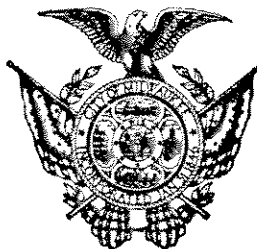


# CITY OF MILWAUKEE

Form CA-43

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Assistant City Attorneys

May 31, 2005

Ronald D. Leonhardt  
City Clerk  
City Hall, Room

Re: CCFN 050165 - Agreement Between City of Milwaukee and Greater Milwaukee Foundation for Police Endowment Fund

Dear Mr. Leonhardt:

Enclosed please find a resolution and accompanying agreement for consideration by the Public Safety Committee at its June 2, 2005 meeting.

The resolution authorizes the Chief of Police to enter into an agreement with the Greater Milwaukee Foundation (GMF) to create a charitable Police Endowment Fund (the "Fund"). All contributions received by the GMF for the Fund shall be added to a separate donor advised component fund within the GMF to provide support for programs and projects benefiting the Police Department.

The Fund will serve as a mechanism to receive philanthropic funds for designated or restricted purposes that meet Police Department needs and address issues which go beyond the annual budget process constraints. These purposes include special staff and program development activities, systems that support innovation and community policing, and research on policing.

The resolution authorizes the submission of grant applications to the GMF for seed money for the Fund. It is expected that the Police Department will apply to the GMF for a grant of \$25,000 to fund the initial balance of the Fund.

An annual administrative fee of one percent of the average annual Fund balance will be paid from the Fund itself.


The agreement provides that the GMF will report on investments, earnings and distributions from the Fund on a quarterly basis.

Ronald D. Leonhardt  
May 31, 2005  
Page 2

The resolution also authorizes the acceptance by the City of contributions from the Fund to the Police Department for the specified purposes of the Fund, subject to the provisions of section 304.24 of the Code of Ordinances. Further Common Council action will be required when distributions are made from the Fund to the Police Department to authorize appropriation and expenditure of the distributions.

Please contact Ellen Tangen at 286-8411 with any questions in this matter.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



ELLEN H. TANGEN  
Assistant City Attorney

Enclosures

c: Alderman Robert Donovan (w/encl)  
Diana Morgan (w/encl)  
Nannette H. Hegerty, Chief of Police (w/encl)  
Daniel Alexander (w/encl)

EHT:et  
1032-2005-1422:93542

**AGREEMENT  
BETWEEN THE GREATER MILWAUKEE FOUNDATION AND  
THE CITY OF MILWAUKEE POLICE DEPARTMENT**

This Agreement sets forth the agreement between the Greater Milwaukee Foundation (GMF) and the City of Milwaukee (the City), acting through its Police Department (MPD), regarding the establishment and maintenance of a component fund in the GMF to support projects and programs benefiting the MPD.

WHEREAS, It is anticipated that funds will be received from various sources, including individuals, foundations, and corporations, for the purpose of supporting programs and projects established pursuant to the approval of the City's Chief of Police.

NOW, therefore, the GMF and the City agree as follows:

1. Establishment of Fund. A fund shall be established within the Greater Milwaukee Foundation for receipt of these funds. The fund shall be known as the **Milwaukee Police Department Endowment Fund** (the "Fund") and shall be identified as such by GMF in the course of administration and distribution thereof.

2. Purpose of the Fund. All contributions received shall be added to a separate donor advised component fund within the GMF to provide support for programs and projects benefiting the MPD. This Fund serves as a mechanism to receive philanthropic funds for designated or restricted purposes that meet department needs and address issues which go beyond the annual budget process constraints. These purposes include: 1) special staff and program development activities, 2) systems that support innovation and community policing, and research on policing.

3. Distributions from the Fund. All distributions from the Fund shall be made for such charitable purposes enabling the MPD to better serve the Milwaukee community, as the GMF Board of Directors determine and approve after taking into consideration any periodic recommendations made to GMF by the City's Chief of Police.

Distributions from the Fund generally shall be made in amounts that are in accordance with the GMF's distribution policy as in effect from time to time; however, the Fund advisor (MPD Police Chief) shall have the right to recommend distributions greater than those set by the GMF's distribution policy. For practical purposes, it is the hope that the fund maintain a fund balance consistent with the GMF's minimum balance guidelines for advised funds in effect at the time; however, the MPD Police Chief reserves the discretion to recommend distributions that may bring the fund balance below such guideline or the right to recommend the fund be paid out in total.

4. Administrative Fee. It is further understood that GMF will assess a fee of 1% of the average asset value of the Fund on an annual basis (\$500 annual minimum) to cover its general administrative expenses, such fee to be adjusted from time to time as circumstances may warrant. Extraordinary expenses specifically incurred for the Fund will be charged to the Fund. The Foundation will inform the MPD if there is an increase in fees in the future.

5. Administration of the Fund. All assets of the Fund shall be assets of the GMF and not a separate trust. The Fund shall be held and administered subject to the provisions of the GMF's Articles of Incorporation and By-Laws as presently in effect or as each may from time to time be amended, including those provisions which may permit the Board to amend, modify or vary any of the purposes, directions, restrictions or conditions set forth herein. Any such amendment may result in the recommendation to distribute the total balance of the Fund then existing for the purposes of the Fund as set forth in Paragraph 3 above.

6. Reporting and Accounts. The GMF shall provide the Chief of Police with an account of amounts on deposit, earnings, fees, expenses and disbursements from the Fund on a quarterly basis.

7. Public Records Law. The GMF acknowledges that the City is bound by the Wisconsin Public Records Law, and as such all of the terms of this Agreement are subject to and conditioned on the provisions of sec. 19.21 Wis. Stats., et seq. The parties acknowledge and agree that the GMF will cooperate with the City in producing records which are subject to the Wisconsin Public Records Law.

8. Notices. Written notice under this Agreement shall be addressed as follows:

If to the City:  
Nannette H. Hegerty  
Chief of Police  
749 West State Street  
Milwaukee, Wisconsin 53233

If to the GMF:  
Douglas M. Jansson  
President  
Greater Milwaukee Foundation  
1020 N. Broadway  
Milwaukee, Wisconsin 53202

9. Termination. This Agreement shall terminate when the Fund balance is paid out in full for the purposes of the Fund.

10. Prior Agreements Superseded. This Agreement constitutes the entire agreement between the parties hereto with respect to the Fund, and all prior discussions and agreements concerning the Fund are merged herein and are made a part hereof.

In Witness Whereof, The GMF and the City have indicated their acceptance of this Agreement by dating and signing this document in the space provided below.



Greater Milwaukee Foundation

City of Milwaukee

\_\_\_\_\_  
Douglas M. Jansson, President

\_\_\_\_\_  
Nannette Hegerty, Chief of Police

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

1032-2004-3619:93541

**LRB-FISCAL REVIEW SECTION ANALYSIS**

**PUBLIC SAFETY COMMITTEE**

**ITEM 10 FILE # 050165**

**JUNE 2, 2005**

**MARK A. RAMION**

File # 050165 is a substitute resolution authorizing an agreement between the City of Milwaukee and the Greater Milwaukee Foundation to establish a Police Department Endowment Fund.

**Background**

This resolution authorizes the City of Milwaukee, acting through the Milwaukee Police Department (MPD), to enter into an agreement with the Greater Milwaukee Foundation (GMF) under which the GMF will establish a charitable *Police Endowment Fund*.

**Discussion**

1. This endowment fund will serve as a mechanism for the police department to apply for, and accept philanthropic funds for designated or restricted purposes that meet police department needs that are extra-budgetary. Purposes, as examples of these needs, include special staff and program development activities, systems that support innovation and community policing and research on policing.
2. This resolution will further authorize MPD to accept contributions for department purposes that meet the terms and conditions of the agreement that has been crafted with GMF. Furthermore, acceptance and expenditure of funding will be subject to the provisions of section 304-24 of the Milwaukee Code of Ordinances.
3. MPD will apply to GMF for seed money, \$25,000, to fund the initial balance in the Endowment Fund. GMF will assess an annual 1% of the average asset value administrative fee, with a \$500 annual minimum, to cover general administrative expenses.
4. The Milwaukee Chief of Police will make periodic recommendations to the GMF Board of Directors for funding possibilities with the Board making the final determination. All project or program funding benefiting MPD is subject to the approval of the Chief of Police.
5. This Fund will be held and administered subject to the provisions of the GMF's Articles of Incorporation and By-Laws in effect. A quarterly report on the Fund's status will be made to the Chief of Police.

**Fiscal Effect**

There is no fiscal effect related to city funds associated with this resolution.

Prepared by: Mark A. Ramion, X8680  
LRB-Fiscal Review Section  
June 1, 2005

Cc: Marianne C. Walsh  
W. Martin Morics  
Dep. Inspect Anna Ruzinski  
Barbara Butler  
Ellen Tangen