

..Number

130662

..Version

PROPOSED SUBSTITUTE A

..Reference

..Sponsor

ALD. MURPHY, WITKOWSKI AND BOHL

..Title

Substitute resolution relating to the procedure for determining City-owned school buildings surplus and authorizing their sale or lease, and directing the Department of Administration-Intergovernmental Relations Division to seek changes in state law to eliminate certain provisions relating to the sale of City-owned property.

..Analysis

State law provides that, before the Common Council may adopt a resolution approving the sale or lease of underutilized City-owned property used for school purposes, the Common Council shall adopt by resolution a set of criteria under which the Common Council may or may not find that the City-owned property used for school purposes is underutilized. This resolution adopts criteria for the Common Council to use in determining if a City-owned school property is underutilized.

In addition, this resolution directs the Department of Administration-Intergovernmental Relations Division to seek introduction and passage of state legislation that would eliminate the taxpayer share of the Parental Choice voucher pupils moving into property sold or leased by the City, and that would eliminate conflicts of interest in representation by the City Attorney of the City and the Milwaukee Public Schools that impede the sale or lease of underutilized City-owned property used for school purposes.

...Body

Whereas, Section 119.60(2m)(a)2, Wis. Stats., provides that, before the Common Council may adopt a resolution approving the sale or lease of underutilized City-owned property used for school purposes, the Common Council shall adopt by resolution a set of criteria under which the Common Council may or may not find that the City-owned property used for school purposes is underutilized; and

Whereas, The Common Council finds it is essential that the Council have the ability to sell or lease City-owned school property that it finds to be underutilized, and that the Council only has that ability if it adopts a set of criteria described in s. 119.60(2m)(a)2, Wis. Stats.; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a City-owned property used for school purposes shall be deemed underutilized if the Common Council finds that the property meets either of the following criteria:

1. The school building has been declared surplus to the needs of the school district by the Milwaukee Board of School Directors.

2. The school building has not been used for pupil instruction on a daily, school day basis for the preceding 12 consecutive months and less than 40 percent of the square footage in the school building is used for administration, continuing or professional development, recreation or storage.

; and, be it

Further Resolved, That the Milwaukee Board of School Directors shall be provided notice of and an opportunity to provide testimony at any hearing held by the appropriate standing committee of the Common Council on whether the Common Council shall find that a City-owned property used for school purposes is underutilized; and, be it

Further Resolved, That the Department of Administration—Intergovernmental Relations Division—is directed to seek introduction and passage of state legislation to eliminate the taxpayer share of the Parental Choice voucher for pupils moving into property sold by the City, and to eliminate conflicts of interest in representation by the City Attorney of the City and the Milwaukee Public Schools that impede the sale or lease of underutilized City-owned property used for school purposes.

..Requestor

..Drafter  
LRB155415-3  
Richard Pfaff  
9/23/14