Corridor. These committees include Safety & Security; Planning & Redevelopment; Marketing; and Workforce Development. Committees meet regularly throughout the year to provide input on initiatives, services, projects and events for the Corridor. In addition, BID #37 worked with The Corridor in 2010 to create a new 3 year strategic plan for the area. Committees and staff continue to work on implementing the action steps and goals set forth in this plan.

PLANS FOR 2012

In 2012, BID #37 plans to build upon its past successes by continuing the programs and initiatives described above. BID #37 also plans to begin a new façade and landscape matching grant program to help businesses in the district make aesthetic improvements to the exterior of their property. Further, the BID plans to continue its collaboration with the 30th Street Industrial Corridor Corporation and the City of Milwaukee to retain and attract businesses throughout the district as well as at Century City.

BUSINESS IMPROVEMENT DISTRICT NO. 37

30th STREET INDUSTRIAL CORRIDOR

OPERATING PLAN
FOR 2012

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created S. 66.1109 of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

A Business Improvement District was approved by the City of Milwaukee in 2005 for the purposes of revitalizing and improving the 30th Street Industrial Corridor on Milwaukee’s north side. The BID law requires that every district have an annual Operating Plan. This document is the Operating Plan for 2012 of the 30th Street Industrial Corridor district (BID #37).

B. Physical Setting

BID #37 includes the industrial and commercial businesses located along the Canadian Pacific rail line on the north side of the City of Milwaukee.

II. DISTRICT BOUNDARIES

Boundaries of BID #37 are shown on the map in Appendix A of this plan. The boundaries were drawn to include industrial and commercial properties while excluding residential properties whenever possible. The northern boundary is Ruby Avenue and the southern boundary goes just south of Brown Street. The east and west boundaries vary throughout the district, but generally the western boundary is North 35th Street and the eastern boundary is North 27th Street. A listing of the properties included in the district is provided in Appendix B.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of BID #37 is to revitalize the 30th Street Industrial Corridor while creating an area that will attract and retain industrial and commercial businesses, thus creating quality jobs with family supporting wages for central city residents. Additional plan objectives include:

- Improving the safety and security of the area
- Improving the image of the area
- Providing technical assistance and economic development support to businesses
- Attracting new businesses to the area
- Coordinating economic development projects

B. Proposed Activities—2012

Principal activities to be engaged in by the district during its seventh year of operation will include:

- Finishing implementation of Capitol Drive Streetscape project and planning for other streetscape enhancements;
- Continued enhancements such as graffiti removal, litter clean ups and preventing illegal dumping;
- Maintenance of bioretention planters along N. 27th Street;
- Safety and security initiatives including program staff to develop and coordinate such initiatives and a fund for safety & security projects
- Marketing materials and services to assist with business recruitment and retention; and
- Development of landscape/ façade improvement program to enhance the appearance and condition of property in the district.

C. Proposed Expenditures

Infrastructure Improvements Streetscape Implementation Maintenance	\$50,000
Safety & Security Program Staff Fund for Safety & Security Initiatives	\$50,000
Façade & Landscape Improvements	\$20,000
Aesthetic Enhancements Graffiti Removal Litter Clean Ups Abatement of Illegal Dumping	\$15,000
Bioretention Planters Maintenance	\$2500
Accounting/ Audit	\$5000
Business Assistance Technical assistance to businesses Marketing	\$40,000
Office & Management Administrative services and office/ program expenses provided by the 30 th Street Industrial Corridor Corporation	\$30,000
Miscellaneous/ Reserve	\$13,235
TOTAL	\$225,735

Projected Revenues

Assessments	\$160,735
Projected Carry Over Funds from 2011	\$65,000
TOTAL	\$225,735

Reserve Funds

Reserve Fund for Capital Improvements	\$150,000
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D. Financing Method

It is proposed to raise approximately \$160,692 through BID assessments (see Appendix B). Expenses exceeding the assessments may be covered by 2011 carry over revenues. In addition, the BID may apply for grants for additional funding for projects. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of the BID Board

The Mayor appoints members to the district board (“board”). The board’s primary responsibility is implementation of this Operating Plan. This requires the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be comprised of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size – The BID board shall include a minimum of five members.
2. Composition – At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term – Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings – All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping – Files and records of the board’s affairs shall be kept pursuant to public record requirements.
7. Staffing – The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings – The board shall meet regularly, at least twice each year. The board shall adopt rules of order (“bylaws”) to govern the conduct of its meetings.

F. Relationship to the 30th Street Industrial Corridor Corporation

The BID shall be a separate entity from the 30th Street Industrial Corridor Corporation (The Corridor), notwithstanding the fact that members, officers and directors of each may be shared. The Corridor shall remain a

private organization, not subject to the open meeting law and not subject to the public record law except for its records generated in connection with the BID board. The Corridor may, and it is intended, shall, contract with the BID to provided services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The annual assessment for the BID's operating expenses will be levied against each property within the district in direct proportion to the current assessed value of each property as of the date the district held its public hearing for this 2012 Operating Plan. No property owner within the district shall be eligible to receive or be subject to any reductions or increases in its assessment for the 2012 Operating Plan as a result of a decrease or increase in the assessed value for their property occurring after such date. In addition, the amount of assessment levied against a particular property may change from year to year if the assessed value of that property changes relative to other properties within the district.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method described previously. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$5,000 and a minimum assessment of \$300 per parcel will be applied.

As of January 1, 2011, the property in the proposed district had a total assessed value of over \$62 million. Appendix B shows the projected BID assessment for each property included in the district.

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. State Statute 66.1109(1) (f) Im: 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109 (5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix C, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statue 66.1109 (1) (b), property exempt from general real estate taxes has been excluded from the

district. Privately owned tax exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 BID #37 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 expected to play a significant role in the creation of the Business Improvement District and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official city records of the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. 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 this Operating Plan.

Section 66.1103 (3) (a) of the BID law requires the 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 2012 activities, and information on specific assessed values, budget amounts and assessment amounts are based on current 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.

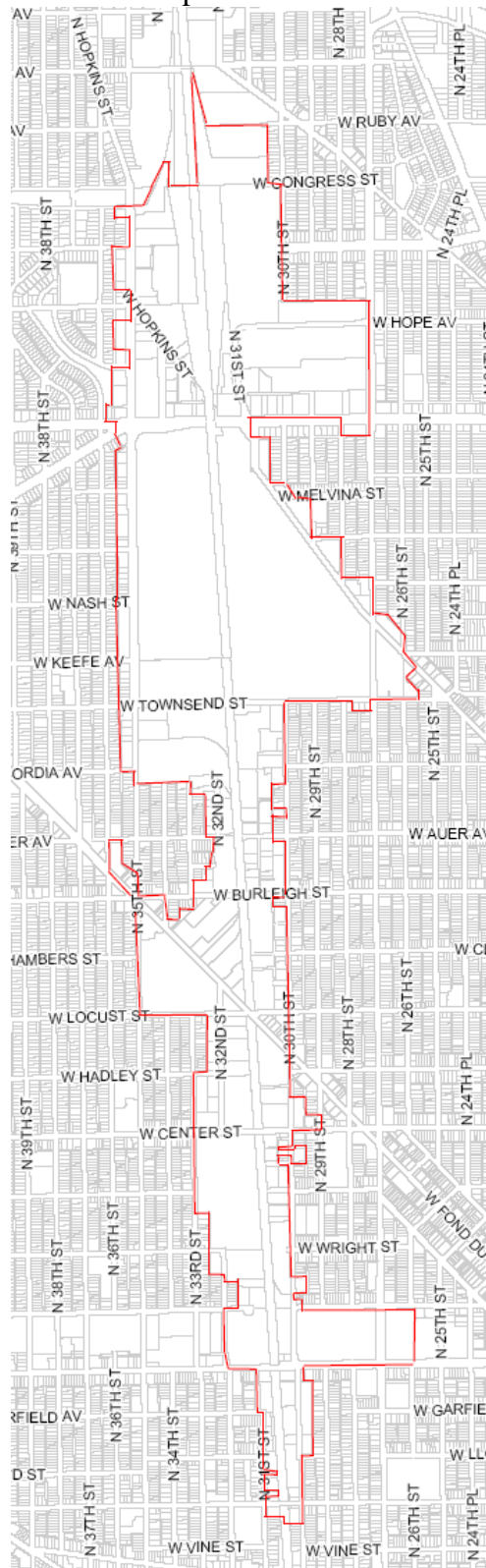
B. Amendment, Severability and Expansion

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).

Appendix A

30th Street Industrial Corridor Business Improvement District #37



Appendix B

Tax Key	Address	Property Classification	Total Property Assessment	BID #37 Assessment
2309992100	3020 W CONGRESS	Exempt	Exempt	Exempt
2309992200	3021 W RUBY	Exempt	Exempt	Exempt
2309993100	3247 W GLENDALE	Exempt	Exempt	Exempt
2460001000	4104 N 34TH	Local Commercial	215000	571.83
2460002100	3228 W CAPITOL	Exempt	Exempt	Exempt
2460002200	3244 W CAPITOL	Exempt	Exempt	Exempt
2460003100	3326 W CAPITOL	Exempt	Exempt	Exempt
2460004000	3336 W CAPITOL	Local Commercial	185000	492.04
2460005000	4030 N 34TH	Exempt	Exempt	Exempt
2460006000	4040 N 34TH	Exempt	Exempt	Exempt
2460007000	4060 N 34TH	Local Commercial	287000	763.33
2460008100	4130 N 35TH	Local Commercial	253000	672.90
2460009100	3420 W CAPITOL	Special Mercantile	1513000	4024.10
2460403100	4030 N 29TH	Local Commercial	881000	2343.18
2460404000	2910 W CAPITOL	Special Mercantile	612000	1627.73
2460405000	2930 W CAPITOL	Special Mercantile	288900	768.38
2460406000	3000 W CAPITOL	Mercantile Apartment	412000	1095.79
2460407100	3008 W CAPITOL	Local Commercial	255000	678.22
2460408100	3030 W CAPITOL	Local Commercial	16900	300.00
2460409100	3040 W CAPITOL	Exempt	Exempt	Exempt
2460412100	3100 W CAPITOL	Special Mercantile	494000	1313.88
2460412200	3100 W CAPITOL	Exempt	Exempt	Exempt
2460421000	2710 W CAPITOL	Special Mercantile	631000	1678.26
2460422000	2728 W CAPITOL	Local Commercial	214000	569.17
2460431100	3350 W HOPKINS	Local Commercial	114000	303.20
2460431200	3364 W HOPKINS	Local Commercial	101000	300.00
2460432000	3341 W HOPKINS	Local Commercial	125000	332.46
2460441000	4250 N 35TH	Exempt	Exempt	Exempt
2460442000	3410 W HOPKINS	Special Mercantile	1441000	3832.61
2469886211	4131 N 31ST	Exempt	Exempt	Exempt
2469886220	4101 N 31ST	Exempt	Exempt	Exempt
2469894000	4260 N 35TH	Local Commercial	135000	359.06
2469895100	4320 N 35TH	Local Commercial	450400	1197.92
2469896111	4330 N 35TH	Local Commercial	333800	887.80
2469898111	4350 N 35TH	Local Commercial	191000	508.00
2469973100	4131 N 31ST	Exempt	Exempt	Exempt
2469975100	3374 W HOPKINS	Local Commercial	211000	561.19
2469978000	3312 W HOPKINS	Exempt	Exempt	Exempt

2469983000	3411 W HOPKINS	Special Mercantile	33400	300.00
2469984000	4160 N 35TH	Manufacturing	108800	300.00
2469985000	4170 N 35TH	Local Commercial	94400	300.00
2469988100	3480 W HOPKINS	Exempt	Exempt	Exempt
2469988210	4260 N 35TH	Exempt	Exempt	Exempt
2469994100	4143 N 27TH	Manufacturing	1668700	4438.22
2469995112	4041 N 27TH	Special Mercantile	488000	1297.93
2469995200	4051 N 27TH	Special Mercantile	96500	300.00
2469996000	4044 N 31ST	Special Mercantile	241000	640.98
2469998120	4235 N 30TH	Manufacturing	4821200	5000.00
2469998210	4201 N 27TH	Manufacturing	2993800	5000.00
2470302000	4125 N 35TH	Local Commercial	40000	300.00
2470303000	4103 N 35TH	Exempt	Exempt	Exempt
2470319100	4065 N 35TH	Local Commercial	250600	666.52
2470320100	4041 N 35TH	Special Mercantile	1105000	2938.95
2470321000	3500 W CAPITOL	Local Commercial	138600	368.63
2470322000	3518 W CAPITOL	Local Commercial	13700	300.00
2470323000	3524 W CAPITOL	Local Commercial	102800	300.00
2471201000	4275 N 35TH	Local Commercial	144000	382.99
2471301000	4247 N 35TH	Local Commercial	209000	555.87
2471302000	4221 N 35TH	Exempt	Exempt	Exempt
2479997000	4335 N 35TH	Local Commercial	117000	311.18
2479998000	4349 N 35TH	Local Commercial	167000	444.17
2680001000	3721 N 35TH	Residential	Exempt	Exempt
2680002000	3715 N 35TH	Exempt	Exempt	Exempt
2680003000	3711 N 35TH	Residential	Exempt	Exempt
2680801000	3743 N 35TH	Local Commercial	10000	300.00
2680802000	3735 N 35TH	Local Commercial	197000	523.96
2680803000	3729 N 35TH	Residential	Exempt	Exempt
2680901000	3701 N 35TH	Exempt	Exempt	Exempt
2681202000	3955 N 35TH	Local Commercial	34200	300.00
2681203000	3945 N 35TH	Local Commercial	230100	611.99
2681204100	3931 N 35TH	Special Mercantile	732000	1946.89
2681206000	3913 N 35TH	Local Commercial	72500	300.00
2681207000	3909 N 35TH	Local Commercial	35000	300.00
2681208000	3901 N 35TH	Manufacturing	95200	300.00
2681223000	3501 W CAPITOL	Local Commercial	223000	593.11
2681224110	3871 N 35TH	Local Commercial	17300	300.00
2681225100	3861 N 35TH	Local Commercial	126000	335.12
2681228000	3817 N 35TH	Local Commercial	36200	300.00
2681229000	3813 N 35TH	Local Commercial	41400	300.00
2681230000	3801 N 35TH	Local Commercial	65600	300.00

2681601100	3765 N 35TH	Exempt	Exempt	Exempt
2681701000	3525 N 35TH	Local Commercial	128900	342.83
2690101100	2725 W CAPITOL	Special Mercantile	516400	1373.46
2690252112	2900 W HOPKINS	Exempt	Exempt	Exempt
2690259000	3010 W HOPKINS	Exempt	Exempt	Exempt
2690301100	3651 N 27TH	Local Commercial	399000	1061.21
2690302110	2744 W HOPKINS	Local Commercial	39300	300.00
2690305111	2823 W VIENNA	Exempt	Exempt	Exempt
2690431000	3940 N 35TH	Local Commercial	548800	1459.64
2690432000	3700 N 35TH	Exempt	Exempt	Exempt
2690433000	3600 N 35TH	Local Commercial	1754000	4665.09
2690434000	3420 N 35TH	Local Commercial	3437000	5000.00
2699986100	3627 N 27TH	Local Commercial	31200	300.00
2699988000	3038 W HOPKINS	Local Commercial	602700	1602.99
2699989000	3061 W HOPKINS	Exempt	Exempt	Exempt
2699990000	2871 W HOPKINS	Exempt	Exempt	Exempt
2699993110	3533 N 27TH	Exempt	Exempt	Exempt
2700144111	2642 W HOPKINS	Exempt	Exempt	Exempt
2851704110	2537 W HOPKINS	Exempt	Exempt	Exempt
2851724111	3424 N 27TH	Exempt	Exempt	Exempt
2860001000	3270 N 32ND	Local Commercial	6900	300.00
2860003110	3267 N 32ND	Local Commercial	160000	425.55
2860004100	3257 N 32ND	Manufacturing	70200	300.00
2860103100	3221 N 31ST	Manufacturing	141000	375.02
2860106000	3100 W AUER	Exempt	Exempt	Exempt
2860109100	3161 N 31ST	Special Mercantile	124000	329.80
2860110000	3147 N 31ST	Local Commercial	8600	300.00
2860111000	3139 N 31ST	Local Commercial	80400	300.00
2860112000	3131 N 31ST	Special Mercantile	13500	300.00
2860113210	3100 W BURLEIGH	Local Commercial	62400	300.00
2860119000	3243 N 32ND	Manufacturing	54400	300.00
2860120000	3235 N 32ND	Manufacturing	56900	300.00
2860121100	3200 W AUER	Local Commercial	80500	300.00
2860281000	3381 N 27TH	Local Commercial	29100	300.00
2860282000	2711 W TOWNSEND	Local Commercial	72900	300.00
2860283000	2721 W TOWNSEND	Local Commercial	91400	300.00
2860485000	3416 W FOND DU LAC	Local Commercial	89800	300.00
2860486000	3412 W FOND DU LAC	Exempt	Exempt	Exempt
2860487000	3408 W FOND DU LAC	Local Commercial	86900	300.00
2860647000	3200 W SENATOR	Local Commercial	1800	300.00
2860676000	3207 W SENATOR	Local Commercial	49300	300.00
2860677000	3206 W BURLEIGH	Manufacturing	94100	300.00

2860760111	3167 N 30TH	Local Commercial	199000	529.28
2860767110	3002 W BURLEIGH	Manufacturing	261500	695.51
2860768100	3118 N 31ST	Local Commercial	2600	300.00
2860769100	3126 N 31ST	Local Commercial	50700	300.00
2860770110	3130 N 31ST	Local Commercial	85700	300.00
2860772100	3156 N 31ST	Local Commercial	29100	300.00
2860773100	3170 N 31ST	Local Commercial	77000	300.00
2860784100	3231 N 30TH	Local Commercial	56800	300.00
2860792100	3030 W AUER	Local Commercial	26900	300.00
2860793100	3232 N 31ST	Manufacturing	131100	348.68
2860812122	3343 N 30TH	Local Commercial	157000	417.57
2860812123	3315 N 30TH	Manufacturing	57600	300.00
2860812124	3305 N 30TH	Special Mercantile	50000	300.00
2860812125	3329 N 30TH	Manufacturing	6100	300.00
2860812127	3101 W TOWNSEND	Local Commercial	50600	300.00
2860812128	3299 N 31ST	Manufacturing	250700	666.78
2860812129	3351 N 30TH	Manufacturing	22700	300.00
2860812130	3296 N 31ST	Manufacturing	209600	557.47
2860812131	3100 W CONCORDIA	Manufacturing	446600	1187.82
2860812132	3295 N 30TH	Local Commercial	2400	300.00
2860812133	3295 N 30TH	Manufacturing	134700	358.26
2861151000	3204 N 32ND	Local Commercial	101000	300.00
2861152000	3230 N 32ND	Local Commercial	17700	300.00
2869991000	3201 W TOWNSEND	Exempt	Exempt	Exempt
2869994000	3380 N 35TH	Special Mercantile	342000	909.61
2869995000	3354 N 35TH	Special Mercantile	284000	755.35
2869996112	3277 N 32ND	Manufacturing	221300	588.59
2869996113	3282 N 35TH	Manufacturing	1052300	2798.79
2869997100	3295 W TOWNSEND	Manufacturing	184100	489.65
2869999110	3150 W BURLEIGH	Manufacturing	238000	633.01
2870301110	3363 N 35TH	Local Commercial	137400	365.44
2870303100	3351 N 35TH	Local Commercial	58000	300.00
2870304000	3343 N 35TH	Local Commercial	175000	465.44
2870412000	3500 W FOND DU LAC	Local Commercial	466000	1239.41
2870413100	3520 W FOND DU LAC	Local Commercial	52000	300.00
2870414100	3528 W FOND DU LAC	Local Commercial	85900	300.00
2870416110	3536 W FOND DU LAC	Special Mercantile	1228000	3266.09
2870616000	3453 N 35TH	Manufacturing	81400	300.00
2870617100	3445 N 35TH	Manufacturing	78500	300.00
2870619000	3433 N 35TH	Local Commercial	89700	300.00
2870620000	3427 N 35TH	Local Commercial	74800	300.00
2870621000	3421 N 35TH	Exempt	Exempt	Exempt

2871144110	3319 N 35TH	Manufacturing	235600	626.62
2879968000	3401 N 35TH	Exempt	Exempt	Exempt
2879969000	3413 N 35TH	Exempt	Exempt	Exempt
2879970000	3417 N 35TH	Local Commercial	37700	300.00
2879998110	3381 N 35TH	Special Mercantile	861000	2289.99
2879999000	3517 W TOWNSEND	Local Commercial	78600	300.00
3090001110	3330 W FOND DU LAC	Local Commercial	115300	306.66
3090002000	3205 W BURLEIGH	Local Commercial	146000	388.31
3090003000	3157 W BURLEIGH	Local Commercial	38200	300.00
3090007000	3258 W FOND DU LAC	Manufacturing	271600	722.37
3090008000	3232 W FOND DU LAC	Manufacturing	172700	459.33
3090009100	3218 W FOND DU LAC	Manufacturing	366400	974.51
3090010111	3110 W FOND DU LAC	Local Commercial	110900	294.96
3090010211	3140 W FOND DU LAC	Local Commercial	58400	300.00
3090501000	2769 N 32ND	Special Mercantile	255000	678.22
3090502000	2727 N 32ND	Special Mercantile	25000	300.00
3090503000	2758 N 33RD	Special Mercantile	490000	1303.25
3090505110	2881 N 32ND	Local Commercial	85000	300.00
3090507110	2819 N 32ND	Local Commercial	884000	2351.16
3090604000	3057 N 30TH	Special Mercantile	11700	300.00
3090606111	3033 W BURLEIGH	Manufacturing	526400	1400.06
3090632000	3025 N 30TH	Local Commercial	158000	420.23
3090633000	3019 N 30TH	Local Commercial	31700	300.00
3090634000	3011 N 30TH	Local Commercial	122000	324.48
3090635100	3005 N 30TH	Local Commercial	50000	300.00
3090638100	2979 N 30TH	Manufacturing	48500	300.00
3090641100	2965 N 30TH	Manufacturing	61400	300.00
3090642000	2947 N 30TH	Special Mercantile	51000	300.00
3090646000	3015 W CHAMBERS	Local Commercial	27700	300.00
3090670110	2929 N 30TH	Exempt	Exempt	Exempt
3090677100	2901 N 30TH	Exempt	Exempt	Exempt
3090678111	3042 W LOCUST	Special Mercantile	52300	300.00
3090679000	2879 N 30TH	Local Commercial	38900	300.00
3090681000	3000 W FOND DU LAC	Local Commercial	194000	515.98
3090682000	3020 W FOND DU LAC	Local Commercial	56200	300.00
3090683000	3026 W FOND DU LAC	Exempt	Exempt	Exempt
3090684000	3030 W FOND DU LAC	Local Commercial	110000	300.00
3090685000	3040 W FOND DU LAC	Local Commercial	40800	300.00
3090687100	3050 W FOND DU LAC	Exempt	Exempt	Exempt
3090688000	3052 W FOND DU LAC	Exempt	Exempt	Exempt
3090689000	3021 W LOCUST	Local Commercial	900	300.00
3090901000	3076 N 34TH	Local Commercial	98700	300.00

3090907110	3048 N 34TH	Manufacturing	8000	300.00
3090909000	3342 W FOND DU LAC	Local Commercial	68500	300.00
3090910100	3048 N 34TH	Manufacturing	89100	300.00
3090914000	3237 W BURLEIGH	Exempt	Exempt	Exempt
3090916000	3225 W BURLEIGH	Local Commercial	38100	300.00
3091133111	2900 W CENTER	Local Commercial	357600	951.10
3091143100	3022 W CENTER	Exempt	Exempt	Exempt
3091143200	2761 N 30TH	Exempt	Exempt	Exempt
3091146110	2825 N 30TH	Exempt	Exempt	Exempt
3091201000	3115 W FOND DU LAC	Special Mercantile	630000	1675.60
3091202000	2876 N 32ND	Local Commercial	17900	300.00
3091203000	2848 N 32ND	Manufacturing	18900	300.00
3091204000	2828 N 32ND	Manufacturing	137200	364.91
3091205000	2784 N 32ND	Special Mercantile	252000	670.24
3091206000	2748 N 32ND	Special Mercantile	804000	2138.39
3091208000	3212 W CENTER	Manufacturing	196400	522.36
3099972000	3051 W FOND DU LAC	Exempt	Exempt	Exempt
3099973000	3042 W LOCUST	Exempt	Exempt	Exempt
3099995110	3343 W FOND DU LAC	Exempt	Exempt	Exempt
3099999110	3401 W FOND DU LAC	Special Mercantile	928000	2468.19
3251441000	2328 N 27TH	Special Mercantile	3607000	5000.00
3260147000	2636 N 30TH	Local Commercial	2000	300.00
3260148100	2644 N 30TH	Local Commercial	73100	300.00
3260150000	2660 N 30TH	Exempt	Exempt	Exempt
3260501110	2431 N 30TH	Local Commercial	350000	930.89
3260501121	3010 W MEINECKE	Local Commercial	18900	300.00
3260502000	2577 N 30TH	Local Commercial	140000	372.36
3260503100	2549 N 30TH	Local Commercial	123000	327.14
3260504100	2545 N 30TH	Local Commercial	131000	348.42
3260509000	3000 W CLARKE	Manufacturing	118100	314.11
3260510000	3020 W CLARKE	Local Commercial	16000	300.00
3260511000	2679 N 30TH	Local Commercial	86400	300.00
3260515100	2661 N 30TH	Local Commercial	5300	300.00
3260519000	2651 N 30TH	Local Commercial	43200	300.00
3260525110	3026 W PEMBERTON	Local Commercial	19800	300.00
3260527111	2671 N 30TH	Local Commercial	160800	427.68
3260530100	2450 N 32ND	Manufacturing	60100	300.00
3260536000	3100 W MEINECKE	Local Commercial	128300	341.24
3260537000	3100 W MEINECKE	Local Commercial	128200	340.97
3260538100	3040 W MEINECKE	Local Commercial	185100	492.31
3260628113	2700 W NORTH	Manufacturing	3144600	5000.00
3260855000	2477 N 32ND	Manufacturing	18300	300.00

3261040113	3014 W NORTH	Exempt	Exempt	Exempt
3261040114	3001 W MEINECKE	Exempt	Exempt	Exempt
3261045100	3010 W NORTH	Exempt	Exempt	Exempt
3261268100	2424 N 30TH	Local Commercial	84000	300.00
3261271000	2932 W MEINECKE	Local Commercial	2000	300.00
3261641000	3100 W NORTH	Exempt	Exempt	Exempt
3269997100	2640 N 32ND	Exempt	Exempt	Exempt
3269998113	2600 N 32ND	Manufacturing	1727800	4595.40
3490704000	2038 N 31ST	Exempt	Exempt	Exempt
3490706100	2028 N 31ST	Manufacturing	57600	300.00
3490708000	2000 N 31ST	Local Commercial	35400	300.00
3490710110	1952 N 31ST	Local Commercial	120000	319.16
3491006000	2929 W NORTH	Exempt	Exempt	Exempt
3491008112	2206 N 30TH	Manufacturing	161700	430.07
3491008120	2100 N 30TH	Local Commercial	51700	300.00
3491038100	3013 W NORTH	Local Commercial	142200	378.21
3491040100	2221 N 30TH	Local Commercial	421000	1119.73
3491043100	2129 N 30TH	Local Commercial	49800	300.00
3491045110	2121 N 30TH	Local Commercial	8400	300.00
3491045120	2055 N 30TH	Exempt	Exempt	Exempt
3491753100	2011 N 30TH	Local Commercial	134000	356.40
3491755100	2001 N 30TH	Local Commercial	81800	300.00
3491756100	2001 N 30TH	Exempt	Exempt	Exempt
3491756200	1961 N 30TH	Exempt	Exempt	Exempt
3491758100	1961 N 30TH	Exempt	Exempt	Exempt
3491759100	1945 N 30TH	Manufacturing	133800	355.87
3492002100	3041 W NORTH	Local Commercial	172000	457.47
3492003000	2200 N 31ST	Special Mercantile	615000	1635.71
3492005100	2154 N 31ST	Exempt	Exempt	Exempt
3492007100	2130 N 31ST	Local Commercial	55000	300.00
3492008000	2124 N 31ST	Local Commercial	57800	300.00
3492009100	2116 N 31ST	Local Commercial	70000	300.00
3492009200	2116 N 31ST	Exempt	Exempt	Exempt
3492012111	2048 N 31ST	Exempt	Exempt	Exempt
3499992000	3040 W GARFIELD	Exempt	Exempt	Exempt
TOTAL			62413400	160735.98

BUSINESS IMPROVEMENT DISTRICT NO. 38

CESAR E CHAVEZ DRIVE
2012

Operating Plan

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created S. 66.1109 of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Cesar E. Chavez Drive business area on Milwaukee's Near South Side (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Cesar E. Chavez BID district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The Cesar E. Chavez District covers a commercial area on Cesar E. Chavez Drive, stretching from National Avenue in the North to Greenfield Avenue in the South. The Cesar E. Chavez District also includes a parcel adjacent to the west side of Cesar E. Chavez Drive, 1635 West National Avenue

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix A of this plan. A listing of the properties included in the district is provided in Appendix B.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to:

- a) Improve public safety, image and public perception of the Cesar E. Chavez District.
- b) Coordinate public improvement projects in the Cesar E. Chavez Drive District.
- c) Increase the capacity of local businesses.
- d) Promote Cesar E. Chavez Drive as a unique shopping and tourist destination by creating an improved cultural image through the installation of public art.

B. Proposed Activities - 2010

Principle activities to be engaged in by the district during its 5th year of operation will include:

- a. Upgrade the Streetscape to present a unified and aesthetically pleasing environment for Cesar E. Chavez Drive.
- b. Implement cleaning services to promote upkeep on the street.
- c. Contribute to and implement public art projects in the district

C. Proposed Expenditures - Year Four

Proposed Budget

Items	Expenditure
Public Art Projects	\$4,000
Weekly Cleaning Services	\$15,000
District Marketing Effort	\$6,500
Audit and Operations	\$1,500
Carryover set aside for repayment of Streetscape Loan	\$5,000
Total	\$27,500

D. Financing Method

It is proposed to raise \$27,000 through BID assessments (see Appendix B). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

The Mayor appoints members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size - Five (5)
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation - None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to the BID

The BID shall be a separate entity from the contract agency notwithstanding the fact that members, officers and directors of the each may be shared. The contracted agency shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. BID Board may contract with any agency to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should equally contribute to the BID. After consideration of other assessment methods, it was determined that each owner would benefit equally from the BID projects and participation would promote involvement with the BID. The assessment will be a flat fee of \$500 with the exception of tax-exempt properties that will join the BID on a voluntary basis.

As of January 1, 2009, the property in the proposed district had a total assessed value of \$13,468,300.00. This plan proposes to assess the property in the district at a rate of \$500 per parcel of property.

Appendix D shows the projected BID assessment for each property included in the district.

- 54 properties x \$500 = \$27,000

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. State Statute 66 .1109 (1) (f)1m: 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
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. Privately owned tax exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Cesar E. Chavez 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. 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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 Two activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Two 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).

APPENDICES

- A. District boundaries
- B. Listing of properties

Appendix A:

Business Improvement Districts-Chapter 66-66.1109

66.1109 Business Improvement Districts.

66.1109(1)

(1) In this section:

66.1109(1)(a)

(a) "Board" means a business improvement district board appointed under sub. (3) (a).

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

66.1109(1)(c)

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

66.1109(1)(d)

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

66.1109(1)(e)

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

66.1109(1)(1)

1. The special assessment method applicable to the business improvement district.

66.1109(1)(1m)

1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.

66.1109(1)(2)

2. The kind, number and location of all proposed expenditures within the business improvement district.

2.

66.1

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

66.1109(1)(04.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

66.1109(1X05.

5. A legal opinion that subds. 1. to 4 have been complied with.

66.1 109 (!)(!,*)

(g) "Planning commission" means a plan commission under s. 62.23, or if none a board of public land commissioners, or if none a planning committee of the local legislative body

66.1100(2)

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

66.11(9)(2)(a)

(a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. (b) has petitioned the municipality for creation of a business improvement district.

66. 1109 (2)(b)

(b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.

66.1109<2)(c)

(c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

66.1109(2)(d)

(d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

66.1 109 (4m)

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

66.1109 (4ni)(a) (a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

66.1109(4m)(b)

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par.(c) and unless the business improvement district is not terminated under par. (e).

Number	Street	Property Owner	Assessed Value	Specials
1200-1204	S. Chavez Dr.	Maria G. Arteaga	\$ 272,000.00	\$ 500.00
1232-1234	S. Chavez Dr.	Rigoberta & Jaime Arteaga	\$ 239,000.00	\$ 500.00
1239-1241	S. Chavez Dr.	Song Thao Yang, Xaoyee South West Imports, LLC	\$ 125,000.00	\$ 500.00
1243-1247	S. Chavez Dr.	South West Imports, LLC	\$ 160,000.00	\$ 500.00
1230	S. Chavez Dr.	Ragheb Hamdan	\$ 124,000.00	\$ 500.00
1225-1227	S. Chavez Dr.	Jaime Lara	\$ 94,500.00	\$ 500.00
821-823	S. Chavez Dr.	Juan J. Jimenez	\$ 187,000.00	\$ 500.00
1208	S. Chavez Dr.	Luis J. Jimenez	\$ 80,200.00	\$ 500.00
1210	S. Chavez Dr.	Luis J. Jimenez	\$ 11,700.00	\$ 500.00
1214	S. Chavez Dr.	Severe Gonzalez, Jessie Torrijos, LLC	\$ 93,600.00	\$ 500.00
816-820	S. Chavez Dr.	JF Drywall, LLC	\$ 159,000.00	\$ 500.00
825-827	S. Chavez Dr.	Juan M. Sanchez	\$ 161,000.00	\$ 500.00
1242	S. Chavez Dr.	Eduardo Velez	\$ 139,000.00	\$ 500.00
1308	S. Chavez Dr.	Prieto Property Holdings	\$ 433,000.00	\$ 500.00
933-937	S. Chavez Dr.	Imad Koran	\$ 389,000.00	\$ 500.00
1217-1219	S. Chavez Dr.	Federico Diaz	\$ 179,000.00	\$ 500.00
1216-1222	S. Chavez Dr.	Federico Diaz	\$ 244,000.00	\$ 500.00
807-815	S. Chavez Dr.	Ahn J. Lee	\$ 187,000.00	\$ 500.00
801-803	S. Chavez Dr.	CFSC Properties LLC	\$ 143,000.00	\$ 500.00
824-826	S. Chavez Dr.	El Rey Enterprises LLP	\$ 182,900.00	\$ 500.00
831-833	S. ChavezDr.	Ruben Arce	\$ 143,000.00	\$ 500.00
901-903	S. Chavez Dr.	James and Karen Dropp	\$ 204,000.00	\$ 500.00
905-907	S. Chavez Dr.	Ruelle Family, LLC	\$ 112,000.00	\$ 500.00
911-915	S. ChavezDr.	Rose E. Espino	\$ 370,000.00	\$ 500.00
916	S. ChavezDr.	El Rey Enterprises LLP	\$ 2,309,000.00	\$ 500.00
923	S. ChavezDr.	Makbul Sajan	\$ 223,000.00	\$ 500.00
925-927	S. Chavez Dr.	Robert F. Zellmer	\$ 108,000.00	\$ 500.00
1014	S. Chavez Dr.	El Rey Enterprises LLP	\$ 72,400.00	\$ 500.00
1016-1018	S. ChavezDr.	El Rey Enterprises LLP	\$ 136,000.00	\$ 500.00
1023	S. ChavezDr.	El Rey Enterprises LLP	\$ 481,000.00	\$ 500.00
1032-1036	16th Street Community S. Chavez Dr.	Health Center Inc.		

1033- 1035	S. Chavez	Dr.	Rueben Herrera	\$ 274,000.00	\$ 500.00
1037	S. Chave	Dr. Dr.	El Rey Enterprises LLp	\$ 112,000.00	\$ 500.00
1109	z		John G. Gonis Trust	\$ 103,000.00	\$ 500.00
1127- 1135	S. Chave	Dr.	John G. Gonis Trust	\$ 811,000.00	\$ 500.00
1207	S. Chave	Dr.	Rajeh Assad	\$ 218,000.00	\$ 500.00
					\$ 500.00
1215	S. Chave	Dr.	Torrijos,LLC	\$ 152,000.00	\$ 500.00
1221- 1223	S. Chave	Dr.	Torrijos, LLC	\$ 144,000.00	\$ 500.00
1224	S. Chave	Dr.	Torrijos, LLC	\$ 142,000.00	\$ 500.00
					z
1235- 1237	S. Chave	Dr.	Torrijos, LLC	\$ 135,000.00	\$ 500.00
1238	S. Chave	Dr.	Leonardo Aponte	\$ 269,000.00	\$ 500.00
1246- 1248	S. Chave	Dr.	Torrijos, LLC	\$ 14,500.00	\$ 500.00
1300- 1302	S. Chave	Dr.	Torrijos, LLC	\$ 13,200.00	\$ 500.00
1304- 1306	S. Chave	Dr.	Torrijos, LLC	\$ 182,000.00	\$ 500.00
1305- 1307	S. Chave	Dr.	E. Villarreal Properties,	\$ 45,300.00	\$ 500.00
1310- 1312	S. Chave	Dr.	Iglesia del Dios Vivo	\$ 111,700.00	\$ 500.00
1322- 1330	S. Chave	Dr.	Maribel Estrada 16th Street Community	\$ 525,300.00	\$ 500.00
1337	S. Chave	Dr.	Health Center Inc	\$ 284,000.00	\$ 500.00
1567	W. National Ave.		Popeye's National Corp	\$ 272,000.00	\$ 500.00
1635	W. National Ave.		Badger Mutual Insurance	\$ 948,000.00	\$ 500.00
1575	W. Washington		McDonald's	\$ 950,000.00	\$ 500.00

\$13,468,300.00 \$27,000.00

BUSINESS IMPROVEMENT DISTRICT NO. _39_

Center Street Marketplace

PROPOSED OPERATING PLAN

2012



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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Center Street business area on Milwaukee's Northside (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Center Street Marketplace district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The District covers a commercial area on Center Street from 34th to 58th street.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

- Improve the Image of the target area
- Improve negative perception of crime/safety in target area
- Increase the number and variety of businesses in the target area
- Coordinate public improvements in the Center Street Marketplace District
- Protect and preserve the historical significance and integrity of structures in the target area

The objective of the BID is to: Improve the quality of life within the district. Work with the property owner and merchants to attract new business/businesses.

B. Proposed Activities – Year 2012

Principle activities to be engaged in by the district during its first year of operation will include:

- a. Increase Safety and security

- b. Create a center of attention for new businesses
- c. Continue improving property façades
- d. Assist property owner and business owners with marketing
- e. Increase walking traffic

C. Proposed Expenditures – Year 2012

Proposed Budget

Items	Expenditure
Façade/Sign/banners/Lighting Pgm Façade Program Lighting Program	\$5,000 \$1,000
Commercial Corridor Clean-up Clean – up Crew Community Clean up Supplies/equipment	\$7,000 \$1,000 \$1,500
Safety/Security Initiative Security Officer/Ambassadors/Surveillance Cameras	\$12,000
Cons/Admin Rent Utilities Administration Audit	\$6,000 \$4,000 \$10,000 \$3,500
Marketing/Planning Customer Appreciation Neighborhood Initiative Events Marketing	\$21453
Total	\$72453

D. Financing Method

It is proposed to raise \$64,453.00 through BID assessments (see Appendix D). The BID will have a carryover of \$8,000 from 2011 property assessments. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size – Five
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to the local business association

The BID shall be a separate entity from the local business association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record

law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$1500 per parcel will be applied.

As of January 1, 2005, the property in the proposed district had a total assessed value of over \$7,701,800.00. This plan proposed to assess the property in the district at a rate of .006 per \$1,000.00 of assessed value, subject to the maximum assessment of \$1500 and minimum of \$300, for the purposes of the BID.

Appendix D shows the projected BID assessment for each property included in the district.

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. State Statute 66.1109(1) (f) 1m: 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
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. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities

may be asked to make a financial contribution to the district on a voluntary basis.

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 Center Street Marketplace 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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).

APPENDICES

- A. STATUTE**
- B. PETITION**
- C. PROPOSED DISTRICT BOUNDARIES**
- D. YEAR ONE PROJECTED ASSESSMENTS**
- E. CITY ATTORNEY'S OPINION**

BUSINESS IMPROVEMENT DISTRICT NO. 40

AIRPORT GATEWAY

PROPOSED 2012 OPERATING PLAN



September 26, 2011

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has previously approved a petition from property owners to create a Business Improvement District for the purpose of revitalizing and improving the Airport Gateway business area on Milwaukee's southeast side. The BID law requires that every district have an annual Operating Plan. This document is the Operating Plan for the Airport Gateway Business Improvement District (AGBID) for 2012. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix A of this plan. A listing of the assessed properties included in the district is provided in Appendix B.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objectives of the AGBID are to:

- 1) Develop the vitality of the The Gateway To Milwaukee;
- 2) Enhance the community image through safety and beautification;
- 3) Market and help develop The Gateway area as the primary welcoming, hospitality and transportation hub of greater Milwaukee;
- 4) Promote mutually beneficial opportunities among the AGBID's businesses;
and
- 5) Ultimately grow commercial business and property values.

B. Proposed Activities – 4th Quarter 2011 and Sixth Year, 2012

Principle activities to be engaged in by the AGBID during the rest of 2011 and in the sixth year of operation, 2012, will include:

- 1) Continue the contracted safety and security patrols in the entire AGBID, continue the “Gateway Security Watch” program including signs and vests for properties to use plus promote businesses in the BID to employ extended coverage by the security services firm to broaden the amount of patrols in the BID;
- 2) Continue to enhance the beautification of the area by funding maintenance of the gardens installed in over the last five years, implement a standard approach to landscaping the main corridors, install new gardens and upgrade medians on principal roadways or intersections, support the beautification efforts of neighborhood associations within the Garden (13th) District, integrate/supplement the beautification efforts of WisDOT, General Mitchell International Airport (GMIA), the DPWs of the City and County and of Oak Creek during the road construction projects planned by those entities in and along the AGBID boundaries;
- 3) Watch for an opportunity to improve the appearance of the railroad bridge over Layton at 11th Street, potentially the tunnel and/or its entrances on Howell Avenue under the Airport’s east/west runway;
- 4) Enhance the marketing programs and promotional efforts, in conjunction with the GMIA and VISIT Milwaukee, about AGBID’s hospitality, retail and business development opportunities ;
- 5) Continue to develop The Gateway’s website as the primary communications and promotions tool among businesses and users in The Gateway area, including a section for marketing real estate sales, leases and rental opportunities of AGBID property owners;
- 6) Continue to actively participate with the local task force of governments and businesses to develop economic activities around the Airport, including investing to formally plan and operate the Aerotropolis Milwaukee development of Milwaukee Gateway Aerotropolis Corporation in The Gateway To Milwaukee area; and
- 7) Be involved in governmental and community issues that potentially impact the vitality of The Gateway To Milwaukee.

C. Proposed Expenditures - Year Six

<u>Category / Item</u>	<u>Expenditures</u>	
	<u>Est. 2011</u>	<u>Budget 2012</u>
Beautification and Maintenance		
Maintenance, enhancement and development of additional corridor and association gardens and public art; potential enhancements of bridges and tunnels and/or attractive refuse containers on main corridors	\$ 130,00	\$ 90,000
Public Safety		
Contract with safety patrol teams for BID businesses, properties and corridors; continue Gateway Security Watch program with signs and vests;	50,000	50,000
Marketing and Promotion		
Further develop and promote The Gateway To Milwaukee brand and website with paper and online communications, street banners, billboards, brochures, and other promotional collateral; information newsletters and meetings; networking opportunities - some of the advertising may be cooperative with related ventures such as GMIA, VISIT Milwaukee; MMAC and/or other BIDs, etc.	70,000	65,000
Research, Consulting, Programs and Development		
Activities and/or investments in conceptual approaches or projects to enhance the AGBID in matters such as Aerotropolis Milwaukee developments, landscaping and appearance, funding via grants or donations	92,500	45,000
Administration/Management		
Expenses for annual audit; board/general insurance; executive director and assistant plus an operations and research associate; related operating expenses such as Internet, telephone, mileage, subscriptions, memberships, meetings, supplies, printing and postage; expenses for office space	80,000	90,000
TOTAL	\$ 422,500	\$ 340,000

D. Financing Method

It is proposed to raise approximately \$338,500 through BID assessments (amount raised for 2012). The additional \$1,500 of proposed expenditures beyond the \$338,500 expected assessments will come from interest income. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

The Mayor will continue to appoint members to the BID board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district. It is recommended that the BID board be structured and operate as follows:

1. Board size – Five (AGBID currently has six).
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to the Airport Gateway Business Association

The BID shall be a separate entity from the Airport Gateway Business Association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$5,000 per parcel and a minimum assessment of \$250 will be applied.

As of January 1, 2011, the property in the proposed district had a total assessed value of over \$413 million. This plan proposed to assess the property in the district at a rate of \$0.852 per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID.

Appendix B shows the projected BID assessment for each property included in the district.

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. State Statute 66.1109(1) (f) 1m: 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5) (a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix C, as revised each year.

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. Privately owned tax-exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Gateway To Milwaukee 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 promote its development. To this end, the City is expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the District's efforts.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.

5. Provide the board, through the Tax Commissioner's Office on or before July 31st of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not renew the Business Improvement District if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 Six activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Six 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).

APPENDICES

A. CURRENT DISTRICT BOUNDARIES

The Airport Gateway area is roughly bounded by:

The eastern boundary of the AGBID is the Milwaukee/Cudahy line from Layton Avenue south to College Avenue.

The north side of Layton Avenue comprises most of the northern boundary from the Milwaukee/Cudahy line west to 6th Street, and from 13th Street west to 20th Street only along Layton Avenue. From 6th Street west to 13th Street, the northern boundary is Howard Avenue.

The western boundary of the AGBID is the west side of 13th Street from Howard Avenue south to College Avenue.

The southern boundary is College Avenue from the Milwaukee/Cudahy line west to 13th Street.

There is one rectangular extension of the District on its southwest corner that is bounded by 13th Street on the east side, College Avenue on the north side, I-94 freeway on the west side and the Milwaukee/Oak Creek line on the south side.

B. LISTING OF ASSESSED PROPERTIES WITHIN THE BID

See attached.

C. LISTING OF EXEMPT PROPERTIES WITHIN THE BID

See attached.

**2012 OPERATING PLAN
BID #41**

HISTORIC

**DOWNER
AVENUE**

EASTSIDE

Prepared:
Jake Provan
Executive Director

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D. City Attorney’s Opinion

Prepared: July 27, 2011
Jake Provan
Executive Director

I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created S. 66.1109 of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners, which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Downer Avenue business area on Milwaukee's eastside. The BID law requires that every district have an annual Operating Plan. This document is the Operating Plan for the Historic Downer Avenue Business Improvement District #41.

B. Physical Setting

Boundaries of the proposed district are North Downer Avenue, between East Webster Pl on the south and East Park Place on the north, including the address range of 2551 to 2651 N Downer Avenue on the west side and the address range of 2608 to 2650 on the east side. 2525 E. Bellview Pl, at the intersection of Bellview Pl and Downer Ave is included in the Downer Ave BID Boundaries. Listings of the properties included in the district are provided in Appendix D.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are described in Appendix B of this plan. A listing of the properties included in the district is provided in Appendix C.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The Plan Objectives of the Downer Avenue Business Improvement District involves utilizing available funds to continue to improve the business climate for existing and new district merchants. The available funds will be utilized for continued existence of critical projects such as the graffiti removal, street maintenance, and facade improvement projects offering assistance to businesses wishing to make aesthetic improvements along the street.

Additional funds are utilized for general operating expenses of the BID. Other improvements may be made as decided by the BID members. A yearly gathering celebrating the progress of the district will be planned and carried out by BID staff.

The priorities of the BID Board for **2012** are as stated:

1. Implementing a landscape and streetscape maintenance program to ensure the new streetscape continues to draw current and new patrons to Downer Avenue.
2. Creation of a unified visual identity and image for the business area to be implemented over future years with new streetscape
3. Maintain the established landscaping program in future years

4. Maintain safety and cleanliness of the overall appearance of the district
5. Increase the number and variety of businesses in the Downer Ave BID
6. Create a positive image for Downer Avenue and promote Downer Avenue to residents and potential customers

Meeting these objectives will enhance the business area's competitiveness relative to other shopping areas that are also currently undergoing rehabilitation, while enhancing the surrounding neighborhood. The BID will continue to work with DCD, DPW, the City's Common Council and area merchants to achieve stated objectives.

B. Proposed Activities – 2012

Principle activities to be engaged in by the district during its 2012 year of operation will include:

- a. Continue planting, beautification, and maintenance of the recently renovated streetscape
- b. Continue the graffiti removal program
- c. Promote vibrant restaurant and retail environment on Downer Avenue
- d. Continue to support the annual Downer Avenue Bike Race

C. Proposed Expenditures – 2012

New Budget Plan for 2012

	Annually
Executive Director	\$18,000
Legacy Bank Streetscape Loan Repayment	\$36,801
Landscape/Streetscape Maintenance	\$6,500
Programming and Service Charges	\$2,000
Utilities/Holiday Lighting	\$1,000
Holiday Lighting Equip	\$3,500
Bike Race	\$3,000
Website/General Marketing	\$1,000
Festive Friday	\$1,000
BID Board of Director Insurance	\$1,000
Annual Certified Audit	\$1,000
Graffiti Removal	<u>\$750</u>
Total 2011 Annual Budget	\$75,551

D. Financing Method

It is proposed to raise \$ 75,551 through BID assessments for the 2012, BID #41, operating year. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members is owners or occupants of property within the district.

It is recommended that the BID board be structured and be operated as follows:

1. Board Size – Seven (7)
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially three members shall be appointed for a period of three years, three members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to the Downer Avenue business association.

The BID shall be a separate entity from the Downer Avenue business association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of several assessment methods, it was determined that a combination of the assessed value of a property and the linear footage of a property most directly related to the potential benefit provided by the BID for the Downer Avenue properties. Therefore, a weighted average of 50% assessed value to 50% linear footage will be used as the BID assessment methodology. The total linear footage for the district was calculated to be 1,731 linear feet.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$10,000 of assessed value per parcel will be applied.

As of January 1, 2011, the property in the proposed district had a total assessed value of \$16,943,500.

A sample assessment calculation is provided below:

Based Upon an Annual BID Budget of \$75,551

Assessed Value	BID special assessment per assessed value	Linear Footage on Downer	BID special assessment per Linear Footage	Weighted Average of Special Assessments
\$ 1,000,000	\$4,459.00	227ft	\$9,907.61	\$7,183.30

BID Special Assessment per Assessed Value
 $(\$1,000,000/\$16,943,500) \times \$75,551 = \$4,459.00$

BID Special Assessment per Linear Footage
 $(227\text{ft}/1731\text{ft}) \times \$75,551 = \$ 9,907.61$

Weighted Average
 $(\$4,459.00 \times .50) + (\$9,907.61 \times .50) = \$7,183.30$

Appendix C shows the projected BID assessment for each property included in the district.

The BID law requires explicit consideration of certain classes of property. In compliance with the law the following statements are provided.

1. 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes will not be assessed.
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. Privately owned tax exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Downer Avenue 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.

4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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. Nothing in this Year 1 Operating Plan shall limit the ability of the BID to undertake additional activities, consistent with State Law and City of Milwaukee ordinances.

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).

APPENDICES

- A. STATUTE
- B. DISTRICT BOUNDARIES
- C. PROPERTY LISTING AND ASSESSMENTS
- D. CITY ATTORNEY'S OPINION

APPENDIX A

Wisconsin Statute section

66.1109 Business Improvement Districts

66.1109 Business improvement districts. (1) In this section:

(a) "Board" means a business improvement district board appointed under sub. (3) (a).

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

1. The special assessment method applicable to the business improvement district.

1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.

2. The kind, number and location of all proposed expenditures within the business improvement district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that subds. 1. to 4. have been complied with.

(g) "Planning commission" means a plan commission under s. 62.23, or if none a board of public land commissioners, or if none a planning committee of the local legislative body.

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

(a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. (b) has petitioned the municipality for creation of a business improvement district.

(b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3) (a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

APPENDIX B

DISTRICT BOUNDARIES

Boundaries of the proposed district are North Downer Avenue, between East Webster Pl on the south and East Park Place on the north, including the address range of 2551 to 2651 N Downer Avenue on the west side and the address range of 2608 to 2650 on the east side. 2525 E. Belleview Pl, at the intersection of Belleview Pl and Downer Ave is included in the Downer Ave BID Boundaries. Listings of the properties included in the district are provided in Appendix C.

MAP ON FILE AT THE CITY OF MILWAUKEE

APPENDIX C

3180190000	2574 N DOWNER	DAPL LLC	\$10,000.00
3180591000	2608 N DOWNER	DOWNER DELAWARE LLC	\$10,000.00
3180592000	2605 E PARK	DOWNER AVE DEVELOPMENT	\$4,764.29
3190301110	2633 N DOWNER	SENDIK FAMILY TRUST	\$10,000.00
3190304000	2629 N DOWNER	DOWNER HARDWARE, INC	\$2,994.19
3190305000	2615 N DOWNER	LDC 2615 DOWNER LLC	\$9,626.73
3190307100	2601 N DOWNER	SCP 2006 C23-116 LLC	\$10,000.00
3191361000	2551 N DOWNER	DOWNER DELAWARE LLC	\$10,000.00
3191362000	2524 E WEBSTER	DOWNER AVE DEVELOPMENT	\$8,165.79

2012 Total: \$75,551

APPENDIX D

City Attorney's Opinion
ON FILE AT THE CITY OF MILWAUKEE

BUSINESS IMPROVEMENT DISTRICT NO. 42

Schlitz Park

2012 PROPOSED OPERATING PLAN

1555 N River Center Drive
Suite 209
Milwaukee, Wisconsin 53212
414-272-6302

Drafted 9/16/11

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created 66.1109 (formerly S. 66.608) of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

This document is the Third Operating Plan for the Schlitz Park BID 42 district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development. This Operating Plan proposes a continuation and expansion of the activities described in the initial BID Operating Plan. Therefore, it incorporates by reference the initial Operating Plan as adopted by the Common Council. In the interest of brevity, this Operating Plan emphasizes the elements which are required by section 66.1109, Wis. Stats., and does not repeat the background information that is contained in the initial Operating Plan.

B. Physical Setting

The Schlitz Riverwalk had suffered tremendous infrastructure damage prior to 2009. The Dock wall was over 100 years old and had to be repaired completely on an emergency basis to prevent the entire Riverwalk from falling into the Milwaukee River. As a result, the Riverwalk in was unusable and needed to be returned to its previous glory as it is the longest single stretch of Riverwalk on the entire system.

II. DISTRICT BOUNDARIES

A listing of the properties included in the district is provided in Appendix B.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to pay for the capital costs of repairing and reconstructing the Schlitz Riverwalk. The total cost for this work, including dock wall reconstruction and installation of new Riverwalk and related amenities, is \$1,794,325. Of this amount, \$848,200 will be paid for by the Schlitz Business Improvement District (the "BID Contribution"). The balance is being paid for by the owners of the properties within the BID and by the City of Milwaukee. The BID Contribution has been loaned to the BID by the City and the property owners within the BID and will be repaid by the BID through annual assessments over a period of ten years at an annual interest rate of 5%. The annual assessment to the BID for the BID Contribution will be \$108,338. In addition to the assessment for the annual installment of the BID Contribution, there will be a modest annual assessment to cover the BID's administrative expenses. For 2011, the assessment for administrative expenses is \$4,662.

B. Proposed Expenditures – Year Three

Proposed Budget

<u>Expenses</u>	
Debt Service – City Loan	\$ 42,000
Debt Service – Schlitz Loan	\$ 66,338
Administrative Expenses	<u>\$ 4,662</u>
Total	<u>\$113,000</u>

C. Financing Method

It is proposed to raise \$113,000 through BID assessments (see Appendix B). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

D. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size – Five
2. Composition - At least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation – None
5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.

6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.

7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.

8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

E. Relationship to the Schlitz Park Business Association.

The BID shall be a separate entity from the Schlitz Park Business Association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each parcel's owner should pay for the benefit and use of the Riverwalk in proportion to such parcel's benefit and use. Subject to any modifications that might be required under section IV B. 2, below, the annual assessments for the BID Contribution for each of the properties within the BID have been allocated accordingly and shall be fixed and remain the same during the ten-year amortization of the BID Contribution. Each property's proportionate obligation for the annual administrative expenses shall be identical to such property's annual share of the BID Contribution.

The annual assessments for the BID Contribution, fixed for the duration of the ten-year amortization of the BID construction as noted above, are shown in Appendix B, attached hereto. The assessment against a parcel for its proportionate share of the BID Contribution and administrative expenses is herein referred to as "BID Assessment" Any BID Assessment related to a previous year or years may not be contested. Any BID Assessment related to this and any subsequent Operating Plan may only be contested prior to approval and adoption of this Operating Plan by the City Council.

Appendix B shows the projected BID assessment for each property included in the district.

B. Excluded and Exempt Property

The BID law requires explicit consideration of certain classes of property. In compliance with the law the following statement is provided.

1. In accordance with the interpretation of the City Attorney regarding State Statute 66.608(1)(b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax-exempt property adjoining the district and

which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Schlitz Park 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

VII. FUTURE YEAR OPERATING PLANS

A. Phased Development

It is possible that the BID board will revise the Operating Plan in a given year in response to conditions affecting the Riverwalk and/or opportunities and needs within the BID.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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).

APPENDICES

- A. STATUTE
- B. YEAR THREE PROJECTED ASSESSMENTS

APPENDIX "A"
BID STATUTE

WEST'S WISCONSIN STATUTES ANNOTATED MUNICIPALITIES
SUBCHAPTER XI. DEVELOPMENT

Current through 2003 Act 28, published 6/2/03

66.1109. Business improvement districts

(1) In this section:

(a) "Board" means a business improvement district board appointed under sub. (3)(a).

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

1. The special assessment method applicable to the business improvement district.

1m. whether real property used exclusively for manufacturing purposes will be specially assessed.

2. The kind, number and location of all proposed expenditures within the business improvement district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that subs. 1 to 4 have been complied with.

(g) "Planning commission" means a plan commission under s. 62.23, or if none a board of public land commissioners, or if none a planning committee of the local legislative body.

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

(a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. (b) has petitioned the municipality for creation of a business improvement district.

(b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notices under ch. 985. Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3)(a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality.

The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3)(c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par. (c) and unless the business improvement district is not terminated under par. (e).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under par. (c), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under par. (c), by petition under this subsection or subsequent notification under par. (d), and after subtracting any retractions under par. (d), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5)(a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under s. 70. 11 may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

APPENDIX "B"
PROJECTED BID ASSESSMENTS

TAX KEY	ADDRESS	PERCENTAGE SHARE OF BID ASSESSMENT	SHARE OF BID CONTRIBUTION	SHARE OF ADMINISTRATIVE EXPENSES	TOTAL
3611841110	1610 N. 2nd St.	8.95%	\$9,696.25	\$ 417.25	\$10,113.50
3611954000	215 W. Pleasant St.	2.29%	2,480.94	106.76	2,587.70
3611961000	201 W. Pleasant St.	1.91%	2,069.26	89.04	2,158.30
3612001000	235 W Galena St.	1.28%	1,386.73	59.67	1,446.40
3611963000	101 E Pleasant St.	2.31%	2,502.61	107.69	2,610.30
3611842000	111-113 W Pleasant St	2.31%	2,502.61	107.69	2,610.30
3611844000	101 West Pleasant St	4.63%	5,016.05	215.85	5,231.90
3611852110	1542 N 2nd St	14.45%	15,654.84	673.66	16,328.50
3610184112	1505-55 N RiverCenter	59.90%	64,894.46	2,792.54	67,687.00
3611962000	1500 N 2nd Street	1.22%	1,321.72	56.88	1,378.60
3612002000	205-219 W Galena St	0.75%	812.53	34.97	847.50
		100%	\$108,338	\$4,662	\$113,000

The owner of 1610 N. 2nd Street is 1610 N. 2nd Street LLC.

The owner of 215 W. Pleasant Street and 1542 N. 2nd Street is Schlitz Park Associates II Limited Partnership.

The owner of 111-113 W. Pleasant Street, 1500 N. 2nd Street and 101 E. Pleasant Street is Schlitz Park Associates I Limited Partnership.

The owner of 101 West Pleasant Street is 101 West Pleasant LLC.

The owner of 1505-55 North RiverCenter Drive is Schlitz RiverCenter LLC.

The owner of 201 W. Pleasant Street, 235 West Galena Street and 205-219 West Galena Street is The Brewery Works, Inc.

The address of all of the owners is 1555 North RiverCenter Drive, Suite 209, Milwaukee, WI 53212.

BUSINESS IMPROVEMENT DISTRICT NO. 43

**South 27th Street
Business Improvement District**

2012 PROPOSED OPERATING PLAN

September 26, 2011

I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created S. 66.1109 of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the South 27th Street corridor on Milwaukee's south side (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed South 27th Street Business Improvement District. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The area is roughly bounded by:

The properties at S. 27th Street and Oklahoma intersection on the north and extends south to the Milwaukee/Greenfield border. The district also encompasses properties on Kinnickinnic River Parkway.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the South 27th Street Business Improvement District is to: enhance the economic viability of local businesses, enhance property values, maximize business facilities (conventions, dining, and entertainment), promote the friendliness and quality of services, enhance the community image through safety and beautification and overall develop area growth.

B. Proposed Activities - Year Two

Principle activities to be engaged in by the district during its first year of operation will include:

- a. Enhance the area's image through beautification - maintenance and related activities
- b. Establish safety and security programs through contacted security services
- c. Market the district
- d. Develop marketing and promotional programs to promote the dining, entertainment, shopping, healthcare and hospitality opportunities in the district via independent and cooperative programming with VISIT Milwaukee and other entities.

A unique feature will be that Greenfield is also undertaking the formation of a business improvement district and will have similar initiatives and goals. Further, it is fact that the three business improvement districts (Milwaukee 43, Greenfield 1 & 2 jointly contract with a 501-c-3 entity to manage both districts as one).

C. Proposed Expenditures - Approximately \$121,083 in 2012, this is Milwaukee's portion of the joint budget.

Proposed Budget

Category/Item	Milwaukee
Design and Maintenance	
Management, maintenance and extensive boulevard enhancement (i.e.trees, perennials, etc.) Maintenance equipment, initial start up supplies	\$ 34,000
Public Safety	
Contracted neighborhood safety patrol teams for area businesses, properties, etc.	10,200
Marketing and Promotion	
General development and implementation of a brand and marketing activities for the district. Web site development & hosting.	34,000
Administration/management	
Part-time Management: Business Recruitment/retention, oversight, member communication, administrative support, etc., office if needed, annual audit, office space/rental, web site, insurance, memberships, office supplies, misc. etc.	40,800
Total	\$ 119,000
Reserve	2,083
Business Development/Retail Retention/Recruitment/[from reserves]	25,000
Assessments	\$ 121,083
Interest/Dividends(5% interest/variable)	

D. Financing Method

It is proposed to raise \$121,083 through BID assessments in Milwaukee (see Appendix D). Other miscellaneous income will be from interest and dividends. Sponsorships revenue may be anticipated for special programs and marketing efforts. The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is fact that the two communities will provide board members in relative proportion to the "association" that will be created and contracted with to run the two business improvement districts.

It is recommended that the BID board be structured and operate as follows:

1. Board Size from Milwaukee - Minimum of Five
2. Composition - At least 60% shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term - Appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
4. Compensation - None

5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law and held periodically.

6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.

7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.

8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to the 27th Street Business Association

The BID shall be a separate entity from the any association or organization, notwithstanding the fact that members, officers and directors of each may be shared. The association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The association has contracted with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

The assessment method will be on the current year general property assessment that is established by the City of Milwaukee. The rate will be approximately \$1 per \$1000 of assessed value. \$500 minimum with a maximum of \$1,500 per property.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional

assessment of a small number of high value properties, a maximum assessment of \$1,500 per parcel will be applied.

As of January 1, 2011, the property in the proposed district had a total assessed value of over \$179,418,400. This plan proposed to assess the property in the district at a rate of \$1 per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID.

Appendix D shows the projected BID assessment for each property included in the district.

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. 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
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. Privately owned tax exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 27th Street Business Improvement District 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district on a timely basis.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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).

APPENDICES

- A. STATUTE
- B. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. YEAR ONE PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION

Exhibit A

WEST'S WISCONSIN STATUTES ANNOTATED MUNICIPALITIES SUBCHAPTER XI. DEVELOPMENT

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Current through 2003 Act 28, published 6/2/03

66.1109. Business improvement districts

(1) In this section:

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(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

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(3)(a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.

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(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

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(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3)(c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property

in the business improvement district, in the same proportion as the last collected special assessment.

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(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

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(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Source:

2001 Act 85, § 1, 2, eff. May 3, 2002.

2001 Act 85 amended subsecs. (1)(b) and (5)(a).

1999 Act 150 renumbered [§ 66.608](#) as this section, and as renumbered, amended subsec.(3)(d).

BUSINESS IMPROVEMENT DISTRICT NO. 44

Bay View Kinnickinnic Avenue BID

PROPOSED OPERATING PLAN

9-8-2011

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I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created S. 66.1109 of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). 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.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purpose of revitalizing and improving the Kinnickinnic Avenue Business Area on Milwaukee's 14th District (see Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Kinnickinnic Avenue District. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The area of the BID is along both sides of S Kinnickinnic Avenue from E. Becher Street to E. Morgan Avenue. Businesses, located off of Kinnickinnic Avenue, but that are connected to the buildings on Kinnickinnic Avenue, will be included. Also businesses located at the intersection of S. Howell Avenue and E. Lincoln Avenue will be included.

II. DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in Appendix C of this plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to: serve as a way for property owners, business owners, and the government to work cohesively to benefit the area's economic development.

B. Proposed Activities - Year Three

Principle activities to be engaged in by the district during its next year of operation will include:

- a. Security personnel and/or equipment maintenance
- b. Graffiti Removal
- c. Promotion of the District/ Co-Sponsorships of other Bay View organizations
- d. Design/ street scaping/ art projects

C. Proposed Expenditures - 2012

Proposed Budget

Security Personnel and/or equipment maintenance	\$ 5,000
Graffiti Removal	\$ 5,000
Promotion of District/ Co-sponsorships	\$ 5,000
Design/ Street Scaping/ Art Projects	\$35,000
Audit / Board Insurance	\$ 5,000
Overhead	\$ 1,031.90
Total	\$56,031.90

D. Financing Method

It is proposed to raise \$56,031.90 through BID assessments (see Appendix D). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operate as follows:

1. Board Size - Seven

2. Composition - The members of the Board must have a personal vested interest in the proactive improvement of the District, therefore, only commercial property owners, business owners and authorized representative managers of businesses within the specifically defined District boundaries can be nominated to the Board. Sub-Committee members may represent commercial property owners, business owners, representatives of other businesses throughout the Bay View community.

3. Term - Appointments to the board shall be for a period of three years.

4. Compensation - None

5. Meetings - All meetings of the board shall be governed by the Wisconsin Open Meetings Law.

6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to public record requirements.

7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.

8. Meetings - The board shall meet regularly, at least four times each year. The board has adopted rules of order ("by laws") to govern the conduct of its meetings.

F. Relationship to the Bay View Business Association.

The BID shall be a separate entity from the Bay View Business Association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and it is intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

IV. METHOD OF ASSESMENT

A. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to

the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$1,000 per parcel will be applied.

As of January 1, 2011, the property in the proposed district had a total assessed value of over \$56 million. This plan proposed to assess the property in the district at a rate of \$1.00 per \$1,000.00 of assessed value, subject to the maximum assessment of \$1,000 and a minimum assessment of \$100, for the purposes of the BID. Appendix D shows the projected BID assessment for each property included in the district.

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. 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 plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
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. Privately owned tax exempt property adjoining the district and which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

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 Kinnickinnic Avenue 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 promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement district and in the implementation of the Operating Plan. In particular, the City will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
4. Receive annual audits as required per sec. 66.1109 (3) (c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with

the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.

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

VI. PLAN APPROVAL PROCESS

A. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
5. The Common Council will act on the proposed BID Plan.
6. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
7. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

B. Petition against Creation of the BID

The City may not create the Business Improvement district if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

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 this initial Operating Plan.

Section 66.1109 (3) (a) of the BID law requires the 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 One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One 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).

APPENDICES

- A. STATUTE
- B. PETITION
- C. DISTRICT BOUNDARIES
- D. YEAR THREE PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION

NEIGHBORHOOD IMPROVEMENT DISTRICT NO. 1 (THE BREWERY)
2011-2012 ANNUAL REPORT
September 22, 2011

Neighborhood Improvement District (“NID”) are authorized by Section 66.1110, Wisconsin Statutes and serve as a tool for property owners and municipalities to work together to strengthen neighborhoods. NIDs serve primarily as self assessment district in which property owners assess themselves and use those funds to enhance their area.

On October 29, 2008, the Common Council of the City of Milwaukee adopted File No. 080615, which created NID No. 1 (The Brewery), and approved its Initial Operating Plan. During 2011 NID No. 1 continued its mission of providing a more clean, safe and friendly setting for the residents, workers, students and guests throughout The Brewery neighborhood. The 2011 Operating Plan proposed spending \$68,800 on a variety of activities. Major accomplishments for 2011 included:

- Weekly litter control efforts
- Operation of Zilber Park, including being the setting for a wedding ceremony
- General maintenance of The Brewery public areas.
- Bioswale maintenance
- Public Safety activities

On September 21, 2011 the annual Owner’s Meeting was held to elect NID No. 1’s Board of Directors. The following individuals were elected to one year terms:

Representing owner of largest property by assessed value:	Mr. McCarthy
Representing a multi-tenant office building:	Mr. Welsh
Representing a street level retail business:	Mr. Haertel
Representing a parking structure or lot:	Mr. Bernacchi
Representing an owner of a residential building:	Mr. Matkom

Following the initial Owner’s meeting, a Board of Director’s meeting of NID No. 1 (The Brewery) was held. In that meeting the following officers were elected:

Chairman:	Mr. McCarthy
Secretary:	Mr. Bernacchi
Treasurer:	Mr. Welsh

In addition the Board approved the Year 4 (2012) Operating Plan.

In summary 2011 was a year of continuing to ramp up NID No. 1’s property management and maintenance responsibilities.

NEIGHBORHOOD IMPROVEMENT DISTRICT NO. 1: THE BREWERY
YEAR FOUR OPERATING PLAN

September 21, 2011

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APPENDICES

- A. Wisconsin Statutes section 66.1110
- B. District Boundaries
- C. Listing of Properties Included in the District and District Assessments
- D. Proposed 2012 Budget

I. INTRODUCTION

Under Wisconsin Statutes section 66.1110, municipalities are authorized to create Neighborhood Improvement Districts ("NIDs") upon the petition of at least one property owner within the proposed district. Similar to the statute governing Business Improvement Districts (Wisconsin Statutes section 66.1109), the purpose of the NID statute is to allow owners of real property, at least some of which is used for residential purposes, within the districts ". . . to develop, to manage and promote the districts and to establish an assessment method to fund these activities." 1983 Wis. Act 184, Section 1, legislative declaration. See Appendix A.

The District was created by the Common Council of the City of Milwaukee (the "City") on May 13, 2009, by the adoption of Resolution No. 080615; the District is known as the Brewery Neighborhood Improvement District (the "District"). The purpose of the District is to promote and sustain the development and operation of the former historic Pabst Brewery as a thriving mixed use development known as The Brewery, A Joseph J. Zilber Historic Redevelopment (the "Brewery"). In this regard, the District shall be authorized to manage, maintain and contract for services which supplement those services currently provided by the City to owners and occupants in the District.

Pursuant to the NID statute, this Year Four Operating Plan (the "Operating Plan") for the District has been prepared to establish the services proposed to be offered by the District, proposed expenditures by the District and the special assessment method applicable to properties within the District.

DISTRICT BOUNDARIES

The District boundaries, cover approximately nine (9) blocks and encompass the former Pabst Brewery properties now known as "The Brewery." The proposed District boundaries include Interstate 43 to the west, West Highland Avenue to the south, North 8th Street to the east and West Winnebago Street to the north. Boundaries of the NID are shown in Appendix B of this Operating Plan. A narrative listing of the properties included in the District is set forth in Appendix C.

II. PROPOSED OPERATING PLAN

A. Plan Objectives.

The objectives of the District are to promote and sustain the area of The Brewery as a thriving mixed use development and a clean, safe and friendly

environment in which to live, work and play. The District proposes to achieve its objectives by supplementing the maintenance and security services provided by the City in order to increase the safety and cleanliness (and the perceived safety and cleanliness) of The Brewery area. Specifically, the District seeks to replicate, in the area of The Brewery, the successful programs of Milwaukee Downtown, and the District may contract with Milwaukee Downtown or similar entities to achieve such goal. The District also shall provide in the area of The Brewery maintenance and utility cost of the neon Pabst sign over Juneau Avenue, maintenance and utility cost for pocket parks, maintenance of public art, maintenance including snow removal of alleys, maintenance of streetscapes and other landscaping features as well as maintenance of storm-water management improvements including bio-swales.

B. Proposed Activities. The District will offer The Brewery owners and occupants additional safety services, enhanced sidewalk cleaning, supplemental public space maintenance, pocket park operation and maintenance, streetscape maintenance, storm-water management maintenance and integrated marketing and promotional services to complement a base level of services currently being provided by the City. As a supplement to City services, the District may employ and manage its own safety and maintenance staff and develop and implement its own marketing initiatives or contract with Milwaukee Downtown or other reputable resources to do so. The following are the activities proposed by the District for calendar year 2012. The District may, from time to time and as it deems necessary, adjust the size and scope of the activities and staffing levels described below, but only so long as such adjustments in activities and staff are part of the activities identified in this or a subsequently approved or amended Operating Plan. The District may not undertake new activities except as included in duly approved operating plans for future years.

1. Public Service Ambassadors Program. The District proposes to sponsor a Public Service Ambassadors Program to provide safety and goodwill services to The Brewery, supplemental to existing City police services. The aim of the program will be to increase the public's comfort and sense of security through a visible, uniformed presence in addition to law enforcement.

The District may hire directly, or engage through a contract with Milwaukee Downtown or other reputable resources, personnel to

perform the services described above, Public Service Ambassadors ("PSAs").

Following appropriate training, uniformed but unarmed PSAs will be assigned "beats" to patrol the District on foot. Beat assignments will be based on the amount of foot traffic in the area, hours of business operation, special event schedules, police beat assignments and crime statistics and trends.

PSAs' primary responsibilities will be to assist and direct residents, workers, shoppers and visitors and to observe and report suspicious behavior. PSAs must familiarize themselves with the businesses and residents in their beats and be able to recognize suspicious behavior. PSAs will be supplied with uniforms to create an official but approachable appearance and will be equipped with two-way radios or similar devices to report any incidents to a PSA supervisor/dispatcher linked directly to the City Police Department.

The District will pursue partnerships with other service providers. These partnerships may include development of a policy for referring panhandlers and the homeless to appropriate resources and/or working with other security resources to share information and develop response strategies.

2. Clean Sweep Ambassadors Program. The District proposes to sponsor a Clean Sweep Ambassador Program to provide additional sidewalk cleaning, public space maintenance, storm-water management maintenance, pocket park operation and maintenance, alley maintenance (including snow and ice removal), streetscape maintenance and, more generally, to introduce an active, positive force in the area of The Brewery.

The District may hire directly, or engage through a contract with Milwaukee Downtown or other reputable resources, personnel to perform the services described above, Clean Sweep Ambassadors ("CSAs"). Following appropriate training, CSAs will be assigned "beats," depending on the public use of the area and the need for services.

The maintenance efforts of CSAs, hired, paid and uniformed or contracted for by the District will complement the efforts of the City Department of Public Works. CSAs will manually sweep sidewalks, pocket parks and other green spaces, pick up litter and remove

graffiti. Weather permitting, CSAs will mechanically sweep public curbs and sidewalks in a rotation consistent with the City's street sweeping schedule. From April through October, CSAs will also power wash and steam clean sidewalks and clean, mow, maintain, water, plant, weed and fertilize tree wells, planters and streetscape areas. CSAs also will maintain pocket parks, alleys (including snow and ice removal from November through March) and maintain other green spaces as well as manage and maintain storm-water facilities within the District boundaries.

Besides their maintenance responsibilities, CSAs will maintain a friendly and helpful presence in the area of The Brewery. Working in recognizable uniforms, CSAs will create an aura, not only of cleanliness, but also of safety.

3. Marketing Initiatives. Marketing will aim to encourage increased use of The Brewery neighborhood and to convince both constituents of the District and potential users that The Brewery neighborhood is a positive destination with unique qualities and amenities.

- C. Proposed Expenditures and Financing Method. The 2012 proposed annual operating budget for the District is \$68,800.00. See Appendix D. The Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

The Board shall approve an annual operating budget for the District each year. After the District Board has approved the annual operating plan and budget, they will be sent to the City for approval, adoption and inclusion in the City's annual budget for that year.

The 2011 assessed valuation of all property subject to assessment within the proposed District boundaries was \$27,314,100. The method of assessing annual operating expenses against properties located within the District is set forth in Article IV of this Operating Plan. **[Any change in the method of assessing annual operating expenses against properties located within the District must be approved by a 4/5 majority of the entire District Board and a majority of the Common Council of the City.]** Subsequent revisions to this Operating Plan will specify any additional assessment methodologies and amounts for operating expenses.

- D. Organization of the District Board. Upon creation of the District, the District shall hold annual meetings to elect members to the District Board (the "Board") consistent with the terms of this subsection. The Board shall be

responsible for implementation of this Operating Plan. This requires the Board to negotiate with providers of services and materials to carry out the Operating Plan; to enter into various contracts; to monitor the effectiveness of the District's activities, to ensure compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of District assessments.

Wisconsin Statutes section 66.1110(4)(a)(1) requires that the Board be composed of at least five members, all of whom shall own or occupy real property within the District.

The Board shall be structured and operate as follows:

1. Board Size. Five (5) members.
2. Composition.
 - (a) One member shall represent the owner of the largest property(ies) within the District as measured by assessed valuation.
 - (b) One member shall be a representative of a multi-tenant office building in the District.
 - (c) One member shall be the owner or operator of a street-level retail business located within the District (which business may include, without limitation, a restaurant).
 - (d) One member shall be a representative of a parking structure or surface parking lot within the District including at least 100 spaces.
 - (e) One member shall be a representative of a residential building within the District.

Each year, the Board shall reconfirm the assessed valuations, ownerships and occupancies of all properties located within the District. If the assessed valuation, ownership or occupancy of any particular building or site in any year ceases to satisfy the criteria set forth above, the Board shall rearrange such building or site in the appropriate category and consistent with Wisconsin Statutes section 66.1110(4). Notwithstanding anything herein to the contrary, the number of Board members who represent commercial and residential property, respectively, shall be set, as closely as possible,

in the same proportion as is the aggregate valuation of commercial property in the District to the total assessed value of all property in the District, and the aggregate valuation of residential property in the District to the total assessed value of all property in the District.

3. Term. All members elected to the Board shall serve for a period of one year, except that members may be re-elected.
4. Compensation. None.
5. Meetings. All meetings of the Board shall be governed by the Wisconsin Open Meetings Law if and as legally required.
6. Record Keeping. Files and records of the Board's affairs shall be kept pursuant to public records requirements.
7. Staffing and Office. The Board may employ staff and/or contract for staffing services pursuant to this Operating Plan and subsequent modifications thereof. The Board may also maintain an office for the District, which shall be located within the District.
8. Meetings. The Board shall meet regularly, at least once every six months. The Board shall adopt rules of order (by-laws) to govern the conduct of its meetings.
9. Method of Electing Members to District Board. An annual meeting at which members of the Board will be elected shall be held in September of each year of the District's existence. Prior to the meeting, the City shall publish a Class 2 notice that contains the time and place of the annual meeting. The notice shall specify that all individuals who either own or occupy real property within the District are eligible to serve on the Board and vote at the election.

At the meeting, the individuals who own or occupy real property within the District shall be divided in 2 groups. One group shall consist of those individuals who own or occupy commercial property, and one group shall consist of those individuals who own or occupy residential property. Each group shall elect from among its members the number of Board members set to represent its group pursuant to this or a subsequent operating plan.

10. Executive Committee. The Board shall elect from its members a chair, a secretary, and a treasurer who shall comprise an Executive Committee of the Board. The Executive Committee shall be

authorized to oversee the day to day operations of the District, subject to the by-laws adopted by the Board.

11. Changes. Any change in the Board size, composition or election methodology must be approved by a 4/5 majority of the entire District Board.]

III. METHOD OF ASSESSMENT

- A. Annual Assessment Rate and Method.The annual assessment for District operating expenses will be levied against each property within the District in direct proportion to the current assessed value of each property for real property tax purposes. Thus, the amount of a special assessment against a particular property may change from year to year if that property's assessed value changes relative to other properties within the District.

Appendix C identifies each property included in the District and shows the proposed District assessment for each property for the third year of operation. Such proposed assessments are based on the assessed value and classification estimated in 2012 pursuant to the foregoing formula.

- B. Excluded and Exempt Property.The NID statute requires explicit consideration of certain classes of property. In compliance with the law, the following statements are provided.
 1. In accordance with the interpretation of the City Attorney regarding Wisconsin Statutes section 66.1110(7)(a), property exempt from general real estate taxes has been excluded from the District. Owners of tax exempt property adjoining the District and expected to benefit from District activities will be asked to make a financial contribution to the District on a voluntary basis. Funds collected in this manner in any given year shall be used to reduce the assessment against taxable property in the District for the following year. In addition, those tax exempt properties adjoining the District which are later determined no longer to be exempt from general property taxes shall automatically become included within the District and subject to assessment under any current operating plan without necessity to undertake any other act.
 2. In accordance with Wisconsin Statutes section 66.1110(7)(c), real property used exclusively for less than eight (8) residential dwelling units has been excluded from the District.

3. Pursuant to State Statute (66.110(2) (e) a previous operating plan authorized taking title to the parcel known as Zilber Park's and has the legal description of Lot 2 of CSM No. 8078, Tax Key No. 362-0502-000 and the address of 1217 N. 10th Street. The purpose of the NID No. 1's ownership is to operate and maintain an improved pocket park for the benefit of the neighborhood. If NID No. 1 is terminated this real property will be transferred to Brewery Project LLC which has agreed to assume this responsibility.

IV. PROMOTION OF ORDERLY DEVELOPMENT OF THE CITY

- A. Enhanced Safety and Cleanliness. Under Wisconsin Statutes section 66.1110(2)(d), this Operating Plan is required to specify how the creation of the District promotes the orderly development of the City. The District will enhance the safety and cleanliness of The Brewery area and, consequently, encourage positive commercial and residential activity in the City. Increased activity in the City will increase property tax base and sales tax revenues.
- B. City Role in District Operation. The City has committed to assisting owners and occupants in the District to promote its objectives. To this end, the City has played a significant role in creation of the District and in the implementation of the initial Operating Plan. In furtherance of its commitment, the City shall:
 1. Provide technical assistance to the District in the adoption of this and subsequent operating plans and provide such other assistance as may be appropriate.
 2. Collect assessments, maintain the same in a segregated account and disburse monies to the Board.
 3. Receive annual audits as required per Wisconsin Statutes section 66.1110(4)(c).
 4. Provide the Board, through the Office of Assessment, on or before July 1 of each year, with the official City records on the assessed value of each tax key number within the District as of January 1 of each year for purposes of calculating the District assessments.

V. PLAN APPROVAL PROCESS

- A. Public Review Process. The NID statute establishes a specific process for electing NID Board members and annually making changes to the

Operating Plan. Pursuant to the statutory requirements, the following process will be followed:

1. A time and place for an annual meeting at which members of the Board will be elected shall be set and a Class 2 notice of such meeting shall be published.
 2. At the meeting, Board members shall be elected consistent with Wisconsin Statutes section 66.1110(4) and section III(D) above, and the Board shall consider the District's annual Operating Plan.
 3. The Operating Plan shall be submitted to the City's Common Council for approval.
- B. Petition to Terminate the District. The City shall consider terminating the District if a petition to terminate is filed with the City Plan Commission in conformity with Wisconsin Statutes section 66.1110(6)(a).

VI. FUTURE YEAR OPERATING PLANS

- A. Changes. It is anticipated that the District will continue to revise and develop this Operating Plan annually, in response to changing needs and opportunities in the District, in accordance with the purposes and objectives defined in this Operating Plan.

Wisconsin Statutes section 66.1110(4)(b) requires the Board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms proposed activities, information on specific assessed values, budget amounts and assessment amounts are based solely upon current conditions. Greater detail about subsequent years' 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 Operating Plan and the NID statute.

In later years, the District 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 and the board composition shall not be materially altered, except with the approval of a 4/5 majority of the entire District Board and consent of the City of Milwaukee.]**

B. Amendment, Severability and Expansion. This District has been created under authority of Wisconsin Statutes section 66.1110. Except as set forth in the next sentence, should any court find any portion of this statute invalid or unconstitutional its decision will not invalidate or terminate the District and this Operating Plan shall be amended to conform to the law without need of re-establishment. Should any court find invalid or unconstitutional the organization of the entire District Board, any requirement for a 4/5 majority vote of the District Board, the budgeting process or the automatic termination provision of this or any subsequent Operating Plan, the District shall automatically terminate and this Operating Plan shall be of no further force and effect.

APPENDIX A

Wisconsin Statutes section 66.1110

APPENDIX B

District Boundaries

municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub.

(3) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par. (c) and unless the business improvement district is not terminated under par. (e).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under par. (c), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under par. (c), by petition under this subsection or subsequent notification under par. (d), and after subtracting any retractions under par. (d), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that

the obligation with the latest completion date entered into to implement the operating plan expires.

(5) (a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under s. 70.11 may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

History: 1983 a. 184; 1989 a. 56 s. 258; 1999 a. 150 s. 539; Stats. 1999 s. 66.1109; 2001 a. 85.

66.1110 Neighborhood improvement districts. (1) In this section:

(a) "Board" means a neighborhood improvement district board elected under sub. (4) (a).

(b) "Chief executive officer" means a mayor, city manager, village president, or town chairperson.

(c) "Local legislative body" means a common council, village board of trustees, or town board of supervisors.

(d) "Municipality" means a city, village, or town.

(e) "Neighborhood improvement district" means an area within a municipality consisting of nearby but not necessarily contiguous parcels, at least some of which are used for residential purposes and are subject to general real estate taxes, and property that is acquired and owned by the board if the local legislative body approved acquisition of the property under sub. (4) (d) as part of its approval of the initial operating plan under sub. (3) (c).

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation, and promotion of a neighborhood improvement district.

(g) "Owner" means the owner of real property that is located within the boundaries, or the proposed boundaries, of a neighborhood improvement district.

(h) "Planning commission" means a plan commission under s. 62.23 or, if none exists, a board of public land commissioners or, if none exists, a planning committee of the local legislative body.

(2) An operating plan shall include at least all of the following elements:

(a) The special assessment method applicable to the neighborhood improvement district.

(b) The kind, number, and location of all proposed expenditures within the neighborhood improvement district.

(c) A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

(d) A description of how the creation of the neighborhood improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

(e) A statement as to whether the local legislative body authorizes the board to own real property and, if so, a description of the real property to be owned, the purpose of the ownership, and a statement of to whom the real property will be transferred if the neighborhood improvement district is terminated.

(f) A legal opinion that pars. (a) to (e) have been complied with.

(3) A municipality may create a neighborhood improvement district and adopt its operating plan if all of the following conditions are met:

(a) An owner of real property subject to general real estate taxes and located in the proposed neighborhood improvement district designated under par. (b) has petitioned the municipality for creation of a neighborhood improvement district.

66.1110 MUNICIPAL LAW

(b) The planning commission has designated a proposed neighborhood improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the neighborhood improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed neighborhood improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice, together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed neighborhood improvement district, shall be sent by certified mail to all owners of real property within the proposed neighborhood improvement district. The notice shall state the boundaries of the proposed neighborhood improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under par. (c), one of the following has not filed a petition with the planning commission protesting the proposed neighborhood improvement district or its proposed initial operating plan:

1. The owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40 percent of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan.

2. The owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40 percent of the assessed valuation of all property to be assessed under the proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the neighborhood improvement district. The local legislative body shall publish a class 2 notice under ch. 985 regarding the meeting at which the local legislative body will vote on whether to adopt the proposed initial operating plan for the neighborhood improvement district. Before publication, a copy of the notice shall be sent by certified mail to all owners of real property within the proposed neighborhood improvement district.

(4) (a) 1. If the local legislative body adopts the proposed initial operating plan under sub. (3) (e), it shall determine the size of board, which shall consist of at least 5 members, all of whom shall own or occupy real property in the neighborhood improvement district.

2. The number of board members who represent commercial and residential property, respectively, shall be set by the local legislative body, as closely as possible, in the same proportion as is the aggregate valuation of commercial property in the neighborhood improvement district to the total assessed value of all property in the district, and the aggregate valuation of residential property in the district to the total assessed value of all property in the district.

3. The local legislative body shall set the time and place for a meeting at which members of the board will be elected, and shall publish a class 2 notice under ch. 985 that contains this information. The notice shall specify that all individuals who either own or occupy real property within the neighborhood improvement district are eligible to serve on the board and vote at the election.

4. At the meeting, the individuals who own or occupy real property shall be divided into 2 groups. One group shall consist of those individuals who own or occupy commercial property, and one group shall consist of those individuals who own or occupy residential property. Each group shall elect from among its members the number of board members set to represent its group by the local legislative body under subd. 2.

5. Board members elected under subd. 4 shall serve a one year term, and may be reelected. Annually, the number of board members who represent commercial and residential properties, based on the calculation described in subd. 2., may be reallocated by the

local legislative body to the greatest extent possible to be consistent with the proportion described under subd. 2.

6. Annually, board members shall be elected under the procedures contained in this paragraph. If a vacancy occurs during the term of a board member, an individual shall be elected to fill the unexpired term of the member under the procedures contained in this paragraph.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for the neighborhood improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the neighborhood improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the neighborhood improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the neighborhood improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all of the powers necessary or convenient to implement the operating plan, including the power to contract.

(5) All special assessments received from a neighborhood improvement district and all other appropriations by the municipality or other moneys received for the benefit of the neighborhood improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (4) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the neighborhood improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the neighborhood improvement district, in the same proportion as the last collected special assessment.

(6) (a) Subject to pars. (b) and (c), a municipality shall terminate a neighborhood improvement district if one of the following occurs:

1. The owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, file a petition with the planning commission requesting termination of the neighborhood improvement district.

2. The owners of property assessed under the operating plan having an assessed valuation equal to more than 50 percent of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the neighborhood improvement district.

3. The owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan fail to file a petition with the planning commission to continue the neighborhood improvement district within one year of the date on which the membership of the board changes from a majority which represents commercial properties to a majority that represents residential properties, or vice versa, as described under sub. (4) (a) 3.

(b) 1. A petition may not be filed under this subsection earlier than one year after the date on which the municipality first adopts the operating plan for the neighborhood improvement district.

2. On and after the date on which a petition is filed under par. (a) 1. or 2., or on and after the date on which a petition must be filed under par. (a) 3., neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of the hearing under subd. 3. and unless the neighborhood improvement district is not terminated under par. (c).

3. Within 30 days after the filing of a petition under par. (a) 1. or 2., the planning commission shall hold a public hearing on the proposed termination. Within 30 days after the deadline for filing a petition under par. (a) 3. passes, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice, together with a copy of a detail map showing the boundaries of the neighborhood improvement district, shall be sent by certified mail to all owners of real property within the neighborhood improvement district. The notice shall state the boundaries of the neighborhood improvement district and shall indicate that copies of the operating plan are available from the planning commission on request and are posted in the building in which the municipality's governing body regularly holds its meetings.

4. Within 30 days after the date of the hearing under subd. 3., every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under par. (a) 1. or 2., that the owner retracts the owner's request to terminate the neighborhood improvement district, or, if the owner did not file or sign a petition under par. (a) 1. or 2., that the owner requests termination of the neighborhood improvement district under par. (a) 1. or 2.

5. Within 30 days after the date of the hearing under subd. 3., every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under par. (a) 3., that the owner retracts the owner's request to continue the neighborhood improvement district, or, if the owner did not file or sign a petition under par. (a) 3., that the owner requests continuation of the neighborhood improvement district under subd. 3.

(c) After the expiration of 30 days after the date of the hearing under par. (b) 3., and after adding any additions and subtracting any retractions under par. (b) 4. and 5., the municipality shall terminate the neighborhood improvement district on the date on which the obligation with the latest completion date entered into to implement the operating plan expires if the owners who have signed the petition requesting the termination of the neighborhood improvement district under par. (a) 1. or 2. constitute the required groups specified in par. (a) 1. or 2., or if an insufficient representation of owners, as described under par. (a) 3., petition to continue the neighborhood improvement district under par. (a) 3.

(7) (a) Any parcel of real property used exclusively for less than 8 residential dwelling units and real property that is exempted from general property taxes under s. 70.11 may not be specially assessed for purposes of this section.

(b) A municipality may terminate a neighborhood improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

History: 2005 a. 186.

66.1111 Historic properties. (1) DEFINITIONS. In this section:

(a) "Historic property" has the meaning given under s. 44.31 (3).

(b) "Political subdivision" means a city, village, town or county.

(2) ACQUISITION OF PROPERTY. A political subdivision may acquire by gift, purchase or condemnation any property right in historic property, whether the property is real or personal.

(3) OWNERSHIP, USE AND DISPOSITION OF PROPERTY. (a) A political subdivision may preserve or rehabilitate any historic property which it owns, construct buildings on that property, own and maintain that property for public purposes or lease or convey that property.

(b) If a political subdivision leases to another person historic property, the political subdivision shall include provisions in the lease which protect the historic character and qualities of that property. If the political subdivision conveys historic property, the political subdivision shall obtain a conservation easement under s. 700.40 to protect the historic character and qualities of the property.

(4) CONSIDERATION OF EFFECTS ON HISTORIC PROPERTIES. (a) In the earliest stage of planning any action related to the following, a political subdivision shall determine if its proposed action will affect any historic property which is a listed property, as defined under s. 44.31 (4), or which is on the list of locally designated historic places under s. 44.45:

1. Long-range planning for facilities development.
2. Any action under sub. (3).
3. Razing any historic property which it owns.

(b) A political subdivision shall notify the state historic preservation officer of any proposed action which it determines under par. (a) would affect any historic property.

(5) GRANTS. A political subdivision may make grants of funds to any public or private entity for the purpose of preserving or rehabilitating historic property.

History: 1987 a. 395; 1989 a. 31; 1999 a. 150 s. 88; Stats. 1999 s. 66.1111.

66.1113 Premier resort areas. (1) DEFINITIONS. In this section:

(a) "Infrastructure expenses" means the costs of purchasing, constructing or improving parking lots; access ways; transportation facilities, including roads and bridges; sewer and water facilities; parks, boat ramps, beaches and other recreational facilities; fire fighting equipment; police vehicles; ambulances; and other equipment or materials dedicated to public safety or public works.

(b) "Political subdivision" means a city, village, town or county.

(c) "Premier resort area" means a political subdivision whose governing body enacts an ordinance or adopts a resolution under sub. (2) (a).

(d) "Tourism-related retailers" means retailers classified in the standard industrial classification manual, 1987 edition, published by the U.S. office of management and budget under the following industry numbers:

1. 5331 — Variety stores.
2. 5399 — Miscellaneous general merchandise stores.
3. 5441 — Candy, nut and confectionary stores.
4. 5451 — Dairy product stores.
5. 5461 — Retail bakeries.
6. 5541 — Gasoline service stations.
7. 5812 — Eating places.
8. 5813 — Drinking places.
9. 5912 — Drug stores and proprietary stores.
10. 5921 — Liquor stores.
11. 5941 — Sporting goods stores and bicycle shops.
12. 5946 — Camera and photographic supply stores.
13. 5947 — Gift, novelty and souvenir shops.
14. 7011 — Hotels and motels.
15. 7032 — Sporting and recreational camps.
16. 7033 — Recreational vehicle parks and campsites.
17. 7948 — Racing, including track operation.
18. 7992 — Public golf courses.
19. 7993 — Coin-operated amusement devices.
20. 7996 — Amusement parks.

APPENDIX C

Listing of Properties Included in the District
and District Assessments

2011 NID NO. 1 ASSESSMENTS

rem_sakey	addr	rem_owner1	rem_owner_mail_addr	rem_owner_city_state	zip	rem_curr_land	rem_curr Imprv	rem_curr_total	NID Assessment
3611554110	721 W WINNEBAGO	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	92300	0 \$	92,300 \$	234.00
3620441100	925 W WINNEBAGO	BLUE RIBBON LOFT APTS LLC	200 N MAIN ST	OSHEON WI	53575	760000	4656000 \$	5,107,000 \$	12,863.74
3620452000	1001 W MC KINLEY	PRH REDEVELOPMENT LLC	1243 N 10TH ST STE 300	MILWAUKEE WI	53205	165600	4130000 \$	4,030,000 \$	10,150.95
3620453000	1220 N 11TH	BREWER SILO LLC	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	128800	3712000 \$	300,000 \$	755.65
3620501000	1017 W MC KINLEY	BREWER SILO LLC	710 N PLANKINTON AVE #1200	MILWAUKEE WI	53203	340300	61700 \$	402,000 \$	1,012.58
3620502000	1217 N 10TH	NEIGHBORHOOD IMPROVEMENT	710 N PLANKINTON AVE # 1100	MILWAUKEE WI	53203	1000	0 \$	1,000 \$	2.52
3620508000	1036 W JUNEAU	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 120	MILWAUKEE WI	53203	130550	0 \$	130,550 \$	479.84
3620509000	1203 N 10TH	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 130	MILWAUKEE WI	53203	273600	726400 \$	1,000,000 \$	2,518.85
3620511000	926 W JUNEAU	BP PROPERTY OWNER NO 2	710 N PLANKINTON AVE #1200	MILWAUKEE WI	53203	662300	64600 \$	777,500 \$	1,832.46
3620512000	902 W JUNEAU	BREWERY PARKING	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	500200	5488800 \$	5,989,000 \$	15,065.37
3620521000	845 W WINNEBAGO	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 120	MILWAUKEE WI	53203	184100	0 \$	184,100 \$	483.72
3620522000	840 W JUNEAU	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	355900	0 \$	355,900 \$	896.46
3620523000	810 W JUNEAU	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	448800	0 \$	448,800 \$	1,130.46
3620531000	1003 W WINNEBAGO	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	950000	0 \$	950,000 \$	2,392.90
3910751000	915 W JUNEAU	BREW CITY REDEVELOPMENT	2022 N 117TH ST, STE #223	WAUWATOSA WI	53226	182600	509800 \$	692,400 \$	1,744.05
3910841000	1009 W JUNEAU	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	405600	94400 \$	500,000 \$	1,259.42
3910842000	1128 N 10TH	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	1142600	557400 \$	1,700,000 \$	4,282.04
3910843000	1131 N 8TH	BREWERY PROJECT LLC	710 N PLANKINTON AVE # 1200	MILWAUKEE WI	53203	762900	987100 \$	1,750,000 \$	4,407.98
3620541000	1037 W MC KINLEY AV	BC PABST HOLDINGS LLC	135 W WELLS ST	MILWAUKEE WI	53203	144800	2748200 \$	2,893,000 \$	7,287.02

TOTAL \$ 27,314,100 \$ 68,890.00
 Rate per \$1,000 2.52

APPENDIX D
Proposed 2012 Budget

NID No.1 - 2012 Budget

<u>Category</u>	
Snow Plowing	\$ 11,500.00
Pabst Sign Electric	1,000.00
Pabst Sign Repairs	750.00
Legal Fees	750.00
Admin Fees	9,300.00
Audit Fee	5,000.00
Storm Water Retention Main	8,500.00
Public Art Maintenance	900.00
Clean Sweep Ambassadors	9,200.00
Public Safety Ambassadors	4,500.00
Property Identification	1,000.00
Contingency	5,200.00
Directors/Officers Liab Ins	1,250.00
Pocket Park Water	1,700.00
Pocket Park Property Ins	1,900.00
Pocket Park RE Tax	50.00
Pocket Park landscaping	3,300.00
Pocket Park Electricity	<u>3,000.00</u>
Total costs	<u>\$ 68,800.00</u>



Legislation Details (With Text)

File #: 110883 **Version:** 0

Type: Communication-Report **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication relating to an update on the redevelopment of the Menomonee Valley.

Sponsors: ALD. DAVIS

Indexes: MENOMONEE RIVER VALLEY, MENOMONEE VALLEY PROJECT AREA, REPORTS AND STUDIES

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number
110883
Version
ORIGINAL
Reference

Sponsor
ALD. DAVIS
Title
Communication relating to an update on the redevelopment of the Menomonee Valley.
Requestor

Drafter
DCD
MB
10/14/11



Legislation Details (With Text)

File #: 110811 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for Program Administration from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Sponsors: THE CHAIR

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, COMMUNITY DEVELOPMENT, COMMUNITY DEVELOPMENT BLOCK GRANT, FEDERAL GRANTS

Attachments: Cover Letter, Year 2012 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

110811

Version

SUBSTITUTE 1

Reference

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for **Program Administration** from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Analysis

This resolution authorizes the Community Development Grants Administration to submit its Annual Action Plan to the U. S. Department of Housing and Urban Development (HUD) for the City of Milwaukee's 2012 Community Development entitlement estimated at \$19,990,157. In addition, this resolution designates the Mayor as the authorized representative for the consolidated community development entitlement, approves the certifications required by the Department of Housing and Urban Development and authorizes the Community Development Grants Administration to execute and implement the projects to be designated in the Annual Action Plan.

Body

Whereas, The City of Milwaukee appears to be eligible for a Community Development entitlement funding for 2012 estimated at \$19,990,157 which includes CDBG funding at \$13,250,000, HOME funding at \$6,000,000 and ESG funding at \$740,157; and

Whereas, Common Council File Number (CCFN) 090292 authorized the submission of the Consolidated Strategy and Plan and Annual Action Plan for 2012 consolidated community development entitlement funding; and

Whereas, CCFN 110571 adopted on September 20, 2011 authorized the 2012 Funding Allocation Plan; and

Whereas, CCFN 75-1610-2f authorized the continued allocation of program income from the Milwaukee Economic Development Corporation for economic development activity utilizing a revolving fund; and

Whereas, It has been determined, that operation of this grant program for one year would generate an estimated \$215,000, for CDBG and \$270,000 for HOME in revenue (program income) from authorized revolving fund projects as well as additional program income from other projects; and

Whereas, It has been determined that operation of the combined entitlement programs for one year would cost approximately \$20,475,157 of which \$19,990,157 would be provided by the Grantor; and

Whereas, The local share of this grant program, for a portion of the City's indirect costs, can be provided from the following sources:

Local, Non-City Share \$2,240,157*

*100% match for ESG and 25% match for HOME:

now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Community Development Grants Administration (CDGA) is hereby authorized to submit to the United States Department of Housing and Urban Development a 2012 Annual Action Plan as a part of the application for Community Development Entitlement funding available under Title 1 of the Housing and Community Development Act of 1974 (as amended), as well as any other related documentation required by the Department of Housing and Urban Development; and, be it

Further Resolved, That the Mayor of the City of Milwaukee is designated as the authorized representative of the City of Milwaukee in connection with all matters relating to the City's 2012 Community Development Program; and, be it

Further Revolved, That the City of Milwaukee assures and certifies that it will comply with the regulations, policies guidelines and requirements with respect to the acceptance and use of Federal Community Development Entitlement funds; and, be it

Further Resolved, That application to HUD is authorized and the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grant changes as indicated in Section 304-81 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

- 1. Commit Funds within the Project/Grant Parent of the 2012 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/projects titled Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and Emergency Solutions Grant (ESG):

<u>Project/Grant</u>	<u>Fund</u>	<u>Org</u>	<u>Program</u>	<u>BY</u>	<u>SubClass</u>	<u>Acct</u>
GR0001200000 0150	9990	0001	0000	R999	000600	

<u>Project</u>	<u>Amount</u>
Grantor Share	\$20,475,157*

*\$19,990,157 2012 estimated new entitlement, estimated program income of \$485,000 (Emerging Business Enterprise program - \$90,000; Department of City Development - \$125,000-CDBG & \$270,000-HOME);

- 2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against these Project/Grant values the amounts required under the grant agreement;
- 3. Establish a cash advance procedure in order to make funds available to those departments or agencies which are unable to implement the Community Development Program projects on a reimbursable basis.

; and, be it

Further Resolved, That prior to making any cash advance to any department or agency the City Comptroller shall receive from the Block Grant Director of the Community Development Grants Administration a statement indicating the circumstances that resulted in a decision to provide such cash advance based on a review of the needs of such department or agency; and, be it

Further Resolved, That these funds are budgeted for the Community Development Grants Administration, which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2012 grant budget funds for updating computer equipment.
3. Expend from the 2012 grant budget funds for training and out-of-town travel by departmental staff.
4. Enter into subcontracts and leases as detailed in the grant budget.

; and, be it

Further Resolved, That the Community Development Grants Administration is hereby authorized to incur costs not to exceed \$885,000 - CDBG, \$485,000 - HOME and \$25,000 - ESG, for the administration of the City of Milwaukee's 2012 Community Development Program; and be it

Further Resolved, That the Positions Ordinance be amended to extend the positions authority for the Community Development Grants Administration associated with the 100% Grant and Aid funded positions and as identified in the current Position Ordinance;

<u>Position Title</u>	<u>Number of Positions</u>
Block Grant Director	1
Associate Director	1
Grant Compliance Manager	1
Grant Monitors	7
Business Services Specialist	2
Program Assistant I	1
Administrative Assistant I	1
Office Assistant IV	<u>1</u>
	15

; and, be it

Further Resolved, That the following ten positions be considered eligible for private automobile mileage reimbursement:

Block Grant Director	1	
Associate Director		1
Grant Compliance Manager	1	
Grant Monitors	<u>7</u>	
		10

; and, be it

Further Resolved, That the City department/agency responsible for each of the 2012 Consolidated Community Development Entitlement Projects implementing Program Administration are hereby

authorized in the total amount of \$2,112,438 in CDBG funds, \$579,000 of HOME funds and \$25,000 of ESG funds; and, be it

Further Resolved, That all departments/agencies are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File Number 74-92-5v to the Community Development Grants Administration and the City Comptroller for their review and approval; and, be it

Further Resolved, That the Position Ordinance be amended to extend position authority for each City department/agency with 100% Grant and Aid funded positions as identified in the current Position Ordinance; and, be it

Further Resolved, That all Grant and Aid positions currently identified in the Positions Ordinance as eligible to receive mileage reimbursement are approved to the expiration of the CDBG Program Year; and, be it

Further Resolved, That payments for CDBG costs incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Development Grants Administration and City Comptroller of a Budget Forecast (CDA-51); and, be it

Further Resolved, That close-out procedures previously approved by the Community & Economic Development Committee remain in effect should the CDBG funded year be changed; and, be it

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2012 CDBG Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects proposed in this resolution in order to carry out the 2012 Program Year under the reductions imposed; and, be it

Further Resolved, That should there be a delay in the Funding Approval and Grant Agreement from HUD, the Community Development Grants Administration is authorized under CCFN 901873, adopted on March 5, 1991, to request the use of City funds for 2012 CDBG, HOME, ESG and HOPWA activities through revenue anticipation note (RAN) authority identified in the annual City budget; and be it

Further Resolved, That the Emerging Business Enterprise Program be authorized to carryover any funds remaining from 2011 into 2012; and, be it

Further Resolved, That any Section 108 Guaranteed Loan Program projects that may be proposed in 2012 must comply with all requirements and conditions established pursuant to CCFN 940849 (approved September 28, 1994) and CCFN 941466 (approved April 25, 1995); and, be it

Further Resolved, That the authorization for the projects listed in this resolution are subject to the availability of 2012 Community Development Block Grant funds and the release of funds for the purpose by the U. S. Department of Housing and Urban Development; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the City's

2012 Community Development Program in accordance with the 2012 Annual Action Plan determinations as to whether funds be awarded in the form of grant or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

Further Resolved, That except as modified by this resolution the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v are fully applicable to the 2012 Community Development Entitlement Funding Program.

Requestor

Drafter

2012CDBG-ADMIN-1

10/11/11

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Director

DATE: October 3, 2011

RE: Title Only Resolutions for Introduction

Attached are the 2012 HUD funded Title only resolutions that seek the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>City Departments</u>				
Community Development Grants Administration	Administration		885,000	885,000
Comptroller's Office	Administration		544,625	544,625
Department of City Development	Administration		202,754	202,754
RACM	Administration		452,869	452,869
RACM	Environmental Planning and Review		27,190	27,190
			<u>2,112,438</u>	<u>2,112,438</u>

Resolution #110811

YEAR 2012 FUNDING RECOMMENDATIONS

Entitlement Funds

HOME Investment Partnerships (HOME)

<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>HOME CDGA Recomm</u>
<u>City Departments - Administration</u>			
Community Development Grants Administration	Administration	485,000	485,000
Comptroller's Office	Administration	94,000	94,000
		<u>579,000</u>	<u>579,000</u>

Resolution #110811

YEAR 2012 FUNDING RECOMMENDATIONS

Entitlement Funds

Emergency Solutions Grant (ESG)

<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>ESG CDGA Recomm</u>
Community Development Grants Admin	Administration	25,000	25,000

Resolution #110811

JOE DAVIS, SR.
Alderman, 2nd District



CHAIR

- Community and Economic Development Committee
- National League of Cities' International Council
- Sister Cities Committee

MEMBER

- National League of Cities' Board of Directors
- Judiciary & Legislation Committee
- Public Safety Committee
- Steering and Rules Committee
- Milwaukee Economic Development Corporation

HONORARY CONSUL

- Republic of South Africa - State of Wisconsin

To: The Honorable, Members of the Common Council

From: Ald. Joe Davis, Sr., Chair, Community and Economic Development Committee

Re: Allocation of community development funds

Date: October 17, 2011

Attached are resolutions and accompanying attachments which collectively comprise the City of Milwaukee's 2012 application for community development funds from the U.S. Department of Housing and Urban Development.

The Community and Economic Development Committee will consider these resolutions at its Monday, October 24, 2011, meeting beginning at 9:00 a.m. in City Hall, Room 301-B. The resolutions contain the recommendations of the Community Development Grants Administration which reviewed all applications for funds; the recommendations are, of course subject to amendment.

To facilitate the process at committee with respect to amendments, the Committee will follow a process similar to that utilized in past years for allocation of community development funds; this process has now been incorporated into the *Common Council Procedure and Rules*. All amendments must be balanced amendments within the same category; meaning if an additional amount is requested for a community group or government agency, an equal amount must be taken from another group or agency. Furthermore, any amendment amending allocation of CDBG funds may not change the amount allocated for the two main categories of CDBG funds. No amendments will be taken on the day of the committee meeting unless the amendment addresses a previously drafted amendment. Any amendments offered at the table must also be "balanced" amendments.

In requesting amendments, please keep in mind that community development funding has decreased significantly in recent years, and, therefore funds should be put to their most efficient use for the benefit of the community and the City.

The schedule to be followed will be:

1. Amendment requests must be received by the Legislative Reference Bureau by noon on Friday, October 21.
2. The Community and Economic Development Committee will hear the recommendations and written amendments on Monday, October 24 starting at 9:00 a.m.
3. The Common Council will consider these matters at its Wednesday, November 2 meeting.

I want to thank all of you for your cooperation in this matter. I look forward to this upcoming meeting and welcome any suggestions you might have for improving this procedure.

cc: Community Development Grants Administration





Legislation Details (With Text)

File #: 110812 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for Neighborhood Strategic Planning Areas from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Sponsors: THE CHAIR

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, COMMUNITY DEVELOPMENT BLOCK GRANT, FEDERAL GRANTS, NEIGHBORHOOD DEVELOPMENT

Attachments: Cover Letter, Year 2012 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

110812
Version
SUBSTITUTE 1

Reference
110811

Sponsor
THE CHAIR

Title
Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for **Neighborhood Strategic Planning Areas** from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Analysis
This resolution authorizes the Community Development Grants Administration to execute and implement contracts for activity consistent with the approved activities designated for Neighborhood Strategic Planning Areas in the 2012 Annual Action Plan.

Body

Whereas, Common Council File Number (CCFN) 090292 authorized the submission of the Consolidate Strategy and Plan and Annual Action Plan for 2012 consolidated community development entitlement funding; and

Whereas, CCFN 110571 adopted on September 20, 2011 authorized the 2012 Funding Allocation Plan; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that these funds are budgeted to the Community Development Grants Administration which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date.

2. Enter into subrecipient contracts as detailed in the grant budget.

; and, be it

Further Resolved, That the Community Development Grants Administration is responsible for awarding subrecipient contracts for each of the 2012 approved activities for **Neighborhood Strategic Planning Areas** as attached; and, be it

Further Resolved, That these projects are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File number 74-92-5v to the Community Development Grants Administration and the City Comptroller for their review and approval; and, be it

Further Resolved, That payments for CDBG costs incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Development Grants Administration and City Comptroller of a Budget Forecast (CDA-51); and, be it

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2012 CDBG Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2012 Program Year under the reductions imposed; and, be it

Further Resolved, That the authorization for the projects listed in this resolution are subject to the availability of 2012 Community Development Block Grant funds and the release of funds for this purpose by the U. S. Department of Housing and Urban Development; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the City's 2012 Community Development Program in accordance with the 2012 Annual Action Plan, including but not limited to the Community Development Grants Administration's determinations as to whether funds be awarded in the form of grants or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v are fully applicable to the 2012 Community Development Entitlement Funding Program.

Requestor

Drafter

2012CDBG-NSP-1

10/11/11

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Director

DATE: October 3, 2011

RE: Title Only Resolutions for Introduction

Attached are the 2012 HUD funded Title only resolutions that seek the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Community Organizing</u>				
<u>NO-RFP</u>				
1	YMCA of Metro Milwaukee-Parklawn	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
2	Havenwoods Economic Development Corp.	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
3	Lincoln Park Community Center	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
4	Northwest Side Comm Dev Corp	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
5	Sherman Park Community Association	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
7	YMCA of Metro Milwaukee-Community Dev. Corp.	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
9	Project RESPECT, Inc.	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
10	YMCA of Metro Milwaukee-Community Dev. Corp.	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
11	Lisbon Avenue Neighborhood Development	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
13	Boys & Girls Club of Gtr Milw-Pieper/Hillside Club	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
14	Merrill Park Neighborhood Association	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
15	Southside Organizing Committee	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
16	Hope House of Milwaukee, Inc.	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
17	Southside Organizing Committee	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
18	YMCA of Metro Milwaukee-Community Dev. Corp.	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
			675,000	675,000
<u>RFP</u>				
6	Community First, Inc.	Community Organizing /Crime Awareness Prevention/NSP	45,000	0
6	Harambee Ombudsman Project, Inc.	Community Organizing /Crime Awareness Prevention/NSP	50,000	45,000
6	Northwest Side Comm Dev Corp	Community Organizing /Crime Awareness Prevention/NSP	45,000	0
8	Community First, Inc.	Community Organizing /Crime Awareness Prevention/NSP	45,000	0
8	Harambee Ombudsman Project, Inc.	Community Organizing /Crime Awareness Prevention/NSP	50,000	0
8	Safe & Sound, Inc.	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
12	Community First, Inc.	Community Organizing /Crime Awareness Prevention/NSP	45,000	0
12	Harambee Ombudsman Project, Inc.	Community Organizing /Crime Awareness Prevention/NSP	50,000	0
12	Safe & Sound, Inc.	Community Organizing /Crime Awareness Prevention/NSP	45,000	45,000
			420,000	135,000
	<i>Total Neighborhood Strategic Planning</i>		1,095,000	810,000

Resolution #110812

JOE DAVIS, SR.
Alderman, 2nd District



CHAIR

- Community and Economic Development Committee
- National League of Cities' International Council
- Sister Cities Committee

MEMBER

- National League of Cities' Board of Directors
- Judiciary & Legislation Committee
- Public Safety Committee
- Steering and Rules Committee
- Milwaukee Economic Development Corporation

HONORARY CONSUL

- Republic of South Africa - State of Wisconsin

To: The Honorable, Members of the Common Council

From: Ald. Joe Davis, Sr., Chair, Community and Economic Development Committee

Re: Allocation of community development funds

Date: October 17, 2011

Attached are resolutions and accompanying attachments which collectively comprise the City of Milwaukee's 2012 application for community development funds from the U.S. Department of Housing and Urban Development.

The Community and Economic Development Committee will consider these resolutions at its Monday, October 24, 2011, meeting beginning at 9:00 a.m. in City Hall, Room 301-B. The resolutions contain the recommendations of the Community Development Grants Administration which reviewed all applications for funds; the recommendations are, of course subject to amendment.

To facilitate the process at committee with respect to amendments, the Committee will follow a process similar to that utilized in past years for allocation of community development funds; this process has now been incorporated into the *Common Council Procedure and Rules*. All amendments must be balanced amendments within the same category; meaning if an additional amount is requested for a community group or government agency, an equal amount must be taken from another group or agency. Furthermore, any amendment amending allocation of CDBG funds may not change the amount allocated for the two main categories of CDBG funds. No amendments will be taken on the day of the committee meeting unless the amendment addresses a previously drafted amendment. Any amendments offered at the table must also be "balanced" amendments.

In requesting amendments, please keep in mind that community development funding has decreased significantly in recent years, and, therefore funds should be put to their most efficient use for the benefit of the community and the City.

The schedule to be followed will be:

1. Amendment requests must be received by the Legislative Reference Bureau by noon on Friday, October 21.
2. The Community and Economic Development Committee will hear the recommendations and written amendments on Monday, October 24 starting at 9:00 a.m.
3. The Common Council will consider these matters at its Wednesday, November 2 meeting.

I want to thank all of you for your cooperation in this matter. I look forward to this upcoming meeting and welcome any suggestions you might have for improving this procedure.

cc: Community Development Grants Administration





Legislation Details (With Text)

File #: 110813 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for Mandated/Essential Services from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Sponsors: THE CHAIR

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, COMMUNITY DEVELOPMENT BLOCK GRANT, FEDERAL GRANTS, HOUSING, URBAN DEVELOPMENT

Attachments: Cover Letter, Year 2012 Funding Recommendations, Hearing Notice list

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

110813

Version

SUBSTITUTE 1

Reference

110811

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for **Mandated/Essential Services** from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Analysis

This resolution authorizes the Community Development Grants Administration to execute and implement contracts for activity consistent with the approved activities designated for Mandated/Essential Services in the 2012 Annual Action Plan.

Body

Whereas, Common Council File Number (CCFN) 090292 authorized the submission of the Consolidate Strategy and Plan and Annual Action Plan for 2012 consolidated community development entitlement funding; and

Whereas, CCFN 110571 adopted on September 20, 2011 authorized the 2012 Funding Allocation Plan; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that these funds are budgeted to the Community Development Grants Administration which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date.
2. Enter into subrecipient contracts as detailed in the grant budget.

; and, be it

Further Resolved That the Community Development Grants Administration is responsible for awarding subrecipient contracts for each of the 2012 approved activities for **Mandated/Essential Services** as amended per attachment; and, be it

Further Resolved, That these projects are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File number 74-92-5v to the Community Development Grants Administration and the City Comptroller for their review an approval; and, be it

Further Resolved, That payments for CDBG costs incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Development Grants Administration and City Comptroller of a Budget Forecast (CDA-51); and, be it

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2012 CDBG Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2012 Program Year under the reductions imposed; and, be it

Further Resolved, That the authorization for the projects listed in this resolution are subject to the availability of 2012 Community Development Block Grant funds and the release of funds for this purpose by the U. S. Department of Housing and Urban Development; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the City's 2012 Community Development Program in accordance with the 2012 Annual Action Plan, including but not limited to the Community Development Grants Administration's determinations as to whether funds be awarded in the form of grants or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v are fully applicable to the 2012 Community Development Entitlement Funding Program.

Requestor

Drafter

2012CDBG-ESSEN-1

10/11/11

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Director

DATE: October 3, 2011

RE: Title Only Resolutions for Introduction

Attached are the 2012 HUD funded Title only resolutions that seek the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Community Organizing</u>				
		<u>NO-RFP</u>		
Safe & Sound, Inc.		Community Partners Initiative	200,000	200,000
		<u>NO-RFP</u>		
Safe & Sound, Inc.		Community Prosecution Unit	140,910	140,910
Southside Organizing Committee		Community Prosecution Unit	109,090	109,090
	<i>Total Community Prosecution</i>		<u>250,000</u>	<u>250,000</u>

Resolution #110813

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Public Service - General</u>				
<u>Youth Services</u>				
		<u>RFP</u>		
	Agape Community Center, Inc.	Youth Services	36,900	30,000
	Black Alliance of Educational Options, Inc. (MCBAEO Milwaukee Chapter)	Youth Services	75,000	0
	Boys & Girls Club of Gtr Milw-Daniels/Mardak Club	Youth Services	38,000	30,000
	Boys & Girls Club of Gtr Milw-Davis Club	Youth Services	38,000	30,000
	Boys & Girls Club of Gtr Milw-Fitzsimonds Club	Youth Services	38,000	30,000
	Boys & Girls Club of Gtr Milw-LaVarnway Club	Youth Services	38,000	30,000
	Boys & Girls Club of Gtr Milw-Mary Ryan Club	Youth Services	38,000	30,000
	Boys & Girls Club of Gtr Milw-Pieper/Hillside Club	Youth Services	38,000	30,000
	Career Youth Development, Inc.	Youth Services	65,000	30,000
	Center for Self-Sufficiency, Inc.	Youth Services	50,000	30,000
	Children of the Lord Outreach Ministries, Inc	Youth Services	69,400	0
	COA Youth and Family Centers	Youth Services - Goldin Center	40,000	30,000
	COA Youth and Family Centers	Youth Services - Riverwest Center	40,000	30,000
	Creative Challenge Outreach	Youth Services	274,200	0
	First Stage Milwaukee, Inc.	Youth Services	40,000	0
	Growing Power, Inc.	Youth Services	60,000	30,000
	Harambee Ombudsman Project, Inc.	Youth Services	99,260	0
	Hmong/American Friendship Association, Inc.	Youth Services	52,110	0
	Hope House of Milwaukee, Inc.	Youth Services	30,000	30,000
	Journey House, Inc.	Youth Services	40,000	0
	Latino Community Center	Youth Services	40,000	30,000
	Lead2Change, Inc.	Youth Services	60,400	0
	Legacy Redevelopment Corp.	Youth Services	60,000	30,000
	Merrill Park Neighborhood Association	Youth Services	25,000	0
	Messmer Catholic Schools	Youth Services	50,000	0
	Messmer Catholic Schools (First Stage Children's Th)	Youth Services	35,000	0
	Milwaukee Christian Center	Youth Services - Kid's Place Project Challenge	40,000	30,000
	Milwaukee Christian Center	Youth Services - MCC Kosciuszko Youth Dev Prog	50,000	30,000

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Youth Services (continue)</u>				
	Milwaukee LGBT Community Center, Inc.	Youth Services	50,000	30,000
	Neighborhood House of Milwaukee, Inc.	Youth Services	40,000	30,000
	Neu-Life Community Development	Youth Services	50,000	0
	Northcott Neighborhood House, Inc.	Youth Services	45,000	30,000
	Pearls for Teen Girls, Inc.	Youth Services	50,000	30,000
	Rosalie Manor Community & Family Services, Inc.	Youth Services	37,935	0
	Silver Spring Neighborhood Center	Youth Services	40,000	0
	Sweet Water Foundation	Youth Services	34,342	0
	United Community Center	Youth Services	40,000	30,000
	Walker's Point Center for the Arts	Youth Services	30,000	30,000
	Woodland Pattern, Inc.	Youth Services	42,992	30,000
	YMCA of Metro Milwaukee-Northside Family Center	Youth Services	30,000	30,000
	<i>Total Youth Services</i>		2,050,539	750,000
<i>Resolution #110813</i>				
<u>Youth Services - Mandated Safe Places</u>				
		<u>NO-RFP</u>		
	Safe & Sound, Inc.	Youth Services	175,000	175,000
<i>Resolution #110813</i>				

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Public Service - General</u>				
	Wisconsin Community Service, Inc.	<u>NO-RFP</u> Drivers License Recovery/Employment Project	100,000	100,000
Resolution #110813				

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
	<u>Employment Services</u>	<u>RFP</u>		
	Hmong/American Friendship Association, Inc.	Employment Services - Job Placement	60,000	30,000
	Lincoln Park Community Center	Employment Services - Job Placement	45,000	30,000
	Milwaukee Careers Cooperative	Employment Services - Job Placement	96,000	60,000
	Milwaukee Urban League	Employment Services - Job Placement	25,000	25,000
	Riverworks Development Corp.	Employment Services - Job Placement	30,000	25,000
	Wisconsin Regional Training Partnership, Inc./BigStep	Employment Services - Job Placement	40,000	30,000
	Word of Hope Ministries, Inc.	Employment Services - Job Placement	150,000	50,000
	Heartlove Place, Inc.	Employment Services - Job Training & Placement	30,000	25,000
	Journey House, Inc.	Employment Services - Job Training & Placement	40,000	0
	Lao Family Community, Inc.	Employment Services - Job Training & Placement	60,000	50,000
	Northwest Side Comm Dev Corp	Employment Services - Job Training & Placement	50,000	0
	Wisconsin Community Service, Inc.	Employment Services - Job Training & Placement	75,000	50,000
	Wisconsin Regional Training Partnership, Inc./BigStep	Employment Services - Job Training & Placement	42,000	0
	Wiscraft, Inc.	Employment Services - Job Training & Placement	25,000	25,000
	<i>Total Employment Services</i>		<u>768,000</u>	<u>400,000</u>

Resolution #110813

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<i><u>Homebuyer Counseling</u></i>				
		<u>NO-RFP</u>		
	Career Youth Development, Inc.	Homebuyer Counseling Services	52,500	52,500
	Hmong/American Friendship Association, Inc.	Homebuyer Counseling Services	37,500	37,500
	Housing Resources, Inc.	Homebuyer Counseling Services	93,750	93,750
	Select Milwaukee, Inc.	Homebuyer Counseling Services	63,750	63,750
	United Community Center	Homebuyer Counseling Services	52,500	52,500
	<i>Total Homebuyer Counseling</i>		<u>300,000</u>	<u>300,000</u>

Resolution #110813

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Homeless Shelters</u>				
		<u>NO-RFP</u>		
LaCausa, Inc.		Shelter-Crisis Emergency Shelter for Abused and Neglected Children	24,060	24,060
Asha Family Services, Inc.		Domestic Violence - Intervention/Prevention/Case Management	48,041	48,041
Community Advocates, Inc.		Shelter-Emergency Shelter/Transitional Housing - Domestic Violence	96,100	96,100
Daystar, Inc.		Shelter-Emergency Shelter/Transitional Housing - Domestic Violence	23,187	23,187
Sojourner Family Peace Center, Inc.		Shelter-Emergency Shelter/Transitional Housing - Domestic Violence	132,550	132,550
Community Advocates, Inc.		Shelter-Emergency/Transitional Shelter for Homeless Indiv and Families	81,194	81,194
Guest House of Milwaukee, Inc.		Shelter-Emergency/Transitional Shelter for Homeless Indiv and Families	63,796	63,796
Hope House of Milwaukee, Inc.		Shelter-Emergency/Transitional Shelter for Homeless Indiv and Families	95,694	95,694
YWCA of Greater Milwaukee		Shelter-Emergency/Transitional Shelter for Homeless Indiv and Families	47,233	47,233
Community Advocates, Inc.		Homelessness Prev/Perm Hsg-Interv/Preventn/Case Mgmt for Homeless Families	115,354	115,354
Sojourner Family Peace Center, Inc.		Shelter & Supportive Serv Domestic Violence-Legal Asst	85,366	85,366
Counseling Center of Milw. - Pathfinders Prog		Shelter & Supportive Serv Services - Runaway/Homeless Youth	22,580	22,580
Walker's Point Youth & Family Center		Shelter & Supportive Serv Services - Runaway/Homeless Youth	64,845	64,845
	<i>Total Homeless Shelters</i>		900,000	900,000

Resolution #110813

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Planning</u>				
		<u>NO-RFP</u>		
	Legal Aid Society of Milwaukee, Inc.	Fair Housing Enforcement/Education/Predatory Lending	37,356	37,356
	Metro Milwaukee Fair Housing Council, Inc.	Fair Housing Enforcement/Education/Predatory Lending	92,644	92,644
	<i>Total Fair Hsg Enfrcmnt/Educa/Pred Lending</i>		<u>130,000</u>	<u>130,000</u>
	Community Advocates, Inc.	Continuum of Care Planning	8,000	8,000
	Fair Housing Consultant (TBD)	Analysis of Impediments Study	<u>12,500</u>	<u>12,500</u>
	<i>Total Planning</i>		150,500	150,500
 <i>Resolution #110813</i>				

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<i><u>Economic Development</u></i>				
		<u>RFP</u>		
	Burleigh Street Community Dev. Corp.	Special Economic Development	150,000	50,000
	Harambee Ombudsman Project, Inc.	Special Economic Development	150,000	0
	Hispanic Chamber of Commerce of Wis	Special Economic Development	125,000	50,000
	Hmong Wisconsin Chamber of Commerce	Special Economic Development	100,000	50,000
	Layton Boulevard West Neighbors, Inc.	Special Economic Development	75,000	50,000
	Legacy Redevelopment Corp.	Special Economic Development	100,000	75,000
	Lincoln Neighborhood Redevelopment Corp.	Special Economic Development	75,000	50,000
	Lincoln Village Business Association	Special Economic Development	100,000	0
	Martin Luther King Economic Development Corp.	Special Economic Development	75,000	0
	Milwaukee Urban Entrepreneur Partnership, Inc.	Special Economic Development	50,000	0
	Northwest Side Comm Dev Corp	Special Economic Development	51,125	0
	Riverworks Development Corp.	Special Economic Development	75,000	0
	Wisconsin Women's Business Initiative Corp.	Special Economic Development	200,000	75,000
	<i>Total Special Economic Development</i>		<u>1,326,125</u>	<u>400,000</u>

Resolution #110813

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Technical Assistance</u>				
	Non-Profit Center of Milwaukee, Inc.	<u>NO-RFP</u> Technical Asst for CBO's	75,000	75,000
	<i>Total Technical Assistance</i>		<u>75,000</u>	<u>75,000</u>

Resolution #110813

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>Housing</u>				
		<u>NO-RFP</u>		
	Milwaukee Christian Center-NIP	Housing Accessibility Program	41,250	41,250
	Rebuilding Together Greater Milwaukee, Inc.	Housing Accessibility Program	18,750	18,750
			60,000	60,000
		<u>NO-RFP</u>		
	Dominican Center for Women, Inc.	Housing - Neighborhood Improvement Program (NIP)	33,134	33,134
	Gibraltar Development Corp.	Housing - Neighborhood Improvement Program (NIP)	72,894	72,894
	Housing Resources, Inc.	Housing - Neighborhood Improvement Program (NIP)	26,507	26,507
	Milwaukee Christian Center-NIP	Housing - Neighborhood Improvement Program (NIP)	291,575	291,575
	Sherman Park Community Association	Housing - Neighborhood Improvement Program (NIP)	26,507	26,507
	Social Development Commission	Housing - Neighborhood Improvement Program (NIP)	119,279	119,279
	YMCA of Metro Milwaukee-Community Dev. Corp.	Housing - Neighborhood Improvement Program (NIP)	198,801	198,801
			768,697	768,697
		<u>NO-RFP</u>		
	Milwaukee Christian Center-NIP	Milwaukee Builds Program	93,601	93,601
	Northcott Neighborhood House	Milwaukee Builds Program	187,202	187,202
			280,803	280,803
		<u>NO-RFP</u>		
	Milwaukee Christian Center-NIP	Housing - Graffiti Abatement	62,223	62,223
	Safe & Sound, Inc.	Housing - Graffiti Abatement	17,777	17,777
			80,000	80,000
		<u>NO-RFP</u>		
	Community Advocates, Inc.	Tenant Assistance Program	75,000	75,000
	Total Housing		1,264,500	1,264,500

Resolution #110813

YEAR 2012 FUNDING RECOMMENDATIONS

Entitlement Funds

HOME Investment Partnerships (HOME)

**Organization
Name**

**Funding
Category**

**Requested
Amount**

**HOME
CDGA
Recomm**

Housing

NO-RFP

Dominican Center for Women, Inc.	Housing - Neighborhood Improvement Program (NIP)	122,500	122,500
Gibraltar Development Corp.	Housing - Neighborhood Improvement Program (NIP)	269,500	269,500
Housing Resources, Inc.	Housing - Neighborhood Improvement Program (NIP)	98,000	98,000
Milwaukee Christian Center-NIP	Housing - Neighborhood Improvement Program (NIP)	1,078,000	1,078,000
Sherman Park Community Association	Housing - Neighborhood Improvement Program (NIP)	98,000	98,000
Social Development Commission	Housing - Neighborhood Improvement Program (NIP)	441,000	441,000
YMCA of Metro Milwaukee-Community Dev. Corp.	Housing - Neighborhood Improvement Program (NIP)	735,000	735,000
		2,842,000	2,842,000

NO-RFP

Layton Boulevard West Neighbors, Inc.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	150,000	150,000
Martin Luther King Economic Development Corp.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	350,000	350,000
Milwaukee Christian Center-NIP	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	550,000	550,000
Walnut Way Conservation Corp.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	150,000	150,000
		1,200,000	1,200,000

Layton Boulevard West Neighbors, Inc.	CHDO Operating HOME Funds	60,000	60,000
Milwaukee Christian Center-NIP	CHDO Operating HOME Funds	70,000	70,000
Milwaukee Community Service Corp.	CHDO Operating HOME Funds	50,000	50,000
Select Milwaukee, Inc.	CHDO Operating HOME Funds	60,000	60,000
Walnut Way Conservation Corp.	CHDO Operating HOME Funds	60,000	60,000
		300,000	300,000

NO-RFP

Milwaukee Christian Center-NIP	Milwaukee Builds Program	125,000	125,000
Northcott Neighborhood House	Milwaukee Builds Program	275,000	275,000
		400,000	400,000

Total Housing CBO's

4,742,000 4,742,000

Resolution #110813

YEAR 2012 FUNDING RECOMMENDATIONS

Entitlement Funds

Emergency Solutions Grant (ESG)

<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>ESG CDGA Recomm</u>
<u>Homeless Shelters</u>			
<u>NO-RFP</u>			
LaCausa, Inc.	Shelter-Crisis Emergency Shelter for Abused and Neglected Children	29,075	29,075
Community Advocates, Inc.	Shelter-Emergency Shelter/Transitional Housing - Domestic Violence	78,492	78,492
Daystar, Inc.	Shelter-Emergency Shelter/Transitional Housing - Domestic Violence	27,704	27,704
Sojourner Family Peace Center, Inc.	Shelter-Emergency Shelter/Transitional Housing - Domestic Violence	51,176	51,176
		<u>186,447</u>	<u>186,447</u>
Cathedral Center, Inc.	Shelter-Emergency/Transitional Shelter for Homeless Individuals and Families	24,583	24,583
Community Advocates, Inc.	Shelter-Emergency/Transitional Shelter for Homeless Individuals and Families	102,280	102,280
Guest House of Milwaukee, Inc.	Shelter-Emergency/Transitional Shelter for Homeless Individuals and Families	94,354	94,354
Hope House of Milwaukee, Inc.	Shelter-Emergency/Transitional Shelter for Homeless Individuals and Families	84,033	84,033
Salvation Army	Shelter-Emergency/Transitional Shelter for Homeless Individuals and Families	93,754	93,754
YWCA of Greater Milwaukee	Shelter-Emergency/Transitional Shelter for Homeless Individuals and Families	41,539	41,539
		<u>440,543</u>	<u>440,543</u>
Pathfinders Milwaukee, Inc.	Shelter & Supportive Services - Runaway/Homeless Youth	19,860	19,860
Walker's Point Youth & Family Center	Shelter & Supportive Services - Runaway/Homeless Youth	22,332	22,332
		<u>42,192</u>	<u>42,192</u>
Community Advocates, Inc.	Homelessness Prev-Perm Hsg-Interventn/Prevent/Case Mgmt for Homeless Families	45,975	45,975

Resolution #110813

JOE DAVIS, SR.
Alderman, 2nd District



CHAIR

- Community and Economic Development Committee
- National League of Cities' International Council
- Sister Cities Committee

MEMBER

- National League of Cities' Board of Directors
- Judiciary & Legislation Committee
- Public Safety Committee
- Steering and Rules Committee
- Milwaukee Economic Development Corporation

HONORARY CONSUL

- Republic of South Africa - State of Wisconsin

To: The Honorable, Members of the Common Council

From: Ald. Joe Davis, Sr., Chair, Community and Economic Development Committee

Re: Allocation of community development funds

Date: October 17, 2011

Attached are resolutions and accompanying attachments which collectively comprise the City of Milwaukee's 2012 application for community development funds from the U.S. Department of Housing and Urban Development.

The Community and Economic Development Committee will consider these resolutions at its Monday, October 24, 2011, meeting beginning at 9:00 a.m. in City Hall, Room 301-B. The resolutions contain the recommendations of the Community Development Grants Administration which reviewed all applications for funds; the recommendations are, of course subject to amendment.

To facilitate the process at committee with respect to amendments, the Committee will follow a process similar to that utilized in past years for allocation of community development funds; this process has now been incorporated into the *Common Council Procedure and Rules*. All amendments must be balanced amendments within the same category; meaning if an additional amount is requested for a community group or government agency, an equal amount must be taken from another group or agency. Furthermore, any amendment amending allocation of CDBG funds may not change the amount allocated for the two main categories of CDBG funds. No amendments will be taken on the day of the committee meeting unless the amendment addresses a previously drafted amendment. Any amendments offered at the table must also be "balanced" amendments.

In requesting amendments, please keep in mind that community development funding has decreased significantly in recent years, and, therefore funds should be put to their most efficient use for the benefit of the community and the City.

The schedule to be followed will be:

1. Amendment requests must be received by the Legislative Reference Bureau by noon on Friday, October 21.
2. The Community and Economic Development Committee will hear the recommendations and written amendments on Monday, October 24 starting at 9:00 a.m.
3. The Common Council will consider these matters at its Wednesday, November 2 meeting.

I want to thank all of you for your cooperation in this matter. I look forward to this upcoming meeting and welcome any suggestions you might have for improving this procedure.

cc: Community Development Grants Administration





Legislation Details (With Text)

File #: 110814 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee’s 2012 consolidated community development entitlement funding for City Strategic Objectives from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Sponsors: THE CHAIR

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, COMMUNITY DEVELOPMENT BLOCK GRANT, FEDERAL GRANTS

Attachments: Cover Letter, Year 2012 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

110814
Version
SUBSTITUTE 1
Reference
110811
Sponsor
THE CHAIR

Title
Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee’s 2012 consolidated community development entitlement funding for **City Strategic Objectives** from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Analysis
This resolution authorizes the Community Development Grants Administration to execute and implement contracts for activity consistent with the approved activities designated for City Strategic Objectives in the 2012 Annual Action Plan.
Body

Whereas, Common Council File Number (CCFN) 090292 authorized the submission of the Consolidate Strategy and Plan and Annual Action Plan for 2012 consolidated community development entitlement funding; and

Whereas, CCFN 110571 adopted on September 20, 2011 authorized the 2012 Funding Allocation Plan; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that these funds are budgeted to the Community Development Grants Administration which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date.
2. Enter into subrecipient contracts as detailed in the grant budget.

; and, be it

Further Resolved, That the Community Development Grants Administration is responsible for awarding subrecipient contracts for each of the 2012 approved activities for **City Strategic Objectives** as attached; and, be it

Further Resolved, That these projects are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File number 74-92-5v to the Community Development Grants Administration and the City Comptroller for their review an approval; and, be it

Further Resolved, That payments for CDBG costs incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Development Grants Administration and City Comptroller of a Budget Forecast (CDA-51); and, be it

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2012 CDBG Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2012 Program Year under the reductions imposed; and, be it

Further Resolved, That the authorization for the projects listed in this resolution are subject to the availability of 2012 Community Development Block Grant funds and the release of funds for this purpose by the U. S. Department of Housing and Urban Development; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the City's 2012 Community Development Program in accordance with the 2012 Annual Action Plan, including but not limited to the Community Development Grants Administration's determinations as to whether funds be awarded in the form of grants or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v are fully applicable to the 2012 Community Development Entitlement Funding Program.

Requestor

Drafter

2012CDBG-STRAT-1

10/11/11

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Director

DATE: October 3, 2011

RE: Title Only Resolutions for Introduction

Attached are the 2012 HUD funded Title only resolutions that seek the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

<u>NSP Area</u>	<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>CDBG CDGA Recomm</u>
<u>City Departments</u>				
Department of Administration		Emerging Business Enterprise Program	275,000	275,000
Department of City Development		Youth Internship Program	300,000	300,000
Department of City Development		Owner-Occupied, Deferred Payment, Home Rehab Loan Prog	<u>427,347</u>	<u>427,347</u>
			<u>727,347</u>	<u>727,347</u>
Department of Neighborhood Services		DNS-Landlord /Tenant Compliance Prog	47,500	47,500
Department of Neighborhood Services		DNS Code Enforcement Inspectors Targeted Enforcement	1,118,375	1,118,375
Department of Neighborhood Services		DNS - Neighborhood Cleanups	106,500	106,500
Department of Neighborhood Services		Code Enforcement - Housing	<u>770,000</u>	<u>770,000</u>
			<u>2,042,375</u>	<u>2,042,375</u>
Health Department		Milwaukee Health Department (In-House) Lead Based Paint Prevention/Abatement Program	754,840	754,840
Health Department		Milw Health Dept. Lead Based Paint Prevention/ Abatement Project (CDGA Housing Providers)	603,153	603,153
			<u>1,357,993</u>	<u>1,357,993</u>
Milwaukee Fire Department		FOCUS and Fire Prevention Education	165,000	165,000
RACM		RACM Land Management	312,625	312,625
RACM		Brownfield Initiatives	169,553	169,553
RACM		RACM Spot Acquisition	<u>312,669</u>	<u>312,669</u>
			<u>794,847</u>	<u>794,847</u>

Resolution #110814

YEAR 2012 FUNDING RECOMMENDATIONS

Entitlement Funds

HOME Investment Partnerships (HOME)

**Organization
Name**

**Funding
Category**

**Requested
Amount**

**HOME
CDGA
Recomm**

City Departments

Department of City Development	Owner-Occupied, Deferred Payment, Home Rehab Loan Prog	554,000	554,000
Department of City Development	Rental Rehabilitation Loan Program	125,000	125,000
		<u>679,000</u>	<u>679,000</u>

Resolution #110814

JOE DAVIS, SR.
Alderman, 2nd District



CHAIR

- Community and Economic Development Committee
- National League of Cities' International Council
- Sister Cities Committee

MEMBER

- National League of Cities' Board of Directors
- Judiciary & Legislation Committee
- Public Safety Committee
- Steering and Rules Committee
- Milwaukee Economic Development Corporation

HONORARY CONSUL

- Republic of South Africa - State of Wisconsin

To: The Honorable, Members of the Common Council

From: Ald. Joe Davis, Sr., Chair, Community and Economic Development Committee

Re: Allocation of community development funds

Date: October 17, 2011

Attached are resolutions and accompanying attachments which collectively comprise the City of Milwaukee's 2012 application for community development funds from the U.S. Department of Housing and Urban Development.

The Community and Economic Development Committee will consider these resolutions at its Monday, October 24, 2011, meeting beginning at 9:00 a.m. in City Hall, Room 301-B. The resolutions contain the recommendations of the Community Development Grants Administration which reviewed all applications for funds; the recommendations are, of course subject to amendment.

To facilitate the process at committee with respect to amendments, the Committee will follow a process similar to that utilized in past years for allocation of community development funds; this process has now been incorporated into the *Common Council Procedure and Rules*. All amendments must be balanced amendments within the same category; meaning if an additional amount is requested for a community group or government agency, an equal amount must be taken from another group or agency. Furthermore, any amendment amending allocation of CDBG funds may not change the amount allocated for the two main categories of CDBG funds. No amendments will be taken on the day of the committee meeting unless the amendment addresses a previously drafted amendment. Any amendments offered at the table must also be "balanced" amendments.

In requesting amendments, please keep in mind that community development funding has decreased significantly in recent years, and, therefore funds should be put to their most efficient use for the benefit of the community and the City.

The schedule to be followed will be:

1. Amendment requests must be received by the Legislative Reference Bureau by noon on Friday, October 21.
2. The Community and Economic Development Committee will hear the recommendations and written amendments on Monday, October 24 starting at 9:00 a.m.
3. The Common Council will consider these matters at its Wednesday, November 2 meeting.

I want to thank all of you for your cooperation in this matter. I look forward to this upcoming meeting and welcome any suggestions you might have for improving this procedure.

cc: Community Development Grants Administration





Legislation Details (With Text)

File #: 110815 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for Housing Opportunities For Persons With AIDS (HOPWA) from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Sponsors: THE CHAIR

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, FEDERAL GRANTS, HIV/AIDS

Attachments: Cover Letter, Year 2012 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

110815

Version

SUTSTITUTE 1

Reference

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2012 consolidated community development entitlement funding for **Housing Opportunities For Persons With AIDS (HOPWA)** from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).
Analysis

This resolution authorizes the Community Development Grants Administration to accept HOPWA grant funding in the amount of \$576,432 consistent with its Consolidated Strategy and Plan as approved by the U. S. Department of Housing and Urban Development (HUD) and authorizes the Community Development Grants Administration to execute and implement HOPWA projects.

BODY

Whereas, The City of Milwaukee appears to be eligible for Community Development entitlement funding for HOPWA activity estimated at \$576,432 for 2012; and

Whereas, Common Council File Number (CCFN) 090292 authorized the submission of the Consolidated Strategy and Plan and Annual Action Plan for 2012 consolidated community development entitlement funding; and

Whereas, CCFN 110571 adopted on September 20, 2011 authorized the 2012 Funding Allocation Plan; and

Whereas, It has been determined that operation of the HOPWA programs for one year would cost approximately \$576,432 of which \$576,432 would be provided by the Grantor; and

Whereas, There is no local share required for this grant program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the Mayor of the City of Milwaukee is designated as the authorized representative of the City of Milwaukee, in connection with all matter relating to the City's 2012 HOPWA Program; and, be it

Further Resolved, That the City of Milwaukee assures and certifies that it will comply with the regulations, policies, guidelines and requirements with respect to the acceptance and use of Federal HOPWA funds as specifically delineated in the Grant Award; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that application to HUD is authorized and the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit Funds within the Project/Grant Parent of the 2012 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/project titled Housing Opportunities For Persons With AIDS (HOPWA):

<u>Project/Grant</u>	<u>Fund</u>	<u>Org</u>	<u>Program</u>	<u>BY</u>	<u>SubClass</u>	<u>Acct</u>
GR0001200000 0150	9990	0001	0000	R999	000600	

<u>Project</u>	<u>Amount</u>
Grantor Share	\$576,432

2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against these Project/Grant values and amount required under the grant agreement;
3. Establish the necessary City Share Project values; and, be it

Further Resolved, That these funds are appropriated to the Community Development Grants Administration which is authorized to:

1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Enter into subcontract(s) as detailed in the grant budget; and, be it

Further Resolved, That the Community Development Grants Administration is hereby authorized to incur costs not to exceed \$15,000 for the administration of the City of Milwaukee 2012 HOPWA Program; and, be it

Further Resolved That the Community Development Grants Administration is responsible for awarding subrecipient contracts for the attached 2012 providers and activities for HOPWA; and, be it

Further Resolved, that all department/agencies are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File Number 74-92-5v to the Community Development Grants Administration and The City Comptroller for their review and approval; and, be it

Further Resolved, That payments for HOPWA costs incurred shall be paid in accordance with approved HOPWA reimbursement policy based on the approval by the Community Development Grants Administration and the City Comptroller of a Budget Forecast (CDA-51); and, be it

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2012 Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2012 Program Year under the reductions imposed; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v is fully applicable to the 2012 Community Development Entitlement funding Program.

Requestor
Drafter

2012CDBG-HOPWA-1
10/11/11

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Director

DATE: October 3, 2011

RE: Title Only Resolutions for Introduction

Attached are the 2012 HUD funded Title only resolutions that seek the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments

YEAR 2012 FUNDING RECOMMENDATIONS
Entitlement Funds
Housing Opportunities for Persons with AIDS (HOPWA)

<u>Organization Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>HOPWA CDGA Recomm</u>
AIDS Resource Center of Wisconsin	<u>RFP</u> HOPWA	561,432	471,432
Richard's Place	HOPWA	90,000	90,000
Community Development Grants Administration	HOPWA	15,000	15,000
<i>Total Proposed 2012 HOPWA Funding</i>		<u>666,432</u>	<u>576,432</u>

Resolution #110815

JOE DAVIS, SR.
Alderman, 2nd District



CHAIR

- Community and Economic Development Committee
- National League of Cities' International Council
- Sister Cities Committee

MEMBER

- National League of Cities' Board of Directors
- Judiciary & Legislation Committee
- Public Safety Committee
- Steering and Rules Committee
- Milwaukee Economic Development Corporation

HONORARY CONSUL

- Republic of South Africa - State of Wisconsin

To: The Honorable, Members of the Common Council

From: Ald. Joe Davis, Sr., Chair, Community and Economic Development Committee

Re: Allocation of community development funds

Date: October 17, 2011

Attached are resolutions and accompanying attachments which collectively comprise the City of Milwaukee's 2012 application for community development funds from the U.S. Department of Housing and Urban Development.

The Community and Economic Development Committee will consider these resolutions at its Monday, October 24, 2011, meeting beginning at 9:00 a.m. in City Hall, Room 301-B. The resolutions contain the recommendations of the Community Development Grants Administration which reviewed all applications for funds; the recommendations are, of course subject to amendment.

To facilitate the process at committee with respect to amendments, the Committee will follow a process similar to that utilized in past years for allocation of community development funds; this process has now been incorporated into the *Common Council Procedure and Rules*. All amendments must be balanced amendments within the same category; meaning if an additional amount is requested for a community group or government agency, an equal amount must be taken from another group or agency. Furthermore, any amendment amending allocation of CDBG funds may not change the amount allocated for the two main categories of CDBG funds. No amendments will be taken on the day of the committee meeting unless the amendment addresses a previously drafted amendment. Any amendments offered at the table must also be "balanced" amendments.

In requesting amendments, please keep in mind that community development funding has decreased significantly in recent years, and, therefore funds should be put to their most efficient use for the benefit of the community and the City.

The schedule to be followed will be:

1. Amendment requests must be received by the Legislative Reference Bureau by noon on Friday, October 21.
2. The Community and Economic Development Committee will hear the recommendations and written amendments on Monday, October 24 starting at 9:00 a.m.
3. The Common Council will consider these matters at its Wednesday, November 2 meeting.

I want to thank all of you for your cooperation in this matter. I look forward to this upcoming meeting and welcome any suggestions you might have for improving this procedure.

cc: Community Development Grants Administration





Legislation Details (With Text)

File #: 110840 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing the activity change for the City of West Allis additional State of Wisconsin Neighborhood Stabilization Program 1 grant funds.

Sponsors: THE CHAIR

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, COMMUNITY DEVELOPMENT BLOCK GRANT

Attachments: Cover Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

110840

Version

ORIGINAL

Reference

110344

Sponsor

THE CHAIR

Title

Resolution authorizing the activity change for the City of West Allis additional State of Wisconsin Neighborhood Stabilization Program 1 grant funds.

Body

Whereas, The Common Council File number 091465 and 081332 authorizes the Community Development Grants Administration to apply, accept and fund the City of Milwaukee Neighborhood Stabilization Program from the Wisconsin Department of Commerce; and

Whereas, The Common Council of the City of Milwaukee previously approved file number 110344 which authorized the City of West Allis to receive an additional \$100,000 for the Highland Commons project in the Acquisition/Rehab-Rental category; and

Whereas, The City of West Allis, as notified Community Development Grants Administration (CDGA) that the developer has decided not proceed with the Highland Commons project; and

Whereas, The City of West Allis, has also notified the CDGA of their intent to use the additional \$100,000 award for a project in the category of Acquisition/Rehab/Resale of foreclosed properties under the Neighborhood Stabilization Program 1 (NSP1) from the State of Wisconsin consortium;

now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the \$100,000 of additional funds is awarded to the City of West Allis for the activity as stated above; and, be it

Further Resolved, That the Community Development Grants Administration is responsible for awarding a subrecipient contract for these approved activities; and, be it

Further Resolved, That the subrecipient organizations shall submit budget and activity reports in amounts and according to any conditions approved by the Common Council and in accordance with File Number 74-92-5v, to the Community Development Grants Administration and the City Comptroller for review and approval; and, be it

Further Resolved, That payments for NSP cost incurred shall be paid in accordance with approved NSP reimbursement policy based on the approval by the Community Development Grants Administration and the City Comptroller; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common council File Number 74-92-5v are fully applicable to the Community Development Entitlement Funding program.

Requestor

Drafter

CDGA-WI-NSP-CONSORT-AMEND-WSTALLIS-ACTIVITY

10/04/11

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Director

DATE: October 4, 2011

RE: Resolution for Introduction

Attached is a resolution regarding the activity change for the State of Wisconsin Neighborhood Stabilization Program 1 funds for the City of West Allis that seeks the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments



Legislation Details (With Text)

File #: 110877 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/11/2011 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the transfer of 2011 HOME funds to various programmatic activities for the Department of City Development.

Sponsors: ALD. WADE

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, COMMUNITY DEVELOPMENT BLOCK GRANT, DEPARTMENT OF CITY DEVELOPMENT

Attachments: Cover Letter, DCD Letter - Maria Prioletta, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/11/2011	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2011	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100877

Version

ORIGINAL

Reference

Sponsor

ALD. WADE

Title

Resolution relating to the transfer of 2011 HOME funds to various programmatic activities for the Department of City Development.

Analysis

Body

Whereas, The Common Council of the City of Milwaukee has previously approved the award of \$845,003 of 2011 HOME funding for the Owner-Occupied activity, and the amount of \$125,000 of 2011 HOME funding to the Rental Rehabilitation Program activity; and

Whereas, DCD has informed the Community Development Grants Administration in the attached letter of the need to transfer \$250,000 of HOME funding from the Owner-Occupied activity to the Rental Rehabilitation for the 2011 program year; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Community Development Grants Administration is authorized to transfer the HOME funds as noted above to the 2011 DCD HOME Programs; and, be it

Further Resolved, That the Department of City Development shall submit budgets and activity reports

in amounts and according to any conditions approved by the Common Council and in accordance with File Number 74-92-5v, to the Community Development Grants Administration and the City Comptroller for review and approval; and, be it

Further Resolved, That payments for HOME cost incurred shall be paid in accordance with approved HOME reimbursement policy based on the approval by the Community Development Grants Administration and the City Comptroller; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v are fully applicable to the 2011 Community Development Entitlement Funding Program.

Requestor
Drafter
CDGA-DCD-11
10/11/11

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Director

DATE: October 11, 2011

RE: Resolution for Introduction

Attached is a resolution regarding the activity change for the 2011 Department of City Development 2011 HOME program that seeks the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

October 14, 2011

CDGA
OCT 14 PM 3:38

Mr. Steven L. Mahan, Director
Community Block Grant Administration
200 East Wells Street, Room 606
Milwaukee, WI 53202

RE: Budget Amendment for HOME funded Rental Rehabilitation and Owner Occupied Programs

Dear Mr. Mahan:

As follow up to our conversations regarding the reallocation of funds among activities in our Rental Program and Owner Occupied HOME program budgets, we are requesting the following funding shift to accommodate pending obligations:

Rental Rehabilitation	Increase of \$250,000
Owner Occupied Rehabilitation	Decrease of \$250,000

The Department's current HOME funded budgets for 2011 allocated 91% of our funds to owner occupied activity and 9% to rental rehabilitation activity. The shift will accommodate current program demand, while still keeping the majority of our funding prioritized for owner occupied projects.

Should you have any questions, or be in need of further information, please feel free to contact me at X5903.

Sincerely,

Maria Prioletta
Redevelopment and Special Projects Manager

