



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, Joanna Polanco, 286-2366

Fax: 286-3456, jpolan@milwaukee.gov

*Legislative Liaison, Amy Hefter, 286-2290,
ahefte@milwaukee.gov*

Monday, October 25, 2010

9:00 AM

Room 301-B, City Hall

1. [100662](#) Appointment of Jeffrey Kruesel to the Business Improvement District Board No. 5 (Westown) by the Mayor. (4th Aldermanic District)

 Sponsors: THE CHAIR

 Attachments: [Appointment Letter](#)
 [Resume](#)
 [Hearing Notice List](#)

2. [100559](#) Reappointment of Sam Denny to the Business Improvement District Board #15 (Downtown Riverwalk) by the Mayor. (3rd Aldermanic District)

 Sponsors: THE CHAIR

 Attachments: [Appointment Letter](#)
 [Attendance Record](#)
 [Hearing Notice List](#)

3. [100738](#) Resolution approving Year 2011 Operating Plans for various Business Improvement Districts and for Neighborhood Improvement District No. 1 located in the City of Milwaukee.

 Sponsors: THE CHAIR

Attachments: [Proposed Substitute A](#)
[BID 2 Operating Plan](#)
[BID 4 Operating Plan](#)
[BID 5 Operating Plan](#)
[BID 8 Operating Plan](#)
[BID 10 2009 Annual Report](#)
[BID 10 Operating Plan](#)
[BID 11 2009 Annual Report](#)
[BID 11 Operating Plan](#)
[BID 13 Operating Plan](#)
[BID 15 Operating Plan](#)
[BID 16 Operating Plan](#)
[BID 17 Operating Plan](#)
[BID 19 Operating Plan](#)
[BID 20 2009-2010 Annual Report](#)
[BID 20 Operating Plan](#)
[BID 21 Operating Plan](#)
[BID 25 Operating Plan](#)
[BID 26 2009-2010 Annual Report](#)
[BID 26 2010-2011 Operating Plan](#)
[BID 27 Operating Plan](#)
[BID 28 Operating Plan](#)
[BID 29 Operating Plan](#)
[BID 31 Operating Plan](#)
[BID 32 Operating Plan](#)
[BID 35 Operating Plan](#)
[BID 39 Operating Plan](#)
[BID 36 Operating Plan](#)
[BID 37 Operating Plan](#)
[BID 38 Operating Plan](#)
[BID 40 2009-2010 Annual Report](#)
[BID 40 Operating Plan](#)
[BID 41 Operating Plan](#)
[BID 42 Operating Plan](#)
[BID 43 Operating Plan](#)
[BID 44 Operating Plan](#)
[Fiscal Impact Statement](#)
[Fiscal Impact Statement-Attachment](#)
[Hearing Notice List](#)

4. [100763](#) Substitute resolution creating Business Improvement District No. 46, Basilica Square,

and approving its first year Operating Plan, in the 14th and 12th Aldermanic Districts.

Sponsors: Ald. Witkowiak and Ald. Zielinski

Attachments: [Fiscal Impact Statement](#)
[City Plan Commission Letter](#)
[BID 46 Operating Plan](#)
[Hearing Notice List](#)

5. [100764](#) Substitute resolution creating Business Improvement District No. 47, Lincoln Village, and approving its first year Operating Plan, in the 12th Aldermanic District.
- Sponsors:** Ald. Witkowiak
- Attachments:** [Fiscal Impact Statement](#)
[City Plan Commission Letter](#)
[BID 47 Operating Plan](#)
[Hearing Notice List](#)
6. [100765](#) Resolution authorizing the proper City officials to execute an Agreement among the Milwaukee Metropolitan Sewerage District, the City of Milwaukee and Rexnord Industries, LLC, for modifications to the floodwall system and internal drainage system at the Falk Complex, 3001 West Canal Street.
- Sponsors:** Ald. Donovan
- Attachments:** [Agreement as of 10-12-10.pdf](#)
[Hearing Notice List](#)
7. [100706](#) Resolution authorizing transfer of \$100,000 in Community Development Block Grant Special Economic Development Funds from the Department of City Development to the City of Milwaukee Emerging Business Enterprise office for a Century City contractor's loan pool in the 7th Aldermanic District.
- Sponsors:** Ald. Wade
- Attachments:** [Cover Letter](#)
[Hearing Notice List](#)
8. [100707](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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
- Attachments:** [Cover Letter](#)
[Allocation of community development funds - Ald. Davis](#)
[2011 Funding Recommendations](#)
[Hearing Notice List](#)
9. [100708](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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

Attachments: [Cover Letter](#)
[2011 Funding Recommendations](#)
[Hearing Notice List](#)

10. [100709](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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

Attachments: [Cover Letter](#)
[2011 Funding Recommendations](#)
[Hearing Notice List](#)

11. [100710](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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

Attachments: [Cover Letter](#)
[2011 Funding Recommendations](#)
[Hearing Notice List](#)

12. [100711](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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

Attachments: [Cover Letter](#)
[2011 Funding Recommendations](#)
[Hearing Notice List](#)

13. [100725](#) Resolution relative to the application, acceptance and funding of the Community Development Block Grant Supplemental Disaster Allocation Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the Wisconsin Department of Commerce for the Autumn West Project.

Sponsors: THE CHAIR

Attachments: [Grant Budget Form](#)
[Cover Letter](#)
[Hearing Notice List](#)

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

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action 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 additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered 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 #: 100662 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 9/21/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Appointment of Jeffrey Kruesel to the Business Improvement District Board No. 5 (Westtown) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT 05

Attachments: Appointment Letter, Resume, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
9/30/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100662

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Appointment of Jeffrey Kruesel to the Business Improvement District Board No. 5 (Westown) by the Mayor.
(4th Aldermanic District)

Drafter

Mayor

TB

9/22/10

September 21, 2010

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

Honorable Members of the Common Council:

I am pleased to make the following appointments to the Business Improvement District Board #5 (Westown):

Michael Kleber (replacing Tom Bernacchi)
Towne Investments
710 North Plankinton Avenue
Milwaukee, Wisconsin 53203

Steven Cottingham (replacing Claude Krawczyk)
Marquette University
710 North 12th Street
Milwaukee, Wisconsin 53233

Jerry Kruesel (replacing Larry K. Stephens)
Towne Investments
710 North Plankinton Avenue
Milwaukee, Wisconsin 53203

These appointments are pursuant to Section 66.1109 of the Wisconsin State Statutes and Common Council File 890817 as amended by 080620. The terms will commence upon taking of the oath of office.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Barrett", with a stylized flourish at the end.

Tom Barrett
Mayor

BIOGRAPHY

Jeffrey Kruesel, Leasing Manager – Towne Investments

Jeff has been employed at Towne Investments for 21 years in commercial leasing. Towne Investments is a major property owner within Milwaukee's central business district – owning about 1 million square feet of office and retail space in the downtown area. For Towne Investments, Jeff is responsible for as much as 4.5 million square feet of office, retail and industrial space in Southeastern Wisconsin.

Jeff has been an active member of the Westown Association during his career. The Westown Association is the neighborhood association that promotes the area directly west of the Milwaukee River in downtown Milwaukee. Jeff has been a member of the association's Community Economic Development and Marketing Committees for twenty years. While serving on the committees, Jeff helped start and organize the organization's schedule of successful special events such as the St. Patrick's Parade, Farmer's Market and River Rhythms – that help attract thousands of people to downtown Milwaukee each year. He has also held a board position with the organization for fifteen years, serving one term as the organization's president. Jeff is also a member and former board member of Building Owners and Managers Association (BOMA). Jeff is a member of International Council of Shopping Centers (ICSC) and International Real Estate Management (IREM).

Jeff lives in Grafton with his wife and three children. Jeff coaches summer basketball at Whitefish Bay Dominican High School.

NOTICES SENT TO FOR FILE : 100662

[illegible]



Legislation Details (With Text)

File #: 100559 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 9/1/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Reappointment of Sam Denny to the Business Improvement District Board #15 (Downtown Riverwalk) by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT 15

Attachments: Appointment Letter, Attendance Record, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100559

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Reappointment of Sam Denny to the Business Improvement District Board #15 (Downtown Riverwalk) by the Mayor. (3rd Aldermanic District)

Drafter

Mayor

TB

9/1/10

September 1, 2010

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

Honorable Members of the Common Council:

I am pleased to reappoint Mr. Sam Denny, Schlitz Park/The Brewery Works, Inc., 1555 North Rivercenter Drive, Suite 204, Milwaukee, Wisconsin 53212, to the Business Improvement District Board #15 (Downtown Riverwalk). This reappointment is pursuant to Section 66.1109 of the Wisconsin State Statutes and Common Council File Number 931824. Mr. Denny'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,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive, flowing style with a long horizontal line extending from the start of the name.

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 100559

Reappointment of Sam Denny to the Business Improvement District Board #15 (Downtown Riverwalk) by the Mayor. (3rd 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 September 13, 2010.**

- Number of meetings held: _____9
- Number of meetings attended: _____6
- Number of excused absences: _____3
- Number of unexcused absences: _____0

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

Very truly yours,
RONALD D. LEONHARDT

Ronald D. Leonhardt

Ronald D. Leonhardt

NOTICES SENT TO FOR FILE : 100559

[illegible]



Legislation Details (With Text)

File #: 100738 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution approving Year 2011 Operating Plans for various Business Improvement Districts and for Neighborhood Improvement District No. 1 located in the City of Milwaukee.

Sponsors: THE CHAIR

Indexes: BUSINESS IMPROVEMENT DISTRICT 02, BUSINESS IMPROVEMENT DISTRICT 04, BUSINESS IMPROVEMENT DISTRICT 05, BUSINESS IMPROVEMENT DISTRICT 08, BUSINESS IMPROVEMENT DISTRICT 10, BUSINESS IMPROVEMENT DISTRICT 11, BUSINESS IMPROVEMENT DISTRICT 13, BUSINESS IMPROVEMENT DISTRICT 15, BUSINESS IMPROVEMENT DISTRICT 16, BUSINESS IMPROVEMENT DISTRICT 17, BUSINESS IMPROVEMENT DISTRICT 19, BUSINESS IMPROVEMENT DISTRICT 20, BUSINESS IMPROVEMENT DISTRICT 21, BUSINESS IMPROVEMENT DISTRICT 25, BUSINESS IMPROVEMENT DISTRICT 26, BUSINESS IMPROVEMENT DISTRICT 27, BUSINESS IMPROVEMENT DISTRICT 28, BUSINESS IMPROVEMENT DISTRICT 29, BUSINESS IMPROVEMENT DISTRICT 31, BUSINESS IMPROVEMENT DISTRICT 32, BUSINESS IMPROVEMENT DISTRICT 35, BUSINESS IMPROVEMENT DISTRICT 36, BUSINESS IMPROVEMENT DISTRICT 37, BUSINESS IMPROVEMENT DISTRICT 38, BUSINESS IMPROVEMENT DISTRICT 39, BUSINESS IMPROVEMENT DISTRICT 40, BUSINESS IMPROVEMENT DISTRICT 41, BUSINESS IMPROVEMENT DISTRICT 42, BUSINESS IMPROVEMENT DISTRICT 43, BUSINESS IMPROVEMENT DISTRICT 44, BUSINESS IMPROVEMENT DISTRICT 45, BUSINESS IMPROVEMENT DISTRICTS, NEIGHBORHOOD IMPROVEMENT DISTRICT #1

Attachments: Proposed Substitute A, BID 2 Operating Plan, BID 4 Operating Plan, BID 5 Operating Plan, BID 8 Operating Plan, BID 10 2009 Annual Report, BID 10 Operating Plan, BID 11 2009 Annual Report, BID 11 Operating Plan, BID 13 Operating Plan, BID 15 Operating Plan, BID 16 Operating Plan, BID 17 Operating Plan, BID 19 Operating Plan, BID 20 2009-2010 Annual Report, BID 20 Operating Plan, BID 21 Operating Plan, BID 25 Operating Plan, BID 26 2009-2010 Annual Report, BID 26 2010-2011 Operating Plan, BID 27 Operating Plan, BID 28 Operating Plan, BID 29 Operating Plan, BID 31 Operating Plan, BID 32 Operating Plan, BID 35 Operating Plan, BID 39 Operating Plan, BID 36 Operating Plan, BID 37 Operating Plan, BID 38 Operating Plan, BID 40 2009-2010 Annual Report, BID 40 Operating Plan, BID 41 Operating Plan, BID 42 Operating Plan, BID 43 Operating Plan, BID 44 Operating Plan, Fiscal Impact Statement, Fiscal Impact Statement-Attachment, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100738

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution approving Year 2011 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 resolution approves Year 2011 Operating Plans for Business Improvement District Nos. 2, 4, 5, 8, 10, 11, 13, 15, 16, 17, 19, 20, 21, 25, 26, 27, 28, 29, 31, 32, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and for 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 and a Neighborhood Improvement District in the City of Milwaukee and has approved their first year Operating Plans; and

Whereas, Sections 66.1109(3)(b) and 66.1110(4)(b), Wisconsin Statutes, require that Boards of Business Improvement Districts ("BIDs") and Neighborhood Improvement Districts ("NIDs") submit annual Operating Plans to the Common Council for approval; and

Whereas, The Boards of Business Improvement District 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), 17 (76th/Brown Deer), 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), 45 (Silver Lane) and of Neighborhood Improvement District No. 1 (Brewery) have submitted proposed Year 2011 Operating Plans; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Year 2011 Operating Plans for Business Improvement District Nos. 2, 4, 5, 8, 10, 11, 13, 15, 16, 17, 19, 20, 21, 25, 26, 27, 28, 29, 31, 32, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and for Neighborhood Improvement District 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 2011 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 2011 Operating Plans.

Drafter

DCD:RFM:rfm

10/12/10/A

..Number
100738
..Version
PROPOSED SUBSTITUTE A
..Reference

..Sponsor
THE CHAIR

..Title
Substitute resolution approving Year 2011 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 2011 Operating Plans for Business Improvement District Nos. 2, 4, 5, 8, 10, 11, 13, 15, 16, 17, 19, 20, 21, 25, 26, 27, 28, 29, 31, 32, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and for 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 and a Neighborhood Improvement District in the City of Milwaukee and has approved their first year Operating Plans; and

Whereas, Sections 66.1109(3)(b) and 66.1110(4)(b), Wisconsin Statutes, require that Boards of Business Improvement Districts ("BIDs") and Neighborhood Improvement Districts ("NIDs") submit annual Operating Plans to the Common Council for approval; and

Whereas, The Boards of Business Improvement District 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), 17 (76th/Brown Deer), 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 of Neighborhood Improvement District No. 1 (Brewery) have submitted proposed Year 2011 Operating Plans; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Year 2011 Operating Plans for Business Improvement District Nos. 2, 4, 5, 8, 10, 11, 13, 15, 16, 17, 19, 20, 21, 25, 26, 27, 28, 29, 31, 32, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and for Neighborhood Improvement District 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 2011 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 2011 Operating Plans.

..Drafter
DCD:RFM:rjm
10/19/10

BUSINESS IMPROVEMENT DISTRICT NO. 2

2011 OPERATING PLAN

September 16, 2010

+

Submitted by:

Historic Third Ward Association Inc.

219 North Milwaukee Street

Third Floor

Milwaukee, WI 53202

(414) 273-1173

Table of Contents

I.	Introducton	4
A.	Background	4
B.	Physical Setting	4
II.	District Boundaries	5
III.	Proposed Operating Plan	5
A.	Plan Objectives	5
B.	Proposed Activities – Year 24	6
C.	Proposed 2011 Budget for Year 24	10
D.	Financing Method	10
E.	Organization of BID Board	10
F.	Relationship to Historic Third Ward Association	11
IV.	Method of Assessment and Disbursement	11
A.	Assessment Rate and Method	11
i.	General Assessment	11
ii.	Riverwalk Assessment	13
iii.	Dockwall Assessment	13
iv.	Riverwalk Maintenance Assessment	13
v.	Contingent Assessments	13
B.	Excluded and Exempt Property	14
V.	Relationships to the Comprehensive Plan and the Orderly Development of the City	14
A.	City Plans	14
B.	City Role	14
VI.	Plan Approval Process	15
A.	Public Review Process	15
i.	Changes to the Operating Plan	16
ii.	Annual appointment of BID-2 Board Members	16
VII.	Future Years Operating Plans	16
A.	Phased Development	16
B.	Amendment, Severability and Expansion	17
VIII.	APPENDICES	18
A.	Business Improvement District Statute	18
B.	Petition for Creation of BID District	18
C.	BID Boundaries (Map)	18
D.	Year 24 Assessment and Methodolgy	18
E.	Common council resolution Creating Business Improvement District No. 2	18
F.	BID-2 by-laws	18

G.	Statement of City Attorney	18
H.	Development of Riverwalk Project	18
I.	First Amendment to BID-2 1998 operating plan	18
J.	Riverwalk Development Agreement	18
K.	Second Amendment to BID-2 1998 operating plan	18
L.	Development of Water Street Parking Structure	18
M.	Third Amendment to BID-2 1998 Operating Plan	18
N.	Dockwall Development Loan Agreement	18
O.	2011 Fiscal Year Dockwall Assessments Per Property	18
P.	Fourth Amendment to Riverwalk Development Agreement, First Amendment to Dockwall Development Loan Agreement and Third Amendment to Cooperation Agreement	18
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	18
R.	Fifth Amendment to Riverwalk Development Agreement	18
S.	Sixth Amendment to Riverwalk Development Agreement	18
T.	2011 Budget for Year 24	18
U.	Resolution Dissolving TID 11	19
V.	Third Ward Streetlight Agreement with the City	19

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 2011.

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.

II. DISTRICT BOUNDARIES

The Business Improvement District is illustrated by Appendix, Exhibit C. It includes 337 taxable parcels and 40 exempt parcels, either, city, county, state, or otherwise exempt. Total (including exempt property) floor area within the district is 5,065,876 square feet and total land area is 7,802,430 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 2010 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 24

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 seventh 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 2011 the amount shall be \$18,000.

40. Comply with reporting and notice requirements of public records law and open meeting law.

41. In addition, the Business Improvement District has agreedments that the Historic Third Ward Association (HTWA) will do the following in 2011:

- 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. The E-wire newsletter that began in 2005 is a big success.
- 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 11th Annual Third Ward Jazz Festival: *A Summer Sizzle*, Christmas in the Ward and (4) Gallery Nights and the 5th Annual *Artscape – A Third Ward Sculpture Walk*.
- Continue to offer the merchant/business coupon validation program and the monthly parking rates at both the Milwaukee and Water Street Parking Structures.
- 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.

- 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 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)
- 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 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.
 - Continue “WHAT’S UP IN THE WARD”, our once a week newsletter filled with events, sales and promotions being offered by Third Ward paid members. The information is compiled in our office and then sent to the entire neighborhood via email.
 - 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 2011 BUDGET FOR YEAR TWENTY FOUR

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

*Will need to find a replacement.

F. RELATIONSHIP TO HISTORIC THIRD WARD ASSOCIATION

BID-2 shall be a separate entity from the Historic Third Ward Association, Inc. (HTWA) not withstanding 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, 2009, the property in the District had a total assessed value of over \$339,491,700. This plan proposed to assess the property in the district at a rate of \$1.47 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 2009 (Year Twenty Two) 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 2009 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 2010 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 2011 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:

3610926111-9	3920623110-X	3920624110-5	3920631110-3
3920636111-9	3920757111-7	3920778100-6	3920860100-1
3920879110-2	3920964000-0	3920986000-0	3921036100-X
3921479100-9	3921481000-3	3921486210-0	3921489100-3
3921490111-4	3921492110-7	3921493111-0	3921727100-6
3921728000-5	3921732000-7	3921734000-8	3921735000-3
3921736000-9	3922167100-0	3922169114-1	3922178120-5
3922187113-1	3922187114-X	3960001100-X	3970115111-2
3970115112-0	3978003000-7	3978004000-2	3978007000-9
4290124000-5	4298001000-1	4299998000-1	4299999000-7

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 BIDs. 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 Four activities for calendar year 2011 (Plan Year), and information on specific land areas, building square footage, assessed values, budget amounts and assessment amounts.

This 2011 BID-2 Operating Plan will continue to apply the assessment formula against the assessed value as determined by the City as of January 1, 2010, to raise funds to meet the 2011 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 24 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. 2010 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. 2011 BUDGET FOR YEAR 24**

- 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

Mitchell Street

2011 BID OPERATING PLAN

Draft

Date 8/20/2010

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 in Milwaukee's near south side.

B. Proposed Activities

Principle activities to be engaged in by the district during its 22nd 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 development and the increased value of present improvements and include:

- a. Coordinate efforts to complete an overall design plan, including capital improvements, traffic circulation, and parking lot utilization.
- b. Provide assistance to property owners and developers who are engaged in property improvements and redevelopment activities.
- c. Promote the unique historic significance and commercial mix of the District.
- d. Encourage design-sensitive renovations of buildings in the District and the removal of security bars and grills on commercial frontage.
- e. BID No. 4 expects all commercial buildings within the BID to be maintained in a graffiti-free manner and will support means to accomplish this goal.
- f. The BID may provide support and/or financial assistance to corporations that are engaging in activities meeting the BID's overall objectives for the year being considered.
- g. Coordinate retail and other business recruitment.

- h. Maintain the neighborhood business district portfolio, including an inventory of commercial space availability, to distribute to prospective tenants and to respond to inquiries.
- i. Encourage increased police protection, security measures, and safety programs.
- j. Initiate publicity and media coverage of District activities.
- k. Plan and coordinate membership activities.
- l. Support a community outreach program linking the business community to the community at large.
- m. Put out timely information to members, retailers and other interested parties in the form of newsletters, faxes, flyers, and other appropriate methods.
- n. Encourage and support activities which enhance business recruitment and retention.
- o. Assist in TID #71 implementation.
- p. Organize a Business Block Watch to enhance safety and security.

C. Proposed Expenditures

Proposed Budget

Business Development	5000
Design Committee	2000
Marketing and Promotion	8500
Safety and Security	1000
Catalytic Projects Reserve	1000
Graffiti Removal	9000
Street Maintenance	3500
Office Supplies	1500
Rent	14400
Telephone/Internet	3000
Postage	1000
Utilities	2000
Equipment & Repairs	3000
T/E Meeting Expenses	1000
Subscriptions/Dues	100
Legal	1000
Insurance	3000
Training	100
Professional Services	9000
Personnel	65000
 Total	 134100

Personnel

D. Financing Method

It is proposed to raise 134,577.00 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 meetings.

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, 2010, the property in the proposed district had a total assessed value of over \$63,000,000 not including City owned properties or other exempt properties. 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 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 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 to the Operating Plan. 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. 5

Westown Association of Milwaukee, Inc.

OPERATING PLAN - 2011



September 28, 2011

TABLE OF CONTENTS

I.	INTRODUCTION	
	A. Background - Pg. 3	
	B. Physical Setting - Pg. 3	
II.	DISTRICT BOUNDARIES - Pg. 3	
III.	PROPOSED OPERATING PLAN	
	A. Plan Objectives - Pg. 3	
	B. Proposed Activities - pg. 4	
	C. Proposed Budget - Pg. 4	
	D. Financing Method - Pg. 5	
	E. Organization of BID Board - Pg. 5	
	F. Relationship to the Westown Association - Pg 6	
IV.	METHOD OF ASSESMENT	
	A. Assessment Rate and Method - Pg. 6	
	B. Excluded and Exempt Property - Pg. 7	
V.	RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY	
	A. City Plans - Pg. 7	
	B. City Role in District Operation Pg. 8	
VI.	PLAN APPROVAL PROCESS	
	A. Public Review Process Pg. 8	
	B. Petition against creation of the BID - Pg. 9	
VII.	Future year Operating Plans	
	A. Phased Development - Pg. 9	
	B. Amendment, Severability and Expansion - Pg. 10	

Appendices

Appendix A - Map of BID #5 Boundaries - Pg. 11
Appendix B - Assessment Methodology - Pg. 12
Appendix C - Projected 2009 BID Assessments - Pg. 14
Appendix D - Westown Association By-Law = Pgs. 15-18

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:

- Explore development of a Westown Green Initiative
- 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:

- Establish a Westown Green Initiative Workgroup whose charge is to determine what direction Westown should take and formulate recommendations for Board consideration.
- 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 residents by hosting a residential forum
- Continue producing River Rhythms, River Flicks, Farmer's Market and St. Patrick's Parade

C. Proposed Budget

Revenue	
BID Assessments	99,418
City Match	0
Membership Dues	17,800
Interest Income	2,000
Operating Revenue	161,105
Total Revenue	\$280,323.00
Expenses	
Gross Wages	102,566
Employer Benefit Contribution	12,386
Employer Payroll Taxes	7,827
Association Dues	1,524
Bank Charges	60
Business Meeting Costs	5,500
Insurance	2,400
Misc. Exp.	1,200
Equipment Lease/Maintenance	6,240
Equipment Purchase	500
Office Supplies	1,800
Postage	3,000
Printing	600
Professional Services	4,500
Subscriptions	400
Telephone/Fax	3,120
Meetings/Conferences	5,800
Newsletter	2,300
Operating Expenses	118,600
Total Expenses	\$280,323.00

D. Financing Method

It is proposed to raise **\$99,417.60.00** 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 Westown 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 ASSESMENT

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 Two Operating Plan (September 28, 2010)**. 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, 2010** the property in the Westown district had a total assessed value of **\$144,595,400.00**. 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) 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 Westown 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).

BID 5 Boundary —

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Appendix B

ASSESSMENT METHODOLOGY for BID #5 in YEAR TWENTY TWO ASSESSMENTS (2011)

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 2010 is \$125,00; then dividing this by \$1000 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 2010 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 2010 is \$28,172,000.00; then dividing this by \$1000 and multiplying this valuation by \$0.900 would result in an assessment of \$25,354.80. 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.

Taxkey	Property Address	Owner	Land	Improvement	Total	Lot Sq Ft	Blg Sq Ft.	Base Assess	2010 Assess.
1 361-0701-000	825 W WISCONSIN	ST JAMES COURT HISTORIC	\$61,400.00	\$1,602,600.00	\$1,664,000.00	9,360.00	37,800.00	\$1,497.60	\$1,497.60
2 361-0702-000	815 W WISCONSIN	TOWNE PETERSON LLC	\$68,600.00	\$31,000.00	\$99,600.00	4,576.00	4,576.00	\$89.64	\$210.00
3 361-0703-000	801 W WISCONSIN	TOWNE PETERSON LLC	\$330,900.00	\$91,100.00	\$422,000.00	22,057.00	22,057.00	\$379.80	\$379.80
4 361-0707-110	735 W WISCONSIN	TOWNE -PETERSON LLC	\$1,008,000.00	\$2,731,000.00	\$3,739,000.00	63,000.00	111,109.00	\$3,365.10	\$3,365.10
5 361-0709-100	625 N JAMES LOVELL	TOWNE PETERSON LLC	\$87,300.00	\$37,700.00	\$125,000.00	7,275.00	7,275.00	\$112.50	\$210.00
6 361-0711-000	712 W MICHIGAN	LIBERTY HOLDING CO LTD	\$67,500.00	\$873,500.00	\$941,000.00	7,500.00	29,869.00	\$846.90	\$846.90
7 361-0712-000	700 W MICHIGAN	LIBERTY HOLDING CO LTD	\$135,000.00	\$1,221,000.00	\$1,356,000.00	15,000.00	27,802.00	\$1,220.40	\$1,220.40
8 361-0713-111	633 W WISCONSIN	THE CLARK BUILDING	\$1,428,000.00	\$9,007,000.00	\$10,435,000.00	71,400.00	424,295.00	\$9,391.50	\$9,391.50
9 361-0714-111	611 W WISCONSIN	DOWNTOWN VENTURES LLP	\$839,100.00	\$8,660,900.00	\$9,500,000.00	41,955.00	172,609.00	\$8,550.00	\$8,550.00
10 361-0719-112	509 W WISCONSIN	MILW CITY CENTER LLC	\$5,231,200.00	\$29,768,800.00	\$35,000,000.00	130,780.00	491,759.00	\$31,500.00	\$12,600.00
11 361-0739-120	615 N 4TH	BOSTCO LLC	\$1,440,000.00	\$1,460,000.00	\$2,900,000.00	48,000.00	280,872.00	\$2,610.00	\$2,610.00
12 361-0799-110	401 W MICHIGAN	401 W MICHIGAN ST MILW LLC	\$1,920,000.00	\$7,030,000.00	\$8,950,000.00	64,000.00	236,218.00	\$8,055.00	\$8,055.00
13 361-0814-122	501 W MICHIGAN	TIME INSURANCE COMPANY	\$2,873,700.00	\$25,298,300.00	\$28,172,000.00	127,718.00	370,160.00	\$25,354.80	\$12,600.00
14 361-0822-110	633 W MICHIGAN	633 WEST MICHIGAN LLC	\$963,700.00	\$1,736,300.00	\$2,700,000.00	80,311.00	96,022.00	\$2,430.00	\$2,430.00
15 361-0825-120	525 N 6TH	S & R PROPERTY LLC	\$238,000.00	\$1,102,000.00	\$1,340,000.00	29,752.00	19,779.00	\$1,206.00	\$1,206.00
16 361-0834-210	545 N JAMES LOVELL	LIBERTY HOLDING CO LTD	\$33,800.00	\$79,200.00	\$113,000.00	5,625.00	5,625.00	\$101.70	\$210.00
17 361-0835-000	555 N JAMES LOVELL	THE SCHETTLE JOINT REVOCABLE	\$30,000.00	\$366,000.00	\$396,000.00	5,000.00	5,046.00	\$356.40	\$356.40
18 361-0840-111	803 W MICHIGAN	TOWN REALTY INC	\$482,100.00	\$3,592,900.00	\$4,075,000.00	60,260.00	132,334.00	\$3,667.50	\$3,667.50
19 361-0849-100	531 N 8TH	TOWN REALTY INC	\$76,800.00	\$9,900.00	\$86,700.00	9,600.00	9,600.00	\$78.03	\$210.00
20 361-0850-110	521 N 8TH	TOWNE REALTY INC	\$73,200.00	\$406,800.00	\$480,000.00	9,146.00	7,200.00	\$432.00	\$432.00
21 361-1713-100	601 W WELLS	TTOW PROPERTIES LLC	\$735,000.00	\$3,698,000.00	\$4,433,000.00	36,750.00	158,916.00	\$3,989.70	\$3,989.70
22 361-1715-000	738 N JAMES LOVELL	SHADED DOG VENTURES LLC	\$40,000.00	\$254,000.00	\$294,000.00	2,000.00	2,612.00	\$264.60	\$264.60
23 361-1716-000	746 N JAMES LOVELL	STEVEN M LECHTER &	\$35,000.00	\$133,000.00	\$168,000.00	1,750.00	1,986.00	\$151.20	\$210.00
24 361-1717-000	728 N JAMES LOVELL	COMMUNITY ADVOCATES INC	\$300,000.00	\$1,491,000.00	\$1,791,000.00	15,000.00	45,000.00	\$1,611.90	\$1,611.90
25 361-1718-100	723 N 6TH	TTOW PROPERTIES LLC	\$240,000.00	\$170,000.00	\$410,000.00	12,000.00	12,000.00	\$369.00	\$369.00
26 361-1721-000	626 W WISCONSIN	THE CENTRAL MARKET PLACE CO	\$326,200.00	\$71,800.00	\$398,000.00	16,312.00	16,312.00	\$358.20	\$358.20
27 361-1722-000	612 W WISCONSIN	WISCONSIN AVENUE PROPERTY	\$86,200.00	\$2,267,800.00	\$2,354,000.00	0.00	0.00	\$2,118.60	\$2,118.60
28 361-1729-110	700 W WISCONSIN	PARTNERSHIP TO DEVELOP	\$470,500.00	\$13,502,500.00	\$13,973,000.00	0.00	0.00	\$12,575.70	\$12,575.70
29 391-0101-000	900 W WISCONSIN	WISCONSIN CLUB	\$1,714,600.00	\$4,230,400.00	\$5,945,000.00	118,250.00	46,398.00	\$5,350.50	\$5,350.50
30 391-0761-000	606 W WISCONSIN	CITY REAL ESTATE DEV LLC	\$13,100.00	\$204,800.00	\$217,900.00	525.00	8,716.00	\$196.11	\$210.00
31 391-0762-000	606 W WISCONSIN	CITY REAL ESTATE DEV LLC	\$1,300.00	\$28,000.00	\$29,300.00	51.00	437.00	\$26.37	\$210.00
32 391-0763-000	606 W WISCONSIN	CITY REAL ESTATE DEV LLC	\$1,900.00	\$14,000.00	\$15,900.00	75.00	626.00	\$14.31	\$210.00
33 398-0117-210	533 N 9TH	TOWNE REALTY INC	\$181,100.00	\$22,900.00	\$204,000.00	15,038.00	15,038.00	\$183.60	\$210.00
34 398-1202-100	635 N JAMES LOVELL	BADGER COACHES INC	\$240,000.00	\$207,000.00	\$447,000.00	12,000.00	8,750.00	\$402.30	\$402.30
35 398-1204-100	701 W WISCONSIN	SHAFTON FAMILY LTD	\$259,200.00	\$1,161,800.00	\$1,421,000.00	18,000.00	28,557.00	\$1,278.90	\$1,278.90
Totals 35 Taxable Properties			\$22,032,400.00	\$122,563,000.00	\$144,595,400.00	1,060,066.00	2,837,355.00	\$130,135.86	\$99,417.60

APPENDIX D

WESTOWN ASSOCIATION BY-LAWS (last updated 5/20/2008)

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 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 maximum of 17 directors 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 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 2/3rd vote of the Board Members; 5. Establish appropriate dues; 6. Develop and implement the Association's long-range plans for the improvement of Westown.

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 A quorum shall consist of a majority of the total Board Members. A Board member may appear in person or by duly authorized proxy.

- 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 consecutive Board meetings may be removed from the Board, by action of the Board.

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.
 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

Section A These by-laws may be amended by a two-thirds 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 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)**

2011 Operating Plan

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Year 19 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 2011 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 2011. 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 eighteenth 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 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.

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 2011 Expenditures

REVENUES

BID Assessment	\$186,763	
Fundraising/Contributions/Earned Income	\$25,000	
Main Street Program Funds	\$50,000	
Main Street Technical Assistance Funds	\$15,000	
TOTAL REVENUES		\$276,763

EXPENSES

Management

Dues, Subscriptions & Library	\$950	
Insurance (General Liability & D&O)	\$3,300	
Office Supplies	\$2,600	
Postage	\$1,100	
Personal Property Taxes	\$500	
Audit	\$3,500	
Bookkeeping & Accounting	\$8,500	
Management Contract	\$47,250	
Rent	\$8,000	
Telephone & Internet	\$1,500	
Utilities	\$1,500	
Miscellaneous	\$1,600	
Travel	\$2,000	
TOTAL MANAGEMENT EXPENSES		\$82,300

Main Street Activities

Main Street Coordination	\$56,650	
Public Safety & Maintenance Initiatives	\$86,622	

Design Initiatives	\$7,201	
Organization Initiatives	\$25,718	
Economic Restructuring Initiatives	\$5,144	
Marketing Initiatives	\$8,127	\$189,463
<i>Business Owner / Home Owner Rebate</i>	\$5,000	\$5,000
TOTAL EXPENSES		\$276,763
SURPLUS		\$0.00

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 \$209,394,000 more than \$140,000 higher than the previous year. Approximately \$186,763 or about 68 percent of the BID budget will be raised through BID Assessments. Approximately \$50,000 of the BID's budget will be raised through a separate contract with the Community Development Grants Administration to implement the Main Street Approach, together with \$15,000 reimbursement for technical assistance through the Local Initiatives Support Corporation.

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
- Carla Cross

- Michael Coakley
- Susan Kissinger (pending)

Term Expiring 2013

- Vacant

As stated in the Bylaws of the Historic King Drive BID, 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 open to representatives that function within the environs of the District. If the Board size increases to more than 15, all additional Board members must be commercial property owners and/or operators of businesses within the District.

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, 2011. 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: $\text{Assessment Paid by Applicant for the Subject Year} \times (\text{Residential Square Footage Occupied by Applicant} / \text{Total Square Footage of Subject Building})$. 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, 2011 and no later than March 31, 2011. 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 Eighteen activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Eighteen 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.

Business Improvement District No. 10 – Avenues West

624 North 24th Street, Milwaukee, Wisconsin 53233

Telephone 414-933-0640

Fax 414-933-0641

TO: City of Milwaukee
FROM: June R. Moberly, Executive Director
DATE: July 2010
RE: 2009 Annual Report, Business Improvement District No. 10

Business Improvement District (BID) No. 10 contracts with the Avenues West Association, Inc. (Association) for implementation of the BID's annual Operating Plan and goals.

The Association continues to pursue the BID goals of improving safety and security and enhancing the neighborhood's image and appearance, thus making it a more desirable location for business and residents. The 2009 Annual Report of the Association is attached to provide a broader picture of the impact of BID No. 10.

In addition to the general programs and activities of the Avenues West Association, BID No. 10:

- Continued the sponsorship and housing of the SOHI Main Street Program and staff
- Approved \$10,000 toward the SOHI Main Street security camera project for a new camera and upgrades to the installed cameras
- Continued joint funding with the City for graffiti removal from commercial properties in the Avenues West neighborhood
- Worked collaboratively with police participation in the Association's long-standing (19 years) Safety and Security Task Force of safety professionals; the Landlord Compact (17 years) of owners and managers; and, our 27th Street Business Watch meetings
- Assisted officers of the Milwaukee Police Department, Third District, in planning and conducting a National Night Out event. Pledged \$250 to event expenses and acted as fiscal agent for the event
- Continued collaboration with the Milwaukee BID Council
- Contributed (financially and with personnel) to the development-oriented activities of the Association's Near West Side Economic Development Task Force
- Funded contributions to several family supporting agencies in the Avenues West neighborhood
- Assured sound organizational controls and management through annual audits of both BID No. 10 and the Association, thus showing not only where the direct BID revenues went but how they were spent.

The continued emphasis of BID No. 10 on enhanced neighborhood safety, including cooperation with the Milwaukee Police Department, Marquette University Public Safety, Aurora Sinai Loss Prevention, private security firms, plus local business and landlords has proven to be an effective mechanism for continuing the neighborhood's crime reduction momentum.

Progress directly attributable to this momentum is shown by the increase in values of BID assessable properties from \$38,378,790 in January 1993 to \$96,536,600 in January 2010. These increases have taken place in a neighborhood where numerous large properties are tax exempt and are not reflected in the total values despite their own millions of dollars of property reinvestment. The neighborhood's largest tax exempt properties include Marquette University, Aurora Sinai Medical Center, BloodCenter of Wisconsin, and Milwaukee Center for Independence, American Red Cross, Milwaukee Rescue Mission, A T & T, and Catholic Knights.

BIDs create value within the city and are an important economic development tool. Business property owners of all sizes are demonstrating their faith in their neighborhoods by paying additional taxes to accomplish changes they believe to be important. Some property owners live in the city and some don't, but they are making their neighborhoods a better place for all by enabling positive changes – for their own properties, for their neighbors and for visitors.

For any questions regarding these or other activities of Business Improvement District No. 10, please contact June R. Moberly, Executive Director, at 933-0640.

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

Operating Plan for 2011

Activities, Boundaries, Assessments

8/24/2010

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 t Avenues West Association Inc. to provide the necessary staffing and Operating Plan implementation.



BUSINESS IMPROVEMENT DISTRICT NO. 10

AVENUES WEST

ANNUAL OPERATING PLAN – 2011

Table of Contents

I.	INTRODUCTION	1
II.	DISTRICT BOUNDARIES	2
III	PROPOSED OPERATING PLAN – 2011	2
IV.	METHOD OF ASSESSMENT	5
V.	RELATIONSHIP TO THE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY	6
VI.	FUTURE YEAR OPERATING PLANS	7

APPENDIX A: Map of Business Improvement District No. 10 - Avenues West

APPENDIX B: Values and Special Assessments

BUSINESS IMPROVEMENT DISTRICT NO. 10

AVENUES WEST

ANNUAL OPERATING PLAN – 2011

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) 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." (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 2011 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 2011. 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 - 2011

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 2011

The principal activities to be undertaken during 2011 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 Milwaukee Main Street 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 – 2011

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	\$ 57,180
Payroll taxes & benefits	5,475
Grants and /or Projects	30,000
(ex: façade grants, streetscape, lighting, graffiti, safety, Marketing and promotion, programs/meetings)	
Grants and/or Projects SOHI Main Street	8,000
Office supplies, incl. copier, computer	1,000
Postage	1,300
Printing	600
Telephone	858
	<u>\$104,413</u>

Management and General:

Salaries	\$ 27,637
Payroll taxes & benefits	2,646
Insurance	3,600
Office supplies, incl. copier, computer	1,000
Equipment repair and maintenance	700
Equipment lease	2,250
Postage	200
Advertising/Promotion	700
Conferences, professional training	1,000
Subscriptions/memberships	700
Printing	300
Professional fees	8,000
Depreciation	4,000
Rent & Utilities	12,000
Telephone	695
Personal Property tax	320
	<u>\$ 65,748</u>

Fund raising:

Salaries	\$ 10,483
Payroll taxes & benefits	1,003
Insurance	400
Telephone	175
Postage	200
	<u>\$ 12,261</u>

Other: \$ 2,578

TOTAL \$185,000

D. Financing Method

It is proposed that \$131,630 approximately 71.2% of the budget, be obtained from assessments on property within the District. (See Appendix B.) The assessment method is described in Section IV of this plan.

It is proposed that \$34,000 approximately 18.4% of the budget, be obtained from the Avenues West Association.

It is proposed that \$19,370 approximately 10.4% of the budget be obtained from the BID reserves.

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. 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 regularly, 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 BID may, and it is intended shall, continue to contract with the Association 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 uniform rate applied 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, 2010, the assessable property in the District had a total value of over \$128,443,200 (254 parcels). Value of property assessable for BID purposes is \$96,536,600 (132 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. 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. State Statute 66.1109(1) (f) 1m: states that if the District contains property used exclusively for manufacturing purposes, the plan must state if it will be specially assessed. The District does contain exclusively manufacturing 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 2010 shall be assessed for 2011 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 66.1109(1) (b) property exempt from general real estate taxes has been excluded and is not assessed by the District.

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. 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 parcel 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.

The presentation of this plan to the City shall serve as a standing order of the Board under Sec. 66.1109(4), Wisconsin Statutes, 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. FUTURE YEAR OPERATING PLANS

A. Phased Development

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. Any changes to the Operating Plan or method of assessment shall not take effect until approved by the Common Council pursuant to Section 66.1109 Wisconsin Statutes. Approval by the Common Council of the Annual Operating Plan shall be conclusive evidence that the Board 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. This action is specifically authorized under Section 66.1109 (3) (b).

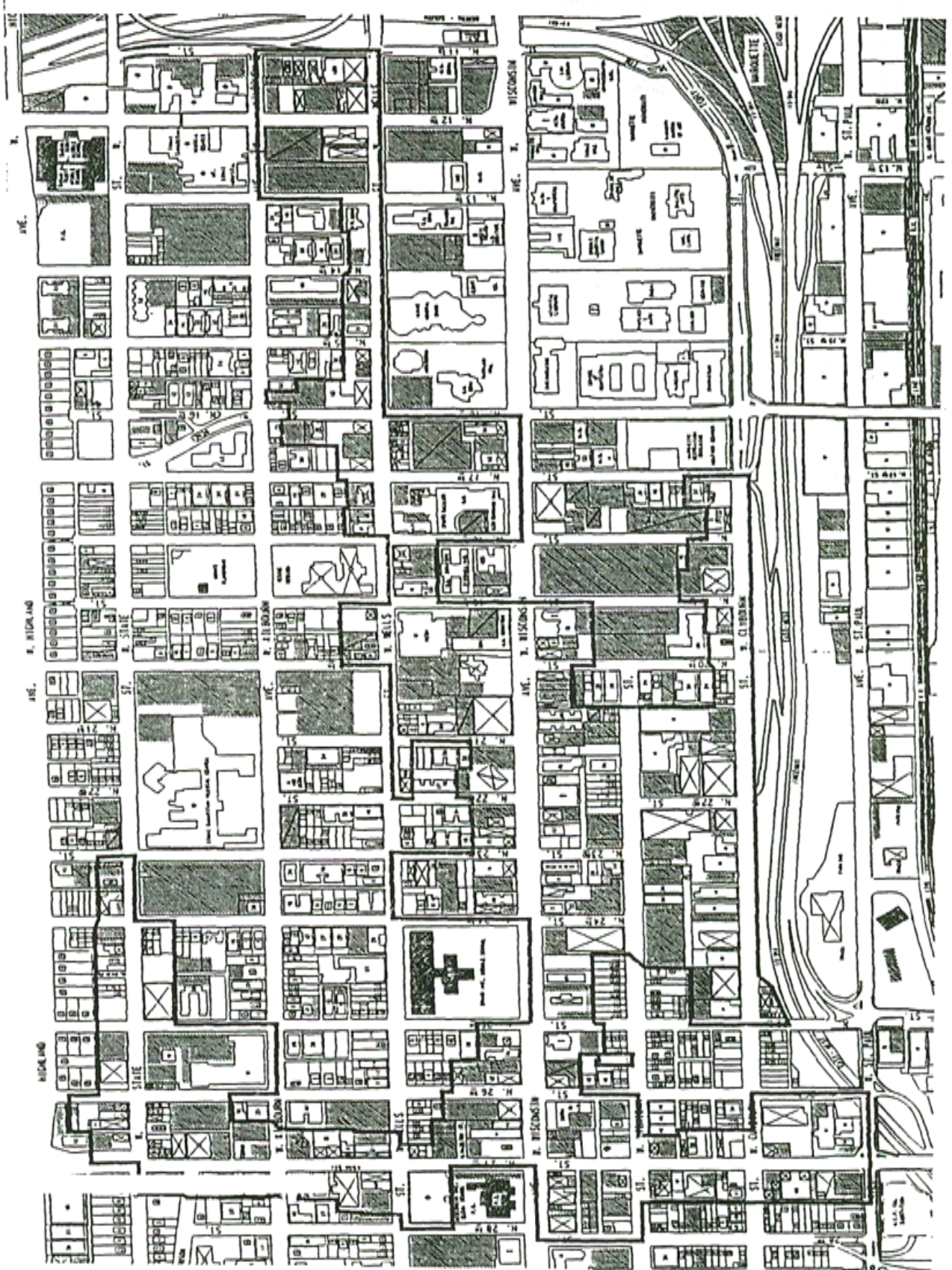
APPENDICES

APPENDIX A: Map of Business Improvement District No. 10 -
Avenues West

APPENDIX B: 2011 Plan - Values and Special
Assessments

APPENDIX A:

MAP OF BUSINESS IMPROVEMENT DISTRICT NO. 10 - AVENUES WEST



APPENDIX B:

2011 Plan – Values and Special Assessment





Brady Street Business Improvement District #11
1224LR E. Brady Street
Milwaukee, WI 53202

TO: Rhonda Manual, Business Improvement District Coordinator

FROM: Laura Cole, Chair BID #11

RE: BID Activity January – December 2009

The Brady Street Business Improvement District (BID #11) accomplished or participated in a number of projects/activities in 2009. Briefly, we:

- Improved / expanded events including:
 - Spring – Flower Power – We partnered with non-profits and encouraged event participants to donate to the non-profits to get “Brady Street Bucks”
 - Summer – Brady Street Days / Cheesefest (in collaboration with Brady Street Area Association) – We expanded the event to include later hours and entertainment on the West End of Brady St.
 - Fall – Buskerfest – expanded to close a portion of the street for Busker performances. Provided financial support to Brady Street Association Pet Parade / Blessing
 - Winter - Festivus
- Continued to address “green” maintenance issues by working with an independent contractor to weed, fertilize and clean tree grates and planters, keep sewer grates clear to allow efficient drainage, and main crosswalks clear of snow in commercial areas.
- Monitored the Prairie Garden on the Lift Station Path below the Brady St. Transit Plaza on the NE corner of Holton and Van Buren; updated the maintenance plan.
- Replaced trash receptacles, added bike racks and benches, and installed speed sentry monitors.
- Marketing Committee re-designed the district’s marketing piece / pocket guide, reaching out to businesses “off Brady Street” to participate.
- Formed property committee to more efficiently track district property inventory.
- Visit Milwaukee / International Downtown Association – expanded our relationship to these organizations to benefit Brady St. Merchants
- Expanded Website / Social media presence, allowing BID to leverage print marketing / efforts and maintain costs.

**BUSINESS IMPROVEMENT DISTRICT #11
BRADY STREET BUSINESS AREA
2011 OPERATING PLAN**

September 8, 2010

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	38,354.00
Maintenance / Upkeep	33,400.00
Advertising, Promotions, Events, & Seasonal Decorations:	34,000.00
Direct Operating Expenses	12,250.00
Consultant / Staff	42,000.00

Total Expenditures: \$160,004.00

Proposed Income:

BID Assessments	\$158,454.00
Interest	150.00
Other Income	1,400.00

Total Income: \$160,004.00

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 \$158,454 in 2011 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:
 - Laura Lutter Cole – Chair
 - Bryce Clark – 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
 - Aala Musa - 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, 2011, the property in the district has a total assessed value of approximately \$60.64 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 EIGHTEEN: 2011

SUBMITTED BY:

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

PREPARED BY: Michael D'Amato, BID Director

**OPERATING PLAN
BID #13**

2011: Year Eighteen

TABLE OF CONTENTS

- I. INTRODUCTION**
- II. DISTRICT BOUNDARIES**
- III. PROPOSED OPERATING PLAN**
 - A. Plan Objectives**
 - B. Proposed Activities - Year Eighteen**
 - C. Proposed Expenditures - Year Eighteen**
 - D. Financing Method**
 - E. Organization of BID Board**
- IV. METHOD OF ASSESSMENT**
 - A. Assessment Rate and Method**
 - B. Excluded and Exempt Property**
- V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN
AND ORDERLY DEVELOPMENT OF THE CITY**
 - A. City Plans**
 - B. City Role in District Operations**
- VI. FUTURE YEAR OPERATING PLANS**
 - A. Phased Development**
 - B. Amendment, Severability and Expansion**
- VII. APPENDICES**
 - A. Year Eighteen Assessments and
Properties within the BID**
 - B. List of 2010-2011 Board Members**

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.

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 Seventeen

The principal activities to be undertaken by the district during its seventeenth 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 University Square 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 Eighteen

Program Expenses

Streetscape Maintenance Program:	\$ 6,800
Planter landscaping:	\$ 4,400
Graffiti Removal Expenses:	\$ 2,000
Marketing:	\$ 1,000
Professional Services:	\$ 3,600
Holiday Lighting:	\$ 4,500
<u>Utilities</u>	<u>\$ 600</u>

Total expenditures:	\$ 22,900
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Operating Revenues:

Current Year Special Assessments (City Milw.):	\$ 7,500
Carry Over, 2009 funds:	\$ 14,400
<u>City of Milw. Graffiti/Matching Funds:</u>	<u>\$ 1,000</u>

Total available revenues:	\$ 22,900
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D. Financing Method

It is estimated that the district will carry forward \$124,000 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. 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.

It is expected that this deviation from the traditional formula will be for 2011 only and that the board will once again begin to collect \$50,000 from property owners for BID operations in 2012 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. As stated above, the formula for 2011 represents collections of only 15% of the adopted formula for 2011 due to board action on August 11, 2010.

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)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 66.608(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 developed 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 Twelve activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Twelve 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

2010-2011

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
2011 OPERATING PLAN

TABLE OF CONTENTS

	Page No.
I. INTRODUCTION	1
II. DISTRICT BOUNDARIES	1
III. DEVELOPMENT OF PROPOSED OPERATING PLAN	1
A. Plan Objectives.....	1
B. Proposed Activities	2
C. Financing Method	2
D. Organization of the BID Board	4
E. Relationship to Milwaukee Riverwalk District, Inc.....	5
IV. METHOD OF ASSESSMENT	5
A. Annual Assessment Rate and Method.....	5
B. Unique Assessment Categories and Methods	8
C. Excluded and Exempt Property	9
D. Prepayment and Acceleration of Assessments.....	9
V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY	10
A. City Plans	10
B. City Role in District Operations.....	11
VI. FUTURE YEARS OPERATING PLANS	12
A. Phased Development.....	12
B. Amendment, Severability and Expansion	12
EXHIBITS	
A. District Boundaries	
B. 2011 Projected Assessments	
C. Description of Proposed Activities and Costs	
D. Loan Repayment Schedule	

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 2011 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.

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 2011 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 and maintenance costs (including energy costs) of any elevator/lift components of the Riverwalk System that may be installed and located on privately owned project segments. The estimated annual operating expenses for 2011 are \$34,916.00, to pay for the foregoing maintenance 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 2011 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 2011 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 2011 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)lm: 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 2011, 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.

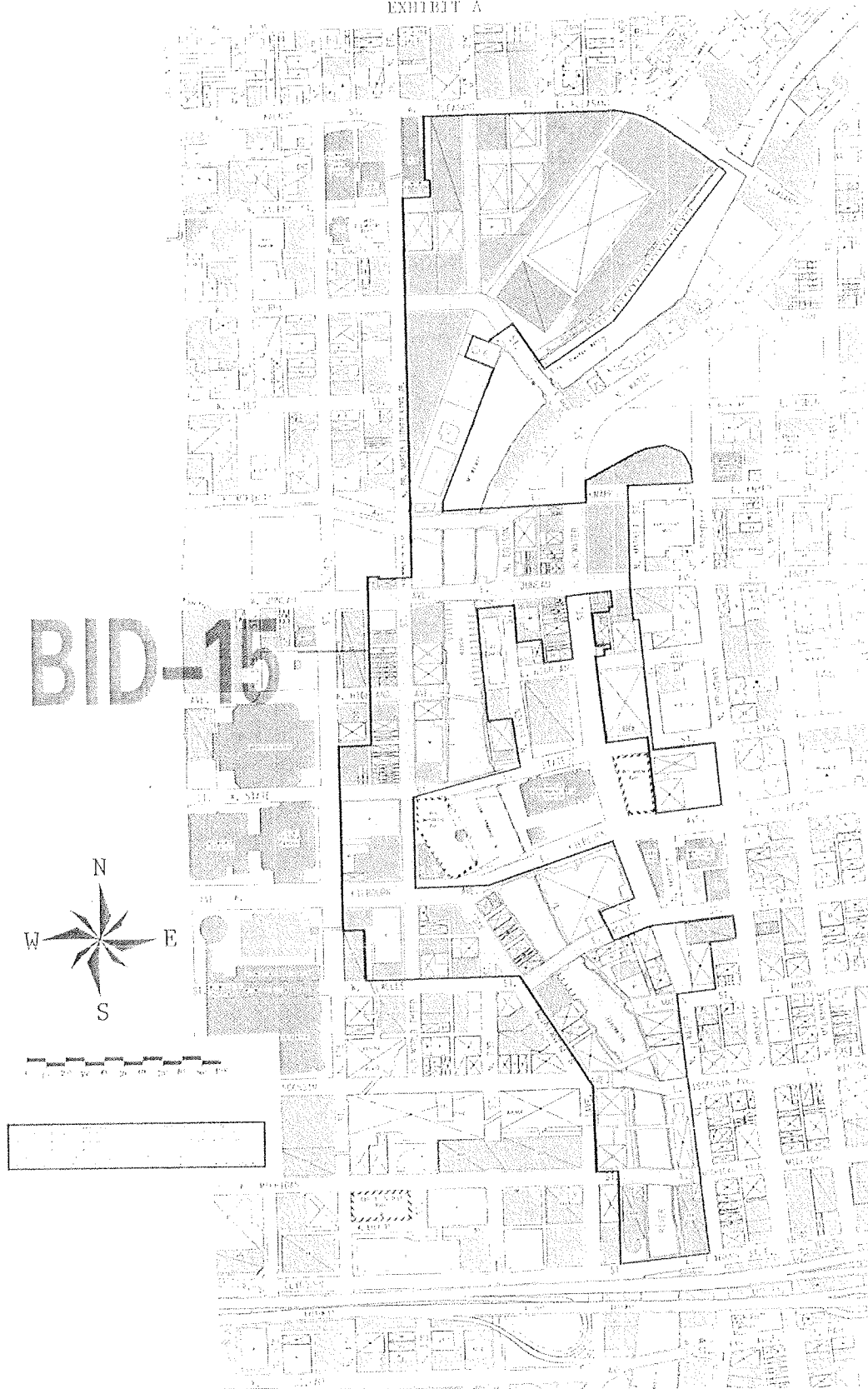
B. Amendment, Severability and Expansion

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



CITY OF MILWAUKEE BID #15

Calculation of the 2010
Riverwalk Capital Assessment

EXHIBIT B

Proposed Assessments	
Minimum Payment	\$510
Max Class 1 pynt	\$7,150
Annual Debt Svc.	\$291,266
Annual Connector Seg	\$4,419
Annual Operating Cost	\$34,916

Taxkey	Chk Dgt	Assessment Factor	Property Address	Owner Name	Current Assessment	Assessment Agreement Class 1 ratio of 6 to 1 0.1667	Proposed Debt Assessments	Proposed Operating Assessments	Debt Payments Upgrades & Amortizes Debt	Final Proposed Assessments	Individual Loan Payments	Amount of Total Debt Payment In Full
3,610,184,112	4	1	1505 N RIVERCENTER	SCHULTZ RIVERCENTER LLC	32,930,000	5,488,333	7,150	1,860	235	9,246	0	58,989
3,921,206,000	7	1	1109 N WATER	PRETZEL BOYS LLC	387,000	64,500	510	22	3	535	0	4,101
3,921,197,000	x	1	1127 N WATER	MARLENE W GOLDBURG	398,000	66,333	510	22	3	535	0	4,101
3,921,200,000	4	1	1119 N WATER	WATER STREET DESIGN CENTER LLC	2,651,000	441,833	1,688	150	19	1,857	0	13,646
3,921,202,000	5	1	1115 N WATER	HARVEY PRESTON GROUP LLC	182,000	30,333	510	10	1	522	0	4,089
3,921,204,000	6	1	1113 N WATER	PRETZEL BOYS INC	138,000	23,000	510	8	1	519	0	4,087
3,922,562,100	3	1	1101 N MARKET	SSG PROPERTIES LLC	4,417,000	736,167	2,473	250	32	2,754	0	20,019
3,921,208,000	8	1	1101 N WATER	ROBERT C SCHMIDT JR	1,680,000	280,000	1,256	95	12	1,363	0	10,142
3,921,194,100	x	1	1135 N WATER	D & D REALTY ON WATER LLC	1,174,000	195,667	510	66	8	585	0	4,143
3,922,572,100	2	1	1114 N WATER	SSG PROPERTIES LLC	1,311,000	218,500	510	74	9	593	0	4,151
3,922,096,112	9	1	1303 N BROADWAY	M & I MARSHALL & ILSLEY BANK	2,091,000	349,500	510	62	8	579	0	4,139
3,922,127,100	2	1	1214 N WATER	M & I MARSHALL & ILSLEY BANK	2,097,000	349,500	1,442	118	15	1,575	0	11,647
3,922,131,000	8	1	1245 N WATER	PAGET ON WATER LLC	1,029,000	171,500	510	58	7	575	0	4,136
3,921,196,000	4	1	1129 N WATER	WATER STREET INVESTMENTS LTD P1	612,000	102,000	510	35	4	549	0	4,113
3,921,189,100	2	1	145 E JUNEAU	D & D REALTY ON WATER LLC	35,400	5,900	510	2	0	512	0	4,081
3,921,192,000	2	1	1139 N WATER	D & D REALTY ON WATER LLC	307,000	51,167	510	17	2	530	0	4,096
3,922,133,100	5	1	1233 N WATER	PAGET ON WATER LLC	342,000	57,000	510	19	2	532	0	4,086
3,921,601,110	x	1	733 N WATER	COMPASS PROPERTIES NORTH WATE	11,956,000	1,976,000	5,778	670	85	6,533	0	46,865
3,920,203,000	2	1	840 N OLD WORLD THIRD	EARL & JOANNE CHARLTON REVOC LI	772,000	128,667	510	44	6	559	0	4,122
3,920,302,000	0	1	104 E MASON	CITY HALL SQUARE LLC	6,771,000	1,128,500	3,519	382	48	3,949	0	28,514
3,920,401,110	2	1	789 N WATER	K&K MCKINNEY PROPERTIES	10,777,000	1,796,167	5,299	609	77	5,964	0	42,971
3,920,411,000	3	1	753 N WATER	DERMOND ASSOCIATES LLC	933,000	155,500	510	53	7	569	0	4,130
3,920,604,110	6	1	100 E WISCONSIN	100 EAST WISCONSIN AVE JT VENTUR	65,497,000	10,916,167	7,150	3,700	468	11,318	0	60,764
3,920,601,120	7	1	731 N WATER	COMPASS PROPERTIES 731 NORTH W	1,775,000	295,833	1,299	100	13	1,412	0	10,485
3,921,187,110	9	1	1128 N EDISON	1144 EDISON LLC	1,809,000	301,500	1,314	102	13	1,429	0	10,608
3,920,605,110	x	1	111 E WISCONSIN	BREOF BUK MIDWEST LLC	28,610,000	4,768,333	7,150	1,616	205	8,971	0	58,733
3,920,707,111	4	1	778 N WATER	M & I MARSHALL & ILSLEY BANK	28,277,000	4,712,833	7,150	1,597	202	8,949	0	58,735
3,921,183,100	x	1	113 E JUNEAU	113 IRISH LLC	444,000	74,000	510	25	3	536	0	4,104
3,922,132,000	3	1	1241 N WATER	DOUGLAS J WIED & SHIRLEY M WIED,	161,000	26,833	510	9	1	520	0	4,088
3,922,137,000	0	1	1217 N WATER	SURVIVORS TRUST C/U/T THOMAS DE	93,900	15,650	510	5	1	516	0	4,085
3,922,136,000	5	1	1221 N WATER	WARD & KENNEDY CO	1,144,000	190,667	510	65	8	583	0	4,142

CITY OF MILWAUKEE BID #15
Calculation of the 2010
Riverwalk Capital Assessment

<u>Proposed Assessments</u>	
Minimum Payment	\$510
Max Class 1 pymt	\$7,150
Annual Debt Svc.	\$291,266
Annual Connector Seg	\$4,419
Annual Operating Cost:	\$34,916

Taxkey	Chk Dgt	Assessment Factor	Property Address	Owner Name	Current Assessment	Assessment Agreement Class 1 ratio of 6 to 1 0.16667	Proposed Debt	Proposed Operating	Debt Payments Upgrades & Amenities Debt	Final Proposed Assessments	Individual Loan Payments Base Debt	Amount of Total Debt Payment In Full
3,922,513,000	4	1	761 N WATER	TAP PROPERTIES LLC	473,000	78,833	510	27	3	540	0	4,105
3,922,431,000	9	1	740 N PLANKINTON	RIVER BANK PLAZA LLC	4,333,000	722,167	2,435	245	31	17,767	15,056	140,149
3,922,441,000	3	1	123 E WELLS	CITY HALL SQUARE LLC	3,871,000	635,167	2,203	215	27	2,446	0	17,832
3,922,511,000	3	1	767 N WATER	PACHEFSKY PROP LLC	355,000	59,167	510	20	3	533	0	4,089
3,922,512,000	9	1	765 N WATER	DAVID D VOIGHT	227,000	37,833	510	13	2	524	0	4,092
3,922,531,000	2	1	771 N WATER	WATER STREET ASSOCIATES LLC	1,024,000	170,667	510	58	7	575	0	4,135
3,922,514,000	x	1	759 N WATER	DEAN N JENSEN	328,000	54,667	510	19	2	531	0	4,097
3,922,423,000	5	1	1010 N WATER	BEVERLY HILLS PROPERTIES I MODEP	1,282,000	213,667	510	72	9	592	0	4,149
3,970,331,000	5	1	101 W WISCONSIN	IVORY RETAIL OFFICE INVESTORS LLC	573,000	95,500	510	32	4	546	0	4,111
3,970,332,000	0	1	101 W WISCONSIN	IVORY RETAIL OFFICE INVESTORS LLC	4,850,000	808,333	2,665	274	35	2,974	0	21,582
3,970,333,000	6	1	101 W WISCONSIN	HISTORIC HOTEL MILWAUKEE INC	12,900,000	2,150,000	6,242	729	92	7,063	0	50,632
3,970,334,000	1	1	101 W WISCONSIN	AMERICAN SOCIETY FOR QUALITY INC	10,032,000	1,672,000	4,968	567	72	5,606	0	40,283
3,922,424,000	0	1	1000 N WATER	AAP PROPERTIES LLC	21,300,000	3,550,000	7,150	1,203	152	8,505	0	58,354
3,922,401,000	5	1	815 N WATER	HALES CORNERS DEV CORP	4,161,000	693,500	2,359	235	30	2,624	0	19,096
3,922,138,000	6	1	1215 N WATER	SURVIVORS TRUST C/UT THOMAS DE	206,000	34,333	510	12	1	523	0	4,091
3,922,143,000	3	1	144 E JUNEAU	CHARLOTTE D VOLK TRUST DTD 1202	291,000	48,500	510	16	2	529	0	4,095
3,922,139,000	1	1	1213 N WATER	FORTNEY FORTNEY & FORTNEY LLC	496,000	82,667	510	28	4	542	0	4,107
3,922,140,000	7	1	1209 N WATER	FORTNEY FORTNEY & FORTNEY LLC	428,000	71,333	510	24	3	537	0	4,103
3,922,141,000	2	1	1207 N WATER	BARBARA L SHAFTON TRUSTEE BARB	781,000	130,167	510	44	6	560	0	4,122
3,922,142,000	8	1	146 E JUNEAU	CHARLOTTE VOLK TRUST U/A D12-02-1	236,000	39,333	510	13	2	525	0	4,092
3,922,149,111	8	1	1232 N EDISON	1232 NORTH EDISON LLC	709,000	118,167	510	40	5	555	0	4,118
3,922,141,000	6	1	134 E JUNEAU	ROSSI & ROSSI LLC	504,000	84,000	510	28	4	542	0	4,107
3,922,361,000	9	1	107 E KILBOURN	HUB MILW CENTER PROPERTIES LLC	493,444,000	8,207,333	7,150	2,782	352	10,284	0	59,876
3,922,150,111	3	1	1201 N EDISON	1201 NORTH EDISON LLC	841,900	140,317	510	48	6	564	0	4,125
3,922,301,100	8	1	250 E KILBOURN	MORTGAGE GUARANTY INSURANCE C	25,879,000	4,313,167	7,150	1,462	185	8,797	0	58,604
3,922,362,000	x	1	135 E KILBOURN	MARCUS W LLC	13,000,000	2,166,667	6,286	734	93	7,114	0	50,993
3,611,992,000	5	1	201 W CHERRY	RIVERBEND PLACE LLC	54,376,000	9,062,667	7,150	3,072	389	10,610	0	60,158
3,970,335,000	7	1	101 W WISCONSIN	IVORY RETAIL/OFFICE INVESTORS LLC	5,690,000	948,333	3,036	321	41	3,400	0	24,613
3,610,523,000	6	1	1023 N OLD WORLD THIRD	1023 OLD WORLD ENTERPRISE LLC	1,211,000	201,833	510	68	9	587	0	4,146
3,610,437,000	9	1	1103 N OLD WORLD THIRD	OLD WORLD DEV LLC	1,334,000	222,333	1,103	75	10	1,188	0	8,894
3,610,438,000	4	1	316 W HIGHLAND	FRED USINGER, INC	132,000	22,000	510	7	1	518	0	4,087
3,610,519,100	0	1	1037 N OLD WORLD THIRD	G VICTOR MADER & MARIE A MADER	1,575,000	262,500	1,210	89	11	1,310	0	9,763

CITY OF MILWAUKEE BID #15

Calculation of the 2010
Riverwalk Capital Assessment

Proposed Assessments	
Minimum Payment	\$510
Max Class 1 pymt	\$7,150
Annual Debt Svc.	\$291,266
Annual Conector Seg	\$4,419
Annual Operating Cost	\$34,916

Taxkey	Chk Dgt	Assessment Factor	Property Address	Owner Name	Current Assessment	Assessment Agreement Class 1 ratio of 6 to 1	Proposed Debt Assessments	Proposed Operating Assessments	Debt Payments Upgrades & Arrenties Debt	Final Proposed Assessments	Individual Loan Payments Base Debt	Amount of Total Debt Payment In Full
3,610,521,000	5	1	1033 N OLD WORLD THIR	1033 OLD WORLD 3RD LLC	1,318,000	219,667	510	74	9	594	0	4,151
3,610,522,000	0	1	1029 N OLD WORLD THIR	TOM AND PATTY LLC	581,000	96,833	510	33	4	547	0	4,111
3,610,524,000	1	1	1021 N OLD WORLD THIR	RICHARD WAGNER	247,000	41,167	510	14	2	526	0	4,093
3,610,431,000	6	1	1109 N OLD WORLD THIR	CHARLES E OR ALLEEN ALBERT TRUS	317,000	52,833	510	18	2	530	0	4,097
3,610,527,000	8	1	1015 N OLD WORLD THIR	BUCK BRADLEY LLC	1,519,000	253,167	1,185	86	11	1,262	0	9,561
3,610,528,000	3	1	1013 N OLD WORLD THIR	THOMAS P EHR & YVETTE R EHR IRRE	223,000	37,167	510	13	2	524	0	4,092
3,610,529,000	9	1	1009 N OLD WORLD THIR	LENRAK LLC	336,000	56,000	510	19	2	531	0	4,098
3,610,530,000	4	1	1005 N OLD WORLD THIR	CHARLOTTE M BOUCHARD ROBERT A	306,000	51,000	510	17	2	529	0	4,096
3,610,531,110	3	1	332 W STATE	THE JOURNAL COMPANY	950,000	158,333	510	54	7	570	0	4,131
3,610,432,000	1	1	1105 N OLD WORLD THIR	CARMELINO CAPATI & CONCEPCION C	273,000	45,500	510	15	2	527	0	4,094
3,610,430,000	0	1	1113 N OLD WORLD THIR	HIGHLAND BEACH SURFERS INC	108,000	18,000	510	6	1	8,881	8,364	70,989
3,611,844,000	x	1	101 W PLEASANT	101 WEST PLEASANT LLC	3,951,000	658,500	2,266	223	28	2,517	0	18,338
3,610,409,100	2	1	300 W JUNEAU	SYDNEY HH DEVELOPMENT LLC	523,300	87,217	510	30	4	543	0	4,108
3,610,429,000	5	1	1117 N OLD WORLD THIR	FRED USINGER, INC	113,000	18,833	510	6	1	517	0	4,086
3,610,415,100	5	1	1141 N OLD WORLD THIR	MILWAUKEE MODERNE LLC	787,800	131,300	510	45	6	560	0	4,122
3,610,421,000	1	1	1137 N OLD WORLD THIR	RUSSELL DAVIS	348,000	58,000	510	20	2	532	0	4,098
3,610,425,000	3	1	1129 N OLD WORLD THIR	RFP PARKING LLC	294,000	49,000	510	17	2	529	0	4,096
3,610,426,000	9	1	1125 N OLD WORLD THIR	CARMELINO CAPATI JR & CONCEPCIO	380,000	63,333	510	21	3	534	0	4,100
3,610,427,000	4	1	1121 N OLD WORLD THIR	FRED USINGER INC	90,000	15,000	510	5	1	516	0	4,084
3,610,534,000	6	1	324 W STATE	BRIAN E OLEARY	114,000	19,000	510	6	1	517	0	4,086
3,610,535,000	1	1	322 W STATE	SANDRA STONE RUFFALO	701,000	116,833	510	40	5	555	0	4,118
3,610,536,000	7	1	316 W STATE	JOHN HINKEL BUILDING LLC	64,500	10,750	510	4	0	514	0	4,083
3,610,537,000	2	1	1001 N OLD WORLD THIR	JOHN HINKEL BUILDING LLC	884,000	147,333	510	50	6	566	0	4,128
3,610,776,114	9	1	105 W MICHIGAN	105/111 LLC	15,344,000	2,557,333	7,150	867	110	11,430	3,304	84,458
3,610,538,000	8	1	1003 N OLD WORLD THIR	ROBERT A BOUCHARD & CHARLOTTE	258,000	43,000	510	15	2	526	0	4,094
3,610,531,000	3	1	830 N PLANKINTON	ROBERT E JOHN	205,000	34,167	510	12	1	523	0	4,091
3,610,535,000	5	1	808 N PLANKINTON	ROBERT E JOHN	414,000	69,000	510	23	3	536	0	4,102
3,611,801,110	9	1	1104 N OLD WORLD THIR	RFP OFFICE LLC	8,137,000	1,356,167	4,126	480	58	4,643	0	33,444
3,610,525,000	0	1	206 W WELLS	LOTS OF LUCK LLC	658,000	109,667	510	37	5	552	0	4,115
3,612,001,000	4	1	235 W GALENA	BREWERY WORKS INC	900,000	150,000	510	51	6	567	0	4,129

CITY OF MILWAUKEE BID #15

Calculation of the 2010
Riverwalk Capital Assessment

Proposed Assessments	
Minimum Payment	\$510
Max Class 1 Pynt	\$7,150
Annual Debt Svc.	\$291,266
Annual Collector Seg	\$4,419
Annual Operating Cost:	\$34,916

Taxkey	Chk	Assessment	Property Address	Owner Name	Assessment		Assessment/ Agreement Class 1 ratio of 6 to 1	Proposed Debt	Proposed Operating	Debt Payments Upgrades & Amenities Debt	Final Proposed Assessments	Individual Loan Payments	Amount of Total Debt In Full
					Current	Assessment							
3,611,841,110	7	1	1610 N 2ND	1610 N 2ND STREET LLC	9,847,900	1,641,317	4,886	556	70	5,512	0	39,618	
3,611,842,000	9	1	1111 W PLEASANT	SCHLITZ PARK ASSOCIATES I	1,736,000	289,333	1,281	98	12	1,392	0	10,344	
3,610,629,000	2	1	840 N PLANKINTON	GAZEK INVESTMENTS LLC	1,475,000	245,833	1,165	83	11	1,259	0	9,402	
3,610,630,000	8	1	834 N PLANKINTON	ROBERT E JOHN	571,000	95,167	510	32	4	546	0	4,111	
3,610,624,000	5	1	808 N OLD WORLD THIRD	SIXTH PROPERTY LLC	3,288,000	544,667	1,962	185	23	2,170	0	15,873	
3,610,622,000	4	1	823 N 2ND	CHALET AT THE RIVER LLC	5,852,000	975,333	3,110	331	42	3,483	0	25,198	
3,610,571,100	4	1	330 W KILBOURN	THE JOURNAL COMPANY	1,280,000	213,333	510	72	9	591	0	4,149	
3,610,620,000	3	1	830 N OLD WORLD THIRD	AMARAVAN PHOUNGPHOL 2008 REVC	1,307,000	217,833	510	74	9	593	0	4,151	
3,610,619,000	8	1	836 N OLD WORLD THIRD	ANAT CHONGVATANA BANDIT & DARAI	285,000	47,500	510	16	2	528	0	4,095	
3,610,621,100	5	1	822 N OLD WORLD THIRD	AMARAVAN PHOUNGPHOL 2008 REVC	462,000	77,000	510	26	3	539	0	4,105	
3,610,618,115	7	1	302 W WELLS	NOBLE I MILWAUKEE, LLC 1100 MONAF	626,100	104,350	510	35	4	550	0	4,114	
3,610,603,116	3	1	333 W KILBOURN	NOBLE I MILWAUKEE, LLC 1100 MONAF	26,000,000	4,333,333	7,150	1,469	186	8,805	0	58,610	
3,610,559,111	4	1	333 W STATE	JOURNAL / SENTINEL INC	11,974,000	1,995,667	5,830	676	86	6,592	0	47,291	
3,920,202,000	7	1	843 N PLANKINTON	THANKS-A-LOT LLC	798,000	133,000	510	45	6	561	0	4,123	
3,612,002,000	X	1	205 W GALENA	BREWERY WORKS INC (Prev #3611882	350,000	58,333	510	20	3	532	0	4,089	
3,611,954,000	8	1	215 W PLEASANT	SCHLITZ PARK ASSC. II LTD PARTNER:	1,061,000	176,833	510	60	8	578	0	4,137	
3,611,961,000	6	1	201 W PLEASANT	THE BREWERY WORKS INC	667,000	111,167	510	38	5	552	0	4,116	
3,611,962,000	1	1	1500 N 2ND	SCHLITZ PARK ASSC. II LTD PARTNERS	418,800	69,800	510	24	3	537	0	4,102	
3,611,963,000	7	1	101 E PLEASANT	SCHLITZ PARK ASSC. LTD PTN (Prev #:	1,964,000	327,333	1,383	111	14	1,508	0	11,167	
3,611,994,100	2	1	1254 N MARTIN L KING JR	CLEF TW MILWAUKEE LLC	25,463,000	4,243,833	7,150	1,438	182	8,770	0	58,581	
3,611,993,000	0	1	1330 N MARTIN L KING JR	BREWERY WORKS INC	431,400	71,900	510	24	3	537	0	4,103	
3,611,991,100	6	1	1420 N MARTIN L KING JR	COMMERCE POWER LLC	1,568,800	261,467	1,207	89	11	1,307	0	9,741	
3,922,922,000	8	1	1150 N WATER	DOC MILW LP	9,500,000	1,583,333	4,731	537	68	5,336	0	38,363	
3,611,802,100	7	1	1124 N OLD WORLD THRID	RFP PARKING LLC	1,933,300	322,217	1,369	109	14	1,492	0	11,056	
3,620,472,000	7	1	1220 N OLD WORLD THRID	MILW BLOCK 10 PROP LLC	9,600,000	1,600,000	4,776	542	69	5,387	0	38,724	
					591,068,100	98,511,350	212,243	33,388	4,225	276,581	26,724	1,943,721	

CITY OF MILWAUKEE BID #15
Calculation of the 2010
Riverwalk Capital Assessment

<u>Proposed Assessments</u>	
Minimum Payment	\$510
Max Class 1 pymt	\$7,150
Annual Debt Svc.	\$291,266
Annual Conector Seg	\$4,419
Annual Operating Costs	\$34,916

Taxkey	Chk	Assessment	Property Address	Owner Name	Current	Assessment/ Agreement	Proposed Debt	Proposed Operating	Debt Payments	Final Proposed	Individual Loan	Amount of Total Debt
	Dgt	Factor				ratio of 6 to 1	Base Debt	Assessments	Upgrades & Amenities Debt	Assessments	Base Debt	In Full
3,610,539,110	7	6	1044 N OLD WORLD THIRD	HIGHLAND BEACH SURFER INC	2,473,000	2,473,000	7,103	140	18	7,260	0	56,952
3,610,540,111	0	6	1030 N OLD WORLD THIRD	FRED USINGER INC	3,132,700	3,132,700	8,862	177	22	9,061	0	71,056
3,610,642,111	5	6	710 N PLANKINTON	TOWNE REALTY INC	8,054,000	8,054,000	21,962	455	58	23,791	1,296	186,636
3,922,482,000	7	6	108 W WELLS	BARTELS LTD PARTNERSHIP	698,000	698,000	2,371	39	5	2,415	0	19,003
3,610,634,000	x	6	810 N PLANKINTON	PLANKINTON PROFESSIONAL BUILDIN	375,000	375,000	1,510	21	3	4,448	2,914	35,406
3,610,633,000	4	6	814 N PLANKINTON	BARTELS LTD PTN	1,271,000	1,271,000	3,899	72	9	9,397	5,418	74,592
3,610,627,100	8	6	111 W KILBOURN	KILBOURN BRIDGE ASSOCIATES	1,491,000	1,491,000	4,485	84	11	4,580	0	35,957
3,922,481,000	1	6	108 W WELLS	BARTELS LTD PARTNERSHIP	83,100	83,100	510	5	1	18,086	17,571	144,634
3,922,442,000	9	6	107 E WELLS	FAB LLC	359,000	359,000	1,467	20	3	9,854	8,364	78,658
3,920,614,111	9	6	543 N WATER	BREOF BNK MIDWEST LLC	6,500,000	6,500,000	17,839	367	46	18,253	0	143,049
3,611,901,000	9	6	730 N PLANKINTON	MOSTREET III LLC	304,000	304,000	1,320	17	2	1,340	0	10,579
3,610,632,000	9	6	826 N PLANKINTON	BARTELS LIMITED PARTNERSHIP II	1,360,000	1,360,000	4,136	77	10	12,589	8,377	100,162
3,921,178,100	2	6	1005 N EDISON	ROJAHN & MALANEY CO	714,000	714,000	2,414	40	5	2,459	0	19,345
3,921,179,100	8	6	100 E STATE	ROJAHN & MALANEY CO	231,000	231,000	1,126	13	2	1,141	0	9,018
					27,045,800	27,045,800	79,023	1,528	193	124,684	43,940	985,046

	618,113,900	125,557,150	291,266	34,916	4,419	401,265	70,664	2,928,767
Annual Debt Svc	\$291,266							
Debt Assessment Ratio	0.0023197882							
Min Assessment	\$219,848							
Annual Operating Costs	\$34,916							
Annual Conector Segment Assessment	\$4,419							
Debt - Conector Segment - Assessment Ratio*	0.0000071488							
Operating Assessment Ratio*	0.0000564880							
Based upon full assessment value of	618,113,900							

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 (per prior schedule)</u>		<u>Connector Segment (add new loan - 2005)</u>		<u>New total loan payment Due March 31, 2006 & annually thereafter</u>
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
2011 PROPOSED OPERATING PLAN**

September 6, 2010

TABLE OF CONTENTS

I.	INTRODUCTION	Page 3
II.	DISTRICT BOUNDARIES	Page 4
III.	PROPOSED OPERATING PLAN	Page 4
	A. Plan Objectives	
	B. Proposed Activities	
	C. Proposed Expenditures	
	D. Financing Method	
	E. Organization of BID Board	
	F. Relationship to Milwaukee West North Avenue Business Association	
IV.	METHOD OF ASSESSMENT	Page 9
	A. Assessment Rate and Method	
	B. Excluded and Exempt Property	
V.	RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY	Page 11
VI.	PLAN APPROVAL PROCESS	Page 13
VII.	FUTURE YEARS' OPERATING PLANS	Page 14
VIII.	AMENDMENT, SEVERABILITY AND EXPANSION	Page 15

WEST NORTH AVENUE BUSINESS IMPROVEMENT DISTRICT 2011 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 2011. 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.

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 2011 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. The board has 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. Once the renovation plans have been completed the BID will prepare an RFP which will be aimed at a small developer or investor with the intent of creating a redevelopment partnership to improve one or both of these target properties.

C. Monitoring the ongoing maintenance of streetscape improvements.

D. Negotiating and entering into a landscape maintenance agreement to provide installation and ongoing maintenance of plants, street banners including four (4) seasonal changes, and weekly portering services.

C. Proposed Expenditures

PROJECT BUDGET 2011

Expenses

Repairs and Maintenance (street/sidewalk cleaning; refuse container repair/replacement; electrical maintenance to public art sculpture) \$ 35,300

Grounds (landscaping; crosswalk striping; holiday light pole decorations) \$ 19,700

Administrative (management fee; postage; street banners; District newsletter) \$ 24,500

Insurance/Accounting (annual audit) \$ 3,300

Total Operating Expenses \$ 82,800

Real Estate Development/Rehab \$ 80,000

Debt Expense* (Repayment to City of Milwaukee) \$ 51,767

Total BID Expenses for 2011 \$214,567

* 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 2011 shall be carried over to 2012 and applied against future expenses.

D. Financing Method

It is proposed to raise \$152,257.05 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
- Jill Sanders-Trachte
Property owner, business owner, North Avenue location
- Christine McRoberts
Property owner, business owner, North Avenue location
- Chris Hau
Neighborhood resident, Architect Quorum Architects
- Matthew O'Neill
Neighborhood resident, Washington Heights location

The BID Board is currently seeking area property owners and business owners to join the BID Board; there are currently two (2) open leadership positions 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 2010 the commercial properties in the District had a total assessed value of \$27,683,100. This plan proposes to assess the taxable property in the District at a 2010 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 2011 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.

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. 2010 PROJECTED ASSESSMENTS

APPENDIX C & D - 2010 ASSESSED VALUES AND BID NO. 16 ASSESSMENTS

Property Address	Owner1	Owner2	Property Class	Total Assessment
4428 W NORTH	CITY OF MILW		Exempt	\$0
4820 W LISBON	ALPHA WOMEN'S CENTER INC		Exempt	\$0
4716 W LISBON	AGAPE LOVE DELIVERANCE	CHURCH	Exempt	\$0
4923 W LISBON	CITY OF MILWAUKEE		Exempt	\$0
5105 W LISBON	CITY OF MILW HOUSING AUTH		Exempt	\$0
4530 W LISBON	CITY OF MILW		Exempt	\$0
4522 W LISBON	CITY OF MILW		Exempt	\$0
4500 W GARFIELD	CITY OF MILW		Exempt	\$0
4510 W LISBON	CITY OF MILW		Exempt	\$0
4404 W NORTH	DANIEL T DEVALK		Local Commercial	\$32,900 \$ 180.95
4420 W NORTH	NICHOLAS A BUTTITTA	REVOCABLE LIVING TRUST	Local Commercial	\$82,500 \$ 453.75
4424 W NORTH	DIVERSIFIED EQUITY	INVESTMENTS LLC	Local Commercial	\$152,000 \$ 836.00
4806 W LISBON	AMJAD TUFAIL		Local Commercial	\$157,000 \$ 863.50
4828 W LISBON	RONALD I PACHEFSKY	CHERYL F MENDELOFF	Local Commercial	\$213,000 \$ 1,171.50
4842 W LISBON	IB PROPERTY HOLDINGS LLC		Local Commercial	\$113,000 \$ 621.50
4700 W NORTH	HATZLACHAH LLC		Local Commercial	\$213,000 \$ 1,171.50
4708 W NORTH	EDGAR JILES		Local Commercial	\$152,000 \$ 836.00
4720 W LISBON	UPTOWN CROSSING LLC	C/O BUD VASTONE	Local Commercial	\$137,000 \$ 753.50
4734 W LISBON	STEPHEN BIALK		Local Commercial	\$178,000 \$ 979.00
4534 W NORTH	SANDRA A JONES		Local Commercial	\$92,700 \$ 509.85
4900 W NORTH	SAT LE	LUC LE	Local Commercial	\$618,000 \$ 3,399.00
5006 W LISBON	WILHELM COMMERCIAL HOLDING	LLC	Local Commercial	\$313,000 \$ 1,721.50
2432 N 51ST	WILHELM COMMERCIAL	HOLDING LLC	Local Commercial	\$12,600 \$ 69.30
4630 W NORTH	JHH ENTERPRISES LLC		Local Commercial	\$246,000 \$ 1,353.00
5038 W NORTH	KLAPPER & CO INC		Local Commercial	\$148,000 \$ 814.00
5814 W NORTH	RIECO INC		Local Commercial	\$602,000 \$ 3,311.00
5916 W NORTH	HOP TRUNG TRAN		Local Commercial	\$180,000 \$ 990.00
5920 W NORTH	HILBERT COMPANY LLC		Local Commercial	\$771,000 \$ 4,240.50
5700 W NORTH	DIROT PROPERTIES TWO LLC		Local Commercial	\$673,000 \$ 3,701.50
5600 W NORTH	L J NEUMAN & SHARON E LAVIN		Local Commercial	\$320,000 \$ 1,760.00
5522 W NORTH	H DUCK INC		Local Commercial	\$334,000 \$ 1,837.00
5508 W NORTH	AZ MANAGEMENT LLC		Local Commercial	\$520,000 \$ 2,860.00
5114 W LISBON	PARIS S CROSSLEY		Local Commercial	\$48,800 \$ 268.40
5428 W NORTH	FAMILY DOLLAR STORS OF WI		Local Commercial	\$599,500 \$ 3,297.25
5710 W NORTH	5714 REAL EST HOLDINGS LLC		Local Commercial	\$476,000 \$ 2,618.00
5104 W LISBON	WILHELM COMMERCIAL	HOLDINGS LLC	Local Commercial	\$12,800 \$ 70.40
5304 W NORTH	NLJ PARTNERS LLC		Local Commercial	\$443,000 \$ 2,436.50
5722 W NORTH	R.A. EVANS LLC		Local Commercial	\$191,000 \$ 1,050.50
5725 W NORTH	JGS HOLDINGS LLC		Local Commercial	\$227,000 \$ 1,248.50

5803 W NORTH	PAUL R ORWAL		Local Commercial	\$229,000	\$	1,259.50
5823 W NORTH	HANI S MATLOUB AND BRENDA S	MATLOUB REV LIV TRUST	Local Commercial	\$60,400	\$	332.20
5901 W NORTH	KEREN PROPERTIES 4 LLC		Local Commercial	\$84,500	\$	464.75
5909 W NORTH	KEREN PROPERTIES 4 LLC		Local Commercial	\$63,000	\$	346.50
5919 W NORTH	KEREN PROPERTIES 4 LLC		Local Commercial	\$216,000	\$	1,188.00
2255 N 54TH	PAULETTE A BLAKE		Local Commercial	\$62,700	\$	344.85
5419 W NORTH	LOREN MICHAELS PROP, LLC		Local Commercial	\$110,700	\$	608.85
5501 W NORTH	ROBERT C & EDITH I PRESCHER	REVOCABLE TRUST D11-19-98	Local Commercial	\$296,000	\$	1,628.00
5507 W NORTH	KLAUSE HARTTER	JUERGEN HARTTER	Local Commercial	\$110,000	\$	605.00
5511 W NORTH	KLAUSE HARTTER	JUERGEN HARTTER	Local Commercial	\$157,000	\$	863.50
5517 W NORTH	JEANETTE MALONE		Local Commercial	\$369,000	\$	2,029.50
5523 W NORTH	WAYNE AND BETH PRETSCHOLD	REVOCABLE FAMILY TRUST	Local Commercial	\$211,000	\$	1,160.50
5527 W NORTH	QUINCY LYNK		Local Commercial	\$248,000	\$	1,364.00
5601 W NORTH	MIDWEST AMERICAN PROP LLC		Local Commercial	\$217,000	\$	1,193.50
5609 W NORTH	VIKTORIYA SHTEYNBURK	YURIY SHTEYNBURK	Local Commercial	\$145,000	\$	797.50
5611 W NORTH	RONALD W BARCHUS		Local Commercial	\$232,000	\$	1,276.00
5623 W NORTH	PELICARIC GOJO	PELICARIC LORI	Local Commercial	\$96,700	\$	531.85
5629 W NORTH	5629 LLC		Local Commercial	\$142,000	\$	781.00
5701 W NORTH	JACK RABON	KATHRYN RABON	Local Commercial	\$100,000	\$	550.00
5707 W NORTH	WATERSTONE BANK SSB		Local Commercial	\$317,000	\$	1,743.50
5713 W NORTH	WATERSTONE BANK SSB		Local Commercial	\$238,000	\$	1,309.00
5101 W NORTH	ROSEMARIE DUNHAM REVOC TRUST		Local Commercial	\$247,000	\$	1,358.50
5119 W NORTH	SECOND STORY PROP MGMT		Local Commercial	\$119,000	\$	654.50
5125 W NORTH	B C MANAGEMENT LLC		Local Commercial	\$163,000	\$	896.50
5129 W NORTH	HEFENG CHU		Local Commercial	\$265,200	\$	1,458.60
5211 W NORTH	FUTURE HEIGHTS LLC		Local Commercial	\$106,000	\$	583.00
5205 W NORTH	FUTURE HEIGHTS LLC		Local Commercial	\$161,000	\$	885.50
5201 W NORTH	FUTURE HEIGHTS LLC		Local Commercial	\$120,000	\$	660.00
5311 W NORTH	FREYA ALVARADO LLC		Local Commercial	\$112,000	\$	616.00
4503 W NORTH	ADEL INVESTMENT GROUP LLC		Local Commercial	\$277,000	\$	1,523.50
4517 W NORTH	MICHAEL W PERRY		Local Commercial	\$94,400	\$	519.20
4525 W NORTH	CFSC PROPERTIES LLC		Local Commercial	\$378,000	\$	2,079.00
4538 W LISBON	RALPH E NEELY		Local Commercial	\$66,400	\$	365.20
4518 W LISBON	VICTORIA C OCHI	CHRIS C OCHI	Local Commercial	\$91,600	\$	503.80
4733 W NORTH	S PRICE REAL ESTATE	HOLDINGS LLC	Local Commercial	\$131,000	\$	720.50
4729 W NORTH	METRO VISTA DEV GROUP LLC		Local Commercial	\$159,000	\$	874.50
4719 W NORTH	METRO VISTA DEV GROUP LLC		Local Commercial	\$476,200	\$	2,619.10
4701 W LISBON	METRO VISTA DEV GROUP LLC		Local Commercial	\$688,000	\$	3,784.00
2238 N 48TH	METRO VISTA DEVELOPMENT	GROUP LLC	Local Commercial	\$15,400	\$	84.70
4415 W NORTH	31ST ST HOLDINGS LLC		Local Commercial	\$134,000	\$	737.00
4419 W NORTH	KEITH B TERRY		Local Commercial	\$127,000	\$	698.50
4425 W NORTH	MICHAEL S WISNIEWSKI		Local Commercial	\$217,000	\$	1,193.50

4321 W NORTH	COMMUNITY BAPTIST CHURCH	Local Commercial	\$4,900	\$	26.95
2246 N 44TH	NORTH AVENUE INVESTMENTS LLC	Local Commercial	\$73,900	\$	406.45
4319 W NORTH	NORTH AVENUE INVESTMENTS LLC	Local Commercial	\$63,700	\$	350.35
4801 W NORTH	S PRICE REAL ESTATE HOLDINGS LLC	Local Commercial	\$626,000	\$	3,443.00
4815 W NORTH	JAMES E SMITH	Local Commercial	\$114,000	\$	627.00
4823 W NORTH	S PRICE REAL ESTATE HOLDINGS	Local Commercial	\$314,000	\$	1,727.00
4919 W NORTH	CHRISTINE MICROBERTS	Local Commercial	\$143,000	\$	786.50
5019 W NORTH	NEIL E & BEVERLY J PETERSON	Local Commercial	\$171,000	\$	940.50
4625 W NORTH	LISBON COMMUNITY DEV LLC	Local Commercial	\$664,000	\$	3,652.00
4401 W NORTH	NEW COVENANT 4401	Local Commercial	\$190,000	\$	1,045.00
4407 W NORTH	4401 NORTH AVE LLC	Local Commercial	\$270,000	\$	1,485.00
5027 W NORTH	HIMOUNT INVESTMENTS LLC	Local Commercial	\$170,000	\$	935.00
5033 W NORTH	JOHN H KOSTECKI	Local Commercial	\$84,000	\$	462.00
4414 W NORTH	BACHAN SINGH	Mercantile Apartment	\$147,900	\$	813.45
2309 N 46TH	LUCILLE E MUSTA	Mercantile Apartment	\$83,000	\$	456.50
5009 W NORTH	RICHARD V & MARY JEAN	Mercantile Apartment	\$146,200	\$	804.10
2303 N 46TH	U.S. BANK, NATIONAL ASSN	Residential	\$62,800		
2429 N 50TH	ROBERTA LAMB	Residential	\$86,100		
5115 W NORTH	ASKIA HANEY	Residential	\$157,900		
2236 N 46TH	GREG S ALLES	Residential	\$72,800		
2230 N 46TH	MARK A WAMSER	Residential	\$60,000		
2257 N 49TH	THEODIE D FREEMON SR	Residential	\$80,300		
2252 N HI MOUNT	CHARLES A BAURES &	Residential	\$111,300		
4926 W NORTH	FRANK HEILBRONNER	Special Mercantile	\$277,000	\$	1,523.50
4930 W LISBON	NORTH SIDE PETROLEUM INC	Special Mercantile	\$1,066,000	\$	5,863.00
4500 W NORTH	WALGREEN NEW BERLIN #01336	Special Mercantile	\$1,164,000	\$	6,402.00
5220 W NORTH	FIRSTAR BANK MILWAUKEE NA	Special Mercantile	\$675,500	\$	3,715.25
5020 W NORTH	MORTIMER LEVITT FOUNDATION	Special Mercantile	\$2,955,000	\$	16,252.50
5900 W NORTH	ASSOCIATED BANK NA	Special Mercantile	\$575,000	\$	3,162.50
5612 W NORTH	BORDER PATROL WISCONSIN INC	Special Mercantile	\$292,000	\$	1,606.00
4623 W LISBON	FIRST MIL BANK	Special Mercantile	\$327,000	\$	1,798.50
4527 W LISBON	ABDIKADER H ASKAR	Special Mercantile	\$298,000	\$	1,639.00
4601 W NORTH	4601 WEST NORTH LLC	Special Mercantile	\$676,000	\$	3,718.00
			\$28,314,300	\$	152,257.05

Business Improvement District #17

**BUSINESS IMPROVEMENT DISTRICT #17
2011 OPERATING PLAN**

TABLE OF CONTENTS

I.	INTRODUCTION.....	2
II.	DISTRICT BOUNDARIES.....	2
III.	PROPOSED OPERATING PLAN.....	2
	A. Plan Objectives	2
	B. Proposed Activities-2011	2
	C. Proposed Expenditures.....	3
	D. Financing Method.....	3
	E. Organization of BID Board.....	4
IV.	METHOD OF ASSESSMENT.....	5
	A. Assessment Rate and Method.....	5
	B. Excluded and Exempt Property.....	5
V.	CITY ROLE IN DISTRICT OPERATION.....	6
VI.	FUTURE YEAR OPERATING PLANS.....	6
	A. Annual Plans.....	6
	B. Amendment, Severability and Expansion.....	7
	APPENDICES.....	8

I. INTRODUCTION

In 1984, the Wisconsin legislature created s. 66.608 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 Wis. Act 184, Section 1, legislative declaration.)

The city of Milwaukee has received a petition from property owners which requested a creation of a Business Improvement District for the purpose of beautifying and maintaining the turf and landscaping in the medians along Brown Deer Road in the Grandview Station area on Milwaukee’s Northwest side. This document is the 2011 Operating Plan for the Business Improvement District #17. The BID proponents prepared this Plan with the technical assistance from the City of Milwaukee Department of City Development and after following the requirements of s. 66.608, Wisconsin Statutes, the Common Council of the City of Milwaukee created BID No. 17 on April 2, 1996, by Resolution File No. 951754 and adopted an initial operating plan for the BID.

Section 66.608(3) (b), Wisconsin Statutes, requires that every 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. 17 submits this 2011 operating plan in fulfillment of the statutory requirement.

This operating plan proposes a continuation of the activities described in the initial operating plan, dated March 5, 1996, Therefore, it incorporates by reference the earlier plan as adopted by the Common Council. In the interest of brevity, this plan emphasizes the elements required by s. 66.608, Wisconsin Statutes, and does not repeat 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. The properties included in the district are listed in Appendix B.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the BID is to improve and enhance the landscaping on the boulevards and medians on West Brown Deer Road between North 91st Street and North 68th Street and on North 76th Street between West Brown Deer Road and West Fairy Chasm Drive. This improvement is being undertaken to achieve the following goals:

- Create a dramatic, fresh new image for the area which reflects a feeling of rejuvenation and renovation.

- Project a higher level of care which will counteract any perception that the quality of the area is eroding.
- Create a more pleasant appearance and increase curb appeal for potential patrons who might currently be driving by.
- Have a favorable impact on reducing business vacancies.
- Maintain the investments that the owners have made in their properties.
- Create a suburban, country-like atmosphere vs. a harsh highway appearance.

B. Proposed Activities - 2011

In 1996, the BID obtained a permit from the Wisconsin Department of Transportation (Wis. DOT) for the landscaping project, obtained a loan from the City of Milwaukee to fund the landscaping, and contracted for installation of the landscaping. Principal activities to be engaged in by the district during 2011 will include:

- Continuing its contract with a landscape contractor for the maintenance of the landscaping.
- Monitoring the contractor's maintenance of the landscaping.
- Maintaining communication with the property owners and merchants regarding implementation of the landscaping project.
- Making payment to the city of the annual principal and interest due on its loan.
- Complying with the city's and state's reporting requirements for BIDs.

C. Proposed Expenditures

Proposed 2011 Budget
Business Improvement District No. 17

Landscaping

-principal and interest payment to city:	\$15,639.52
-maintenance:	<u>\$19,360.48</u>

Total:	<u>\$35,000.00</u>
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D. Financing Method

In 2011 the district will be funded by special assessments paid by property owners. The special assessments will be used to make the annual payment due to the city, to maintain the plantings installed IN 1996(water, fertilizer, pruning, replacing dead material, etc.), and to obtain the annual audit required by the BID statute. (See Section IV. of this plan for the description of the special assessment method. The assumptions on which the debt service is based are described in the development and maintenance agreement executed by BID and the city (contract No. 96-182(CM)) for the landscape project.)

The district 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 the year shall be carried over and applied against future expenses. Assessments may only be made for the landscaping project as described in Section III.B of the initial operating plan and the annual audit required by statute. No other administrative expenses will be included in assessments in excess of one percent (1%) of the current year's assessments.

E. Organization of BID Board

Upon creation of the BID, Mayor Tom Barrett appointed members to the district Board. The current Board members are:

MS, Cheryl Watkins, Bid Treasurer
M&I Bank

Ms. Dorothy Schmidt
M&I Bank

Ms. Leslie Feiler, BID Chair
Granville Professional Building

Copies of Board's by-laws are available upon request to the Board.

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, BID assessments are based on the assessed value of the property,

including land and improvements, as recorded by the Assessment Commissioner of the City of Milwaukee.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of six percent (6%) of the current year's total proposed expenditures per parcel will be applied.

Allocation of the district's annual expenses will be based on each individual property's assessed value as a percentage of district's total assessed valuation, not to exceed the maximum BID assessment. 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. Section 66.608 (1) (f) 1m: According to city records, the district does not contain property used exclusively for manufacturing purposes, or property used in part for manufacturing. If, in the future, manufacturing property is constructed in the district, these properties will be assessed according to the method set forth in this plan, because it is assumed that they will benefit from the district.

2. Section 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. Exclusively residential property which is expected to benefit from district activities may be asked to make a financial contribution to the district on a voluntary basis.

3. In accordance with the interpretation of the City Attorney regarding Section 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. 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 played a significant role in the creation of the BID and in the implementation of the initial operating plan. In the future, the city will continue to assist the BID by:

1. Providing technical assistance as appropriate to the BID Board.

2. Monitoring and, when appropriate, applying for outside funds which could be used in support of the district.

3. Collecting the BID assessments, maintaining in a segregated account, and disbursing the monies of the district.

4. Receiving annual audits as required per sec. 66.608 (3) (c) of the BID law.

5. Providing the Board, through the Assessment Commissioner's Office or before June 1st of each Plan year, with the current assessed value for each tax key number with the district, for purposes of calculating the BID assessments.

6. Encouraging the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

Presentation of this plan to the city shall be deemed a standing order of the Board under s. 66.608 (4), Wisconsin Statutes, for the collection and disbursement of the BID assessments in accord with this plan. Assessments and disbursements to be made pursuant to this plan shall be shown in the city's budget as a line item and shall not be included under the control of any department of the city.

VI. FUTURE YEAR OPERATING PLANS

A. Annual Plans

Section 66.608 (3) (a), Wisconsin Statutes, requires the BID Board and the city to review and make changes as appropriate in the BID operating plan each year. Therefore, the information provided in this document on specific assessed values, budget amounts and assessment amounts is based on existing 2010 or anticipated 2011 conditions. The BID Board intends to update and revise the operating plan annually, in response to changing conditions in the district, consistent with the purposes and objectives defined in the initial (1996) Bid operating plan. Approval by the Common Council of such annual updates shall be conclusive evidence of compliance with earlier BID operating plans and the BID law.

In later years, the BID Board will continue to apply the assessment formula, as adjusted, to raise funds to meet the next annual budget. However, the Board shall not submit to the Common Council an annual operating plan which proposes activities beyond the landscaping of the medians on West Brown Deer Road and North 76th Street, as described in Section III.B of the initial BID operating plan, the maintenance of the landscaping installed, or the restoration of the medians to the condition required by the Wis. DOT, unless the Board first obtains the prior approval of a majority of the property owners in the district for the proposed additional activities. Approval shall be obtained through a paper ballot sent to all property owners listed in the appendix of the current year operating plan. A majority for this purpose shall be property owners representing more than fifty percent (50%) of the BID special assessments as set forth in the current

year operating plan. The method of assessment shall not be materially altered in subsequent plans, 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).

APPENDICES

- A. Map of District Boundaries
 - see Initial Operating Plan submitted to the City dated March 5, 1996.
- B. Proposed Special Assessments

BUSINESS IMPROVEMENT DISTRICT NO. 19

**Villard Avenue
PROPOSED OPERATING PLAN**

VILLARD AVENUE



BUSINESS ASSOCIATION

September 1st, 2010

TABLE OF CONTENTS

	Page No.
I. INTRODUCTION.....	6
A. Background	
B. Physical Setting	
II. DISTRICT BOUNDRIES.....	6
III. PROPOSED OPERATING PLAN.....	6
A. Plan Objectives	
B. Proposed Activities- Year One	
C. Proposed Expenditures-Year One	
D. Financing Method	
E. Organization of BID Board	
IV. METHOD OF ASSESSMENT.....	10
A. Annual Assessment Rate and Method	
B. Excluded and Exempt Property	
V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY.....	11
A. City Plans	
B. City Role in District Operation	
VI. PLAN APPROVAL PROCESS.....	12
VII. FUTURE YEAR OPERATING PLANS.....	13
A. Phased Development	
B. Amendment, Severability and Expansion	
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 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 block 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 objective of the BID is to:

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

B. 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 hthe 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 expense of the District in 2010 shall be used to fund business technical assistance, maintenance projects, and streetscape. The BID #19 will contract with Northwest Side Community Development Corporation to mange activities for the BID. The BID will also help fund the Villard Avenue Day Festival.

Proposed Budget

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	
2008 Audit	3000.00
General Expenses	
Postage & Copies	1000
Utilities	1200
Landscaping	4000
Street Upkeep	3000
PROGRAM ACTIVITIES	
Marketing/Advertising	3000
Contingency Fund	
Villard Events	5,000
Action Award / Business Assistance	20,000
TOTAL Proposed Budget for 2011	101,688.53

D. Financing Method

It is proposed to raise 102,110.76 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

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”

- Michelle Spicer, Secretary
Operational Supervisor, Westbury Bank
- Peggy Mier, Treasurer
Branch Manager, Wells Fargo Bank
- Rita Warford, Board Member
Property Owner, Business Owner of “Sew What”
- Yvonne Ali, Board Member
Property Owner, Business Owner of “Agape Theater”
- Sandra Renfro, Board Member
Business Owner of “Sista Sista”

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 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

Parcels are assessed by the BID in proportion to each parcel's part of the assessed value in the District. For example, in 2006, 3526 W. Villard Avenue was 0.0066% (\$706.20) of that year's annual BID assessment of \$95,361.42

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 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 percentage 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) 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 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.

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**

2009-2010 Annual Report

East Side Business Improvement District #20



Activities for 2009-10

The East Side B.I.D. #20 respectfully submits its Annual Report on the following activities undertaken in 2009-10. They include:

- 1) Operated the 10th 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. Ten meetings were held over the course of the last 18 months to engage property owners, residents, and city officials in the process.
- 3) Planted over **100 street planters** with variety of annuals, perennials, and bushes. New planters were installed west of Oakland Ave. on North Ave.
- 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 10th annual **Summer Soulstice Music Festival** on June 23rd, 2007, 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 4th annual **Tomato Romp!** featuring the East Side Bloody Mary Contest and famous Tomato Fight. The fight featured 200 participants and raised \$600 for Feeding America.
- 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** was completed and forwarded to DCD with the 2011 Operating Plan.



THE EAST SIDE
BUSINESS IMPROVEMENT DISTRICT NO. 20
2011 OPERATING PLAN

September 23rd, 2010

TABLE OF CONTENTS

- I. INTRODUCTION
 - II. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN
AND ORDERLY DEVELOPMENT OF THE CITY
 - III. DISTRICT BOUNDARIES
 - IV. PROPOSED OPERATING PLAN
 - 1. Plan Objectives
 - 2. Proposed Activities
 - 3. Proposed Expenditures
 - 4. Financing Method.
 - V. METHOD OF ASSESSMENT
 - A. Assessment Rate and Method
 - 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 – 2010 Assessed Values and BID No. 20 Assessments
- Appendix B – 2011 Approved Budget

THE EAST SIDE BUSINESS IMPROVEMENT DISTRICT 2011 OPERATING PLAN

I. 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 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.

Section 66.608 (3) (b), Wis. Stats., 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 2011 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. 66.608, Wis. Stats. and the proposed changes for 2011. 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 2011

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 2011 include, but are not limited to:

- 1) Continued promotion of the district via special events including the *East Side Open 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 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 2011

(numbers rounded)

Carryover 2010 to 2011	\$44,000
<u>2011 Assessment (received 4/11)</u>	<u>\$209,586</u>
Projected Income Available in 2011	\$253,586

Expenses for 2011

Operating Expenses (office, contracts, district maintenance, etc.)	\$123,634
<u>Loan Payment for 2011</u>	<u>\$78,150</u>
Total Expenses for 2011	\$201,784

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 2011 shall be carried over to 2012 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, 2010, the properties in the district had a total BID assessable value of \$91,668,700. 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 2011 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. 66.608 (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. 66.608 (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.

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:

- ❖ **Peg Silvestrini**, President, property owner, co-owner *Beans and Barley Café and Market*
- ❖ **Paul Miller**, Vice-President, property owner, co-owner *Alterra Coffee Roasters*
- ❖ **Dan Gumm**, Treasurer, representative of *Wisconsin Paperboard*
- ❖ **Geralyn Flick**, Secretary, owner of *Murray Hill Pottery Works*
- ❖ **John Sidoff**, property owner, owner of *Hooligan's*
- ❖ **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 66.608 (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 2011 activities. Information on specific assessed values, budget amounts, and assessment amounts are based on 2010 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. 66.608 (3) (b), Wis. Stats.

Appendix A

Properties included in BID #20

Appendix B

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

SEPTEMBER 16, 2010

Summary of Changes in BID 21's
Year 14 Operating Plan

- Page 6 – Article III(B)(3) – Add administration of retail incentive grant and loan program.
- Page 8 – Article III(C) – Insert 2011 budget and assessment information. (BID budget has been cut twice by Finance Committee and a third time by Executive Committee.)
- Page 9 – Article III(C) – Consider increasing the thresholds to trigger 2/3 Board vote for capital expenditures from \$10,000 per expenditure and \$30,000 aggregate to \$15,000 per expenditure and \$40,000 aggregate.
- Page 9 – Article III(c) – Overall property tax assessed value dropped (for the second year in a row) (from \$2B+ to \$1,968,621,500).
BID is reducing assessments to be collected from property owners from \$3,016,975 in 2010 to \$2,987,217 in 2011.
- Page 10 – Article III(D)(2) – Update BID board categories based on 2010 assessments.
- Page 12 – Article III(D)(8) – Recharacterize board meeting requirements from every 3 months to quarterly.
- Page 13 – Article III(D)(6) – Add one or more representatives of significant arts venues as nonvoting members.

TABLE OF CONTENTS

	Page No.
I. INTRODUCTION	1
II. DISTRICT BOUNDARIES	1
III. PROPOSED OPERATING PLAN.....	2
A. Plan Objectives.....	2
B. Proposed Activities.....	2
C. Proposed Expenditures and Financing Method	8
D. Organization of the District Board	9
E. Relationship to Milwaukee Downtown, Inc. and Alliance for Downtown Parking and Transportation, Inc.	13
IV. METHOD OF ASSESSMENT	13
A. Annual Assessment Rate and Method.....	13
B. Excluded and Exempt Property	14
V. PROMOTION OF ORDERLY DEVELOPMENT OF THE CITY.....	15
A. Enhanced Safety and Cleanliness.....	15
B. City Role in District Operation.....	15
VI. PLAN APPROVAL PROCESS	16
A. Public Review Process	16
VII. FUTURE YEAR OPERATING PLANS	16
A. Changes	16
B. Early Termination of the District.....	17
C. Amendment, Severability and Expansion	18
D. Automatic Termination Unless Affirmatively Extended.....	18

APPENDICES

- A. Wisconsin Statutes section 66.1109
- B. Map of District Boundaries
- C. Listing of Properties Included in the District
- D. Proposed 2011 Budget

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. The purpose of the District is to sustain the competitiveness of Downtown and ensure a safe, clean environment conducive to business activity. In this regard, the District is authorized to manage and maintain services which supplement those services historically provided by the City to owners and occupants in the District.

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.

Pursuant to the BID statute, this Year Fourteen 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 fourteenth 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 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. The District proposes 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"). The District also seeks 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.

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 and to supervise all District staff and independent contractors. The following are the activities proposed by the District for calendar year 2011. 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 approximately 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 and crime statistics and trends. 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 and for special events. During weekday shifts, "beats" will range from 10 to 16 blocks. During evenings and on weekends, PSAs will be deployed in a more concentrated area where people congregate. In addition to the previously described "beats", a beat may include The Shops of Grand Avenue Guest Services Center and/or any other indoor venue, so long as providing PSA services at such venue furthers the purposes outlined in this Operating Plan and any services unique to the indoor

venue are provided on a revenue-neutral basis so that the District avoids incurring any costs disproportionately benefiting any individual property owner. 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 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. Business Recruitment and Retention; Marketing and Retail Initiatives. 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 organize 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 will retain its retail marketing coordinator to focus on attracting and retaining synergistic retail businesses. The District's coordinator will spearhead various initiatives targeted primarily at unique street level retail. One such initiative may be administering,

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 2011 calendar year.

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 2010-2011, the District will sponsor the twelfth 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 \$742,850 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 2011 proposed annual operating budget for the District is \$3,133,967. \$2,987,217 will be the amount received from District assessments from properties within the District. \$31,000 in cash carryover collected but unspent in 2009 shall be made available. \$115,750 is additional income that is anticipated to come from several sources, including voluntary contributions from tax-exempt properties. See Appendix D. Of these amounts, \$896,880 will finance the Public Service Ambassadors Program, \$923,320 will fund the Clean Sweep Ambassadors Program, \$861,350 will pay for public information, marketing, promotions and business retention and recruitment efforts, including retail marketing efforts, and \$452,417 will be reserved for administrative expenses and a contingency (including, without limitation, the salaries of a full-time executive director, a retail marketing 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 2011 (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 Fourteen Operating Plan was unanimously approved by 15 Board members in attendance at the Board meeting of September 16, 2010.) 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 2010 assessed valuation of all property subject to assessment within the original District boundaries was approximately \$1,968,621,500. 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 2011, 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 2011, 875 East Wisconsin Avenue, The Milwaukee Center (107 East Kilbourn Avenue), Plaza East (330 East Kilbourn Avenue), Cathedral Place (555 East Wells Street), Schlitz Rivercenter (1505 North Rivercenter), 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 \$71,000 in the year 2011, 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 Westtown Association as long as the Westtown 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 2011, 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 Fourteen Operating Plan (September 16, 2010). 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 2010 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 Fourteen 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.

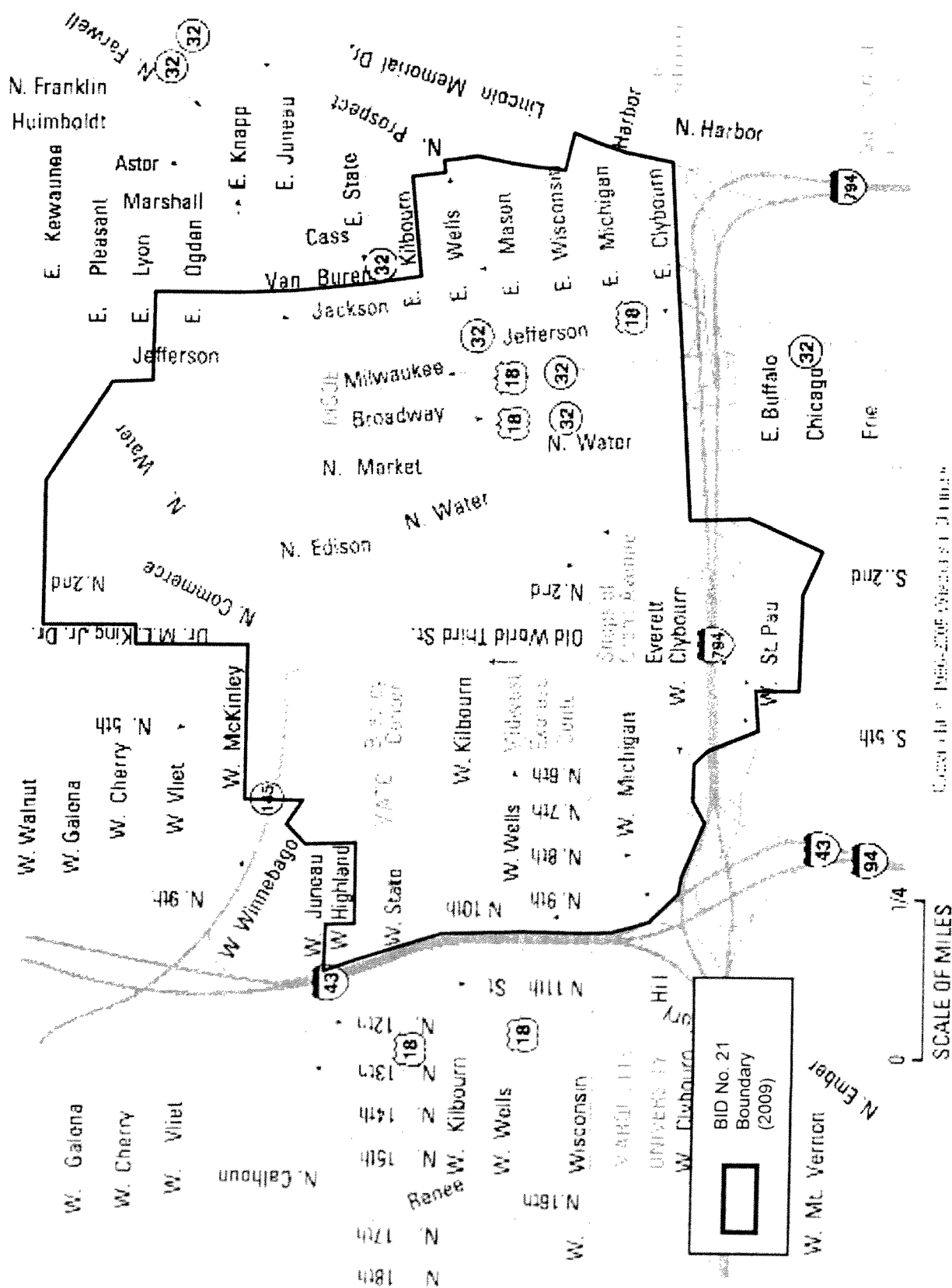
(5) (a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under s. 70.11 may not be specially assessed for purposes of this section.

(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



2011 BID 21 ASSESSMENT SPREADSHEET

rem_taxkey	rei	status	addr	rem_owner1	zip	propclass	rem_curr_lar	rem_curr_re	rem_curr_tot	obj	2010 BID Assessment
3600088113	3	Active	1635 N WATER	USL LAND LLC	53202	Local Commercial	1552300	4400	1556700		\$0.00
3600901100	X	Active	606 E JUNEAU	DIANE BUILDING CORPORATION	53202	Special Mercantile	463700	2181300	2645000	Obj	\$4,013.56
3600911000	8	Active	1237 N VAN BUREN	NOLA ET AL	53224	Special Mercantile	656100	1883900	2540000		\$3,854.24
3601281000	2	Active	605 E LYON	EAST POINTE MARKETPLACE	53202	Special Mercantile	1897700	6393300	8291000	Obj	\$12,580.89
3601471000	5	Active	600 E OGDEN	RIVERCREST II LLC	53202	Special Mercantile	271500	2552500	2824000		\$4,285.18
3601472000	0	Active	624 E OGDEN	OGDEN 632 LLC	53202	Special Mercantile	127700	1316300	1444000		\$2,191.15
3601781000	0	Active	1531 N WATER	NORTH END PHASE I LLC	53202	Mercantile Apartme	902700	11585300	12488000	Obj	\$18,949.49
3601782000	6	Active	455 E PLEASANT	USL PHASE I LAND LLC	53202	Mercantile Apartme	1092500	0	1092500		\$1,657.78
3601783000	1	Active	1433 N WATER	USL LAND LLC	53202	Mercantile Apartme	893800	0	893800		\$1,356.27
3610184112	4	Active	1505 N RIVERCENTER	SCHLITZ RIVERCENTER LLC	53212	Special Mercantile	19029000	13901000	32930000	Obj	\$49,968.50
3610279100	7	Active	319 W CHERRY	MILWAUKEE PLATING COMPANY	53212	Local Commercial	90000	17100	107100		\$162.52
3610317100	2	Active	1345 N MARTIN L KING JR	BREWERY WORKERS CREDIT UNIC	53212	Special Mercantile	311900	251100	563000		\$854.30
3610326000	5	Active	1333 N MARTIN L KING JR	BRIAN L MOSEHART	33852	Local Commercial	52500	229500	282000		\$427.91
3610327000	0	Active	1331 N MARTIN L KING JR	SANFORD J MITZ	53212	Local Commercial	55700	244300	300000		\$455.22
3610328111	8	Active	1301 N MARTIN L KING JR	MB ACQUISITION LLC	53202	Manufacturing	631600	2262600	2894200		\$4,391.70
3610409100	2	Active	300 W JUNEAU	SYDNEY HIH DEVELOPMENT LLC	53202	Special Mercantile	263100	260200	523300		\$794.06
3610415100	5	Active	1141 N OLD WORLD THIRD	MILWAUKEE MODERNE LLC	53203	Special Mercantile	787800	0	787800		\$1,195.42
3610421000	1	Active	1137 N OLD WORLD THIRD	RUSSELL DAVIS	53203	Special Mercantile	34200	313800	348000		\$528.06
3610425000	3	Active	1129 N OLD WORLD THIRD	RFP PARKING LLC	53005	Special Mercantile	90000	204000	294000		\$446.12
3610426000	9	Active	1125 N OLD WORLD THIRD	CARMELINO CAPATI JR &	53203	Special Mercantile	54000	326000	380000		\$576.62
3610427000	4	Active	1121 N OLD WORLD THIRD	FRED USINGER INC	53203	Special Mercantile	63000	27000	90000		\$136.57
3610429000	5	Active	1117 N OLD WORLD THIRD	FRED USINGER, INC	53203	Special Mercantile	78800	34200	113000		\$171.47
3610430000	0	Active	1113 N OLD WORLD THIRD	HIGHLAND BEACH SURFERS INC	53226	Special Mercantile	45000	63000	108000		\$163.88
3610431000	6	Active	1109 N OLD WORLD THIRD	CHARLES E OR AILEEN ALBERT	53226	Special Mercantile	45000	272000	317000		\$481.02
3610432000	1	Active	1105 N OLD WORLD THIRD	CARMELINO R CAPATI &	53203	Special Mercantile	45000	228000	273000		\$414.25
3610437000	9	Active	1103 N OLD WORLD THIRD	OLD WORLD DEV LLC	53202	Special Mercantile	59400	1274600	1334000	Obj	\$2,024.23
3610438000	4	Active	316 W HIGHLAND	FRED USINGER, INC	53203	Special Mercantile	30600	101400	132000		\$200.30
3610459000	9	Active	505 W JUNEAU	WALTER M HEIMERL & FRANCEEN	53203	Special Mercantile	120000	108000	228000		\$345.97
3610515100	9	Active	1048 N 4TH	THE MILWAUKEE TURNERS	53203	Special Mercantile	300000	584000	884000		\$1,341.40
3610519100	0	Active	1037 N OLD WORLD THIRD	G VICTOR MADER	53203	Special Mercantile	270000	1305000	1575000		\$2,389.93
3610520000	X	Active	1030 N 4TH	MILWAUKEE TURNERS	53203	Special Mercantile	300000	609000	909000		\$1,379.33
3610521000	5	Active	1033 N OLD WORLD THIRD	1033 OLD WORLD 3RD LLC	53202	Special Mercantile	53100	1264900	1318000		\$1,999.95
3610522000	0	Active	1029 N OLD WORLD THIRD	TOM AND PATTY LLC	53203	Special Mercantile	36900	544100	581000		\$881.62
3610523000	6	Active	1023 N OLD WORLD THIRD	1023 OLD WORLD ENTERPRISE	55416	Special Mercantile	69900	1141100	1211000		\$1,837.59
3610524000	1	Active	1021 N OLD WORLD THIRD	RICHARD WAGNER	53203	Special Mercantile	35200	211800	247000		\$374.80
3610527000	8	Active	1015 N OLD WORLD THIRD	BUCK BRADLEY LLC	53203	Special Mercantile	75600	1443400	1519000		\$2,304.95
3610528000	3	Active	1013 N OLD WORLD THIRD	THOMAS P EHR & YVETTE R EHR	89117	Special Mercantile	36000	187000	223000		\$338.38
3610529000	9	Active	1009 N OLD WORLD THIRD	LENRAK LLC	53203	Special Mercantile	36000	300000	336000		\$509.85
3610530000	4	Active	1005 N OLD WORLD THIRD	CHARLOTTE M BOUCHARD	53203	Special Mercantile	23800	282200	306000		\$464.33
3610531110	3	Active	332 W STATE	THE JOURNAL COMPANY	53201	Special Mercantile	950000	0	950000		\$1,441.54
3610534000	6	Active	324 W STATE	BRIAN E O'LEARY	53203	Special Mercantile	30000	84000	114000		\$172.99
3610535000	1	Active	322 W STATE	SANDRA STONE RUFFALO	53203	Special Mercantile	30000	671000	701000		\$1,063.71
3610536000	7	Active	316 W STATE	JOHN HINKEL BUILDING LLC	53012	Special Mercantile	28800	35700	64500		\$97.87
3610537000	2	Active	1001 N OLD WORLD THIRD	JOHN HINKEL BUILDING LLC	53012	Special Mercantile	29100	854900	884000		\$1,341.40
3610538000	8	Active	1003 N OLD WORLD THIRD	ROBERT A BOUCHARD &	53222	Special Mercantile	26400	231600	258000		\$391.49

3610539110	7	Active	1044 N OLD WORLD THIRD	HIGHLAND BEACH SURFER INC	53226	Special Mercantile	465900	2007100	2473000		\$3,752.57
3610540111	0	Active	1030 N OLD WORLD THIRD	FRED USINGER INC	53203	Manufacturing	2272900	859800	3132700		\$4,753.61
3610559111	4	Active	333 W STATE	JOURNAL/SENTINEL INC	53201	Manufacturing	5931400	6042600	11974000		\$18,169.53
3610571100	4	Active	330 W KILBOURN	THE JOURNAL COMPANY	53201	Special Mercantile	264000	1016000	1280000		\$1,942.29
3610603116	3	Active	333 W KILBOURN	NOBLE I MILWAUKEE, LLC	30326	Special Mercantile	2949600	23050400	26000000		\$39,452.81
3610616111	3	Active	340 W WELLS	THE ISAACS FAMILY LIMITED	53203	Special Mercantile	1168400	5885600	7054000		\$10,703.85
3610618115	7	Active	302 W WELLS	NOBLE I MILWAUKEE, LLC	30326	Special Mercantile	626100	0	626100		\$950.05
3610619000	8	Active	836 N OLD WORLD THIRD	ANANT CHONGVATANABANDIT	53132	Special Mercantile	112500	172500	285000		\$432.46
3610620000	3	Active	830 N OLD WORLD THIRD	AMARAWAN PHOUNGPHOL 2008	53203	Special Mercantile	300000	1007000	1307000		\$1,983.26
3610621100	5	Active	822 N OLD WORLD THIRD	AMARAWAN PHOUNGPHOL	53203	Special Mercantile	450000	12000	462000		\$701.05
3610622000	4	Active	823 N 2ND	CHALET AT THE RIVER LLC	53203	Special Mercantile	600000	5252000	5852000		\$8,879.92
3610624000	5	Active	808 N OLD WORLD THIRD	SIXTH PROPERTY LLC	53203	Special Mercantile	750000	2518000	3268000 Obj		\$4,958.91
3610625000	0	Active	206 W WELLS	LOTS OF LUCK LLC	53203	Special Mercantile	600000	58000	658000		\$998.46
3610627100	8	Active	111 W KILBOURN	KILBOURN BRIDGE ASSOCIATES	53203	Special Mercantile	278500	1212500	1491000		\$2,262.47
3610629000	2	Active	840 N PLANKINTON	QAZEX INVESTMENTS LLC	53203	Special Mercantile	390000	1085000	1475000		\$2,238.19
3610630000	8	Active	834 N PLANKINTON	ROBERT E JOHN	53211	Special Mercantile	120000	451000	571000		\$866.44
3610631000	3	Active	830 N PLANKINTON	ROBERT E JOHN	53211	Special Mercantile	61000	144000	205000		\$311.07
3610632000	9	Active	826 N PLANKINTON	BARTELS LIMITED PARTNERSHIP	53203	Special Mercantile	122000	1238000	1360000		\$2,063.69
3610633000	4	Active	814 N PLANKINTON	BARTELS LTD PTN	53203	Special Mercantile	186000	1085000	1271000		\$1,928.64
3610634000	X	Active	810 N PLANKINTON	PLANKINTON PROFESSIONAL	54235	Special Mercantile	63000	312000	375000		\$569.03
3610635000	5	Active	808 N PLANKINTON	ROBERT E JOHN	53211	Special Mercantile	64000	350000	414000		\$628.21
3610642111	5	Active	710 N PLANKINTON	TOWNE REALTY INC	53203	Special Mercantile	1700400	6353600	8054000 Obj		\$12,221.27
3610647000	0	Active	725 N PLANKINTON	MOSTREET LLC	53203	Special Mercantile	205500	319500	525000		\$796.64
3610648000	6	Active	152 W WISCONSIN	MOSTREET LLC	53203	Special Mercantile	673700	2226300	2900000		\$4,400.51
3610649100	8	Active	174 W WISCONSIN	HCP OBG MILWAUKEE	60610	Special Mercantile	720000	7780000	8500000 Obj		\$12,898.03
3610652100	4	Active	215 W WELLS	PROGENY CAPITAL PARTNERS LLC 90241		Special Mercantile	645700	8000	653700		\$991.93
3610652200	0	Active	749 N 2ND	PROGENY CAPITAL PARTNERS LLC 90241		Special Mercantile	263900	0	263900		\$400.45
3610653000	3	Active	746 N OLD WORLD THIRD	PROGENY CAPITAL PARTNERS LLC 90241		Special Mercantile	450000	5600	455600		\$691.33
3610655100	0	Active	735 N 2ND	PROGENY CAPITAL PARTNERS LLC 90241		Special Mercantile	290800	0	290800		\$441.26
3610657000	5	Active	730 N OLD WORLD THIRD	DAVID A WEIR	53202	Mercantile Apartme	453300	1473700	1927000		\$2,924.06
3610658000	0	Active	212 W WISCONSIN	IRON BUTTERFLY LLC	53202	Special Mercantile	756000	281000	1037000		\$1,573.56
3610659000	6	Active	720 N OLD WORLD THIRD	WISCONSIN HOTEL COMPANY LLC 33160		Mercantile Apartme	864000	8092000	8956000 Obj		\$13,589.97
3610660000	1	Active	200 W WISCONSIN	200 WISCONSIN LLC	53029	Special Mercantile	336000	930000	1266000		\$1,921.05
3610661000	7	Active	224 W WISCONSIN	ROCK INVESTMENT GROUP LLC	53203	Special Mercantile	245000	401000	646000		\$980.25
3610662000	2	Active	234 W WISCONSIN	230 WISCONSIN GROUP LTD	60002	Special Mercantile	241000	593000	834000		\$1,265.52
3610663000	8	Active	236 W WISCONSIN	HOTEL INVESTMENT PROPERTY	53203	Special Mercantile	163000	1837000	2000000		\$3,034.83
3610664113	1	Active	310 W WISCONSIN	RAIT REUSS FED PLAZA LLC	53203	Special Mercantile	4551200	24877800	29429000		\$44,656.02
3610665100	5	Active	736 N 4TH	TOWNE REALTY INC	53203	Special Mercantile	888000	3372000	4260000 Obj		\$6,464.19
3610701000	3	Active	825 W WISCONSIN	ST JAMES COURT HISTORIC	53233	Mercantile Apartme	61400	1602600	1664000		\$2,524.98
3610702000	9	Active	815 W WISCONSIN	TOWNE PETERSON LLC	53203	Special Mercantile	68600	31000	99600		\$151.13
3610703000	4	Active	801 W WISCONSIN	TOWNE PETERSON LLC	53203	Special Mercantile	330900	91100	422000		\$640.35
3610707110	X	Active	735 W WISCONSIN	TOWNE -PETERSON LLC	53203	Special Mercantile	1008000	2731000	3739000 Obj		\$5,673.62
3610709100	3	Active	625 N JAMES LOVELL	TOWNE PETERSON LLC	53203	Special Mercantile	87300	37700	125000		\$189.68
3610711000	8	Active	712 W MICHIGAN	LIBERTY HOLDING CO LTD	53202	Special Mercantile	67500	873500	941000 Obj		\$1,427.89
3610712000	3	Active	700 W MICHIGAN	LIBERTY HOLDING CO LTD	53202	Special Mercantile	135000	1221000	1356000 Obj		\$2,057.62
3610713111	0	Active	633 W WISCONSIN	THE CLARK BUILDING	53203	Special Mercantile	1428000	9007000	10435000		\$15,834.23
3610714111	6	Active	611 W WISCONSIN	DOWNTOWN VENTURES LLP	53703	Special Mercantile	839100	8660900	9500000		\$14,415.45

3610719112	1	Active	509 W WISCONSIN	MILW CITY CENTER LLC	53202	Special Mercantile	5231200	29768800	35000000		\$53,109.55
3610739120	1	Active	615 N 4TH	BOSTCO LLC	53203	Special Mercantile	1440000	1460000	2900000		\$4,400.51
3610750100	7	Active	211 W WISCONSIN	ZAHARA WISCONSIN AVE LLC	80014	Special Mercantile	1320000	14680000	16000000	Obj	\$24,278.65
3610764300	6	Active	635 N PLANKINTON	GRAND AVE NEW CITY MALL LLC	53203	Special Mercantile	0	0	0		\$0.00
3610776114	9	Active	105 W MICHIGAN	105/111 LLC	53203	Special Mercantile	3764300	11579700	15344000	Obj	\$23,283.23
3610781000	X	Active	555 N PLANKINTON	IVORY RETAIL OFFICE	53203	Special Mercantile	1200000	1055000	2255000		\$3,421.77
3610785100	8	Active	503 N PLANKINTON	E THOMAS COLLINS TRUST	60611	Special Mercantile	1200000	100000	1300000		\$1,972.64
3610786110	0	Active	522 N 2ND	E THOMAS COLLINS TRUST	60611	Special Mercantile	1200000	100000	1300000		\$1,972.64
3610799110	1	Active	401 W MICHIGAN	401 W MICHIGAN ST MILW LLC	85261	Special Mercantile	1920000	7030000	8950000	Obj	\$13,580.87
3610814122	5	Active	501 W MICHIGAN	TIME INSURANCE COMPANY	53203	Special Mercantile	2873700	25298300	28172000	Obj	\$42,748.63
3610822110	5	Active	633 W MICHIGAN	633 WEST MICHIGAN LLC	53203	Special Mercantile	963700	1736300	2700000		\$4,097.02
3610825120	9	Active	525 N 6TH	S & R PROPERTY LLC	53203	Special Mercantile	238000	1102000	1340000	Obj	\$2,033.34
3610834210	7	Active	545 N JAMES LOVELL	LIBERTY HOLDING CO LTD	53202	Special Mercantile	33800	79200	113000		\$171.47
3610835000	2	Active	555 N JAMES LOVELL	THE SCHETTLE JOINT REVOCABLE	53151	Special Mercantile	30000	366000	396000		\$600.90
3610840111	1	Active	803 W MICHIGAN	TOWN REALTY INC	53203	Special Mercantile	482100	3592900	4075000	Obj	\$6,183.47
3610849100	5	Active	531 N 8TH	TOWN REALTY INC	53203	Special Mercantile	76800	9900	86700		\$131.56
3610850110	8	Active	521 N 8TH	TOWNE REALTY INC	53203	Special Mercantile	73200	406800	480000		\$728.36
3610876100	2	Active	404 W ST PAUL	CULLEN OAKLAND INC	30301	Special Mercantile	165000	584000	749000		\$1,136.54
3610877000	1	Active	422 N 5TH	CAFFEINE FACTORY LLC	53203	Manufacturing	139200	509900	649100		\$984.95
3610878100	3	Active	420 W ST PAUL	ACE INDUSTRIAL PROPERTIES	53110	Special Mercantile	111400	2524600	2636000	Obj	\$3,999.91
3610886000	0	Active	423 N 3RD	DF INVESTMENT II	53203	Special Mercantile	41300	578700	620000		\$940.80
3610889100	3	Active	411 N 3RD	D F INVESTMENTS	53203	Special Mercantile	33700	174300	208000		\$315.62
3610901100	7	Active	400 N 3RD	CULLEN OAKLAND INC	30301	Special Mercantile	82500	257500	340000		\$515.92
3611554110	7	Active	721 W WINNEBAGO	BREWERY PROJECT LLC	53203	Special Mercantile	92900	0	92900		\$140.97
3611713100	3	Active	601 W WELLS	TTOW PROPERTIES LLC	75266	Special Mercantile	735000	3698000	4433000		\$6,726.70
3611715000	8	Active	738 N JAMES LOVELL	SHADED DOG VENTURES LLC	53233	Special Mercantile	40000	254000	294000		\$446.12
3611716000	3	Active	746 N JAMES LOVELL	STEVEN M LECHTER &	53217	Special Mercantile	35000	133000	168000		\$254.93
3611717000	9	Active	728 N JAMES LOVELL	COMMUNITY ADVOCATES INC	53203	Special Mercantile	300000	1491000	1791000		\$2,717.69
3611718100	0	Active	723 N 6TH	TTOW PROPERTIES LLC	75226	Special Mercantile	240000	170000	410000		\$622.14
3611721000	0	Active	626 W WISCONSIN	THE CENTRAL MARKET PLACE CO	53202	Special Mercantile	326200	71800	398000		\$603.93
3611722000	6	Active	612 W WISCONSIN	WISCONSIN AVENUE PROPERTY	53203	Mercantile Apartme	86200	2267800	2354000		\$3,572.00
3611729110	8	Active	700 W WISCONSIN	PARTNERSHIP TO DEVELOP	53202	Mercantile Apartme	470500	13502500	13973000	Obj	\$21,202.85
3611801110	9	Active	1104 N OLD WORLD THIRD	RFP OFFICE LLC	53005	Special Mercantile	585600	7551400	8137000		\$12,347.21
3611802100	7	Active	1124 N OLD WORLD THIRD	RFP PARKING LLC	53005	Special Mercantile	1933300	0	1933300		\$2,933.62
3611841110	7	Active	1610 N 2ND	1610 N 2ND STREET LLC	53212	Special Mercantile	1164700	8683200	9847900	Obj	\$14,943.36
3611842000	9	Active	111 W PLEASANT	SCHLITZ PARK ASSOCIATES I	53212	Special Mercantile	446300	1289700	1736000	Obj	\$2,634.23
3611844000	X	Active	101 W PLEASANT	101 WEST PLEASANT LLC	53212	Special Mercantile	517800	3433200	3951000	Obj	\$5,995.31
3611852110	7	Active	1542 N 2ND	SCHLITZ PARK ASSOCIATES II	53212	Special Mercantile	95800	152200	248000		\$376.32
3611891000	6	Active	1401 N MARTIN L KING JR	PARK EAST ENTERPRISE LOFTS I	53575	Mercantile Apartme	782000	4017000	4799000		\$7,282.08
3611901000	9	Active	730 N PLANKINTON	MOSTREET III LLC	53203	Special Mercantile	16200	287800	304000		\$461.29
3611954000	8	Active	215 W PLEASANT	SCHLITZ PARK ASSOC II LTD	53212	Special Mercantile	984000	77000	1061000	Obj	\$1,609.98
3611961000	6	Active	201 W PLEASANT	THE BREWERY WORKS INC	53212	Special Mercantile	517000	150000	667000	Obj	\$1,012.12
3611962000	1	Active	1500 N 2ND	SCHLITZ PARK ASSOCIATES I	53212	Special Mercantile	348800	70000	418800	Obj	\$635.49
3611963000	7	Active	101 E PLEASANT	SCHLITZ PARK ASSOC LTD	53212	Special Mercantile	1734000	230000	1964000	Obj	\$2,980.20
3611991100	6	Active	1420 N MARTIN L KING JR	COMMERCE POWER LLC	53212	Special Mercantile	1170600	398200	1568800	Obj	\$2,380.52
3611992000	5	Active	201 W CHERRY	RIVERBEND PLACE LLC	53212	Special Mercantile	3581600	50794400	54376000		\$82,510.99
3611993000	0	Active	1330 N MARTIN L KING JR	BREWERY WORKS INC	53212	Special Mercantile	431400	0	431400	Obj	\$654.61

3611994100	2	Active	1254 N MARTIN L KING JR	CLF TW MILWAUKEE LLC	10018	Special Mercantile	1857700	23605300	25463000	Obj	\$38,637.95
3612001000	4	Active	235 W GALENA	BREWERY WORKS INC	53212	Special Mercantile	356600	543400	900000		\$1,365.67
3612002000	X	Active	205 W GALENA	BREWERY WORKS INC	53212	Special Mercantile	286900	63100	350000	Obj	\$531.10
3620472000	7	Active	1220 N OLD WORLD THIRD	MILW BLOCK 10 PROP LLC	53202	Special Mercantile	1123100	8476900	9600000		\$14,567.19
3910101000	0	Active	900 W WISCONSIN	WISCONSIN CLUB	53233	Special Mercantile	1714600	4230400	5945000	Obj	\$9,021.04
3910761000	X	Active	606 W WISCONSIN	CITY REAL ESTATE DEV LLC	53202	Special Mercantile	13100	204800	217900		\$330.64
3910762000	5	Active	606 W WISCONSIN	CITY REAL ESTATE DEV LLC	53202	Special Mercantile	1300	28000	29300		\$44.46
3910763000	0	Active	606 W WISCONSIN	CITY REAL ESTATE DEV LLC	53202	Special Mercantile	1900	14000	15900		\$24.13
3920001111	6	Active	751 N PLANKINTON	MOSTREET II, LLC	53203	Special Mercantile	390100	256900	647000		\$981.77
3920001121	3	Active	135 W WELLS	GERMANIA LTD LIABILITY CO.	53203	Special Mercantile	594300	3301700	3896000	Obj	\$5,911.85
3920202000	7	Active	843 N PLANKINTON	THANKS A-LOT LLC	53203	Special Mercantile	797000	1000	798000		\$1,210.90
3920203000	2	Active	840 N OLD WORLD THIRD	EARL & JOANNE CHARLTON	53203	Special Mercantile	137200	634800	772000		\$1,171.44
3920302000	0	Active	104 E MASON	CITY HALL SQUARE LLC	60523	Special Mercantile	652200	6118800	6771000	Obj	\$10,274.42
3920401110	2	Active	789 N WATER	K & K MCKINNEY PROPERTIES	34135	Special Mercantile	880000	9897000	10777000		\$16,353.19
3920411000	3	Active	753 N WATER	DERMOND ASSOCIATES LLC	53202	Special Mercantile	173000	760000	933000	Obj	\$1,415.75
3920601110	X	Active	733 N WATER	COMPASS PROPERTIES	53202	Special Mercantile	1007600	10848400	11856000		\$17,990.48
3920601120	7	Active	731 N WATER	COMPASS PROPERTIES 731	53202	Special Mercantile	436700	1338300	1775000		\$2,693.41
3920604110	6	Active	100 E WISCONSIN	100 EAST WISCONSIN AVENUE	53202	Special Mercantile	2064500	63432500	65497000	Obj	\$99,386.17
3920605111	X	Active	111 E WISCONSIN	BREOF BNK MIDWEST LLC	60606	Special Mercantile	3089000	25521000	28610000		\$43,413.26
3920614111	9	Active	543 N WATER	BREOF BNK MIDWEST LLC	60606	Special Mercantile	1404000	5096000	6500000		\$9,863.20
3920651000	9	Active	225 E MICHIGAN	STONEWATER HISTORIC	53202	Special Mercantile	576000	1424000	2000000	Obj	\$3,034.83
3920652100	0	Active	525 N BROADWAY	STONEWATER HISTORIC	53202	Special Mercantile	432000	200000	632000		\$959.01
3920656000	6	Active	511 N BROADWAY	STONEWATER HISTORIC MILW LLC	53202	Special Mercantile	216000	108000	324000		\$491.64
3920657000	1	Active	503 N BROADWAY	UIHLEIN PROPERTIES, LLC	53202	Special Mercantile	216000	75000	291000		\$441.57
3920658000	7	Active	500 N WATER	BUTTON BLOCK LLC	53202	Special Mercantile	192000	2357000	2549000	Obj	\$3,867.89
3920659000	2	Active	510 N WATER	BUTTON BLOCK LLC	53202	Special Mercantile	96000	46000	142000	Obj	\$215.47
3920660100	4	Active	514 N WATER	C-SYSTEMS INC	53211	Special Mercantile	48000	358000	406000		\$616.07
3920660200	0	Active	518 N WATER	GEORGE V ALEX	53220	Special Mercantile	96000	779000	875000		\$1,327.74
3920661000	3	Active	524 N WATER	BASE STATION LLC	53202	Special Mercantile	48000	446000	494000		\$749.60
3920662000	9	Active	530 N WATER	WOMENS HEALTH SERV WI INC	53202	Special Mercantile	96000	327000	423000		\$641.87
3920663000	4	Active	532 N WATER	HEZ MO PROPERTIES LLC	53218	Special Mercantile	96000	875000	971000		\$1,473.41
3920664000	X	Active	207 E MICHIGAN	MITCHELL RENAISSANCE LLC	53202	Special Mercantile	384000	1455000	1839000		\$2,790.53
3920665000	5	Active	229 E WISCONSIN	RAILWAY EXCHANGE BUILDING	53202	Special Mercantile	159100	1554900	1714000		\$2,600.85
3920669000	7	Active	625 N BROADWAY	JOSEPH IANNELLI & GRACE HW &	53005	Special Mercantile	72000	224000	296000		\$449.16
3920670000	2	Active	611 N BROADWAY	STONEWATER HISTORIC	53202	Special Mercantile	864000	2127000	2991000	Obj	\$4,538.59
3920672100	X	Active	610 N WATER	TOON CITY II LLC	53202	Special Mercantile	150000	390000	540000		\$819.40
3920674000	4	Active	622 N WATER	TOON CITY INC	53202	Special Mercantile	336000	1482000	1818000		\$2,758.66
3920675000	X	Active	624 N WATER	ELK VI LLC	53227	Special Mercantile	96000	344000	440000	Obj	\$667.66
3920676000	5	Active	628 N WATER	ELK VI LLC	53227	Special Mercantile	189600	539400	729000	Obj	\$1,106.20
3920677110	4	Active	632 N WATER	TOON CITY INC	53202	Special Mercantile	244800	46200	291000		\$441.57
3920681100	9	Active	205 E WISCONSIN	WISCONSIN 205 LLC	53203	Special Mercantile	588000	1950000	2538000		\$3,851.20
3920683000	3	Active	225 E MASON	225 EAST MASON PROPERTY LLC	53202	Special Mercantile	156200	2050800	2207000	Obj	\$3,348.94
3920689113	4	Active	250 E WISCONSIN	ORIX CAPITAL MARKETS, LLC, A	75219	Special Mercantile	2819300	9943700	12763000		\$19,366.78
3920690113	X	Active	200 E WISCONSIN	FIRST FINANCIAL FAIRFIELD	28202	Special Mercantile	1106000	9280000	10386000	Obj	\$15,759.88
3920696100	0	Active	718 N WATER	100 E WISCONSIN AV JT VNTR	53202	Special Mercantile	839700	3680300	4520000	Obj	\$6,858.72
3920697000	X	Active	734 N WATER	COMPASS PROPERTIES	53202	Special Mercantile	479600	1562400	2042000		\$3,098.56
3920700100	0	Active	769 N BROADWAY	MARSHALL & ILSLEY BANK	53202	Special Mercantile	360000	309000	669000		\$1,015.15

3920702000	5	Active	751 N BROADWAY	NEW 757 LLC	53202	Special Mercantile	384000	2995000	3379000	Obj	\$5,127.35
3920704100	2	Active	224 E MASON	PENTA LLC	53008	Special Mercantile	96000	586000	682000		\$1,034.88
3920705100	8	Active	216 E MASON	GRAY MAIDEN LLC	53132	Special Mercantile	96000	338000	434000		\$658.56
3920707111	4	Active	778 N WATER	M & I MARSHALL & ILSLEY	53202	Special Mercantile	2544000	25733000	28277000	Obj	\$42,907.96
3920714110	4	Active	777 N MILWAUKEE	MILWAUKEE ATHLETIC CLUB	53202	Special Mercantile	864000	748000	1612000		\$2,446.07
3920715000	6	Active	767 N MILWAUKEE	COLBY ABBOT BLDG LLP	53211	Special Mercantile	288000	276000	564000		\$855.82
3920716000	1	Active	763 N MILWAUKEE	COLBY ABBOT BLDG LLP	53211	Special Mercantile	96000	112000	208000		\$315.62
3920717000	7	Active	753 N MILWAUKEE	COLBY ABBOT BLDG LLP	53211	Special Mercantile	480000	3157000	3637000		\$5,518.84
3920718100	9	Active	758 N BROADWAY	MILWAUKEE ATHLETIC CLUB	53202	Special Mercantile	1149600	6333400	7483000	Obj	\$11,354.82
3920723000	X	Active	792 N BROADWAY	MILWAUKEE ATHLETIC CLUB	53202	Special Mercantile	288000	58000	346000		\$525.03
3920725000	0	Active	733 N MILWAUKEE	HART DEVELOPMENT LLC	53202	Special Mercantile	147100	112900	260000	Obj	\$394.53
3920726000	6	Active	725 N MILWAUKEE	CONROY BUILDING LLC	53012	Special Mercantile	178800	1208200	1387000		\$2,104.66
3920728000	7	Active	324 E WISCONSIN	TOWNE REALTY INC	53203	Special Mercantile	720000	4898000	5618000	Obj	\$8,524.84
3920729000	2	Active	312 E WISCONSIN	NJM HOLDING CORP	53217	Special Mercantile	864000	3651000	4515000		\$6,851.13
3920733000	4	Active	329 E WISCONSIN	JOHNSON BANK	53403	Special Mercantile	170000	1472000	1642000		\$2,491.60
3920734000	X	Active	327 E WISCONSIN	MBI PROPERTIES LLC	53202	Special Mercantile	152000	284000	436000	Obj	\$661.59
3920735000	5	Active	319 E WISCONSIN	MBI PROPERTIES LLC	53202	Special Mercantile	288000	444000	732000	Obj	\$1,110.75
3920736000	0	Active	629 N MILWAUKEE	MBI PROPERTIES LLC	53202	Special Mercantile	75000	244000	319000	Obj	\$484.06
3920737000	6	Active	627 N MILWAUKEE	MBI PROPERTIES LLC	53202	Special Mercantile	72000	122000	194000	Obj	\$294.38
3920738000	1	Active	625 N MILWAUKEE	MILWAUKEE NOWI LLC	94533	Special Mercantile	648000	1507000	2155000		\$3,270.03
3920739000	7	Active	322 E MICHIGAN	MC GEOCH BUILDING LLC	53202	Special Mercantile	288000	1728000	2016000		\$3,059.11
3920740000	2	Active	602 N BROADWAY	600 NORTH BROADWAY	53204	Special Mercantile	288000	1699000	1987000		\$3,015.10
3920741000	8	Active	608 N BROADWAY	A & K REAL ESTATE	53208	Special Mercantile	144000	319000	463000		\$702.56
3920742000	3	Active	612 N BROADWAY	A & K REAL ESTATE	53208	Special Mercantile	144000	318000	462000		\$701.05
3920743000	9	Active	618 N BROADWAY	MBI PROPERTIES LLC	53202	Special Mercantile	360000	156000	516000	Obj	\$782.99
3920745000	X	Active	301 E WISCONSIN	MBI PROPERTIES LLC	53202	Special Mercantile	673900	241100	915000	Obj	\$1,388.44
3920748000	6	Active	322 E CLYBOURN	MICHAEL A IANNELLI & KAREN	78516	Special Mercantile	206400	293600	500000		\$758.71
3920749000	1	Active	320 E CLYBOURN	LORETTE RUSSENBERGER	53212	Special Mercantile	81600	669400	751000		\$1,139.58
3920750110	0	Active	500 N BROADWAY	PATSY & PAUL INCORPORATED	53122	Special Mercantile	1728000	432000	2160000		\$3,277.62
3920783000	7	Active	433 E MICHIGAN	MILW ACQUISITION PARTNERS	53201	Special Mercantile	364800	1564200	1929000		\$2,927.09
3920784000	2	Active	517 N JEFFERSON	MILW ACQUISITION PARTNERS	53217	Special Mercantile	355200	276800	632000		\$959.01
3920785000	8	Active	501 N JEFFERSON	MILW ACQUISITION PARTNERS	53201	Special Mercantile	144000	641000	785000		\$1,191.17
3920786000	3	Active	412 E CLYBOURN	MARIETTA SCHIELD	53005	Special Mercantile	48000	87000	135000		\$204.85
3920787000	9	Active	500 N MILWAUKEE	EXIT STRATEGY LLC	53202	Special Mercantile	288000	171000	459000		\$696.49
3920797111	5	Active	411 E WISCONSIN	NNN 411 EAST WIS 6 LLC ETAL	92008	Special Mercantile	7069800	83079200	90149000	Obj	\$136,793.50
3920801100	X	Active	424 E WISCONSIN	PFISTER LLC	53202	Special Mercantile	2160000	25340000	27500000		\$41,728.93
3920803100	0	Active	400 E WISCONSIN	CURRY-PIERCE LTD PTNRSH	53203	Special Mercantile	295200	1555800	1851000		\$2,808.74
3920806000	0	Active	718 N MILWAUKEE	PALERMATHEN LLC	53202	Special Mercantile	120000	753000	873000		\$1,324.70
3920809000	7	Active	730 N MILWAUKEE	T & P DEVELOPMENT LLC	60527	Special Mercantile	60000	244000	304000		\$461.29
3920810000	2	Active	411 E MASON	HOTEL METRO LLC	53202	Special Mercantile	360000	3640000	4000000		\$6,069.66
3920811000	8	Active	419 E WELLS	DANIEL J HELFER	54548	Special Mercantile	180000	679000	859000		\$1,303.46
3920812000	3	Active	787 N JEFFERSON	MARVIN A & MARILYN ZETLEY	53217	Special Mercantile	90000	190000	280000		\$424.88
3920813000	9	Active	783 N JEFFERSON	MARVIN A & MARILYN ZETLEY	53217	Special Mercantile	90000	329000	419000		\$635.80
3920814000	4	Active	775 N JEFFERSON	SELZER-ORNST COMPANY	53213	Special Mercantile	180000	1298000	1478000		\$2,242.74
3920815000	X	Active	771 N JEFFERSON	FOX PROPERTIES LLC	53217	Special Mercantile	60000	338000	398000		\$603.93
3920816000	5	Active	767 N JEFFERSON	CAROL HARTTER	53202	Special Mercantile	120000	304000	424000		\$643.38
3920817000	0	Active	751 N JEFFERSON	WATTS FAMILY TRUST	53012	Special Mercantile	204000	853000	1057000		\$1,603.91

3920818000	6	Active	416 E MASON	M&I MARSHALL & ILSLEY BANK	53202	Special Mercantile	156000	184000	340000	\$515.92
3920820000	7	Active	770 N MILWAUKEE	770 N MILWAUKEE ST LLC	53202	Special Mercantile	195000	821000	1016000	\$1,541.69
3920821000	2	Active	776 N MILWAUKEE	GREGORY POULOS	60025	Special Mercantile	239000	465000	704000	\$1,068.26
3920823110	7	Active	782 N MILWAUKEE	KENNEDY II ASSOCIATES	53202	Special Mercantile	576000	2194000	2770000	\$4,203.24
3920833110	1	Active	788 N JEFFERSON	788 BUILDING LTD PARTNERSHIP	53202	Special Mercantile	609600	6463400	7073000	\$10,732.68
3920835110	2	Active	741 N JACKSON	WASHINGTON SQUARE ASSOC I	53202	Special Mercantile	1905000	329000	2234000	\$3,389.91
3920838100	1	Active	731 N JACKSON	JACKSON STREET REAL_ESTATE	53203	Special Mercantile	914400	5487600	6402000 Obj	\$9,714.49
3920839000	0	Active	526 E WISCONSIN	PALMOLIVE BLDG CO LTD PTSHP	53202	Special Mercantile	504000	1212000	1716000	\$2,603.89
3920840100	2	Active	522 E WISCONSIN	MUTUAL S & L ASSN	53223	Special Mercantile	402000	191000	593000	\$899.83
3920841100	8	Active	510 E WISCONSIN	MUTUAL S & L ASSN	53223	Special Mercantile	562800	454200	1017000	\$1,543.21
3920842110	0	Active	706 N JEFFERSON	THE MILWAUKEE CLUB	53202	Special Mercantile	624000	322000	946000	\$1,435.48
3920844100	4	Active	720 N JEFFERSON	MUTUAL S & L ASSN	53223	Special Mercantile	253900	2600	256500	\$389.22
3920848100	6	Active	507 E MICHIGAN	JOHNSON CONTROLS INC	53210	Special Mercantile	5486400	18500600	23987000	\$36,398.25
3920886113	5	Active	615 E MICHIGAN	LEWIS CENTER LLC	53203	Special Mercantile	2800900	6290100	9091000	\$13,794.83
3920908111	7	Active	617 E WISCONSIN	NORTHWESTERN MUTUAL	53202	Special Mercantile	6400800	5702200	12103000	\$18,365.28
3920919111	7	Active	727 N VAN BUREN	VAN BUREN BUILDING COMPANY	53202	Special Mercantile	1080000	6280000	7360000 Obj	\$11,168.18
3920924000	2	Active	600 E WISCONSIN	EAST WIS AVE OWNERS ASSN LLC	53202	Special Mercantile	504000	1120000	1624000	\$2,464.28
3920930100	1	Active	732 N JACKSON	JACKSON BUILDING COMPANY	53202	Special Mercantile	825000	2629000	3454000	\$5,241.15
3920934000	7	Active	771 N VAN BUREN	THOMAS J KUESEL	53203	Special Mercantile	96000	218000	314000	\$476.47
3920935000	2	Active	765 N VAN BUREN	THOMAS J KUESEL	53203	Special Mercantile	192000	444000	636000	\$965.08
3920936000	8	Active	624 E MASON	MITCHELL INC D/BA MITCHELL	53202	Special Mercantile	576000	2925000	3501000 Obj	\$5,312.47
3920937100	X	Active	610 E MASON	MITCHELL INC DBA MITCHELL	53202	Mercantile Apartme	106300	888200	994500 Obj	\$0.00
3920938100	5	Active	604 E MASON	JLEW INVESTMENTS LLC	53202	Special Mercantile	249000	926000	1175000	\$1,782.96
3920939000	4	Active	762 N JACKSON	JLEW INVESTMENTS LLC	53202	Special Mercantile	116100	70900	187000	\$283.76
3920943100	2	Active	790 N JACKSON	EXECUTIVE CLUB LIMITED	53202	Special Mercantile	598400	266600	865000	\$1,312.56
3921178100	2	Active	1005 N EDISON	ROJAHN & MALANEY CO	53201	Special Mercantile	559200	154800	714000	\$1,083.43
3921179100	8	Active	100 E STATE	ROJAHN & MALANEY CO	53201	Special Mercantile	176300	54700	231000	\$350.52
3921183100	X	Active	113 E JUNEAU	113 IRISH LLC	53202	Special Mercantile	107700	336300	444000	\$673.73
3921186110	3	Active	1147 N EDISON	113 IRISH LLC	53202	Special Mercantile	150000	78000	228000	\$345.97
3921187110	9	Active	1128 N EDISON	1144 EDISON LLC	53202	Special Mercantile	335000	1474000	1809000 Obj	\$2,745.00
3921189100	2	Active	145 E JUNEAU	D & D REALTY ON WATER LLC	53224	Special Mercantile	31900	3500	35400	\$53.72
3921192000	2	Active	1139 N WATER	D & D REALTY ON WATER LLC	53224	Special Mercantile	13000	294000	307000	\$465.85
3921194100	X	Active	1135 N WATER	D & D REALTY ON WATER LLC	53224	Special Mercantile	72400	1101600	1174000 Obj	\$1,781.45
3921196000	4	Active	1129 N WATER	WATER STREET INVESTMENTS	53217	Special Mercantile	31800	580200	612000	\$928.66
3921197000	X	Active	1127 N WATER	MARLENE W GOLDBERG	53217	Special Mercantile	32400	365600	398000	\$603.93
3921200000	4	Active	1119 N WATER	WATER STREET DESIGN	53012	Special Mercantile	97200	2553800	2651000 Obj	\$4,022.67
3921202000	5	Active	1115 N WATER	HARVEY PRESTON GROUP LLC	53202	Special Mercantile	64800	117200	182000	\$276.17
3921204000	6	Active	1113 N WATER	PRETZEL BOYS LLC	53202	Special Mercantile	32400	105600	138000	\$209.40
3921206000	7	Active	1109 N WATER	PRETZEL BOYS LLC	53202	Special Mercantile	32400	354600	387000	\$587.24
3921208000	8	Active	1101 N WATER	ROBERT C SCHMIDT JR	53202	Special Mercantile	97200	1582800	1680000	\$2,549.26
3921209100	X	Active	1122 N EDISON	EDISON STREET PARTNERS	53202	Special Mercantile	188500	749500	938000 Obj	\$1,423.34
3921304210	X	Active	252 E HIGHLAND	GG 252 HIGHLAND LLC	53202	Special Mercantile	176900	1769100	1946000 Obj	\$2,952.89
3921333111	X	Active	330 E WELLS	FLANDERS WESTBOROUGH	53202	Special Mercantile	1876800	7292200	9169000 Obj	\$13,913.18
3921335000	9	Active	828 N BROADWAY	7505 W BRADLEY ROAD LLC	53211	Special Mercantile	288000	1622000	1910000	\$2,898.26
3921361000	0	Active	311 E JUNEAU	HISTORIC HOLDINGS LLC	53202	Special Mercantile	192500	271500	464000	\$704.08
3921388100	4	Active	839 N JEFFERSON	839 NORTH JEFFERSON	53202	Special Mercantile	480000	4170000	4650000	\$7,055.98
3921389000	3	Active	831 N JEFFERSON	833 N JEFFERSON LLC	53202	Special Mercantile	192000	259000	451000	\$684.35

3921390100	5	Active	825 N JEFFERSON	NORTHRIDGE COMPANY	53202	Special Mercantile	456000	3402000	3858000	\$5,854.19
3921391210	4	Active	811 N JEFFERSON	CATHEDRAL SQUARE LIMITED	53202	Special Mercantile	261600	876400	1138000	\$1,726.82
3921391220	1	Active	418 E WELLS	CATHEDRAL SQUARE LIMITED	53202	Special Mercantile	338400	948600	1287000	\$1,952.91
3921392000	X	Active	408 E WELLS	MILWAUKEE WELLS BLDG CO	53202	Special Mercantile	576000	3109000	3685000 Obj	\$5,591.68
3921394000	0	Active	826 N MILWAUKEE	ST JAMES ESTATES LLC	54950	Mercantile Apartme	288000	1162300	1450300	\$0.00
3921395000	6	Active	401 E KILBOURN	D & K MANAGEMENT LLC	53202	Special Mercantile	576000	4184000	4760000	\$7,222.90
3921410111	8	Active	1029 N JACKSON	JUNEAU VILLAGE SHOPPING CENT	53217	Mercantile Apartme	4305600	35282400	39588000	\$60,071.45
3921438110	2	Active	1028 N JACKSON	JMH 61 LLC	53202	Special Mercantile	1276700	6079300	7356000	\$11,162.11
3921463100	1	Active	626 E KILBOURN	YANKEE HILL HSG PTNRS LP	53744	Mercantile Apartme	1608000	16870000	18478000	\$28,038.81
3921509111	6	Active	716 E CLYBOURN	US BANK NATIONAL ASSN	55406	Special Mercantile	5215300	3698700	8914000	\$13,526.24
3921529110	7	Active	777 E WISCONSIN	US BANK NATIONAL ASSN	55406	Special Mercantile	10814000	1.69E+08	180000000	\$273,134.81
3921546000	6	Active	720 E WISCONSIN	NORTHWESTERN MUTUAL LIFE	53202	Special Mercantile	9144000	16737000	25881000	\$39,272.23
3921559000	7	Active	835 N CASS	LBH 2 LLC	53045	Mercantile Apartme	252000	1605000	1857000	\$0.00
3921560000	2	Active	829 N CASS	829 CASS LLC	53217	Mercantile Apartme	231000	972000	1203000	\$0.00
3921561000	8	Active	827 N CASS	THERAPIES EAST PROPERTIES	53202	Special Mercantile	105000	471000	576000	\$874.03
3921562000	3	Active	819 N CASS	S & D RIEDEL LLC	53202	Special Mercantile	90000	464000	554000	\$840.65
3921563000	9	Active	815 N CASS	MARGADETTE M DEMET	53202	Special Mercantile	105000	373000	478000	\$725.32
3921565000	X	Active	801 N CASS	BUCKLEY'S KISKEAM INN LLC	53202	Special Mercantile	60000	496000	556000	\$843.68
3921566000	5	Active	724 E WELLS	CLARK-WELLS LLC	53211	Special Mercantile	60000	162000	222000 Obj	\$336.87
3921567000	0	Active	718 E WELLS	CLARK-WELLS LLC	53211	Special Mercantile	85000	322000	407000 Obj	\$617.59
3921569000	1	Active	802 N VAN BUREN	LAUREL CANYON PROPERTIES LLC	53211	Special Mercantile	57800	437200	495000	\$751.12
3921570000	7	Active	804 N VAN BUREN	TOMAR LIMITED PARTNERSHIP	53203	Mercantile Apartme	277200	960800	1238000	\$0.00
3921574100	5	Active	822 N VAN BUREN	WIS SCOTTISH RITE BODIES	53202	Special Mercantile	574100	270900	845000	\$1,282.22
3921618000	7	Active	839 N MARSHALL	M J KROLL FAMILY LTD	53217	Mercantile Apartme	638400	3915600	4554000	\$0.00
3921620000	8	Active	829 N MARSHALL	DANIEL R MC CORMICK,	53202	Special Mercantile	180500	373500	554000	\$840.65
3921621000	3	Active	817 N MARSHALL	MARSHALL STREET LLC	80302	Special Mercantile	225000	735000	960000 Obj	\$1,456.72
3921622100	5	Active	807 N MARSHALL	MARSHALL & WELLS LLC	53202	Special Mercantile	300000	118000	418000	\$634.28
3921629000	7	Active	826 N CASS	TAH 14 LLC	53045	Mercantile Apartme	576000	2168000	2744000	\$0.00
3921636110	9	Active	818 E MASON	NORTHWESTERN MUTUAL LIFE	53202	Special Mercantile	4312400	48864600	53177000	\$80,691.61
3921656112	4	Active	800 E WISCONSIN	NORTHWESTERN MUTUAL LIFE	53202	Special Mercantile	17178700	35081300	52260000	\$79,300.14
3921679000	X	Active	815 E MICHIGAN	US BANK NATIONAL BANK	55406	Special Mercantile	5232600	1372900	6605500	\$10,023.29
3921695000	7	Active	913 E KILBOURN	CCRT COMPANY	53005	Mercantile Apartme	336000	1958000	2294000	\$0.00
3921700000	2	Active	900 E WELLS	ESG PROPERTIES LLC	53202	Special Mercantile	201600	272400	474000	\$719.26
3921704000	4	Active	903 E KILBOURN	CAPITAL 45 LLC	53211	Mercantile Apartme	358500	1935500	2294000	\$0.00
3921809112	5	Active	404 E LYON	USL LAND LLC	53202	Local Commercial	538800	100	538900 Obj	\$817.74
3921941130	1	Active	310 E KNAPP	MORRISTOWN PLAZA ASSOC LTD	07419	Special Mercantile	943100	14064900	15008000	\$22,773.37
3921948000	1	Active	1303 N MILWAUKEE	BTS2 LLC	53211	Mercantile Apartme	61200	509400	570600	\$0.00
3921953000	9	Active	1241 N MILWAUKEE	ROBERT S STEMBERGER	53211	Mercantile Apartme	43900	626900	670800	\$0.00
3921955000	X	Active	1227 N MILWAUKEE	MILWAUKEE 2009 LLC	53212	Mercantile Apartme	40300	964400	1004700	\$0.00
3922061100	4	Active	1433 N WATER	BROOKWATER LTD PARTNERSHIP	53024	Local Commercial	1538300	861700	2400000	\$3,641.80
3922062100	X	Active	1421 N WATER	PECK FAMILY LTD LIAB CO	53201	Local Commercial	701400	334600	1036000	\$1,572.04
3922077000	5	Active	1301 N EDISON	PARKING MANAGEMENT OF	53203	Special Mercantile	1368500	0	1368500	\$2,076.58
3922096112	9	Active	1303 N BROADWAY	M & I MARSHALL & ILSLEY BANK	53202	Special Mercantile	1062800	28200	1091000	\$1,655.50
3922127100	2	Active	1214 N WATER	M & I MARSHALL & ILSLEY BANK	53202	Special Mercantile	735300	1361700	2097000	\$3,182.02
3922131000	8	Active	1245 N WATER	PAGET ON WATER LLC	53203	Special Mercantile	57900	971100	1029000	\$1,561.42
3922132000	3	Active	1241 N WATER	DOUGLAS J WIED & SHIRLEY M	53092	Special Mercantile	28900	132100	161000	\$244.30
3922133100	5	Active	1233 N WATER	PAGET ON WATER LLC	53203	Special Mercantile	115700	226300	342000	\$518.96

3922136000	5	Active	1221 N WATER	WARD & KENNEDY CO	53224	Special Mercantile	101200	1042800	1144000	\$1,735.92
3922137000	0	Active	1217 N WATER	SURVIVORS TRUST C/U/T THOMA	53202	Special Mercantile	43400	50500	93900	\$142.49
3922138000	6	Active	1215 N WATER	SURVIVOR'S TRUST C/U/T THOMA	53202	Special Mercantile	26800	179200	206000	\$312.59
3922139000	1	Active	1213 N WATER	FORTNEY FORTNEY & FORTNEY	54601	Special Mercantile	31700	464300	496000	\$752.64
3922140000	7	Active	1209 N WATER	FORTNEY FORTNEY & FORTNEY	54601	Special Mercantile	28900	399100	428000	\$649.45
3922141000	2	Active	1207 N WATER	BARBARA L SHAFTON TRUSTEE	53217	Special Mercantile	50400	730600	781000	\$1,185.10
3922142000	8	Active	146 E JUNEAU	CHARLOTTE D VOLK TRUST U/A	53215	Special Mercantile	14400	221600	236000	\$358.11
3922143000	3	Active	144 E JUNEAU	CHARLOTTE D VOLK TRUST	53215	Special Mercantile	21600	269400	291000	\$441.57
3922146100	6	Active	134 E JUNEAU	ROSSI & ROSSI LLC	60690	Special Mercantile	87100	416900	504000	\$764.78
3922149111	8	Active	1232 N EDISON	1232 NORTH EDISON LLC	53202	Special Mercantile	225600	483400	709000	\$1,075.85
3922150111	3	Active	1201 N EDISON	1201 NORTH EDISON LLC	53202	Special Mercantile	816900	25000	841900	\$1,277.51
3922301100	8	Active	250 E KILBOURN	MORTGAGE GUARANTY INSURAN	53202	Special Mercantile	3704800	22174200	25879000	\$39,269.20
3922352000	X	Active	135 E KILBOURN	MARCUS W LLC	53202	Special Mercantile	1464400	11535600	13000000	\$19,726.40
3922361000	9	Active	107 E KILBOURN	HUB MILW CENTER PROPERTIES	43240	Special Mercantile	1336400	47907600	49244000 Obj	\$74,723.61
3922401000	5	Active	815 N WATER	HALES CORNERS DEV CORP	54115	Special Mercantile	956200	3204800	4161000 Obj	\$6,313.97
3922423000	5	Active	1010 N WATER	BEVERLY HILLS PROPERTIES I	53202	Special Mercantile	103700	1178300	1282000	\$1,945.33
3922424000	0	Active	1000 N WATER	AAP PROPERTIES LLC	53202	Special Mercantile	2385800	18914200	21300000	\$32,320.95
3922431000	9	Active	740 N PLANKINTON	RIVER BANK PLAZA LLC	53203	Special Mercantile	1385100	2947900	4333000	\$6,574.96
3922441000	3	Active	123 E WELLS	CITY HALL SQUARE LLC	60523	Special Mercantile	1401300	2409700	3811000 Obj	\$5,782.87
3922442000	9	Active	107 E WELLS	FAB LLC	53202	Special Mercantile	236900	122100	359000	\$544.75
3922511000	3	Active	767 N WATER	PACHEFSKY PROP LLC	53218	Special Mercantile	80000	275000	355000	\$538.68
3922512000	9	Active	765 N WATER	DAVID D VOIGHT	53210	Special Mercantile	80000	147000	227000	\$344.45
3922513000	4	Active	761 N WATER	TAP PROPERTIES LLC	53202	Special Mercantile	72000	401000	473000	\$717.74
3922514000	X	Active	759 N WATER	DEAN N JENSEN	53202	Special Mercantile	70000	258000	328000	\$497.71
3922531000	2	Active	771 N WATER	WATER STREET ASSOCIATES LLC	53593	Special Mercantile	106600	917400	1024000	\$1,553.83
3922562100	8	Active	1101 N MARKET	SSG PROPERTIES LLC	53202	Special Mercantile	392200	4024800	4417000	\$6,702.42
3922572100	2	Active	1114 N WATER	SSG PROPERTIES LLC	53202	Special Mercantile	204800	1106200	1311000	\$1,989.33
3922870000	6	Active	270 E HIGHLAND	BLATZ CONDOMINIUM ASSOC	53202	Special Mercantile	15600	104400	120000 Obj	\$182.09
3922871000	1	Active	270 E HIGHLAND	BLATZ OFFICES LLC	53202	Special Mercantile	8200	121800	130000	\$197.26
3922872000	7	Active	270 E HIGHLAND	BLATZ OFFICES LLC	53202	Special Mercantile	3700	53900	57600	\$87.40
3922873000	2	Active	270 E HIGHLAND	BLATZ OFFICES LLC	53202	Special Mercantile	5300	72500	77800	\$118.05
3922874000	8	Active	270 E HIGHLAND	BLATZ OFFICES LLC	53202	Special Mercantile	11600	105400	117000	\$177.54
3922875000	3	Active	270 E HIGHLAND	BLATZ OFFICES LLC	53202	Special Mercantile	8000	79400	87400	\$132.62
3922922000	8	Active	1150 N WATER	DOC MILW LP	53202	Special Mercantile	1060300	8439700	9500000	\$14,415.45
3930402100	8	Active	330 E KILBOURN	FLANDERS WESTBOROUGH	53202	Special Mercantile	2769300	44970700	47740000 Obj	\$72,441.42
3930412000	6	Active	1020 N BROADWAY	HISTORIC HOLDINGS LLC	53202	Special Mercantile	149900	2622100	2772000	\$4,206.28
3930451000	9	Active	925 E WELLS	CUDAHY TOWER APTS LLC	53202	Mercantile Apartme	2268000	6385000	8653000	\$13,130.20
3930462000	9	Active	777 N CASS	NORTHWESTERN MUTUAL	53202	Special Mercantile	3228800	4894200	8123000	\$12,325.97
3930471100	4	Active	920 E MASON	BRUCE M PECKERMAN	53202	Special Mercantile	28000	542000	570000	\$864.93
3930532000	9	Active	906 E MASON	BRUCE M PECKERMAN &	53202	Special Mercantile	159000	47000	206000	\$312.59
3930541000	8	Active	741 N MILWAUKEE	BRIAN CHARLES ZARLETTI	53220	Special Mercantile	18800	545200	564000	\$855.82
3930581000	6	Active	714 N MILWAUKEE	SAKE II LLC	53211	Special Mercantile	59500	677500	737000	\$1,118.34
3930582000	1	Active	710 N MILWAUKEE	PLANET DEVELOPMENT LLC	53202	Special Mercantile	58300	501700	560000	\$849.75
3930601000	3	Active	555 E WELLS	CATHEDRAL PLACE LLC	53202	Special Mercantile	697700	31101300	31799000	\$48,252.30
3930602000	9	Active	535 E WELLS	CATHEDRAL PLACE LLC	53202	Special Mercantile	78300	2809700	2888000 Obj	\$4,382.30
3930611000	8	Active	715 N MILWAUKEE	G/S PARTNERSHIP	53201	Special Mercantile	11900	47800	59700	\$90.59
3930612000	3	Active	717 N MILWAUKEE	G/S PARTNERSHIP	53201	Special Mercantile	37300	138700	176000	\$267.07

3930613000	9	Active	719 N MILWAUKEE	G/S PARTNERSHIP	53201	Special Mercantile	37300	127700	165000	\$250.37
3930614000	4	Active	723 N MILWAUKEE	G/S PARTNERSHIP	53201	Special Mercantile	36000	86000	122000	\$185.12
3930631000	7	Active	924 E WELLS	UNIVERSITY CLUB OF MILWAUKEE	53202	Special Mercantile	1832600	645400	2478000	\$3,760.16
3930791000	8	Active	724 N MILWAUKEE	PALERMATHEN LLC	53202	Special Mercantile	119800	525200	645000	\$978.73
3930792000	3	Active	722 N MILWAUKEE	PALERMATHEN LLC	53202	Special Mercantile	63100	261900	325000	\$493.16
3930857000	6	Active	825 N PROSPECT	UNIVERSITY CLUB TOWER LLC	53202	Special Mercantile	0	1400000	1400000	\$2,124.38
3930871000	2	Active	768 N MILWAUKEE	WILSON BLDG LLC	53202	Special Mercantile	86200	1000	87200	\$132.32
3930872000	8	Active	752 N MILWAUKEE	MONROE BUILDING LLC	53202	Special Mercantile	359300	3805700	4165000	\$6,320.04
3930931000	8	Active	750 N JEFFERSON	WASHINGTON SQUARE ASSN 111	53202	Special Mercantile	609600	977400	1587000	\$2,408.14
3930932000	3	Active	506 E MASON	WASHINGTON SQUARE ASSN 111	53202	Special Mercantile	609600	2953400	3563000	\$5,406.55
3930942000	8	Active	711 E KILBOURN	701 E KILBOURN LLC	53202	Special Mercantile	302600	0	302600	\$459.17
3960251000	3	Active	622 N CASS	US BANK NATIONAL ASSN	55406	Special Mercantile	5234900	7219100	12454000	\$18,897.89
3960252100	5	Active	875 E WISCONSIN	875 EAST SPONSOR LLC	53226	Special Mercantile	6201600	49783400	55985000 Obj	\$84,952.51
3970102100	6	Active	401 N 3RD	CULLEN OAKLAND INC	30301	Special Mercantile	41300	134700	176000	\$267.07
3970106112	1	Active	341 W ST PAUL	MENOMONEE RP LLC	53005	Special Mercantile	2837300	16662700	19500000	\$29,589.60
3970108111	4	Active	333 N PLANKINTON	PRITZLAFF REDEVELOPMENT LLC	53132	Special Mercantile	453500	3443500	3897000 Obj	\$5,913.37
3970141100	9	Active	223 W WISCONSIN	GRAND AVE CITY MALL LLC	53203	Special Mercantile	103300	1416700	1520000	\$2,306.47
3970152100	9	Active	300 W MICHIGAN	MIL-COURT I, LLC ET AL	91301	Special Mercantile	1332600	17167400	18500000	\$28,072.19
3970173100	3	Active	225 W WISCONSIN	MAJESTIC MILW LOFT APT LLC	53575	Mercantile Apartme	1080000	5301000	6381000 Obj	\$0.00
3970181110	4	Active	301 W WISCONSIN	BOSTCO LLC	53203	Special Mercantile	429000	26000	455000	\$690.42
3970181112	0	Active	275 W WISCONSIN	GRAND AVE CITY MALL LLC	53203	Special Mercantile	139100	989900	1129000	\$1,713.16
3970185000	2	Active	301 W WISCONSIN	BOSTCO LLC	53203	Special Mercantile	779200	1869800	2649000	\$4,019.63
3970192100	7	Active	360 W ST PAUL	PALMOLIVE BUILDING COMPANY	53202	Special Mercantile	2100	78700	80800	\$122.61
3970193100	2	Active	350 W ST PAUL	PALMOLIVE BUILDING COMPANY	53202	Special Mercantile	23600	718400	742000	\$1,125.92
3970194100	8	Active	350 W ST PAUL	PALMOLIVE BUILDING COMPANY	53202	Special Mercantile	24600	734400	759000	\$1,151.72
3970195100	3	Active	350 W ST PAUL	PALMOLIVE BUILDING COMPANY	53202	Special Mercantile	27100	714900	742000	\$1,125.92
3970196100	9	Active	350 W ST PAUL	PALMOLIVE BUILDING COMPANY	53202	Special Mercantile	24600	717400	742000	\$1,125.92
3970197100	4	Active	350 W ST PAUL	PALMOLIVE BUILDING COMPANY	53202	Special Mercantile	24400	740600	765000	\$1,160.82
3970201000	8	Active	161 W WISCONSIN	GRAND AVE CITY MALL LLC	53203	Special Mercantile	514000	24000	538000	\$816.37
3970202000	3	Active	161 W WISCONSIN	GRAND AVE CITY MALL LLC	53203	Special Mercantile	267100	1282900	1550000	\$2,351.99
3970203000	9	Active	161 W WISCONSIN	GRAND AVE CITY MALL LLC	53203	Special Mercantile	0	0	0	\$0.00
3970204000	4	Active	161 W WISCONSIN	GRAND AVE CITY MALL LLC	53203	Special Mercantile	640000	4860000	5500000	\$8,345.79
3970205000	X	Active	161 W WISCONSIN	GRAND AVE CITY MALL LLC	53203	Special Mercantile	619800	2280200	2900000	\$4,400.51
3970206000	5	Active	161 W WISCONSIN	SUNSET INVESTORS PLANKINTON	53132	Special Mercantile	514000	240000	754000	\$1,144.13
3970208100	2	Active	161 W WISCONSIN	SUNSET INVESTORS PLANKINTON	53132	Special Mercantile	246800	853200	1100000	\$1,669.16
3970212000	8	Active	161 W WISCONSIN	SUNSET INVESTORS PLANKINTON	53132	Special Mercantile	141000	354000	495000	\$751.12
3970331000	5	Active	101 W WISCONSIN	IVORY RETAIL OFFICE	53203	Special Mercantile	158000	415000	573000	\$869.48
3970332000	0	Active	101 W WISCONSIN	IVORY RETAIL OFFICE	53203	Special Mercantile	262200	4587800	4850000	\$7,359.47
3970333000	6	Active	101 W WISCONSIN	HISTORIC HOTEL MILWAUKEE	60606	Special Mercantile	473900	12426100	12900000 Obj	\$19,574.66
3970334000	1	Active	101 W WISCONSIN	AMERICAN SOCIETY FOR	53203	Special Mercantile	379100	9652900	10032000	\$15,222.71
3970335000	7	Active	101 W WISCONSIN	IVORY RETAIL/OFFICE	53203	Special Mercantile	306400	5383600	5690000	\$8,634.09
3970421000	4	Active	331 W WISCONSIN	BOSTCO LLC	17402	Special Mercantile	770800	2579200	3350000	\$5,083.34
3970422000	X	Active	331 W WISCONSIN	BOSTCO LLC	17402	Special Mercantile	1041800	6188200	7230000	\$10,970.91
3970423000	5	Active	331 W WISCONSIN	BOSTCO LLC	53203	Mercantile Apartme	525000	7556000	8081000	\$12,262.24
3970531000	2	Active	176 W MICHIGAN	GRAND AVE CITY MALL LLC	53203	Special Mercantile	4158000	1294000	5452000	\$8,272.95
3970541100	3	Active	275 W WISCONSIN	GUARDIAN CREDIT UNION	53227	Special Mercantile	5222400	1527600	6750000	\$10,242.56
3970542000	2	Active	629 N BROADWAY	GUARDIAN CREDIT UNION	53227	Special Mercantile	7600	91600	99200	\$150.53

3970543000	8	Active	631 N BROADWAY	GUARDIAN CREDIT UNION	53227	Special Mercantile	10000	51900	61900	\$93.93
3970544000	3	Active	633 N BROADWAY	GUARDIAN CREDIT UNION	53227	Special Mercantile	3600	37300	40900	\$62.06
3970545000	9	Active	635 N BROADWAY	GUARDIAN CREDIT UNION	53227	Special Mercantile	9900	51100	61000	\$92.56
3970546000	4	Active	637 N BROADWAY	GUARDIAN CREDIT UNION	53227	Special Mercantile	3700	56600	60300	\$91.50
3970547000	X	Active	227 E WISCONSIN	GUARDIAN CREDIT UNION	53227	Special Mercantile	20800	120200	141000	\$213.96
3970548000	5	Active	225 E WISCONSIN	GUARDIAN CREDIT UNION	53227	Special Mercantile	16400	78400	94800	\$143.85
3970549000	0	Active	221 E WISCONSIN	GUARDIAN CREDIT UNION	53227	Special Mercantile	12700	68500	81200	\$123.21
3970550000	6	Active	223 E WISCONSIN	GUARDIAN CREDIT UNION	53227	Special Mercantile	4500	54900	59400	\$90.13
3970551000	1	Active	219 E WISCONSIN	GUARDIAN CREDIT UNION	53227	Special Mercantile	12600	134400	147000	\$223.06
3970552000	7	Active	217 E WISCONSIN	GUARDIAN CREDIT UNION	53227	Special Mercantile	4800	55700	60500	\$91.80
3970764130	8	Active	627 N 2ND	GRAND AVE CITY MALL LLC	53203	Special Mercantile	0	0	0	\$0.00
3970765200	8	Active	607 N 2ND	GRAND AVE CITY MALL LLC	53203	Special Mercantile	0	0	0	\$0.00
3981202100	5	Active	635 N JAMES LOVELL	BADGER COACHES INC	53718	Special Mercantile	240000	207000	447000	\$678.28
3981204100	6	Active	701 W WISCONSIN	SHAFTON FAMILY LTD	53217	Special Mercantile	259200	1161800	1421000	\$2,156.25
Total Assessed Value (of BID Assessable Properties)				\$1,968,621,500			Total BID Assessment			\$2,987,217.00
2010 Budget				\$2,987,217						
Multiplier				0.001517416						
Mill Rate				1.517415613						

APPENDIX D
Proposed 2011 Budget (Subject to Change)

BUSINESS IMPROVEMENT DISTRICT #21
CLEAN*SAFE*FRIENDLY
2011 BUDGET

INCOME

2011 BID #21 Assessments	\$2,987,217
2010 Carryover	\$ 31,000
Additional Income	<u>\$ 115,750</u>
TOTAL INCOME	\$3,133,967

EXPENSES

Clean Sweep Ambassador Program	
Sidewalk Cleaning	\$ 561,102
Landscaping	\$ 350,718
Graffiti Removal	<u>\$ 11,500</u>
	\$ 923,320 (29.46% of total)
Public Service Ambassador Program	\$ 896,880 (28.62% of total)
Administrative	\$ 452,417 (14.44% of total)
Public Information/Marketing/Business Retention/Recruitment	<u>\$ 861,350</u> (27.48% of total)
TOTAL EXPENSES	\$3,133,967

Appendix E

Cooperation Agreement between District Board and City of Milwaukee

COOPERATION AGREEMENT

This COOPERATION AGREEMENT (the "Agreement") is made as of the 4th day of November, 1997, by and between the BOARD (the "Board") of BUSINESS IMPROVEMENT DISTRICT NO. 21, a business improvement district created pursuant to Wisconsin Statutes section 66.608 (the "District"), and the CITY OF MILWAUKEE, a municipal corporation (the "City").

RECITALS

The Board and the City acknowledge the following:

- A. 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 in accordance with the requirements set forth in Article III.D. of the Initial Operating Plan.
- B. The owners and occupants of the District have supported the creation of the District and members have accepted appointments to the Board in reliance on the City's representation that, throughout the existence of the District, the City will maintain that level of services being provided by the City to the owners and occupants of the District as of the date hereof and that the City will not reduce its services to the District as a result of the services provided by the Board to the District.
- C. It is not the intent of the City to reduce that level of services being provided by the City to the owners and occupants of the District as of the date hereof. Further, the City desires to assure the owners and occupants of the District and, specifically, members of the Board, that it shall continue to furnish to owners and occupants of the District services of the same class and to the same extent as are furnished from time to time without cost or charge to other commercial and residential dwellings and inhabitants in the City.

AGREEMENTS

In consideration of the Recitals and mutual covenants contained herein, the Board and the City agree as follows:

1. Obligations of the City Department of Public Works ("DPW").

(a) Throughout the existence of the District, the City shall cause DPW to continue to furnish or cause to be furnished to owners and occupants of the District services of the same class and to the same extent as are furnished from time to time without cost or charge to other commercial and residential dwellings and inhabitants in the City out of the City portion of real and personal property taxes. The City acknowledges that it will strive to maintain the current level of maintenance services being provided by DPW, including, without limitation:

(i) Street sweeping of all streets in the District on a five-day cycle between the months of May and September, on an "as often as possible" basis in April and on an "as possible" basis between the months of October and March;

(ii) Maintenance of approximately 200 street trash receptacles within the District, of which approximately 120 will be emptied twice each week, with the remainder emptied weekly;

(iii) Pruning of trees in planters and tree wells within the District as necessary and tree replacement as necessary for street trees planted in tree lawns and tree wells;

(iv) Consider providing sufficient flowers and other plantings for planters and tree wells within the District at the beginning of each growing season; at minimum, DPW shall make such flowers and plantings available to the District for purchase at the City's cost;

(v) Street lighting maintenance for streets within the District as needed; and

(vi) Street repair and maintenance for streets within the District as needed.

(b) Within 30 days of execution of this Agreement and in accordance with Article III.B.2 of the Initial Operating Plan, DPW shall donate to the District, for the District's exclusive use and at no cost to the District, a pick-up truck with a watering tank. Following its donation to the District, the pick-up truck shall be maintained and insured by the District.

2. Obligations of City Police Department ("MPD").

(a) Throughout the existence of the District, the City shall continue to furnish or cause to be furnished to owners and occupants of the District, fire and police protection services of the same class and to the same extent as are furnished from time to time without cost or charge to other commercial or residential dwellings and inhabitants in the City out of the City portion of real and personal property taxes.

(b) In addition, commencing on the date of this Agreement, MPD shall, at no cost to the District, cooperate with the District in implementing Article III.B.1 of the Initial Operating Plan.

(c) As set forth in Article III.B.1 of the Initial Operating Plan, MPD shall provide the District with the ability to monitor police calls for service.

3. City Donations and Contributions to the District. In addition to those obligations described in paragraphs 1 and 2 above (including, without limitation, the donation of the pick-up truck with a watering tank by DPW to the District), the City shall contribute the following goods and services to the District, all at no cost to the District:

(a) As set forth in Article V.B.2 of the Initial Operating Plan, the City and its various departments, including, without limitation, DPW, MPD and the Department of City Development, shall provide technical assistance to the District in the adoption of any District operating plans and provide such other assistance as may be appropriate.

(b) In accordance with Article IV.B.3 of the Initial Operating Plan, the City shall pay to the District in calendar year 1998 a voluntary contribution of \$35,000 to be matched by approximately \$115,000 from the District and to be used for holiday lighting. Such voluntary contribution shall be in lieu of an assessment due to the District for property owned and/or occupied by the City within the District, which property is exempt from real estate taxes but

will be benefited by the activities of the District. Each subsequent year of the District's existence, the City shall reconsider making a similar voluntary contribution to the District and may include any agreed upon voluntary contribution in the City's annual budget for that year.

(c) As the terms of members of the Board expire, the Mayor shall appoint successor members to the Board in accordance with Article III.D. of the Initial Operating Plan or any successor provision.

4. Standard of Performance. The City shall perform, or cause performance of, all of its obligations and covenants set forth in this Agreement, in compliance with any and all applicable federal, state and local laws, statutes, codes and ordinances. The City also shall perform or cause performance of all of its obligations and covenants set forth in this Agreement in a good and workmanlike manner at the same level of quality as the City is providing services to the owners and occupants of the District as of the date of this Agreement. The City expressly covenants that it shall not reduce any or all of the services currently provided to properties located within the District because of any of the activities and/or services provided by the District under any applicable operating plan.

5. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Wisconsin.

6. Severability. The unenforceability or invalidity of any provisions hereof shall not render any other provisions herein contained unenforceable or invalid.

7. No Waiver. No waiver of any party of any breach hereunder shall be deemed a waiver of any other or subsequent breach.

8. Amendment. This Agreement may not be altered, amended, changed, waived or modified in any respect, unless the same shall be in writing signed by or on behalf of both of the parties hereto.

Attest:

Robert F. Shell
Shelton

BOARD OF BUSINESS
IMPROVEMENT DISTRICT NO. 21, a
business improvement district created
pursuant to Wisconsin Statutes section
66.608

BY Thomas Bernacchi
Thomas Bernacchi, Chair

BY Andrew Tilmont
Andrew Tilmont, Secretary

Attest:

Carolyn A. Croll
Carolyn A. Croll

THE CITY OF MILWAUKEE, a
municipal corporation

BY John O. Norquist
John O. Norquist, Mayor

BY Deputy W. Dauter
DEPUTY, Comptroller
W.D.

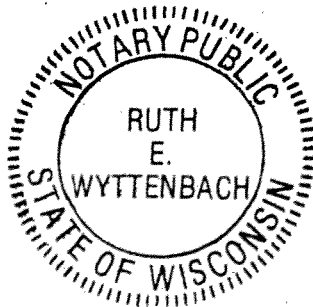
State of Wisconsin)
) ss
Milwaukee County)

Personally came before me this 2nd day of February, 1998, Thomas Bernacchi and Andrew Tilmont as Chair and Secretary, respectively, of the Board of Business Improvement District No. 21, to me known to be the persons who executed the foregoing instrument and to me known to be such Chair and Secretary of such board, and acknowledged that they executed the foregoing instrument as such officers of said board, by its authority.

Deborah C. Tomczyk
(Deborah C. Tomczyk)
Notary Public, State of Wisconsin
My commission is permanent.

State of Wisconsin)
) ss
Milwaukee County)

Personally came before me this 10th day of Feb., 1998, John O. Norquist and Arla W. Pavetti, as Mayor and Comptroller, respectively, of the City of Milwaukee, to me known to be the persons who executed the foregoing instrument and to me known to be such mayor and comptroller of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers of said municipality, by its authority.



Ruth E. Wyttenbach 3.4.200
()
Notary Public, State of Wisconsin
My commission _____

Appendix F

City Attorney's Opinion

CITY OF MILWAUKEE

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
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BEVERLY A.
THOMAS C.
LINDA ULIS
BRUCE D. S.
ROXANE L.
THOMAS G.
SUSAN D. E.
HAZEL MOI
HARRY A. S.
STUART S.
THOMAS J.
JOHN J. HE
MICHAEL G.
DAVID J. ST
MARY M. JO
SUSAN E. L.
DAVID R. HU
JAN A. SMO
PATRICIA A.
HEIDI WICK
VINCENT J.
KURT A. BE
GREGG C. F.
ELLEN H. T.
MELANIE R.
TRACY M. J.
GREGORY J.
MICHAEL A.
Assistant City

August 6, 1997

Mr. Michael L. Morgan
Commissioner
Department of City Development
809 Building

Attention: Mr. Dan McCarthy

Dear Mr. Morgan:

Re: Proposed Downtown
Business Improvement District

Pursuant to your August 1, 1997 request, we have reviewed the initial operating plan for the proposed Downtown Business Improvement District. Based upon that review, it is our opinion that the plan complies with the provisions of sec. 66.608(1)(f)1-4, Stats. This legal opinion is being offered in accordance with the requirements of sec. 66.608(1)(f)5, Stats.

Finally, we note that the proposed operating plan of sec. III.A. states that "simultaneous with the approval of this Operating Plan by the City's Common Council, the City and the District shall enter into the cooperation agreement attached hereto as Appendix E (the 'Cooperation Agreement')." Because of this provision in the proposed operating plan, we advise that a file should be introduced into the Common Council which would allow the Council to consider and act upon the Cooperation Agreement at the

Mr. Michael L. Morgan

-2-

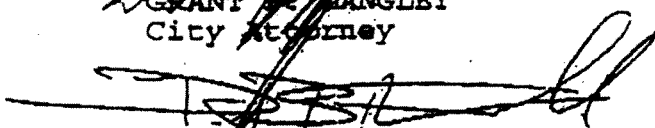
August 6, 199

same time that it acts upon the proposed Downtown Business Improvement District initial operating plan.

Very truly yours,



GRANT E. LANGLEY
City Attorney



PATRICK B. McDONNELL
Special Deputy City Attorney

PBMCD:dms

Pko

Appendix G

By-laws for District Board

**BY-LAWS OF
BUSINESS IMPROVEMENT DISTRICT NO. 21**

Effective: As of October 14, 1997
Amended: As of September 13, 2007

ARTICLE I. NAME AND PURPOSE

Section 1: Name and Purpose

The District was created by the Common Council of the City of Milwaukee on October 14, 1997, by the adoption of ordinance no. 970900 and the approval of an initial operating plan pursuant to Wisconsin Statutes section 66.1109. The name of the District shall be Business Improvement District No. 21. The purpose of the District shall be to sustain the competitiveness of the downtown area in the City of Milwaukee and ensure a safe, clean environment conducive to business activity.

Section 2: Principal Office

The location of the principal office of the District shall be 600 East Wells Street, Milwaukee, Wisconsin, or such other place as may be designated by the Board.

ARTICLE II. POWERS

The District shall have all powers permitted under Wisconsin Statutes section 66.1109, as it may be amended from time to time, provided that the District shall exercise its powers only in accordance with any current operating plan and these By-Laws.

ARTICLE III. BOARD

Section 1: Mayoral Appointment

Members shall be appointed to the Board by the Mayor of the City of Milwaukee pursuant to Wisconsin Statutes section 66.1109(3)(a) and the requirements of any current operating plan and these By-Laws.

Section 2: Number

The Board shall consist of nineteen (19) members.

Section 3: Membership

The Board shall be structured and operate as follows:

A. Composition -

- (i) Three members shall be representatives of each of the three largest (as measured by assessed valuation) multi-tenant office buildings in the District. In 2008, U.S. Bank Center (777 and 811 East Wisconsin Avenue), 411 East Wisconsin Avenue and Plaza East (330 East Kilbourn Avenue) are the three largest office buildings.
- (ii) 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 2008, 100 East Wisconsin Avenue, 875 East Wisconsin Avenue, Chase Bank (111 East Wisconsin Avenue), The Milwaukee Center (107 East Kilbourn Avenue), the M&I Bank Building (778 North Water Street) and Schlitz RiverCenter (1505 North RiverCenter Drive) are the fourth through the ninth largest multi-tenant office buildings.
- (iii) Three members shall be representatives of any other multi-tenant office buildings in the District.
- (iv) 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.
- (v) One member will be a designee of The Shops of Grand Avenue or its successors and assigns.
- (vi) Two members shall be owners or operators of street-level retail businesses located within the District (which businesses may include, without limitation, restaurants).
- (vii) Two members shall be representatives of hotels located within the District. Such hotels shall not be owned or controlled by the same entity or individuals.
- (viii) One member shall be a representative of a tax-exempt entity making a voluntary contribution to the District of not less than \$59,809 in the year 2008, which minimum contribution shall increase each year by the proportionate increase in the District operating budget for that year.

(ix) Two members shall be "at large" members who shall not represent any particular constituency but who shall be owners and/or occupants 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.

B. Term — Appointments to the Board shall generally be for a period of three years, except that the "at large" members designated under subsection 3(A)(ix) above shall be appointed to the Board for a period of two years. To the extent possible, the terms of members representing each of the categories set forth in subsection A. above shall be staggered so that the terms of not more than 60% of the members expire simultaneously.

C. Compensation - None.

D. Non-voting Members - At the option of a majority of the members of the Board, representatives of the Greater Milwaukee Convention and Visitors Bureau, the Milwaukee Development Corporation, the Metropolitan Milwaukee Association of Commerce (and/or similar organizations) may be invited to attend meetings of the Board or Executive Committee as nonvoting members.

Section 4: Resignation and Removal

A member of the Board may resign at any time by filing his or her resignation with the Chair of the Board.

Section 5: Vacancies

When a vacancy occurs on the Board, the Mayor shall appoint a replacement from that category of members set forth in the current operating plan and section 3.A. above from which the former member was appointed.

Section 6: Nominating Committee

The Chair shall appoint three members of the Board (not more than one of whom may be a member of the Executive Committee) to serve on a Nominating Committee. Within 30 days of the expiration of the term of any Board member or if any Board member resigns or otherwise ceases to be a Board member, the Nominating Committee shall, by majority vote, nominate a replacement for such Board member from that category of members set forth in the current operating plan and section 3.A. above from which such former member was appointed. The nomination of any replacement Board member shall be approved by majority vote of the entire Board and then forwarded to the Mayor for consideration.

ARTICLE IV. FUNCTIONS

The Board shall:

- A. Exercise the powers of the District, and promote the District's overall objectives, purposes and activities enumerated in any current operating plan.
- B. Prepare proposed operating plans and operating budgets each year as set forth in Article VI, section 1.
- C. Implement any current operating plan. In this regard, the Board may negotiate with providers of services and materials to carry out such operating plan, enter into various contracts, monitor the effectiveness of the District's activities, ensure compliance with the provisions of any current operating plan and applicable statutes and regulations and make reimbursements for any overpayments of district assessments.
- D. Manage the affairs of the District and receive and expend funds made available to them in strict accordance with the current operating plan.
- E. Monitor and enforce against the City of Milwaukee its obligations and covenants pursuant to the Cooperation Agreement dated November 4, 1997.
- F. Provide a permanent office, employ a full-time director for the District, employ legal, financial and technical experts, and other staff personnel

(including, without limitation, a full-time administrative assistant) as may be necessary to assist in carrying out any current operating plan.

ARTICLE V. OFFICERS

Section 1: Number

The officers of the District Board shall consist of a Chair, a Vice Chair, a Secretary, a Treasurer and an Assistant Secretary.

Section 2: Election and Term

The officers shall be elected by the Board from among its members at its annual meeting. At least one officer shall be elected from the Board membership category set forth in Articles III(3)(A)(i) or III(3)(A)(ii) above, and one officer shall be the member representing The Northwestern Mutual Life Insurance Company pursuant to section III(3)(A)(iv) above. The officers shall serve terms concurrent with their terms on the Board.

Section 3: Vacancies

If an officer's seat becomes vacant, the Board shall elect a successor officer from among its members at the next regular meeting or special meeting.

Section 4: Duties of Officers

- A. Chair: Shall preside over all meetings of the Board and the District, shall make all appointments to committees and task forces, subject to the approval of the Board, and shall have the general powers and duties usually associated with the office, including, but not limited to, powers allowed pursuant to applicable laws to sign certificates, contracts and other instruments of the District which are authorized by the Board.
- B. Vice Chair: Shall serve in the Chair's stead if the Chair is unable to perform his or her duties and shall perform other duties as the Chair and the Board may direct. At such times, the Vice Chair shall have all of the powers of the Chair.
- C. Secretary: Shall be responsible for keeping and filing minutes of all meetings of the Board and the District, for compliance with open meetings law and public records requirements, and shall perform other duties as the Chair and Board may direct.
- D. Treasurer: Shall be responsible for keeping a record of all funds collected and spent, establishing necessary accounting procedures to assure

accuracy and accountability of the District, and shall perform other duties as the Chair and Board may direct.

E. Assistant Secretary: Shall serve in the stead of the Secretary or Treasurer if any such officer is unable to perform his or her duties and shall perform other duties as the Chair and Board may direct.

ARTICLE VI. MEETINGS

Section 1: Annual Meeting

The annual meeting of the Board shall be held each year during the month of September for the purposes of approving an operating plan and annual budget. Any annual budget which exceeds the prior year's budget by 4% or more must be approved by two-thirds majority of the entire Board without regard to quorum. Any capital improvements costing more than \$10,000 each or \$30,000 in the aggregate in any one year must be approved by two-thirds majority of the entire Board without regard to quorum. A "capital improvement" is any physical item that is permanently affixed to real estate including, without limitation, street lighting and sidewalk improvements. The term 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. 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 property tax assessed valuation of all property assessed by the District.

Section 2: Regular Meetings

The regular meeting of the Board shall be held at least four times per year at a time and place designated by the Chair. The time and place designated shall be during normal business hours of a regular business day and at some office within the District.

Section 3: Special Meetings

Special meetings of the Board may be called at the request of the Chair; or by a member of the Board by petition signed by at least one-third (or seven members) of the Board and properly filed with the Secretary.

Section 4: Telephonic Attendance at Meetings

A Board member or members may request to participate in a scheduled Board meeting telephonically, and the Chair shall make reasonable efforts to accommodate such requests. The cost of participating telephonically in a regular or special meeting shall be paid by the District unless otherwise required by the Executive Committee. Any Board member participating in a meeting telephonically shall be counted towards the total number of Board members present for meeting quorum requirements provided for under section 6 below, and shall be permitted to vote on any matter before the Board at that meeting.

Section 5: Notice

Notice of all meetings shall be provided in accordance with the open meetings law if and as legally required. In addition, notice of each meeting shall be given to each member of the Board by written notice delivered through the mail or in person no less than one week prior to the meeting; such notice shall be deemed to be delivered when deposited in the United States mail so addressed with postage thereon prepaid. The failure of any member to receive actual notice shall not invalidate the meeting or any proceedings conducted at the meeting. Notice of special meetings shall be given not less than three days prior to the meeting. The presence of any member shall be deemed a waiver of notice as to such member unless such member objects at the opening of the meeting to the holding of the meeting because of failure to give proper notice. Members may waive notice of any meeting in writing to the Chair.

Section 6: Quorum

For the purposes of any regular or special meeting, ten (10) members of the Board shall constitute a quorum.

Section 7: Voting

At all meetings of the Board, each member shall have one vote. Proxy votes shall be permitted only to extent permitted by law.

Section 8: Minutes

The Board shall keep a correct and complete record of all District proceedings which shall be attested by the signature of the Secretary and made available to the public in accordance with public records requirements.

Section 9: Procedure

All meetings of the Board shall be governed by these By-Laws or Robert's Rules of Order in all matters not covered therein.

ARTICLE VII. AMENDMENTS

Except as set forth in the next sentence, these By-Laws may be amended by the affirmative vote of two-thirds of the entire Board without regard to quorum at a duly called meeting, provided the proposed amendment shall have been submitted in writing to all members at least ten days in advance of such meeting and made available to the public in accordance with requirements of the open meetings law if and as legally required. This Article VII, Article III, section 3 and Article VI, section 1 of these By-Laws may be amended only by the affirmative vote of three-fourths of the entire Board without regard to quorum at a duly-called meeting.

ARTICLE VIII. EXECUTIVE COMMITTEE

Section 1: Duties and Powers

The Executive Committee shall have full authority to implement decisions of Board and implement any current operating plan on behalf of the Board and the District between meetings of the Board.

Section 2: Composition

The Executive Committee shall consist of the elected officers of the Board, namely the Chair, Vice Chair, Secretary, Treasurer and Assistant Secretary.

Section 3: Term

The term of the members of the Executive Committee shall be coterminous with their term as elected officers of the Board.

Section 4: Vacancies

Vacancies in Executive Committee positions held by officers shall be filled by successor officers elected by the Board under Article V, section 3.

Section 5: Meetings

Meetings of the Executive Committee shall be held at a time and place selected by the Chair, provided that they shall be during normal business

hours of a regular business day and in some office within the District. Special meetings of the Executive Committee shall be called by the Chair as needed.

Notice of all meetings shall be provided in accordance with the open meetings law if and as legally required. In addition, notice of any special meetings shall be given at least 48 hours prior to said meeting by written notice delivered personally or mailed to each Executive Committee member. Said notice may be waived with the consent of all Executive Committee members. Written notice of all regular meetings shall be given five (5) days in advance indicating time, place and agenda. Said notice may be waived by consent of all Executive Committee members.

A simple majority of the filled seats of the Executive Committee, but not less than three officers of the Board, shall constitute a quorum at any regular or special meeting of the Executive Committee.

Section 6: Telephone Attendance at Meetings

An Executive Committee member or members may request to participate in a scheduled Executive Committee meeting telephonically, and the Chair shall make reasonable efforts to accommodate such requests. The cost of participating telephonically in a regular or special meeting shall be paid by the District unless otherwise required by the Executive Committee. Any Executive Committee member participating in a meeting telephonically shall be counted towards the total number of Executive Committee members present for meeting quorum requirements provided for under section 5 above, and shall be permitted to vote on any matter before the Executive Committee at that meeting.

ARTICLE IX. INDEMNIFICATION, LIMITED LIABILITY AND INSURANCE

Section 1: Liability of Board Members and Officers

The members and officers of the Board shall not be liable to owners or occupants of property within the District arising out of or related to the creation or existence of the District or the Board or for any mistake of judgment, failure to adhere to the provisions of any operating plan or these By-Laws, negligence or otherwise, except for their own individual willful misconduct or bad faith. The District shall indemnify, defend and hold harmless each member and officer of the Board against all contractual liability (including, without limitation, reasonable attorneys' fees and court costs) to others arising out of contracts made by the Board on behalf of the District unless any such contract shall have been made in bad faith. It is intended that the members of the Board shall have no personal liability

with respect to any contract made by them on behalf of the District. Anything herein to the contrary notwithstanding, the liability of the owners and occupants or property located within the District arising out of any contract made by the Board or out of the indemnity in favor of the members of the Board shall be shared by all owners and occupants of property subject to assessment by the District in proportion to the assessed valuation of their property relative to the total assessed valuation of property within the District, and the liability of any single owner or occupant shall be limited to such proportionate share of the total liability.

Section 2: Allowance of Expenses as Incurred

The Board may, upon written request by a Board member or officer, pay or reimburse his or her reasonable expenses as incurred in connection with the performance of his or her official duties as a Board member or officer.

Section 3: Severability of Provisions

The provisions of this Article and the several rights to indemnification, advancement of expenses and limitation of liability created hereby are independent and severable and, in the event that any such provision and/or right shall be held by a court of competent jurisdiction in which a proceeding relating to such provisions and/or right is brought to be against public policy or otherwise to be unenforceable, the other provisions of this Article shall remain enforceable and in full effect.

Section 4: Purchase of Insurance

The Board shall use its best efforts to purchase and maintain insurance on behalf of any person who is or was a Board member or officer of the District, to the extent that such Board member or officer is insurable and such insurance coverage can be secured by the Board at rates, and in amounts and subject to such terms and conditions as shall be determined in good faith to be reasonable and appropriate by the Board, and whose determination shall be conclusive, against liability asserted against or incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the District would have the power to indemnify him or her against such liability under the provisions of this Article.

Section 5: Benefit

The rights to indemnification and advancement of expenses provided by, or granted pursuant to, this Article shall continue as to a person who has ceased

to be a Board member or officer and shall inure to the benefit of the heirs, executors and administrators of such a person.

Section 6: Amendment

No amendment or repeal of this Article shall be effective to reduce the obligations under this Article with respect to any proceeding based upon occurrences which take place prior to such amendment or repeal.

ARTICLE X. 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(4)(m).

Appendix H

Letter from Chief of Police Arthur L. Jones



Police Department

Arthur L. Jones
Chief of Police

July 17, 1997

Mr. Thomas G. Bernacchi, CPM
Vice President
Towne Realty, Inc.
710 North Plankinton Avenue
Milwaukee, WI 53203

Dear Mr. Bernacchi:

I am in receipt of your letter dated July 16, wherein you discuss the level of services that the Milwaukee Police Department will provide to the new Downtown Management Business Improvement District. The Milwaukee Police Department is proud to provide a high level of service to the people who work, live, and recreate in the downtown area. We look forward to working with this new partnership and providing services that will enhance the quality of life in the city of Milwaukee.

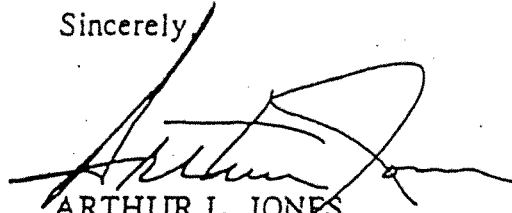
I have prepared a list of services that the Department will provide to the District to keep the downtown area safe. The list includes, but is not limited to, the following:

1. The Milwaukee Police Department will provide the level of staffing needed to meet the demand for service in the proposed new District. We will meet with members of the District to determine the need and types of services necessary to meet the demand on an as needed basis.
2. We will establish a point of contact and maintain a line of communication to assist the District in coordinating security efforts. This will include developing and conducting an intense training curriculum that will address crime prevention, crime analysis, personal safety, basic first responder, community relations, and other related issues.
3. We will make the District part of our cellular patrol that will provide it with direct access to police services. In addition, we will provide the District with the ability to monitor police calls for service.
4. The Milwaukee Police Department will ensure that the District's outreach office is used by the crime prevention officer and other officers patrolling in the District for the purpose of conducting police business.

Milwaukee Police Department
Bernacchi Letter
July 17, 1997
Page 2

I am excited by the prospects for this new District. I extend my support and the cooperation of the entire Milwaukee Police Department in making this partnership successful for the parties involved and the citizens of the city of Milwaukee. If I can be of further assistance, please feel free to contact my office.

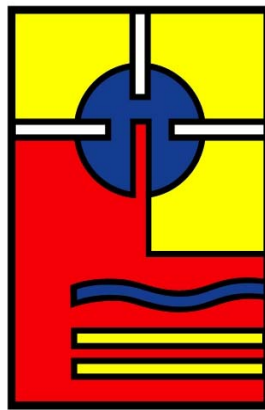
Sincerely,



ARTHUR L. JONES
CHIEF OF POLICE

ALJ:erl

***Riverworks
Business Improvement District #25
Year 2011 Operating Plan***



RIVERWORKS
C E N T E R

Riverworks Business Improvement District #25 Annual Operating Plan Year Twelve (2011)

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 Eleven. 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 RBIDII 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 the Design Guidelines for the Riverworks BIDs.*
- ◆ *Develop a strategic 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.*
- ◆ *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 \$92,433,200. This represents a \$10,158 decrease from the previous year's value of \$92,329,200 indicative of the difference the BID is making to improve the area. The estimated assessment generated for the Year 2010 is \$202,393.

The budget for the Riverworks BID is detailed below.

	<u>REVENUE</u>	
BID ASSESSMENT		\$202,393

Program Funding Carried Forward	\$90,000	
Interest Income	\$1,500	
Miscellaneous	<u>\$245</u>	
TOTAL REVENUE		\$294,138

EXPENSES

ADMINISTRATIVE SUPPORT

RDC Management	\$55,000	
Insurance Expense	\$993	
Account Services	\$1,500	
Consulting Services	\$4,000	
Auditing Services	\$2,300	
Office Supplies	\$2,500	
Memberships	\$500	
Miscellaneous	<u>\$100</u>	
Subtotal		\$67,343

PUBLIC SAFETY & APPEARANCE PROGRAM

Street Sweeper	\$22,000	
Landscaping	\$10,500	
RBID Safety Program	\$1,800	
Equipment Purchase	\$1,200	
Maintenance/Replacement of Streetscape	\$43,000	
Maintenance Reserve	\$20,000	
Streetscape Lighting	\$3,100	
Graffiti Removal	<u>\$2,200</u>	
Subtotal		\$103,800

DEBT SERVICE

Capitol Drive Streetscape Project	<u>\$44,895</u>	
Subtotal		\$44,895

MARKETING & PROMOTIONS PROGRAM

Biennial Meeting/Advertising/Newsletters/Report/Brochures/Banner	<u>\$10,000</u>	
Subtotal		\$10,100

BUSINESS & PROPERTY OWNER ASSISTANCE PROGRAM

Property Improvement Grants	\$20,000	
Safety and Security Grant Program	<u>\$8,000</u>	
Subtotal		\$28,000

SPECIAL IMPROVEMENT PROJECTS

Riverworks Center Improvement Project(s)	<u>\$10,000</u>	
		\$10,000

Budget Contingency	<u>\$30,000</u>	
		\$30,000

TOTAL EXPENSES		\$294,138
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Method Of Assessment

The method of assessment for the Year 2010 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 2009-10 Annual Report

The Menomonee Valley Business Improvement District (BID #26) Board of Directors adopted its 2009-10 Operating Plan in August 2009. In this program year the following administrative actions occurred:

Board of Directors

In the 2009-10 year, we reappointed Jeff Morgan and John Brennan to the board for another term. We also welcomed a new member Art Downey, Co-President of Taylor Dynamometer. Art is a business owner from the Valley's west end and 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, and Art Downey – Member at Large.

Finances

The BID contracted with Scribner Cohen to provide an audit. The BID assessment for 2010 totaled \$116,073. Per its Operating Plan, the BID paid \$80,000 to Menomonee Valley Partners, Inc. for staffing the BID programs; \$1,850 in audit expenses; \$8,990 (slightly higher than budgeted) for The Menomonee Valley Resource Calendar; \$1000 for the River Skimmer; and \$509.69 for graffiti removal services. The BID held a strategic planning session and it was decided to think through opportunities to build community amongst businesses and therefore we conducted the following activities; \$3953.22 for the Milwaukee Brewer Outing; \$928 for Annual BID Member Meeting; \$2000 as a sponsor for the 10th Anniversary Event for MVP; and \$94 for the St. Paul Ave. development meeting. Dues collected from the Menomonee Valley Business Association totaled \$923.75. 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 2009-10 fiscal year with \$88,545.14 in its account.

ACTIVITIES OF MENOMONEE VALLEY PARTNERS, INC. AS STAFF TO THE BID

In June 2009, 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:

Graffiti Removal Program

The Board entered into an agreement in 2009 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, however this year graffiti costs were significantly lower at \$509.69.

Many businesses took care of graffiti incidents by themselves due to lack of knowledge of the graffiti program. The Public Safety Committee is working to make sure that all businesses are educated on the use and availability of the Graffiti Removal Program.

Business Recruitment

MVP works to recruit to the district new businesses that provide family supporting jobs and contribute to the Milwaukee economy.

- In 2009-10, the following tenants opened their doors: Charter Wire, Sign-a-Rama, Alfred Benesch & Company, Engineers and Scientist of Milwaukee, PGW Auto Glass, and Instrumentarium Dental, bringing 150 new jobs to the Valley. Three groundbreaking ceremonies were held to announce the location of Helios-USA, a solar panel manufacturer that will be located in the Canal Street Commerce Center; Ingeteam, a Spanish wind turbine manufacturing company, which will be located in the Menomonee Valley Industrial Center; and Palermo Villa, which is expanding its headquarters and production facility. These companies are expected to bring over 300 additional jobs to the Valley next year.
- MVP hosted the third Annual Menomonee Valley Real Estate Open House to display the progress of the Valley and highlight additional development opportunities within and surrounding the Valley. The event, hosted at new Valley company Derse, drew more than 100 real estate professionals.
- 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 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 is renovating and will lease one building in the Milwaukee Light complex next year. 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:

- Completed the third Menomonee Valley Employee Calendar and Resource Guide, full of resources for Valley employees, from nearby housing and restaurant options to ways to get involved in Valley events.
- Supported Milwaukee County Transit in successfully continuing the Canal Street bus route (#17) to ensure Valley businesses are more accessible to the surrounding workforce.
- MVP entered into contract with Journey House, a local neighborhood organization that provides community infrastructure improvements that increased the ability to provide educational and recreational programming to local residents. This contract provides networking opportunities for Menomonee Valley businesses to establish long-term connections between the Clarke Square and Menomonee Valley neighborhoods.
- Held the third Menomonee Valley Workforce Forum, *Employer Strategies for Uncertain Times*, geared specifically towards employers seeking workforce solutions in a challenging economy.

- Increased the capacity of the Business Resource Committee by engaging new representatives from several businesses in developing new and improving existing structure.
- Created and adopted the Menomonee Valley Policing Plan which highlights many areas of the Valley's redevelopment for the City of Milwaukee Police Dept., and provides resources that are available for Valley businesses in a emergency situation
- Adopted a policing procedure, the Menomonee Valley Safety Alert, which captures all reported and non-reported criminal activity to better communicate developing trends to MPD and Valley businesses.
- Organized the bi-monthly Menomonee Valley Business Association luncheons, providing district businesses with updates on Valley happenings as well as networking opportunities.

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:

- Sponsored the 10th Annual Hank Aaron State Trail 5K event, which brought over 700 people to the Valley, despite the torrential downpour of rain it was a great success.
- Conducted the groundbreaking for the Valley Passage, the first of the three bridges that will reconnect the Menomonee Valley to Silver City and southern communities. The project is slated to be completed in the fall of 2010.
- Led the design competition to design a mural on the Valley Passage, which will connect the Valley to the neighborhoods to the south.
- Coordinated the Earth Day and the Community Planting Day events, which drew more than 500 volunteers into the Valley. Participants, removed litter and invasive species and participated in planting native plants.
- Led the planning and fundraising for additional park construction.
- Facilitated the third 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; an additional community partner joined the program this year.
- Progress continues with the Seeds for the Future program through which six neighborhood schools learn about the Valley in their school then spend a day planting in their new community park.

Outreach and Marketing

MVP provides education, outreach and marketing regarding the needs and accomplishments of the District

- Sponsored the 10th Anniversary of Menomonee Valley Partners, *A Decade of Transformation*, an event held to recognize the hundreds of people who have given their time, expertise and support to the Menomonee Valley's revitalization

- Launched the new www.RenewTheValley.org website, the new design allows staff freedom to update the site as needed, its functionality better serves our partners, Valley businesses, and neighbors.
- 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

- Implemented a River Improvement Project for a long term solution to problems of debris collection and access to the Menomonee River at Emmber Lane, in partnership with Milwaukee Riverkeeper, City of Milwaukee, Department of Natural Resources, 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 open in 2012
- Facilitate meetings with St. Paul Ave. business owners to begin to think through redevelopment opportunities
- 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 Valley Passage 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
- Collaborated with Layton Blvd. West Neighborhoods, and the Friends of the Hank Aaron State Trail to gain public input on the Valley Passage Mural Project.
- Progress continues on the partnership between the Wisconsin Department of Transportation (WisDOT), Wisconsin Department of Natural Resources (WDNR), the City of Milwaukee, Menomonee Valley Partners (MVP), and Urban Ecology Center (UEC) in the development of the Valley Passage. When completed in October 2010, this connection will serve as a trailhead for the Hank Aaron State Trail.

Administrative activities

- Providing general staffing services to the work of the BID Board and its committees

BUSINESS IMPROVEMENT DISTRICT NO. 26

MENOMONEE VALLEY BID

PROPOSED 2010-11 OPERATING PLAN



August 25, 2010

TABLE OF CONTENTS

1. Introduction	Page 3
2. Plan Objectives	Page 3
2. Proposed Expenditures	Page 4
3. Organization of District	Page 5
4. District Relationship with Menomonee Valley Partners, Inc.	Page 5
5. Method of Assessment	Page 6
6. Appendices	
A. Map of District Boundaries	Page 11
B. List of Properties Included in the District, Sorted By Tax Key	Page 12

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.

II. 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.

III. PROPOSED OPERATING PLAN

A. 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 2010-11 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. Assisting Valley employers in developing new and improving existing workforce linkages.
- d. Facilitating and creating awareness of the public transportation options for the Menomonee Valley to ensure Valley businesses are accessible to the surrounding workforce.
- e. Facilitating the planning of and fundraising for 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.

- f. 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.
- g. Developing options for site improvements throughout the District.
- h. Complete the Valley Passage Project construction and manage the installation of the mural project.
- i. Increase capacity of the Business Resource Committee and to build workforce strategies to increase the linkages to community and workforce organizations.
- j. 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.
- k. Manage the Emmber Lane River Improvement Project.
- l. Develop safety clusters areas to improve the overall safety and neighborhood relations of all areas of the Menomonee Valley.
- m. Provide improvements, resources and services particularly toward the esthetic appearance of St. Paul Ave, through the St. Paul Commercial District Initiative.
- n. To serve as a partner and funder in 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.
- o. 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.

C. Proposed District Budget

INCOME

2011 Special Assessments.....	\$114,016.00
Menomonee Valley Business Association dues.....	\$1,000.00
BID CED Project Funds.....	\$5,250.00

Comment [Imb1]: This is another source of funds for the Emmber Lane project.

Total Income **\$120,266.00**

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	\$9,000.00
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

Comment [Imb2]: This was increased by \$3000 for possible events.

Emmber Lane Revitalization Project.....\$10,500.00

* 50% of project costs are being applied for through BID CED Funds

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.....\$33,300.00

* Funding will be matched (3:1 ratio) through the Industrial Business Initiative

Total Expenses.....\$151,800.00

NET ASSETS at June 30, 2010 \$88,545.14

D. Financing Method

It is proposed to raise \$114,016.00 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 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.

F. Relationship to Menomonee Valley Partners, Inc.

The BID shall be a separate entity from Menomonee Valley Partners, 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 ASSESMENT

A. Assessment Rate and Method

To support the District Board's budget for calendar year 2011, the City of Milwaukee shall levy in 2010 and carry into the tax rolls for inclusion in tax bills to be sent out in December 2010 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 \$140.4 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.

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 Menomonee Valley 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 activities, and information on specific assessed values, budget amounts and assessment amounts are based on previous year 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

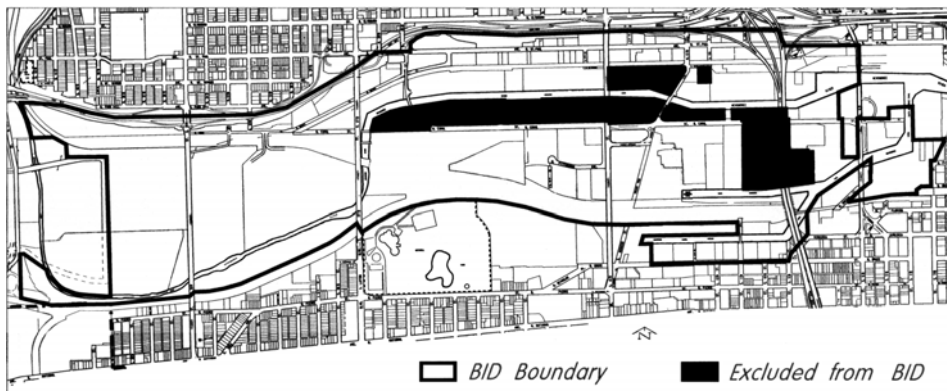
This BID has been created under authority of Section 66.1109 of the Statutes of the State of Wisconsin. Should any court find any portion of this Statute invalid or unconstitutional its decision will not invalidate or terminate the BID and this BID Plan shall be amended to conform to the law without 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. 2009 PROJECTED ASSESSMENTS

APPENDIX A: DISTRICT BOUNDARIES



APPENDIX B: 2010 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
3980184100	WIS DEPT TRANSPORTATION	940 W ST PAUL	0	0
3980405112	STATE OF WISCONSIN	1027 W ST PAUL	0	0
3980409121	STATE OF WIS- DEPT OF TRANS	260 N 12TH	0	0
4010409111	CITY OF MILWAUKEE	3002 W CANAL	0	0
4239999017	THE SE WI PROFESSIONAL	400 S 44TH	0	0
4270203120	STATE OF WI	833 W CANAL	0	0
4270406110	WISCONSIN ELECTRIC POWER CO	1135 W CANAL	0	0
4270574000	COMMUNITY WAREHOUSE INC	521 S 9TH	0	0
3970001113	HD MILW LLC	126 N 6TH	12368000	2500
3980698100	READCO	1505 W ST PAUL	353700	530.55
3980700100	READCO	1601 W ST PAUL	206000	350
3980702000	WISC INVESTMENT CO LLC	1635 W ST PAUL	690700	1036.05
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
3980906111	GIUFFRE I LLC	1601 W MT VERNON	1373100	2059.65
3981212110	ANDREW G MUELLER	1200 W CANAL	540100	810.15
3981241000	MYRIAD PROPERTY GROUP LLC	272 N 12TH	661000	991.5
3981261000	JOSEPH A SANTORO REAL	1205 W MT VERNON	620000	930
3990213111	ZZ INVESTMENTS LLC	1922 W ST PAUL	70300	350
3990229110	PAIN ENTERPRISES INC	1816 W ST PAUL	217000	350
3990231111	ZZ INVESTMENTS 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	1300 W CANAL	1534000	2301
3999988100	ROBERT F ZELLMER	1418 W ST PAUL	865400	1298.1
3999997100	1435 CORPORATION	1357 W ST PAUL	276600	414.9
3999999110	FOREST COUNTY POTAWATOMI	313 N 13TH	2555000	2500
4000401110	DOGS WORLD LLC	2501 W ST PAUL	397800	596.7
4000784110	HENRY ALBERT & SANDRA ALBERT	2015 W ST PAUL	557000	835.5

4000788100	ARUNDEL LLC	2045 W ST PAUL	355000	532.5
4000789100	BRENNAN FAMILY LIMITED	2101 W ST PAUL	731000	1096.5
4009990000	ALMACEN DEVELOPMENT LLC	321 N 25TH	262000	393
4009991110	ALMACEN DEVELOPMENT LLC	305 N 25TH	404000	606
4230001000	JOHN F STIMAC JR	600 S 44TH	514800	772.2
4259983122	FCPC PLANKINTON YARDS	2301 W CANAL	1323000	1984.5
4260061110	EMMPAK FOODS INC	1513 W CANAL	532000	798
4260111000	FOREST COUNTY POTAWATOMI	1611 W CANAL	364500	546.75
4260131000	PFC INC	104 S EMMBER	563000	844.5
4260132000	ZIEGLER BENCE PARTNERS 5 LLC	1207 W CANAL	8600000	2500
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
4270101100	GEORGE A DAMMAN CHARITABLE	754 W VIRGINIA	206000	350
4270203111	JOHN STOLLENWERK	131 S 7TH	352800	529.2
4270207100	HAROLD KLEIN & BERNARD KLEIN	754 W VIRGINIA	118800	350
4270210112	SOO LINE RAILROAD COMPANY	904 W BRUCE	57400	350
4270411120	SOO LINE RAILROAD COMPANY	1104 W BRUCE	294300	441.45
4270422200	DOMINGO MUNOZ	904 W BRUCE	58000	350
4270425000	AKSS, LLC	1102 W BRUCE	611000	916.5
4270426000	BERNARD KLEIN & HAROLD KLEIN	1134 W BRUCE	206200	350
4270541000	JOHN STOLLENWERK MILWAUKEE	841 W CANAL	412200	618.3
4270571100	JNA INVESTMENT	530 S 11TH	333000	499.5
4270572100	BLACKHAWK DEVELOPMENT LLC	1000 W BRUCE	496500	744.75
4270573000	BLACKHAWK DEVELOPMENT LLC	920 W BRUCE	212000	350
3980181100	JRB VIII LLC	1118 W ST PAUL	56000	350
3980403100	JRB VIII LLC	324 N 12TH	1834600	2500
3980705110	STONE PROPERTIES LLC	1701 W ST PAUL	390500	585.75
3980803112	CR INTERNATIONAL INC	405 N 12TH	1112100	1668.15
3981232100	481DA LLC	254 N EMMBER	775800	1163.7
3990013110	WISC INVESTMENT CO LLC	1610 W ST PAUL	0	0
3990026000	MONITOR CORP	1500 W ST PAUL	565400	848.1
3990215110	LUCILLE L LIEBNER	1906 W ST PAUL	125600	350
3999991100	CR INTERNATIONAL INC	407 N 13TH	1003800	1505.7
4000786110	2033 ASSOCIATES LLP	2033 W ST PAUL	314200	471.3
4009991215	2612 GREVES LLC	2612 W GREVES	1070000	1605
4009998111	DIEDRICH ACQUISITIONS LLC	2615 W GREVES	1005100	1507.65
4011401112	RED STAR PROPERTY LLC	2702 W GREVES	285100	427.65

4019999110	THIELE TANNING CO	123 N 27TH	618400	927.6
4230014000	MULHANEY PROPERTIES LLC	3880 W MILWAUKEE	1589800	2384.7
4230021000	VALTAY LLC	3630 W WHEELHOUSE	3248800	2500
4230031000	HSI INDUSTRIAL I LLC	3800 W CANAL	7625400	2500
4240401000	PALERMO PROPERTIES LLC	3301 W CANAL	8069400	2500
4249998110	REXNORD INDUSTRIES LLC	3001 W CANAL	9481300	2500
4260022100	ALDRICH CHEMICAL CO INC	210 S EMMER	1147100	1720.65
4260033120	EMMPACK FOODS INC	219 S EMMER	2857400	2500
4260071113	EMMPAK FOODS INC	1901 W CANAL	2758800	2500
4260133000	EMMPACK FOODS INC	320 S EMMER	1069400	1604.1
4269985000	MID-CITY FOUNDRY CO	1400 W BRUCE	308800	463.2
3980303110	ST MARY'S CEMENT	712 W CANAL	1632000	2448
3980305112	ST MARY'S CEMENT	880 W CANAL	117000	350
3980805000	ANCHOR ENTERPRISES II	315 N 12TH	705900	1058.85
3981231000	STANDARD ELECTRIC SUPPLY CO	222 N EMMER	992000	1488
3981242000	ASTOR APTS LTD PTN	250 N 12TH	2353000	2500
3990291000	ZZ INVESTMENTS LLC	1741 W ST PAUL	1228000	1842
3990292000	ZZ INVESTMENTS LLC	1819 W ST PAUL	177000	350
3999997200	READCO	324 N 15TH	566000	849
4000774110	2326 LLC	2326 W ST PAUL	1146200	1719.3
4000789210	2301 LLC	2301 W ST PAUL	905600	1358.4
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
4230016000	CALEFFI NORTH AMERICA INC	3883 W MILWAUKEE	2600000	2500
4269986000	WESTERN LIME CORPORATION	1304 W BRUCE	487000	730.5
4270103100	LOON INVESTMENT COMPANY INC	800 W VIRGINIA	51300	350
4270104100	AHMED A KAHIN	840 W VIRGINIA	634900	952.35
4270401110	OLSEN BROTHERS ENTERPRISES	920 W BRUCE	625000	937.5
4270409121	RNC CANAL ST PROPERTY LLC	1201 W CANAL	1189000	1783.5
4270418100	HURON TRANSPORTATION INC	470 S 11TH	638000	957
4270422100	KARL H ZIELKE	902 W BRUCE	19900	350
4270427000	BRUCE STREET PROPERTIES LLC	1230 W BRUCE	604000	906
4270521211	BUILDING 41 LLC	615 W OREGON	30000	350
4270542111	LONE STAR INDUSTRIES AKA	643 W CANAL	2381000	2500
4280512114	BUILDING 41 LLC	339 W PITTSBURGH	2282300	2500

4280516110	BUILDING 41 LLC	220 S 6TH	274100	411.15
4230013000	CAM-JWM, LLC	3754 W. Milwaukee Rd.	1179800	1769.7
3990243112	WISC INVESTMENT CO LLC	1712 W ST PAUL	95200	350
4230032000	Ingeteam	3757 W Milwaukee Rd		
			\$140,401,400	\$
				114,016

BUSINESS IMPROVEMENT DISTRICT NO. 27
Burleigh Street Business Improvement District
PROPOSED OPERATING PLAN (Year Ten)

Draft
August, 2010

TABLE OF CONTENTS

PAGE

I. INTRODUCTION	1
A. Background	
B. Physical Setting	
II. DISTRICT BOUNDARIES.....	4
III. PROPOSED OPERATING PLAN	4
A. Goal	
B. Plan Objectives	
C. Proposed Budget	
D. Financing Method	
E. Organization of BID Board	
F. Relationship to the Sherman Park Community Association and the Burleigh Street Community Development Corporation	
IV. METHOD OF ASSESSMENT	8
A. Assessment Rate and Method	
B. Excluded and Exempt Property	
V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY	9
A. City Plans	
B. City Role in District Operation	
VI. PLAN APPROVAL PROCESS	10
A. Public Review Process	
B. Petition Against Creation of BID	
VII. FUTURE YEAR OPERATING PLANS.....	10
A. Phased Development	
B. Amendment, Severability and Expansion	
APPENDICES.....	12
A. Statute	
B. Petition	
C. District Boundaries	
D. Projected Assessments	
E. City Attorney's Opinion	
EXHIBIT ONE	24
EXHIBIT TWO	26

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 Ten

Principle activities to be engaged in by the district during its year ninth 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.

Main Focus Areas and Projects – Year TEN

Business Retention/Improvement/Development- \$500

- | | |
|----------------------------------|---------|
| a. Seminars | \$ 500 |
| b. Architectural service program | in-kind |

<u>Building exterior enhancement work - \$7,500</u>	\$ 7,500
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Clean-up/Safety and Security- \$18,000

- | | |
|--------------------------------|-----------|
| a. Street clean-up/Maintenance | \$ 8,000 |
| b. Security-Cameras & Lights | \$ 10,000 |
| c. Adopt-a-Block program | in-kind |

Promotion/Marketing/Image Campaign- \$3,794

- | | |
|----------------------------------|----------|
| a. Neighborhood Coupon Book | in-kind |
| b. District Brochure | in-kind |
| c. Business Directory | in-kind |
| d. Marketing | \$ 1,344 |
| e. Planting and / or Landscaping | \$ 1,200 |
| f. Winter lighting project | \$ 250 |
| g. SPCA Newsletter | \$ 1,000 |

C. Total Expenditures	\$ 29,794
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Proposed Budget — Year ten

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
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General Expenses

Rent	in-kind
Office Supplies and/or Equipment	\$ 250
Telephone	\$ 458
Postage	\$ 150
Printing	\$ 500
Insurance	\$ 1,379
Equipment including repair and maintenance	in-kind
Utilities	in-kind

Outside Services

Accountant (regular and audit)	\$ 4,300
Legal	in-kind

BID Programs (tenth Year)

Business Retention/Improvement/Development	\$ 500
Building exterior enhancement work	\$ 7,500
Clean-up/Safety and Security	\$ 18,000
Promotion/Marketing/Image Campaign	\$ 3,794

<u>Sub-Total</u>	\$ 59,331
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<u>Miscellaneous and Contingency</u>	\$ 123.61
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<u>Total</u>	\$ 59,454.61
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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 twenty 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 59,454.61 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 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 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 29, 2010 the property in the proposed district had a total assessed value of \$16,068,813.00.

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) 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.
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 Ten activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year Ten 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 subds. 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 2010

Owner's / Operator's Name	Commercial Property Address	Taxkey/Account No.	Property Assessment Year 10	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
Angela M. Lockett	4424 W. Burleigh	288-0705-000	56,100	207.57
Yer Lor	4425 W. Burleigh	307-0802-000	63,100	233.47
Curtis Williams	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
W. Harden	4515-4521 W. Burleigh	307-0675-000	170,000	629.00
Weststone Bank	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 10	BID Assessment At \$3.70/\$1000 Assessed Value or Established Minimum
B L Martin Investments, LLC	4623 W. Burleigh	307-0501-100	311,000	1,150.70
PSRALM LTD	4642 W. Burleigh	288-0480-000	75,600	279.72
Mckplaco Inc	4704 W. Burleigh	288-0492-000	54,700	202.39
WESTSTONE BANK SSB	4705 W. Burleigh	307-0513-000	826,000	3,056.20
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
St Joseph's Hospital	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	4,608,000	17,316.00
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 10	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
Amazing Ministries Worship	5506 W. Burleigh	289-0341-100	25,713	100.00
B L Braden	5512 W. Burleigh	289-0340-000	85,900	317.83
Dale Floyd	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 10	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.	5919 W. Burleigh	289-0374-100	32,900	150.00
Totals			\$16,068,813.	\$59,454.61

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
Pentecost Evangelical Lutheran Church	5226 W Burleigh	289-0991-000	EXEMPT	Not Applicable
Rosalie Manor, Inc	4803 W Burleigh	307-0583-100	RESIDENTIAL	Not Applicable
	4821 W. Burleigh	3070540000	RESIDENTIAL	Not Applicable
Amazing Ministries Worship	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
Pentecost Evangelical Lutheran Church	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

Abigail Navti Abongwa: Secretary

Irwin Bostwick: Vice-Chair

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
Spca Vacant	
vacant	
Vacant	

BUSINESS IMPROVEMENT DISTRICT NO. 28_

North Avenue Gateway District

PROPOSED OPERATING PLAN



TABLE OF CONTENTS
INTRODUCTION

1. Background
2. Physical Setting

DISTRICT BOUNDARIES

PROPOSED OPERATING PLAN

1. Plan Objectives
2. Proposed Activities –
3. Proposed Expenditures
4. Financing Method
5. Organization of BID Board
6. Relationship to the local business association

METHOD OF ADASSESSMENT

1. Assessment Rate and Method
2. Excluded and Exempt Property

RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY
DEVELOPMENT OF THE CITY

1. City Plans
2. City Role in District Operation

PLAN APPROVAL PROCESS

1. Public Review Process
2. Petition against Creation of the BID

FUTURE YEAR OPERATING PLANS

1. Phased Development
2. Amendment, Severability and Expansion

APPENDICES

- Projected Assessments
- Map of BID 28
- Annual Report

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 – 2011

Proposed Budget

Items	Expenditure
Ambassador Program	\$9,000
Street Security	\$6,000
Window Breakage Fund	\$5,900
Event Planning	\$1,019
Audit	\$4,000
Management Fee	\$10,000
Total	\$35,919

D. Financing Method

It is proposed to raise \$35,919 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 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 \$11,818,200. 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).

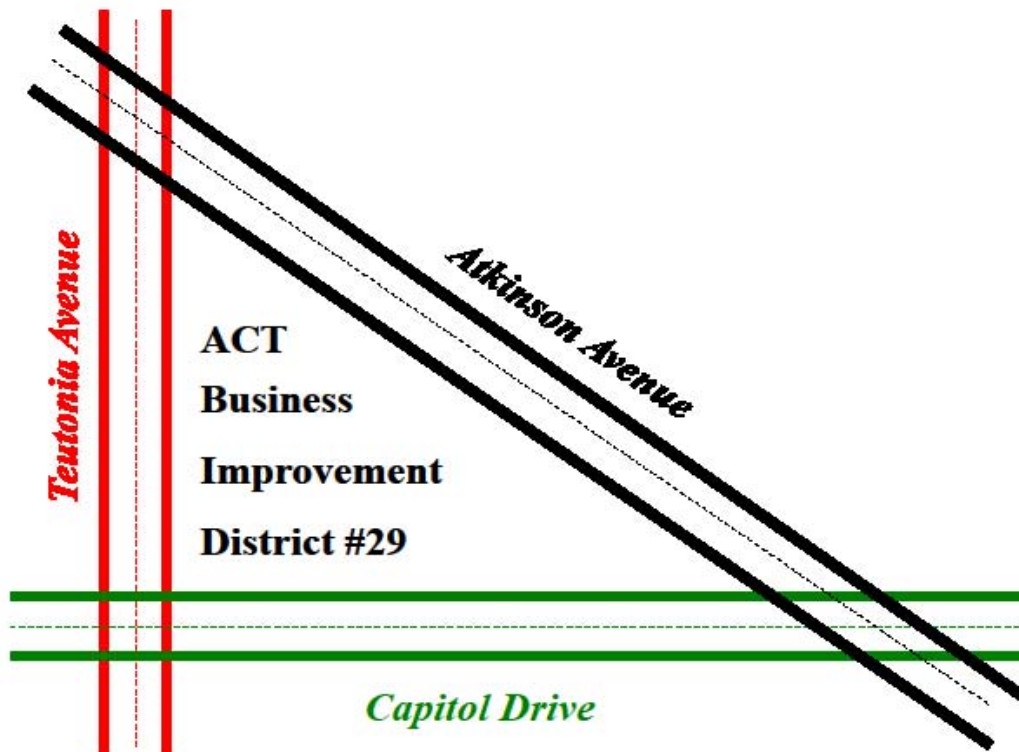
APPENDICES

- A. ASSESSMENTS FOR 2010**
- B. MAP OF NORTH AVENUE GATEWAY DISTRICT BOUNDARIES**
- C. 2010 ANNUAL REPORT**

BUSINESS IMPROVEMENT DISTRICT NO. 29

Atkinson Capitol Teutonia

PROPOSED OPERATING PLAN 2011



August 30th, 2010

TABLE OF CONTENTS

	Page No.
I. INTRODUCTION.....	5
A. Background	
B. Physical Setting	
II. DISTRICT BOUNDRIES.....	6
III. PROPOSED OPERATING PLAN.....	6
A. Plan Objectives	
B. Proposed Activities- Year One	
C. Proposed Expenditures-Year One	
D. Financing Method	
E. Organization of BID Board	
IV. METHOD OF ASSESSMENT.....	8
A. Annual Assessment Rate and Method	
B. Excluded and Exempt Property	
V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY.....	9
A. City Plans	
B. City Role in District Operation	
VI. PLAN APPROVAL PROCESS.....	11
VII. FUTURE YEAR OPERATING PLANS.....	11
A. Phased Development	
B. Amendment, Severability and Expansion	
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: 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 expense of the district in 2010 shall be used to fund business technical assistance 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 Day event

Proposed Budget

Atkinson Capitol Teutonia BID#29	
	2011 Budget
ADMINISTRATIVE SERVICES	
Contractual Services	
Support Staff	55,000.
Accounting Services	
2009 Audit	3000.
General Expenses	
Postage & Copies	1000.
Utilities	2000.
Streetscape Upkeep	9000.
PROGRAM ACTIVITIES	
Marketing/Advertising	7000.
ACT EVENTS	7000.
Business Assistance	8000.
TOTAL Proposed Budget for 2011	\$92,000.

C. Financing Method

It is proposed to raise 93,583.40 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.

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 Atkinson Capitol Teutonia Business Association.

The BID shall be a separate entity from the Atkinson Capitol Teutonia 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

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 \$1500.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 \$4.00 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 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 Atkinson Capitol Teutonia 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

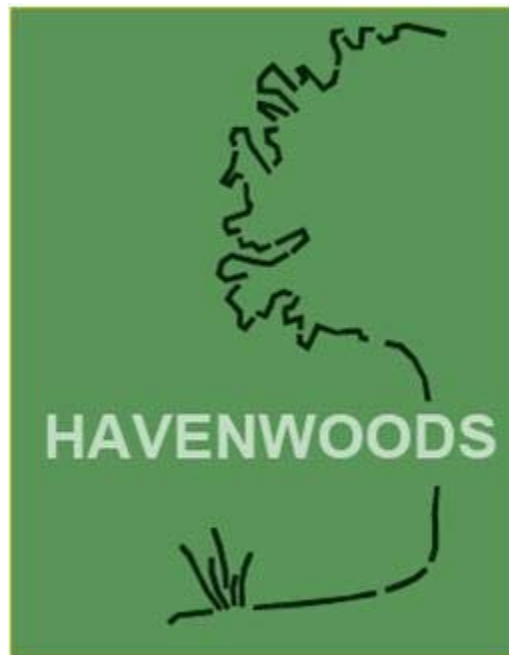
- A. STATUTE**
- B. PETITION**
- C. PROPOSED DISTRICT BOUNDARIES**
- D. YEAR ONE PROJECTED ASSESSMENTS**
- E. CITY ATTORNEY'S OPINION**

BUSINESS IMPROVEMENT DISTRICT NO. 31

Havenwoods

PROPOSED OPERATING PLAN

2011



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 Havenwoods business area on Milwaukee's far northwest 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 Havenwoods district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The physical setting of the BID District being proposed consists of industrial and retail businesses.

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.

The boundaries were drawn with the intent of including 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.

Currently the Havenwoods neighborhood is home to over 200 acres of vacant industrially zoned land that needs to be developed. 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 2009 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. Serve as Liaison between city service providers such as DNS, Milwaukee Police and DPW.
- d. Liaison with owner of private and public property to encourage quality maintenance of said property.
- e. Liaison with economic development programs from public and private institutions.
- f. Graffiti Abatement Program
- g. Promote Homeownership
- h. Participate in the Healthy Neighborhoods Initiative
- i. Acquisition of key properties in need of development.
- j. Refurbishing of Railroad Bridges
- k. Workforce Development

C. Proposed Expenditures

Revenue	
Revenue Carry Over from 2010 (projected approx.)	\$130,000.00
BID Assessments for 2011	\$179,000.00
Total Revenue	\$309,000.00
Expenses	
General Operating	\$90,000.00
Railroad bridge Painting	\$30,000.00
Annual audit	\$3,000.00
D&O Insurance	\$1,400.00
Liability Insurance	\$1,500.00
Façade grant Program	\$25,000.00
Monuments & gateway signage	\$20,000.00
Maintenance Costs for W. Silver spring Drive	\$10,000.00
Maintenance Costs fo N. 76 th St.	\$5,000.00
Workforce Development	\$15,000.00
Contingency Fund for Operations and Development	\$60,000.00
Total Expenses	\$260,900.00

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 175,000.00 through BID assessments (see Appendix D). Block Grant funding of \$51,000 and 25,000.00 from private foundations 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

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 Havenwoods of local business association.

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 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

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 January 1, 2011, the property in the proposed district had a total assessed value of over 177,000,000.00.

This plan proposed 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 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 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. 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,

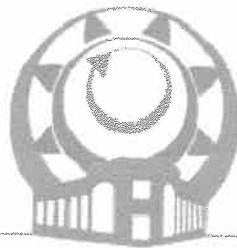
then this BID Plan may be amended by the Common Council of the City of Milwaukee as and when it conducts its annual Operating Plan approval and without necessity to undertake any other act. This is specifically authorized under Section 66.1109(3)(b).

APPENDICES

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

BUSINESS IMPROVEMENT DISTRICT NO. 32

**MARKETPLACE BID 32
PROPOSED OPERATING PLAN 2011**



**NORTH AVENUE
FOND DU LAC**

M A R K E T P L A C E B I D 3 2
Advancing Economic and Environmental Innovations

Date: September 1, 2010

TABLE OF CONTENTS

Introduction

1. Background
2. Physical Settings

District Boundaries

Proposed Operating Plan

1. Planned objective
2. Proposed Activities
3. Proposed Expenditures
4. Financing Method
5. Organization of the BID Board
6. Relationships and Partnerships

Method of Assessment

1. Assessment Rate and Method
2. Excluded and Exempt Property

Relationship to Milwaukee Comprehensive Plan and Orderly Development of the City

1. City Plans
2. City Role in District Operation

Plan Approval Process

1. Public Review Process
2. Petition Against Creation of the BID

Future Year Operating Plans

1. Phased Development
2. Amendment, severability and Expansion

Appendices

1. Annual Update
2. Audit
3. Proposed District Boundaries
4. Projected Assessment
5. BID Board of Directors

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 Marketplace BID 32 business area on Milwaukee's North Side on North Avenue between I-43 and 27th Streets and Fond du Lac Avenue between 17th and 27th Street (see Appendix C). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Marketplace district. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

B. Physical Setting

The Districts covers the retail and commercial corridors of North Avenue from I-43 to 27th and Fond du Lac from 17th to 27th Streets. 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

STRATEGIC GOALS

- Implementation of strategies outline in the comprehensive market analysis
- 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 2011

- ✓ 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 and promote the target area
- ✓ Address existing and future issues concerning public improvements and safety projects taken on by the BID
- ✓ Develop relationship with various governmental and community based organizations that serve and support the target area
- ✓ Plan and implement projects and incentive programs that support area businesses
- ✓ 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

- Implement a Commercial Corridor Clean and Green initiatives
- Implement a façade and sign 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 2011 include:

Ongoing BID Marketing Plan

- Promote BID quarterly newsletter and other print media
- Sponsor community focused events
- Develop a Website
- Develop an online presence through contemporary social networking sites
- Security improvements and lighting enhancements recognized through the CPTED approach

C. Proposed 2011 Budget Expenditures – See Appendix E

Proposed Budget – \$92,875

D. Financing Method

It is proposed to raise \$92,875 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.

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 over see the process of implementation of this Operating Plan. This will require the board and staff 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 no more than eleven 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 Marketplace BID 32 and the local business association: there is no local business association formed at this time.

If a local business and merchants association is formed or created in the Marketplace BID area it 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

Marketplace BID 32 assess the property in the district at a rate of .066/1000 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, 2010, the property in the proposed district had a total assessed value of over \$28,000,000. This plan proposed to assess the property in the district at a rate of \$.066 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) 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 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.

7. 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 - Annual Report and Report of Activities and Accomplishments

B – 2009 Audit: presented upon completion

C – District Boundaries Map

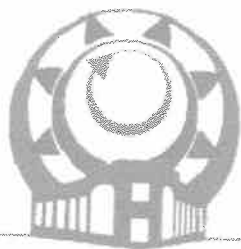
D – Projected Assessment

E – Proposed Budget

F – Marketplace BID 32 Boards of Directors

Appendix A

Marketplace Business Improvement
District 32
Annual Report 2010



NORTH AVENUE
FOND DU LAC

M A R K E T P L A C E B I D 3 2

Advancing Economic and Environmental Innovations

September 1, 2011

Marketplace Business Improvement District 32 **2010 Annual Report**



Strategic Goals:

Develop a comprehensive BID 32 Commercial Property Inventory

- ✓ **Outcome:** In the process of completing a comprehensive market analysis. The analysis is a collaborative project with the Lindsay Heights Neighborhood Initiative.

Cultivate and enhance resources to implement BID 32's Strategic Plan

- ✓ **Outcome:** Developed an incentive program for business and property owners to utilize that included resources for Technical Assistance and consulting in marketing, accounting, business plans, beautification, workshops, professional development etc.

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.

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 developed a beautiful business directory, that many others BID's are interested in creating. The BID have held several workshops, some in collaboration with the 30th Street ICC BID, with the purpose developing the businesses in the corridor, but to also interest others in locating their businesses in the area. The BID has had two major business mixers with the purpose of highlighting the BID to its constituents. Between the two events nearly two hundred diverse constituents or potential stakeholders participated.

Activities:

- Coordinated weekly clean-up of the Bid through NAP program.
- Consultation with Artists, Web Designers and others to develop marketing direction.
- Attended community outreach meetings regarding strategies for improving image and marketing for Marketplace BID 32; CPC, CRAG, Make Milwaukee Green Coalition (Campaign against Violence) and the BID Council
- Consistent neighborhood business walks to communicate goals and on-going activities of the BID that are helping promote a more positive image of the area

Goal: Improve the negative perceptions of crime and safety in the Target Area



Activities:

- Met 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. The BID expect five businesses to participate in the security program this year, that is a 500% increase over last year
- Attended community outreach meetings regarding strategies for improving image and marketing for Marketplace BID 32

- Coordinate Neighborhood Business walks to communicate goals and ongoing activities of the BID that are helping promote a more positive image of the area.

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
- Supported and participated in the groundbreaking of a new housing development on Fond du Lac.
- Conducted walking Neighborhood Tours with various developers and investors.

Goal: Coordinate public improvements in the Marketplace District



Activities:

- Meetings with DCD and DPW regarding various improvement projects on North Avenue and Fond du Lac
- Coordinating activities with DCD regarding Streetscape projects on North Avenue and Fond du Lac

Goal: Façade improvement

Activities:

- Revised and refined the Safety and Security and Façade Grant application for Bid 32 Businesses

Goal: Commercial Corridor Clean-up



Activities:

- Coordinated Neighborhood Ambassador Program with NACDC to do neighborhood clean-up and work with the Department of Neighborhood Services on nuisance properties in the area.
- Ordered new lids and liners for waste containers to help keep area clean and garbage collected by DPW
- 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, and Milwaukee Police Department, including the CPU, We Energies, Asset Builders of America, and Lida Accounting Services
- Developed documents and protocols for business development workshops
- Created/Developed Marketplace BID Survey to gather information regarding needs and input of BID 32 businesses
- Consultation with Businesses on in the BID area in preparation to go before CPC.
- Business survey and outreach to business on Fond Du Lac Avenue



Marketplace Business Improvement District 32 Area Map



Appendix E

Budget Narrative BID 32 2011

Total Revenue **\$92,875**

Sponsorship	2,000
Accounting Fees	8,000
Audit Fees	2,500
Ambassador Contract Services	8,500
Administrative/Staff	51,000
Legal	2,000
Office Supplies	500
Program Supplies	600
Telephone & Internet	1,500
Postage	350
Equipment & Maintenance	600
Printing & Copying	500
Rent Expense	8,125
Other Utilities	1,200
Insurance - D&O/Gen Liability	2,500
Conference & Meetings	800
Travel	400
License & Permit Fees	200
Publications & Subscriptions	150
Membership Dues	250
Website Development & Maintenance	850
Board & Staff Development	350

Total Expenses **\$92,875**

Incentives for Businesses **45,000 (carry over from 2009 and 2010)**

Grand Total **\$137,875**

Appendix F

**Marketplace Business Improvement District 32
2010 Board of Directors**

Karl Tatum, Chair
Community Financial Service Center
4535 W. North Ave.
Milwaukee, WI 53208
414-449-5646
karl@cfsc-online.com

Tony Gibson, Vice Chair
Johnson Park Neighborhood Assoc.
1739 N. 19th St.
Milwaukee, WI 53205
414-333-7009
tgibson4@msn.com

John Mullarkey, Treasurer
Gold Rush Chicken, Owner
2625 W. North Ave.
Milwaukee, WI 53205
414-933-1717
jmullarkey@sbcglobal.net

Young Kim, Secretary
Fondy Farmer's Co-Op
2242 N. 17th St.
Milwaukee, WI 53205
414-562-2282
young@fondymarket.org

Sharon Adams
Walnut Way CDC
2240 N. 17th St.
Milwaukee, WI 53205
414-264-2326
joannrls@sbcglobal.net

Joann Harris
Residential Living Services
2014 W. North Ave.
Milwaukee, WI 53206
414-933-3929
sharon@walnutway.org

Mark Teper
Galst Foods
2420 W. Woodbury Lane
Glendale, WI 53209
414-659-0080
galstfoods@aol.com

Representative
Legacy Redevelopment Corp.
2102 W. Fond du Lac Ave.
Milwaukee, WI 53206
414-343-3041

BUSINESS IMPROVEMENT DISTRICT NO. 35
Kinnickinnic River Business Improvement District

OPERATING PLAN
2011

Approved by BID Board:
September 28, 2010

TABLE OF CONTENTS

I.	INTRODUCTION	PAGE 3
II.	DISTRICT BOUNDARIES	PAGE 3
III.	PROPOSED OPERATING PLAN	PAGE 4 - 6
IV.	METHOD OF ASSESSMENT	PAGE 6
V.	RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY	PAGE 7
VI.	PLAN APPROVAL PROCESS	PAGE 8
VII.	FUTURE YEAR OPERATING PLANS	PAGE 8 - 9

APPENDICES

A	STATUTE
B	PETITION
C	DISTRICT BOUNDARIES
D	YEAR 7 ASSESSMENTS - GENERAL OPERATIONS
E	YEAR 7 ASSESSMENTS - LOAN REPAYMENT

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 **seventh** 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 twelve (12) 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 7

Principle activities to be engaged in by the district during its **seventh** 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 7

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 **\$8,007,700.00**.

The budget for the BID is as follows:

Revenue	
1. BID annual assessment	\$8,226.59
2. Interest income	-0-
3. Miscellaneous (contributions, grants, gifts)	-0-
Total Revenue:	\$8,226.59
Expenses	
1. Administration	
Payroll	\$ - 0 -
Taxes	- 0 -
2. Office materials	100.00
3. Postage	100.00
4. Professional Fees	
Consulting	-0-
Legal	1,500.00
Accounting	- 0 -
Auditing	2,500.00
5. Insurance	1,000.00
6. Promotion/Public Relations	400.00
7. River and neighborhood maintenance	2,500.00
8. Miscellaneous	126.59
Total Expenses:	\$8,226.59

Financing Method

It is proposed to raise **\$8,226.59** 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 calendar year **2011**. 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 \$2.43 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 **\$28,062.50**, to be applied to payments of principal and interest in **2011** 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 **2011** 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) - **2011** ASSESSMENTS - General Operations

TAX KEY	PROPERTY	Frontage LF	Rate per LF \$ 2.43
466-1155-000	2005 S KK	162.85	\$ 395.73
467-000-1110	2011 S 1ST	152.16	\$ 369.75
467-0005-000	218 W BECHER	345.65	\$ 839.93
467-0006-100	222 W BECHER	0	\$ -
467-0103-100	138 E BECHER	173	\$ 420.39
467-0104-110	2018R S 1ST	373.37	\$ 907.29
467-9982-100	2078 S 4TH	374.23	\$ 909.38
467-9981-110	2000 S 4TH	343.66	\$ 835.09
467-0008-111	2029 S 1ST	222.64	\$ 541.02
467-9990-110	1958 S 1ST	560.68	\$ 1,362.45
467-9992-220	1933 S 1ST	677.19	\$ 1,645.56
467-9992-230	1933 S 1ST	0	\$ -
		3385.43	\$ 8,226.59

EXHIBIT E

BID NO. 35 (KK River) - 2011 ASSESSMENTS - Loan Repayment

TAX KEY	PROPERTY	TOTAL	TOTAL AS %	% x
		LOAN/GRANT FUNDS RECEIVED	OF \$500,000	\$28,062.50 2011 PMT DUE
466-1155-000	2005 S. KK AVE	0.00	0.0000000	0.00
467-000-1110	2011 S 1ST	\$30,399.17	0.0607983	\$1,706.15
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	\$34,493.49	0.0689870	\$1,935.95
467-0104-110	2018R S 1ST	\$74,662.62	0.1493252	\$4,190.44
467-9982-100	2078 S 4TH	0.00	0.0000000	0.00
467-9981-110	2000 S 4TH	\$68,657.85	0.1373157	\$3,853.42
467-0008-111	2029 S 1ST	\$44,479.96	0.0889599	\$2,496.44
467-9990-110	1958 S 1ST	\$112,015.02	0.2240300	\$6,286.84
467-9992-220	1933 S 1ST	\$135,291.89	0.2705838	\$7,593.26
467-9992-230	1933 S 1ST	0.00	0.0000000	0.00
		\$500,000.00	1.0000000	\$28,062.50

BUSINESS IMPROVEMENT DISTRICT NO. _39_

Center Street Marketplace

PROPOSED OPERATING PLAN



TABLE OF CONTENTS

TABLE OF CONTENTS

INTRODUCTION

1. Background
2. Physical Setting

DISTRICT BOUNDARIES

PROPOSED OPERATING PLAN

1. Plan Objectives
2. Proposed Activities – Year 2011
3. Proposed Expenditures – Year 2011
4. Financing Method
5. Organization of BID Board
6. Relationship to the local business association

METHOD OF ADSSSESSMENT

1. Assessment Rate and Method
2. Excluded and Exempt Property

RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY

1. City Plans
2. City Role in District Operation

FUTURE YEAR OPERATING PLANS

1. Phased Development
2. Amendment, Severability and Expansion

APPENDICES

- Statute
- Petition
- Proposed District Boundaries
- Year One Projected Assessments

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 2011

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. Implement a façade program
- d. Assist property owner in leasing their property
- e. Increase walking traffic

C. Proposed Expenditures – Year 2011

Proposed Budget

Items	Expenditure
Façade/Sign/banners/Lighting Pgm	
Façade Program	\$7,000
Lighting Program	\$3,000
Commercial Corridor Clean-up	
Clean – up Crew	\$9,000
Community Clean up	\$1,000
Supplies/equipment	\$1,500
Safety/Security Initiative	
Security Officer/Ambassadors	\$15,000
Cons/Admin	
Rent	\$6,000
Utilities	\$4,000
Administration	\$10,000
Audit	\$3,500
Marketing/Planning	
Customer Appreciation	25,000
Neighborhood Initiative	
Events	
Marketing	
Total	\$85,000

D. Financing Method

It is proposed to raise \$64,974.00 through BID assessments (see Appendix D). The BID will have a carryover of \$20,000 from 2010 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

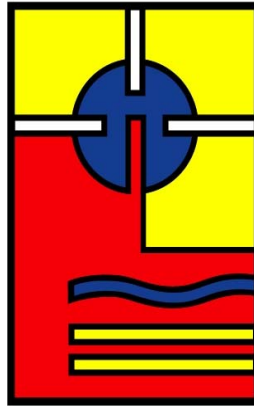
This BID has been created under authority of Section 66.1109 of the Statutes of the State of Wisconsin. Should any court find any portion of this Statute invalid or unconstitutional its decision will not invalidate or terminate the BID and this BID Plan shall be amended to conform to the law without 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**

***Riverworks
Business Improvement District II #36
Year 2011 Operating Plan***



RIVERWORKS
C E N T E R

Riverworks Business Improvement District II Proposed Annual Operating Plan Year Six (2011)

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 Concordia 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 the Design Guidelines for the Riverworks BIDs*
- ◆ *Develop a strategic 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.*
- ◆ *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 **\$8,065,600**. This represents a **\$512,500** decrease from the previous year's value of **\$8,578,100** indicative of the difference the BID is making to improve the area. The estimated assessment generated for the Year **2010 is \$42,909**.

The budget for the Riverworks BID is detailed below.

	<u>REVENUE</u>	
BID ASSESSMENT	\$42,909	
Program Funding Carried Forward	\$60,000	
Interest Income	\$100	
Misc.	\$491	
TOTAL REVENUE		<u>\$103,500</u>
	<u>EXPENSES</u>	
ADMINISTRATIVE SUPPORT		
RDC Management	\$12,000	
Insurance Expense	\$1,000	
Auditing Services	\$2,000	
Consulting Services	\$2,500	
Office Supplies	\$300	
Misc.	\$200	
Subtotal		\$18,000
PUBLIC SAFETY & APPEARANCE PROGRAM		
Equipment Purchase	\$2,000	
Landscaping / Maintenance	\$6,000	
Street Sweeper	\$9,000	
Safety Grant Program	\$4,000	
Graffiti Removal	\$2,000	
Subtotal		\$23,000
MARKETING & PROMOTIONS PROGRAM		
Advertising/Newsletters/Brochures/Reports/website/	\$8,000	
Biennial Meetings		
Subtotal		\$8,000
BUSINESS & PROPERTY OWNER ASSISTANCE PROGRAM		
Property Improvement Grants	\$9,000	
Subtotal		\$9,000
DEBT SERVICE		
Holton Street Streetscape Project	\$11,500	
Subtotal		\$11,500
SPECIAL IMPROVEMENT PROJECTS		
Holton Street/Keefe Avenue/ Recreational Trail	\$14,000	
Subtotal		\$14,000
Budget Contingency		<u>\$20,000</u>
TOTAL EXPENSES		<u>\$103,500</u>

Method Of Assessment

The method of assessment for the Year 2010 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.

BUSINESS IMPROVEMENT DISTRICT NO. 37

30th STREET INDUSTRIAL CORRIDOR

OPERATING PLAN
FOR 2011

TABLE OF CONTENTS

- I. Introduction
 - II. District Boundaries
 - III. Proposed Operating Plan
 - IV. Method of Assessment
 - V. Relationship to Milwaukee Comprehensive Plan and Orderly Development of the City
 - VI. Future Year Operating Plans
- Appendix A Map of 30th Street Industrial Corridor BID
- Appendix B Listing of Properties

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 2011 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—2011

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

- Continued coordination of temporary public art project in the district
- Finish implementation of Capitol Drive Streetscape project and planning for other streetscape enhancements
- Aesthetic 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

C. Proposed Expenditures

Infrastructure Improvements Streetscape Implementation Maintenance	\$50,000
Safety & Security Program Staff Fund for Safety & Security Initiatives	\$50,000
Temporary Public Art Project (committed in 2010)	\$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	\$19,043
TOTAL	

Projected Revenues

Assessments	\$166,543
Projected Carry Over Funds from 2010	\$65,000
TOTAL	\$231,543

Reserve Funds

Reserve Fund for Capital Improvements	\$150,000
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D. Financing Method

It is proposed to raise approximately \$166,543 through BID assessments (see Appendix B). Expenses exceeding the assessments may be covered by 2010 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 2011 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 2011 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, 2010, the property in the proposed district had a total assessed value of over \$60 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) 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 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 2009 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).

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	594.57
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	511.61
2460005000	4030 N 34TH	Exempt	Exempt	Exempt
2460006000	4040 N 34TH	Exempt	Exempt	Exempt
2460007000	4060 N 34TH	Local Commercial	287000	793.68
2460008100	4130 N 35TH	Local Commercial	253000	699.66
2460009100	3420 W CAPITOL	Special Mercantile	1513000	4184.10
2460403100	4030 N 29TH	Local Commercial	881000	2436.35
2460404000	2910 W CAPITOL	Special Mercantile	612000	1692.45
2460405000	2930 W CAPITOL	Special Mercantile	288900	798.93
2460406000	3000 W CAPITOL	Mercantile Apartment	412000	1139.36
2460407100	3008 W CAPITOL	Local Commercial	255000	705.19
2460408100	3030 W CAPITOL	Local Commercial	16900	300.00
2460409100	3040 W CAPITOL	Exempt	Exempt	Exempt
2460412100	3100 W CAPITOL	Special Mercantile	494000	1366.13
2460412200	3100 W CAPITOL	Exempt	Exempt	Exempt
2460421000	2710 W CAPITOL	Special Mercantile	631000	1744.99
2460422000	2728 W CAPITOL	Local Commercial	214000	591.80
2460431100	3350 W HOPKINS	Local Commercial	114000	315.26
2460431200	3364 W HOPKINS	Local Commercial	101000	300.00
2460432000	3341 W HOPKINS	Local Commercial	125000	345.68
2469886211	4131 N 31ST	Exempt	Exempt	Exempt
2469886220	4101 N 31ST	Exempt	Exempt	Exempt
2469887100	4250 N 35TH	Local Commercial	234000	647.11
2469889110	3478 W HOPKINS	Local Commercial	28300	300.00
2469890100	4220 N 35TH	Local Commercial	60000	300.00
2469894000	4260 N 35TH	Local Commercial	135000	373.33
2469895100	4320 N 35TH	Local Commercial	450400	1245.55
2469896111	4330 N 35TH	Local Commercial	333800	923.10
2469898111	4350 N 35TH	Local Commercial	191000	528.20
2469973100	4131 N 31ST	Exempt	Exempt	Exempt
2469974100	3410 W HOPKINS	Special Mercantile	1383000	3824.60
2469975100	3374 W HOPKINS	Local Commercial	211000	583.51
2469978000	3312 W HOPKINS	Exempt	Exempt	Exempt
2469983000	3411 W HOPKINS	Special Mercantile	33400	300.00
2469984000	4160 N 35TH	Manufacturing	105500	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	1705200	4715.62
2469995112	4041 N 27TH	Special Mercantile	488000	1349.53
2469995200	4051 N 27TH	Special Mercantile	96500	300.00

2469996000	4044 N 31ST	Special Mercantile	241000	666.47
2469998120	4235 N 30TH	Manufacturing	3771200	5000.00
2469998210	4201 N 27TH	Manufacturing	2960300	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	693.02
2470320100	4041 N 35TH	Special Mercantile	1105000	3055.81
2470321000	3500 W CAPITOL	Local Commercial	138600	383.29
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	398.22
2471301000	4247 N 35TH	Local Commercial	209000	577.98
2471302000	4221 N 35TH	Exempt	Exempt	Exempt
2479997000	4335 N 35TH	Local Commercial	117000	323.56
2479998000	4349 N 35TH	Local Commercial	167000	461.83
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	544.79
2680803000	3729 N 35TH	Residential	Exempt	Exempt
2680901000	3701 N 35TH	Local Commercial	116000	320.79
2681202000	3955 N 35TH	Local Commercial	34200	300.00
2681203000	3945 N 35TH	Local Commercial	230100	636.33
2681204100	3931 N 35TH	Special Mercantile	732000	2024.30
2681206000	3913 N 35TH	Local Commercial	72500	300.00
2681207000	3909 N 35TH	Local Commercial	35000	300.00
2681208000	3901 N 35TH	Manufacturing	92500	300.00
2681223000	3501 W CAPITOL	Local Commercial	223000	616.69
2681224110	3871 N 35TH	Local Commercial	17300	300.00
2681225100	3861 N 35TH	Local Commercial	126000	348.44
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	356.46
2690101100	2725 W CAPITOL	Special Mercantile	516400	1428.07
2690252112	2900 W HOPKINS	Exempt	Exempt	Exempt
2690259000	3010 W HOPKINS	Exempt	Exempt	Exempt
2690301100	3651 N 27TH	Local Commercial	399000	1103.41
2690302110	2744 W HOPKINS	Local Commercial	39300	300.00
2690305111	2823 W VIENNA	Exempt	Exempt	Exempt
2690431000	3940 N 35TH	Local Commercial	548800	1517.67
2690432000	3700 N 35TH	Exempt	Exempt	Exempt
2690433000	3600 N 35TH	Local Commercial	1754000	4850.57
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	1666.73
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	6400	300.00
2860003110	3267 N 32ND	Local Commercial	160000	442.47
2860004100	3257 N 32ND	Manufacturing	71400	300.00
2860103100	3221 N 31ST	Manufacturing	136800	378.31
2860106000	3100 W AUER	Local Commercial	10600	300.00
2860109100	3161 N 31ST	Special Mercantile	124000	342.91
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	55200	300.00
2860120000	3235 N 32ND	Manufacturing	55200	300.00
2860121100	3200 W AUER	Local Commercial	80500	300.00
2860281000	3381 N 27TH	Local Commercial	23200	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	Local Commercial	36300	300.00
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	91400	300.00
2860760111	3167 N 30TH	Local Commercial	199000	550.32
2860767110	3002 W BURLEIGH	Manufacturing	253800	701.87
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	127200	351.76
2860812122	3343 N 30TH	Local Commercial	157000	434.17
2860812123	3315 N 30TH	Manufacturing	55800	300.00
2860812124	3305 N 30TH	Special Mercantile	50000	300.00
2860812125	3329 N 30TH	Manufacturing	5900	300.00
2860812127	3101 W TOWNSEND	Local Commercial	50600	300.00
2860812128	3299 N 31ST	Manufacturing	243300	672.83
2860812129	3351 N 30TH	Manufacturing	22000	300.00
2860812130	3296 N 31ST	Manufacturing	212900	588.76
2860812131	3100 W CONCORDIA	Manufacturing	433300	1198.26
2860812132	3295 N 30TH	Local Commercial	2400	300.00
2860812133	3295 N 30TH	Manufacturing	130700	361.44
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	945.78
2869995000	3354 N 35TH	Special Mercantile	284000	785.38
2869996112	3277 N 32ND	Manufacturing	220900	610.88
2869996113	3282 N 35TH	Manufacturing	898500	2484.74

2869997100	3295 W TOWNSEND	Manufacturing	178700	494.18
2869999110	3150 W BURLEIGH	Manufacturing	231000	638.82
2870301110	3363 N 35TH	Local Commercial	137400	379.97
2870303100	3351 N 35TH	Manufacturing	72700	300.00
2870304000	3343 N 35TH	Local Commercial	175000	483.95
2870412000	3500 W FOND DU LAC	Local Commercial	478000	1321.88
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	3395.96
2870616000	3453 N 35TH	Manufacturing	79000	300.00
2870617100	3445 N 35TH	Manufacturing	76100	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	228600	632.18
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	2381.04
2879999000	3517 W TOWNSEND	Local Commercial	78600	300.00
3090001110	3330 W FOND DU LAC	Local Commercial	115300	300.00
3090002000	3205 W BURLEIGH	Local Commercial	146000	403.75
3090003000	3157 W BURLEIGH	Local Commercial	38200	300.00
3090007000	3258 W FOND DU LAC	Manufacturing	263500	728.69
3090008000	3232 W FOND DU LAC	Manufacturing	167600	463.49
3090009100	3218 W FOND DU LAC	Manufacturing	355500	983.11
3090010111	3110 W FOND DU LAC	Local Commercial	110900	306.69
3090010211	3140 W FOND DU LAC	Local Commercial	58400	300.00
3090501000	2769 N 32ND	Special Mercantile	255000	705.19
3090502000	2727 N 32ND	Special Mercantile	25000	300.00
3090503000	2758 N 33RD	Special Mercantile	490000	1355.06
3090505110	2881 N 32ND	Local Commercial	85000	300.00
3090507110	2819 N 32ND	Local Commercial	884000	2444.65
3090604000	3057 N 30TH	Special Mercantile	11700	300.00
3090606111	3033 W BURLEIGH	Special Mercantile	650000	1797.53
3090632000	3025 N 30TH	Local Commercial	208000	575.21
3090633000	3019 N 30TH	Local Commercial	31700	300.00
3090634000	3011 N 30TH	Local Commercial	122000	337.38
3090635100	3005 N 30TH	Local Commercial	50000	300.00
3090638100	2979 N 30TH	Manufacturing	47000	300.00
3090641100	2965 N 30TH	Manufacturing	59600	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	536.49
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	304.20
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	7800	300.00
3090909000	3342 W FOND DU LAC	Local Commercial	68500	300.00
3090910100	3048 N 34TH	Manufacturing	86500	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	988.92
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	965000	2668.65
3091202000	2876 N 32ND	Local Commercial	17900	300.00
3091203000	2848 N 32ND	Manufacturing	18300	300.00
3091204000	2828 N 32ND	Manufacturing	133100	368.08
3091205000	2784 N 32ND	Special Mercantile	252000	696.89
3091206000	2748 N 32ND	Special Mercantile	804000	2223.41
3091208000	3212 W CENTER	Manufacturing	190600	527.09
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	2566.32
3251441000	2328 N 27TH	Special Mercantile	2085000	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	967.90
3260501121	3010 W MEINECKE	Local Commercial	18900	300.00
3260502000	2577 N 30TH	Local Commercial	140000	387.16
3260503100	2549 N 30TH	Local Commercial	123000	340.15
3260504100	2545 N 30TH	Local Commercial	131000	362.27
3260509000	3000 W CLARKE	Manufacturing	114600	316.92
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	79100	300.00
3260525110	3026 W PEMBERTON	Local Commercial	19800	300.00
3260527111	2671 N 30TH	Local Commercial	160800	444.68
3260530100	2450 N 32ND	Manufacturing	58300	300.00
3260536000	3100 W MEINECKE	Local Commercial	128300	354.81
3260537000	3100 W MEINECKE	Local Commercial	128200	354.53
3260538100	3040 W MEINECKE	Local Commercial	185100	511.88
3260628113	2700 W NORTH	Manufacturing	3051300	5000.00
3260855000	2477 N 32ND	Manufacturing	17800	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	1676600	4636.53
3490704000	2038 N 31ST	Exempt	Exempt	Exempt
3490706100	2028 N 31ST	Manufacturing	55900	300.00
3490708000	2000 N 31ST	Local Commercial	35400	300.00
3490710110	1952 N 31ST	Local Commercial	120000	331.85
3491006000	2929 W NORTH	Exempt	Exempt	Exempt
3491008112	2206 N 30TH	Manufacturing	157000	434.17
3491008120	2100 N 30TH	Local Commercial	33900	300.00
3491038100	3013 W NORTH	Local Commercial	124200	343.47
3491040100	2221 N 30TH	Local Commercial	421000	1164.25
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	370.57
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	127000	351.21
3492002100	3041 W NORTH	Local Commercial	172000	475.66
3492003000	2200 N 31ST	Special Mercantile	272000	752.20
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			60,026,700	166,543.64

Business Improvement District No 38

TABLE OF CONTENTS BID 38

INTRODUCTION

1. Background
2. Physical Setting

DISTRICT BOUNDARIES

PROPOSED OPERATING PLAN

- A. Plan Objectives
- B. Proposed Activities - Year Six
- C. Proposed Expenditures - Year six
- D. Financing Method
- E. Organization of BID Board
- F. Relationship to the BID

METHOD OF ASSESSMENT

1. Assessment Rate and Method
2. Excluded and Exempt Property

RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY

1. City Plans
2. City Role in District Operation

FUTURE YEAR OPERATING PLANS

1. Phased Development
2. Amendment, Severability and Expansion

APPENDICES

- District boundaries
- Listing of properties

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	\$2,500
Weekly Cleaning Services	\$15,000
District Marketing Effort	\$5,000
Audit and Operations	\$1,500
Parking Study	\$3,000
Total	\$27,000

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)(2).

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

66.1109(1)(3).

3. 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-	16th Street Community			
1036	S. Chavez Dr.	Health Center Inc.		
1033-				
1035	S. ChavezDr.	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-	Chave			
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.	Leonel Alvarez	\$ 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	\$ 525,300.00	\$ 500.00
		16th Street Community		
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

AIRPORT GATEWAY BUSINESS IMPROVEMENT DISTRICT #40

sponsored by

AIRPORT GATEWAY BUSINESS ASSOCIATION

branded as

THE GATEWAY TO MILWAUKEE

2009 -2010 REPORTS and 2010 - 2011 PLANS

Formed in early 2005, the Airport Gateway Business Association (AGBA) established its mission and goals that continue today. AGBA will take a leadership role in planning, promoting and developing the vitality of the gateway to Milwaukee with goals to:

1. Actively impact government direction.
2. Enhance community image through safety and beautification.
3. Market and develop gateway area for economic growth.
4. Network for mutually beneficial opportunities.

To fund the continuing achievement of the mission and goals, in late 2006 the City of Milwaukee approved the establishment of the Airport Gateway Business Improvement District #40 (AGBID), which was established under the Wisconsin Statutes and the City's guidance.

Our efforts have broadened in each of the four years of AGBID's existence. Toward each of the goals above, here are some of the implemented and ongoing activities:

Safety

In 4Q 2009 we changed to a new vendor for our security patrol services that resulted in two additional hours of coverage up to eight hours each night for the same price we paid for six hours. We also kicked off The Gateway Security Watch program that was moderately received by participating hotels. That program includes signs on properties, employees wearing vests similar in appearance to County Sheriff's vests and an electronic communications package that honestly has not been used by properties in AGBID. Thus we will probably discontinue the use of that communications package in 4Q of 2010 and save \$6,000 annually.

The Milwaukee Police Department's District Six started a "hotel squad" that also patrols the AGBID area at night. We will work to partner with District Six and that squad more as we work to deter vehicle break-ins that negatively impact the experiences of guests to The Gateway To Milwaukee area.

Beautification

Irrigation and trees were done in 4Q 2009 in four islands in the median on W Layton AV from 13th ST east to 10th ST, with annul and perennial flowers plus bushes being installed in 2Q of 2010. We paid for the City to install two of its “signature gardens” in the Howell AV median on both sides of the Edgerton AV intersection. Ugly bushes were removed at the SW corner of Howell and Grange Avenues, and we paid for pathways in a new rain garden at the Holler Park Pavilion and for some benches on the veranda there. Maintenance of those and older gardens is being done and that will obviously continue in the future.

We are just about to have a landscaping concept be completed by KEI that will have consistent threads of appearance throughout AGBID and hopefully the broader Gateway area, too. Those plans will use some public art which will help with areas close to airport runways and will keep future maintenance costs lower than if only plants were being used. With that basis, this year we will install plants at the SW corner of Howell and Grange plus some gardens, plants, trees and art in islands of the median of W Layton AV working east from 10th ST. These plans will be the structure for more landscaping primarily along W Layton AV in 2011.

We continue to work with neighborhood associations in The Garden District and fund the rewards and celebration ceremony for those businesses and residents in that District who have been recognized as having landscape that helps beautify the whole area, which includes AGBID and The Gateway.

Finally, we had some rough designs be completed for a decorative permanent screen that welcome drivers to The Gateway and would cover the Canadian Pacific Railroad bridge that crosses W Layton AV near 11th ST. The City applied to WisDOT for a transportation enhancement award that would help fund that the completion of that structure.

Marketing

Over the last three years we have continued to promote the trademarked name “The Gateway To Milwaukee” with banners on light poles, online and print advertising about The Gateway and our events, two newsletters each year that are sent to over 1800 recipients around GMIA, and with a weekly E-News Update that is now sent to over 500 recipients. We encourage the AGBID property owners to contact us with their e-mail addresses so that we may more readily communicate with them.

We introduced The Gateway Discount Card in 2010 that is free for consumers to use at participating merchants who offer discounts to Discount Cardholders. We want to create more business transactions in The Gateway area, help businesses generate revenue and hopefully add new regular customers plus further have The Gateway become recognized as an attractive regional area for consumers, visitors and businesses. As we spread the awareness of The Gateway to a broader area, this ultimately will help lead to higher business and property values in the AGBID.

With the support of six cities, including Milwaukee, in May of 2010 we exhibited The Gateway To Milwaukee’s aerotropolis effort to approximately 25,000 attendees at the International Council of Shopping Centers annual convention in Las Vegas. We developed marketing and promotion materials for that effort that will be used elsewhere in the future and introduced “New Opportunities Arriving Daily” as our marketing tag. This reflects that opportunities that occur from the four avenues of transportation that take place in The Gateway - air, rail, roads and water.

Page three

In 4Q 2010, the third version of our website will be introduced which allows viewers to even more easily get to specific information. This version will have a separate section for the aerotropolis effort and a section where AGBID property owners and Gateway members can list real estate opportunities for purchase, lease or rent.

Network for Mutual Business Opportunities

Some of the marketing efforts mentioned above are devoted toward this goal. We occasionally host informational meetings, now regularly have a holiday gathering, just completed our third golf outing and in 2010, we began “First Thursday” networking gatherings each month. These are held alternatively for breakfast, lunch or late afternoon refreshments at businesses in the AGBID and The Gateway. We are offering friends of the Gateway the opportunities to get to know each other and different hospitality venues in the area.

As we solicit vendor relationships, we first ask related businesses in the area to bid and meet our needs, as we work toward the best overall value we can find in vendor relationships. Please contact us if you would like an opportunity to be included among our potential vendors.

Impact Government Direction

Many activities mentioned in prior years’ reports continued.

City Alderman Terry Witkowski and County Supervisor Chris Larson often attend our monthly board meetings as we work to share information, challenges and opportunities that mutually impact all of us.

We regularly attend and give input at government meetings, town hall gatherings and other associations’ events where government and related business affairs are addressed. In 2009 and 2010, we have strongly supported the effort to stop the mandated sick pay legislation that would negatively impact our businesses.

We continue to work with WisDOT and the Ctiy about road construction and regional transit matters. We also work with the Departments of Public Works of the City and County, the Department of City Development in Milwaukee, Milwaukee and Oak Creek Police Departments and General Mitchell International Airport.

We are also involved with these entities plus 7 other municipalities, state and federal elected officials, the office of the Governor, commercial real estate entities, UWM and businesses as part of a 50+ person Airport Area Economic Development Task Force (AAEDTF) that began in the second quarter of 2008. That effort led to the formation of Milwaukee Gateway Aerotropolis Corporation that is a public/private nonprofit entity that, in 4Q of 2010, will begin to develop a road map for an economic development plan to make The Gateway To Milwaukee an efficient multimodal transportation hub centered around General Mitchell International Airport. The businesses and properties in the AGBID will be best positioned to benefit from the growth that will result from this effort.

Page four

Our old slogan of “thinking about the future, thinking about you” still guides our efforts. We hope you find that our actions reflect that approach, particularly about growing the economic value of The Gateway, its businesses and properties, which includes you. We want thoughts and observations from stakeholders in The Gateway to Milwaukee, which will help us be more successful and have more strength in working with government partners.

So please contact us at any time - our information is on our web site at www.gatewaytomilwaukee.com. And please consider joining AGBA itself. The \$100 annual dues will cover 2011 as well.

Thank you and respectfully submitted on September 8, 2009,

Gregg Lindner

Chairman, AGBID and President, AGBA

Tom Rave

Executive Director, AGBA

BUSINESS IMPROVEMENT DISTRICT NO. 40

AIRPORT GATEWAY

PROPOSED OPERATING PLAN



September 8, 2010

TABLE OF CONTENTS

	<u>PAGE</u>
I. INTRODUCTION	3
II. DISTRICT BOUNDARIES	3
III. PROPOSED OPERATING PLAN	3
A. Plan Objectives	3
B. Proposed Activities - Year Four	4
C. Proposed Expenditures - Year Four	5
D. Financing Method	6
E. Organization of BID Board	6
F. Relationship to AGBA	7
IV. METHOD OF ASSESSMENT	7
A. Assessment Rate and Method	7
B. Excluded and Exempt Property	7
V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY	8
A. City Plans	8
B. City Role in District Operation	8
VI. PLAN APPROVAL PROCESS	9
A. Public Review Process	9
B. Petition against Creation of the Bid	9
VII. FUTURE YEAR OPERATING PLANS	10
A. Phased Development	10
B. Amendment, Severability and Expansion	10
APPENDIX A: List of Assessed Properties	11

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 initial Operating Plan for the Airport Gateway Business Improvement District (AGBID) for 2011. 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 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 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 2010 and Fifth Year, 2011

Principle activities to be engaged in by the AGBID during the rest of 2010 and in the fifth year of operation, 2011, 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 potentially continue an “alert” electronic communications platform for AGBID properties, and 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 three 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) Work toward improving 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 aerotropolis development 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 Five

<u>Category / Item</u>	<u>Expenditures</u>	
	<u>Est. 2010</u>	<u>Budget 2011</u>
Beautification and Maintenance		
Maintenance, enhancement and development of additional corridor and association gardens and public art; enhancements of bridges and tunnels; potentially attractive refuse containers on main corridors	\$ 90,000	\$ 75,000
Public Safety		
Contract with safety patrol teams for BID businesses, properties and corridors; continue Gateway Security Watch program with signs and vests; plus potentially provide an "alert" electronic communications platform	68,000	62,500
Marketing and Promotion		
Further develop and promote The Gateway To Milwaukee brand and website with paper and online advertising, 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.	95,000	80,000
Research, Consulting, Programs and Development		
Activities and/or investments in conceptual approaches or projects to enhance the AGBID in matters such as aerotropolis developments, landscaping and appearance, funding via grants or donations	55,000	55,000
Administration/Management		
Expenses for annual audit; board/general insurance; executive director and assistant plus related operating expenses such as Internet, telephone, mileage, subscriptions, memberships, meetings, supplies, printing and postage; expenses for office space	<u>100,000</u>	<u>90,000</u>
TOTAL	\$ 408,000	\$ 363,000

D. Financing Method

It is proposed to raise approximately \$333,000 through BID assessments (amount raised for 2010). The additional \$30,000 of proposed expenditures beyond the \$333,000 expected assessments will come from interest income, some usage of the expected \$70,000 of carried-over funds and grants. 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 meeti

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, 2010, the property in the proposed district had a total assessed value of over \$407 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 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.

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 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 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 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. 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 Howell Avenue, and from 13th Street west to 20th Street only along Layton Avenue. From Howell Avenue 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 bound 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 PROPERTIES IN THE BID

This listing included with the packet totals 7 pages.

BUSINESS IMPROVEMENT DISTRICT NO. 41

DOWNER AVENUE

2011 OPERATING PLAN



Prepared: August 6, 2010
Jake Provan
Executive Director

TABLE OF CONTENTS

Page No.

I.	INTRODUCTION.....	2
	A. Background	
	B. Physical Setting	
II.	DISTRICT BOUNDARIES	2
III.	PROPOSED OPERATING PLAN 2011	2
	A. Plan Objectives.....	2
	B. Proposed Activities - 2011	3
	C. Proposed Expenditures - 2011	3
	D. Financing Method	4
	E. Organization of BID Board -	4
IV.	METHOD OF ASSESSMENT	5
	A. Annual Assessment Rate and Method	5
	B. Excluded and Exempt Property	5
V.	RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY	6
	A. City Plans	6
	B. City Role in District Operation.....	6
VI.	PLAN APPROVAL PROCESS	7
VII.	FUTURE YEAR OPERATING PLANS	7-8
	A. Phased Development	7-8
	B. Amendment, Severability and Expansion.....	8
	APPENDICES	
	A. Wisconsin Statutes section 66.608	
	B. Petition	
	C. District Boundaries	
	D. Year One Projected Assessments	
	E. City Attorney's Opinion	

Prepared: August 6, 2010
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 (see Appendix B). 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 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 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 **2011** 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 – 2011

Principle activities to be engaged in by the district during its 2011 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 – 2011

New Budget Plan for 2011

	Annually
Executive Director	\$15,000
Legacy Bank Streetscape Loan Repayment	\$36,801
Landscape/Streetscape Maintenance	\$6,500
Programming and Service Charges	\$740
Utilities/Holiday Lighting	\$1,500
Holiday Lighting Equip	\$3,500
Bike Race	\$3,000
Website	\$1,000
Festive Friday	\$1,000
BID Board of Director Insurance	\$1,000
Graffiti Removal	\$500
Total 2011 Annual Budget	\$70,541

D. Financing Method

It is proposed to raise \$ 70,541 through BID assessments (see Appendix D). The Downer Avenue BID intends to seek matching funds for 2011 programming from the new DCD BID Commercial and Economic Development Fund. The proposed amount of matching funds that will be applied for is \$25,000. 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 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 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.

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, 2009, the property in the proposed district had a total assessed value of \$17,529,300 million.

A sample assessment calculation is provided below:

Based Upon an Annual Budget of \$41,000

Assessed Value	BID special assessment per assessed value	Linear Footage on Downer	BID special assessment per Linear Footage	Weighted Average of Special Assessments
\$ 2,577,900.00	\$4228.45	227ft	\$5147.68	\$4688.06

BID Special Assessment per Assessed Value

$(\$2,557,900/\$24,995,900) \times \$41,000 = \4228.45

BID Special Assessment per Linear Footage

$(227\text{ft}/1808\text{ft}) \times \$41,000 = \$ 5147.68$

Weighted Average

$(\$4228.45 \times .50) + (\$5147.68 \times .50) = \$4688.06$

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 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. PETITION
- C. PROPOSED DISTRICT BOUNDARIES
- D. YEAR ONE PROJECTED ASSESSMENTS
- E. 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

BID 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 provisions of Sec. 66.1109 (2)(a), Stats. For the creation of a business improvement district for the area described in Appendix A.

<u>Name of Property Owner</u>	<u>Property Address</u>	
Downer Delaware LLC	2551-2597 N Downer Ave	
Downer Ave Properties LLC	2551-2597 N Downer Ave	
Downer Delaware LLC	2608-2650 N Downer Ave	
Downer Ave Properties LLC	2608-2616 N Downer Ave	
Downer Ave Properties LLC	2525 E Bellevue Pl	
Downer Hardware	2629 N Downer Ave	
Sendik's	2633-2651 N Downer Ave	
LOC 2615 Downer LLC	2615-2625 N Downer Ave	
CVS	2601-2607 N Downer Ave	

APPENDIX C

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 D.

APPENDIX D

Tax ID	Address	Total Assessment
3180190000	2574 N Downer	DAPL LLC
3180591000	2608 N Downer	Downer Delaware LLC
3180592000	2605 E Park St	Downer Ave Dev LLC
3190301110	2633 N Downer	Sendik's
3190304000	2629 N Downer	Downer Hardware
3190305000	2615 N Downer	Lighthouse Dev
3190307100	2601 N Downer	CVS
3191361000	2551 N Downer	Downer Delaware LLC
3191362000	2521 E Belleview	Downer Ave Dev LLC

APPENDIX E
City Attorney's Opinion

BUSINESS IMPROVEMENT DISTRICT NO. 42

Schlitz Park

2011 OPERATING PLAN

1555 N River Center Drive
Suite 209
Milwaukee, Wisconsin 53212
414-272-6302

Introduction

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.

Year 1 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)

The BID law requires that every district have an annual Operating Plan. This document is the second Operating Plan for the Schlitz Park District #42. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department off City Development.

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 submits this 2011 Operating Plan in fulfillment of the statutory requirement (“Operating Plan”).

This Operating Plan proposes to continue to pay the loans that were obtained to repair the Schlitz Riverwalk to its previous glory in cooperation with the City of Milwaukee. All plans were approved by DCD and the appropriate city agencies prior to implementation.

II. District Boundaries

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

III. Proposed Operating Plan

A. Plan Objective

The objective of the Schlitz Business Improvement District 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 \$108,000. 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 \$5,000.

B. Proposed 2011 Expenditures

<u>Revenue</u>	\$113,000
<u>Expenses</u>	
Debt Service – City Loan	\$ 42,000
Debt Service – Schlitz Loan	\$ 66,000
Administrative Expenses	\$ 5,000

C. Financing Method

The proposed expenditures will be financed from funds collected from the BID Assessments (as defined by Section IV.A). The estimated assessed value of BID-eligible properties within the District is \$46,748,000. One hundred percent of the BID budget will be raised through BID Assessments.

The BID Board of Directors shall have the authority and responsibility to prioritize expenditures, and to revise the budget as necessary.

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.

E. Relationship to the Schlitz Park 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 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 & Rate

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 D, 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.

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. Pursuant to State Statute 66.1109(1)(b), property exempt from general real estate taxes has been excluded from the boundaries of the BID. However, if and at such time as any of such formerly exempt property becomes taxable, then such property shall be included within and become part of the BID. When such event occurs, the annual allocation of assessments for the BID Contribution and the administrative expenses shall be adjusted by the BID Board in the next Operating Plan to reflect the addition of the new assessable property.

V. Relationship to Milwaukee Comprehensive Plan and Orderly Development of the City.

A. City Plans

In February 1978, Common Council of the City of Milwaukee adopted 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 the portion of the City of Milwaukee. Therefore, it is fully consistent with City's Comprehensive Plans 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, 2011 and no later than March 31, 2011. 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 Assessor'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. 66.1109(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. PLAN APPROVAL PROCESS

A. Public Review Process

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

1. The Milwaukee City Plan Commission will review the 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.

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.

VI. 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 BID 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 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).

VII. Contracting with BID #

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 66.1109(3)(c) Wis. Stats., shall be deemed to fulfill the requirements of Sec 62.15 (14) Wis. Stats. The Board of Directors and the City of Milwaukee shall comply with applicable law before the City inserts assessments for this BID plan onto the tax bills for the parcels assessed there under, only to the extent required by law, to create a lien on the parcels assessed.

APPENDICES

- A. STATE STATUTE
- B. YEAR TWO 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 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 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**

<u>TAX KEY</u>	<u>ADDRESS</u>	<u>PERCENTAGE SHARE OF BID ASSESSMENT</u>	<u>SHARE OF BID CONTRIBUTION</u>	<u>SHARE OF ADMINISTRATIVE EXPENSES</u>	<u>TOTAL</u>
3611841110	1610 N. 2nd St.	8.95%	\$9,666.00	\$ 447.50	\$10,113.50
3611954000	215 W. Pleasant St.	2.29%	2,473.20	114.50	2,587.70
3611961000	201 W. Pleasant St.	1.91%	2,062.80	95.50	2,158.30
3612001000	235 W Galena St.	1.28%	1,382.40	64.00	1,446.40
3611963000	101 Et Pleasant St.	2.31%	2,494.80	115.50	2,610.30
3611842000	111-113 W Pleasant St	2.31%	2,494.80	115.50	2,610.30
3611844000	101 West Pleasant St.	4.63%	5,000.40	231.50	5,231.90
3611852110	1542 N 2nd St	14.45%	15,606.00	722.50	16,328.50
3610184112	1505-55 N River Cnter	59.90%	64,692.00	2,995.00	67,687.00
3611962000	1500 N 2nd Street	1.22%	1,317.60	61.00	1,378.60
3612002000	205-219 W Galena St	<u>0.75%</u>	<u>\$ 810.00</u>	<u>\$ 37.50</u>	<u>847.50</u>
		100%	\$108,000	\$5,000	\$113,000

The owner of 1505-55 North RiverCenter Drive is Schlitz RiverCenter LLC. The owner of all other properties is The Brewery Works, Inc. The address of all of the owners is 1555 North RiverCenter Drive, #204, Milwaukee, WI.

BUSINESS IMPROVEMENT DISTRICT NO. 43

South 27th Street
Business Improvement District

2011 PROPOSED OPERATING PLAN

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 One

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 desired that the two business improvement districts jointly contract with a 501-c-3 entity to manage both districts as one.

C. Proposed Expenditures - Approximately \$212,000 in 2011, this is a 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	\$ 44,280
Public Safety	
Contracted neighborhood safety patrol teams for area businesses, properties, etc.	39,188
Marketing and Promotion	
General development and implementation of a brand and marketing activities for the district. Web site development & hosting.	32,030
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.	40,959
Total	\$ 156,457
Revenue	
Assessments	\$ 156,165
Interest/Dividends(5% interest/variable)	

D. Financing Method

It is proposed to raise \$158,165 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 the intention 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 may, 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.

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, 2009, the property in the proposed district had a total assessed value of over \$215,249,700. 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:

(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.

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

Kinnickinnic Avenue BID

PROPOSED OPERATING PLAN

9-3-2010

TABLE OF CONTENTS

I. Introduction	pg 3
II. District Boundaries	pg 3
III. Proposed Operating Plan	pg 3-5
IV. Method of Assessment	pg 5-6
V. Relationship To Milwaukee Comprehensive Plan And Orderly Development Of The City	pg 6-7
VI. Plan Approval Process	pg 7-9
VII. Future Year Operating Plans	pg 9-10
VIII. Appendices	pg 11
A. Statute	
B. Petition	
C. Proposed District Boundaries	
D. 2011 Projected Assessments	
E. City Attorney's Opinion	

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 Two

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

- a. Security personal and/or equipment
- b. Graffiti Removal
- c. Promotion of the District
- d. Setting and implementation of Design standards

C. Proposed Expenditures - 2011

Proposed Budget

Security Personal and/or equipment	\$12,000
Graffiti Removal	\$ 5,000
Promotion of District	\$12,000
Design Standards	\$12,000
Audit	\$ 3,845
Overhead	\$ 900
Total	\$45,745

D. Financing Method

It is proposed to raise \$45,745 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 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 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 \$1,000 per parcel will be applied.

As of January 1, 2010, the property in the proposed district had a total assessed value of over \$51 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.
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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

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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.

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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.
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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.

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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.

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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 TWO PROJECTED ASSESSMENTS
- E. CITY ATTORNEY'S OPINION



City of Milwaukee Fiscal Impact Statement

A

Date

File Number

☐ Original

☐ Substitute

Subject

B

Submitted By (Name/Title/Dept./Ext.)

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

This Note

☐ Was requested by committee chair

E

Charge To

☐ Department Account

☐ Capital Projects Fund

☐ Debt Service

☐ Other (Specify)

☐ Contingent Fund

☐ Special Purpose Accounts

☐ Grant & Aid Accounts

F

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other			
TOTALS			

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.

<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	

H

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

I

Assumptions used in arriving at fiscal estimate.

J

Additional information.

2010
BID SPECIAL ASSESSMENTS

charge code	BID #	BID NAME	2010 Special Charges
9F	2	Historic 3rd Ward RACM Dockwall Loan	\$573,030
9G	3	Riverwalk	\$0
9E	4	Grtr. Mitchell Street	\$134,100
9H	5	Westown	\$99,420
9K	8	Historic King Dr.	\$186,763
9S	9	735 W. Water	\$11,086
9L	10	Avenues West	\$131,630
9N	11	Brady St. Business Area	\$158,454
9Q	13	Oakland Ave.	\$7,500
9T	15	Riverwalks Riverwalks-Timewarner	\$401,265
9R	16	Uptown Triangle	\$152,257
9U	17	Northwest Area Business/76th & Brown Deer	\$35,000
9V	19	Villard	\$102,110
9W	20	North Ave./Prospect Farwell	\$209,586
9X	21	Downtown Management District	\$2,987,217
8B	25	Riverworks	\$202,393
8C	26	The Valley	\$114,016
8E	27	Burleigh Street	\$59,455
8G	28	North Avenue Gateway District	\$35,919
8H	29	Atkinson/Capitol/Teutonia	\$93,583
8I	31	Havenwoods	\$179,000
8M	32	North Avenue Market Place	\$92,875
8N	35	Becher/KK	\$8,227
8O	36	Riverworks II	\$42,909
8P	37	ICC	\$166,543
8Q	38	Cesar Chavez	\$27,000
8R	39	Center Street Market Place	\$64,974
8U	40	Airport Gateway	\$333,000
8W	41	Downer Avenue	\$70,541
8Z	42	Schlitz Park	\$113,000
7A	43	South 27th Street	\$158,165
7B	44	Kinnickinnic River	\$45,745
		BID totals	<u>\$6,996,763</u>

2010
BID SPECIAL ASSESSMENTS

	1	Brewery Neighborhood Improvement District	
8X		NID total	<u>\$68,800</u>
		Total special charges	\$7,065,563

NOTICES SENT TO FOR FILE: 100738

[illegible]



Legislation Details (With Text)

File #: 100763 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution creating Business Improvement District No. 46, Basilica Square, and approving its first year Operating Plan, in the 14th and 12th Aldermanic Districts.

Sponsors: ALD. WITKOWIAK, ALD. ZIELINSKI

Indexes: BUSINESS IMPROVEMENT DISTRICT 46, BUSINESS IMPROVEMENT DISTRICTS

Attachments: Fiscal Impact Statement, City Plan Commission Letter, BID 46 Operating Plan, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/20/2010	1	CITY CLERK	DRAFT SUBMITTED		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number
100763
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. ZIELINSKI AND WITKOWIAK

Title
Substitute resolution creating Business Improvement District No. 46, Basilica Square, and approving its first year Operating Plan, in the 14th and 12th Aldermanic Districts.

Analysis
This substitute resolution establishes a Business Improvement District, pursuant to Wisconsin Statutes, for the area along West Lincoln Avenue between 5th and 7th Streets and properties at the intersection of West Hayes Street and South 6th Street. This substitute resolution also adopts a First Year Operating Plan and budget for the BID, creates a District Board and authorizes special assessments totaling \$11,087 on taxable properties in the BID.

Body
Whereas, The Basilica Square business district is a vital and integral part of the City of Milwaukee ("City"); and

Whereas, A Business Improvement District ("BID"), as authorized by Section 66.1109, Wisconsin Statutes, provides a financing method to allow the Basilica Square business district to become self-sustaining; and

Whereas, Several property owners in the proposed BID have submitted petitions requesting the City to establish a BID in the area; and

Whereas, A first year Operating Plan has been prepared, a copy of which is attached to this Common Council File, which describes proposed activities within the District and which acts in accordance with applicable Wisconsin Statutes; and

Whereas, Said Operating Plan has been reviewed and adopted by the City Plan Commission following a public hearing; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Business Improvement District No. 46, Basilica Square, and the associated District Board are hereby created; and, be it

Further Resolved, That the first year Operating Plan for BID No. 46 is hereby adopted; and, be it

Further Resolved, That the City Treasurer, City Comptroller and other affected departments are hereby directed to collect and disburse BID No. 46 assessments in accordance with said Operating Plan; and, be it

Further Resolved, That all City officials, departments, boards and commissions are directed to take all actions and provide such assistance, as needed, to carry out the intent and purpose of this resolution and the adopted Operating Plan for BID No. 46.

Drafter
DCD:RFM:rfm
10/19/10



City of Milwaukee Fiscal Impact Statement

A

Date

File Number

☐ Original

☐ Substitute

Subject

B

Submitted By (Name/Title/Dept./Ext.)

C

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Services			
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TOTALS			

G

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<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	

H

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

I

Assumptions used in arriving at fiscal estimate.

J

Additional information.

September 21, 2010

To the Honorable Members of the
Community Economic Development Committee
City of Milwaukee

Dear Committee Members:

On September 20, 2010, the City Plan Commission held a public hearing regarding the file creating Business Improvement District No. 46 (Basilica Square), and approving its first year Operating Plan, for the properties in the Basilica Square area along West Lincoln Avenue between 5th and 7th Street and properties at the intersection of West Hayes Avenue and South 6th Street, in the 12th and 14th Aldermanic Districts.

Section 66.1109 of the State statutes allows businesses within such a district to develop, manage and promote the district, and to establish an assessment method to fund these activities.

Business Improvement District No. 46 will be used to develop the vitality of the business district adjacent to the Basilica of St. Josaphat in the Lincoln Village neighborhood, increase the number and variety of businesses within the Basilica BID, enhance the community image through safety and beautification initiatives, market the BID area as a premier cultural and architectural asset of Milwaukee, and grow the commercial businesses in the BID area while protecting the historical structures.

Based on this information, the commission felt that the establishment of the business improvement district would be a positive step for the general area and therefore approved the establishment of BID No. 46.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: R. Manuel

File:

BUSINESS IMPROVEMENT DISTRICT NO. 46

Basillica Square

PROPOSED OPERATING PLAN

Business Improvement District No. 46
"Basilica Square"
Proposed Operating Plan

Table of Contents

1. Introduction
2. District Boundaries
3. Proposed Operating Plan
 - a. Plan Objectives
 - b. Proposed Activities – Year One
 - c. Proposed Expenditures – Year One
 - d. Financing Method
 - e. Organization of BID Board
 - f. Relationship to LVBA
4. Method of Assessment
 - a. Assessment rate and method
 - b. Future Assessments
 - c. Excluded and exempt property
5. Relationship to City of Milwaukee Comprehensive Plan and Orderly Development of the City
 - a. City plans
 - b. City role in district operation
6. Plan Approval Process
 - a. Public Review Process
 - b. Petition Against Creation of the BID
7. Future Year Operating Plans
 - a. Phased Development
 - b. Amendment, Severability, and Expansion
 - c. Performance Review

1. Introduction

In 1984, the Wisconsin legislature created 66.1109 (formerly 66.608) 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.)

The City of Milwaukee has previously approved a petition from property owners which requested the creation of a Business Improvement District for the purposes of revitalizing and improving the Basilica of St. Josaphat area business district on Milwaukee’s south side. The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Basilica Business Improvement District. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

2. District Boundaries

A listing of the properties included in the district is provided in Appendix A. The Basilica of St. Josaphat Business Improvement District (“Basilica BID”) is roughly bounded by:

- The eastern boundary of the Basilica BID is the intersection of South 5th St. and West Lincoln Ave.
- The northern boundary of the Basilica BID is the commercial properties along West Lincoln Ave.
- The western boundary of the Basilica BID is the commercial properties at the intersection of South 7th St. and West Lincoln Ave.
- The southern boundary of the Basilica BID is the intersection of West Hayes St. and South 6th St.

A list of assessed properties can be found in Appendix A.

3. Proposed Operating Plan

a. Plan Objectives

The objectives of the Basilica BID are to:

- i. Develop the vitality of the business district adjacent to the Basilica of St. Josaphat in the Lincoln Village neighborhood;
- ii. Increase the number and variety of businesses within the Basilica BID;
- iii. Enhance the community image through safety and beautification initiatives;
- iv. Market the Basilica BID area as a premier cultural and architectural asset of Milwaukee;
- v. Promote the mutually beneficial opportunities among the Basilica BID’s businesses;
- vi. Protect and preserve the historical significance and integrity of structures in the target area to complement the Basilica of St. Josaphat, a National Register Historic Place;
- vii. Ultimately grow commercial business and property values.

b. Proposed activities – Year One

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

- i. Enhance the beautification of the area by funding the installation and maintenance of plantings to be installed around the BID area;
- ii. Integrate and supplement the enhancements of the small pocket parks in the commercial district;
- iii. Provide grants for security system integration available to Basilica BID property and business owners to enhance the safety of the business district;
- iv. Broaden the existing marketing and promotional programs, in conjunction with the Main Street Milwaukee program and VISIT Milwaukee about the cultural amenities within the Basilica BID;
- v. Add new garbage cans at approved locations throughout the BID area;
- vi. Actively participate with local task forces of government and businesses seeking to promote economic development activities on Milwaukee's south side.

c. Proposed Expenditures – Year One

Category	Item	Expenditure	%
Design - District	Greenspace improvements and plantings	\$587	5.3%
Clean up	Add 6 new (3 additional) garbage cans to the business district	\$3,000	27.1%
Public Safety	Security system matching grant	\$4,000	36.1%
Admin	Administration	\$2,000	18.0%
	Audit	\$1,500	13.5%
TOTAL		\$11,087	100%

d. Financing Method

It is estimated that \$11,087 will be raised through BID 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 the BID Board

The Mayor will appoint members to the Basilica BID Board ("board"). The board's primary responsibility will be the 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 board members be owners or occupants of property within the district.

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

- i. Board Size – At least five members
- ii. 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 members shall elect its Chairperson from among its members.
- iii. Term – Appointments to the board shall be for a period of two years.
- iv. Compensation – None
- v. Meetings – All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
- vi. Record Keeping – Files and records of the board's affairs shall be kept pursuant to public record requirements.
- vii. Staffing – The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
- viii. Meetings – the board shall meet regularly, at least twice a year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

f. Relationship to the St. Josaphat Basilica Foundation (SJBF)

The Basilica BID shall be a separate entity from the SJBF, notwithstanding the fact that members, officers, and directors of each may be shared. The SJBF shall remain a publicly and privately funded non-profit organization, and subject to the open meeting law for its records generated in connection with the BID board. The LVBA may, and it is intended, shall, contract with the Basilica BID to provide services to the BID, in accordance with this Plan.

4. 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 \$650 per parcel will be applied.

As of January 1, 2009, the property in the proposed district has a total assessed value of \$3,144,500. This plan proposed to assess the property in the district at a rate of \$0.50 per \$1000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID.

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

b. Future Assessments

The Basilica BID Board of Directors will engage in a performance review after every year of BID operation to determine appropriate assessment rate changes to meet the needs of the BID operator as well as property owners.

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.

- i. State Statute 66.1109(1) (f) Im: The district will contain property used exclusively for mercantile, manufacturing and special mercantile 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.
- ii. 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.
- iii. 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.

5. 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 Lincoln Village 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:

- i. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
- ii. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
- iii. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
- iv. Receive annual audits required per sec. 66.1109 (3) (c) of the BID law.
- v. 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.
- vi. Encourage the State of Wisconsin, Milwaukee County and other units of government to support activities of the district.

6. 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:

- i. 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.
- ii. 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.
- iii. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
- iv. 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.
- v. The Common Council will act on the proposed BID Plan.
- vi. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
- vii. 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:

- i. Owners of property to be assessed under the proposed initial Operating Plan having 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
- ii. 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.

7. 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.

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

The 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 or 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 authorizes under Section 66.1109(3) (b).

c. Performance Review

The Basilica BID 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.

APPENDICES

- A. STATUTE
- B. PETITION
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APPENDIX "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:

(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 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.

<<For credits, see Historical Note field.>>

HISTORICAL AND STATUTORY NOTES
2003 Main Volume

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
BASILICA BUSINESS IMPROVEMENT DISTRICT**

We petition you to (1) create the Basilica Business Improvement District (the "Basilica BID") in accordance with Wisconsin State Statute 66.608, 1983 Wisconsin Act 184 (the "Act"), and (2) to refer this Petition to the appropriate planning commission which guides the approval process of the Basilica BID. We endorse the preliminary Operating Plan (the "Plan") prepared by the St. Josaphat Basilica Foundation BID Steering Committee in cooperation from the Lincoln Village Business Association, attached as Exhibit A, which describes the BID and its proposed location, purposes, benefits, assessment method, formation, budget and management. We urge the planning group, after public hearing, to recommend to you the creation of the Basilica BID in substantial conformance with the attached Operating Plan.

We also petition you to (1) enact an ordinance creating the Basilica BID as described by the Plan as soon as you receive the recommendation of the planning group, and (2) to appoint the St. Josaphat Basilica Foundation to administer and implement the Plan in accordance with the Act.

I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Alexander Radicevich

(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Alexander Radicevich

Title(s) (if any):

Property owner
(Please Print)

Date:

July 02, 2010
(Please Print)

Address(es) of real property owned:

500-502 W. Lincoln Avenue

522 W Lincoln Avenue

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
BASILICA BUSINESS IMPROVEMENT DISTRICT**

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We also petition you to (1) enact an ordinance creating the Basilica BID as described by the Plan as soon as you receive the recommendation of the planning group, and (2) to appoint the St. Josaphat Basilica Foundation to administer and implement the Plan in accordance with the Act.

I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Luis Barbosa
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Luis Barbosa

Title(s) (if any): OWNER
(Please Print)

Date: July 2, 2010
(Please Print)

Address(es) of real property owned:

501 W. Lincoln
505 W. Lincoln
507 W. Lincoln
511 W. Lincoln

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
BASILICA BUSINESS IMPROVEMENT DISTRICT**

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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

DAVID AKIAS

(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

[Signature]

Title(s) (if any):

Owner
(Please Print)

Date:

7-8-2010
(Please Print)

Address(es) of real property owned:

2316 S 65th milw.

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
BASILICA BUSINESS IMPROVEMENT DISTRICT**

We petition you to (1) create the Basilica Business Improvement District (the "Basilica BID") in accordance with Wisconsin State Statute 66.608, 1983 Wisconsin Act 184 (the "Act"), and (2) to refer this Petition to the appropriate planning commission which guides the approval process of the Basilica BID. We endorse the preliminary Operating Plan (the "Plan") prepared by the St. Josaphat Basilica Foundation BID Steering Committee in cooperation from the Lincoln Village Business Association, attached as Exhibit A, which describes the BID and its proposed location, purposes, benefits, assessment method, formation, budget and management. We urge the planning group, after public hearing, to recommend to you the creation of the Basilica BID in substantial conformance with the attached Operating Plan.

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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Brad Zurek
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

[Signature]
Title(s) (if any): owner
(Please Print)

Date:

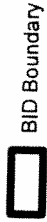
7/8/10
(Please Print)

Address(es) of real property owned:

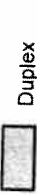
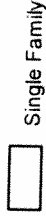
606¹⁴ W. Lincoln Ave

Business Improvement District No. 46 (Basilica Square)

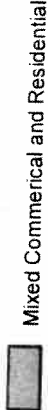
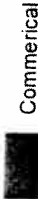
Land Use



Residential



Commercial



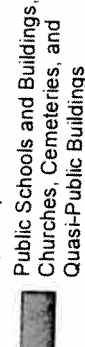
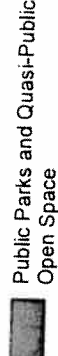
Manufacturing, Construction, and Warehousing



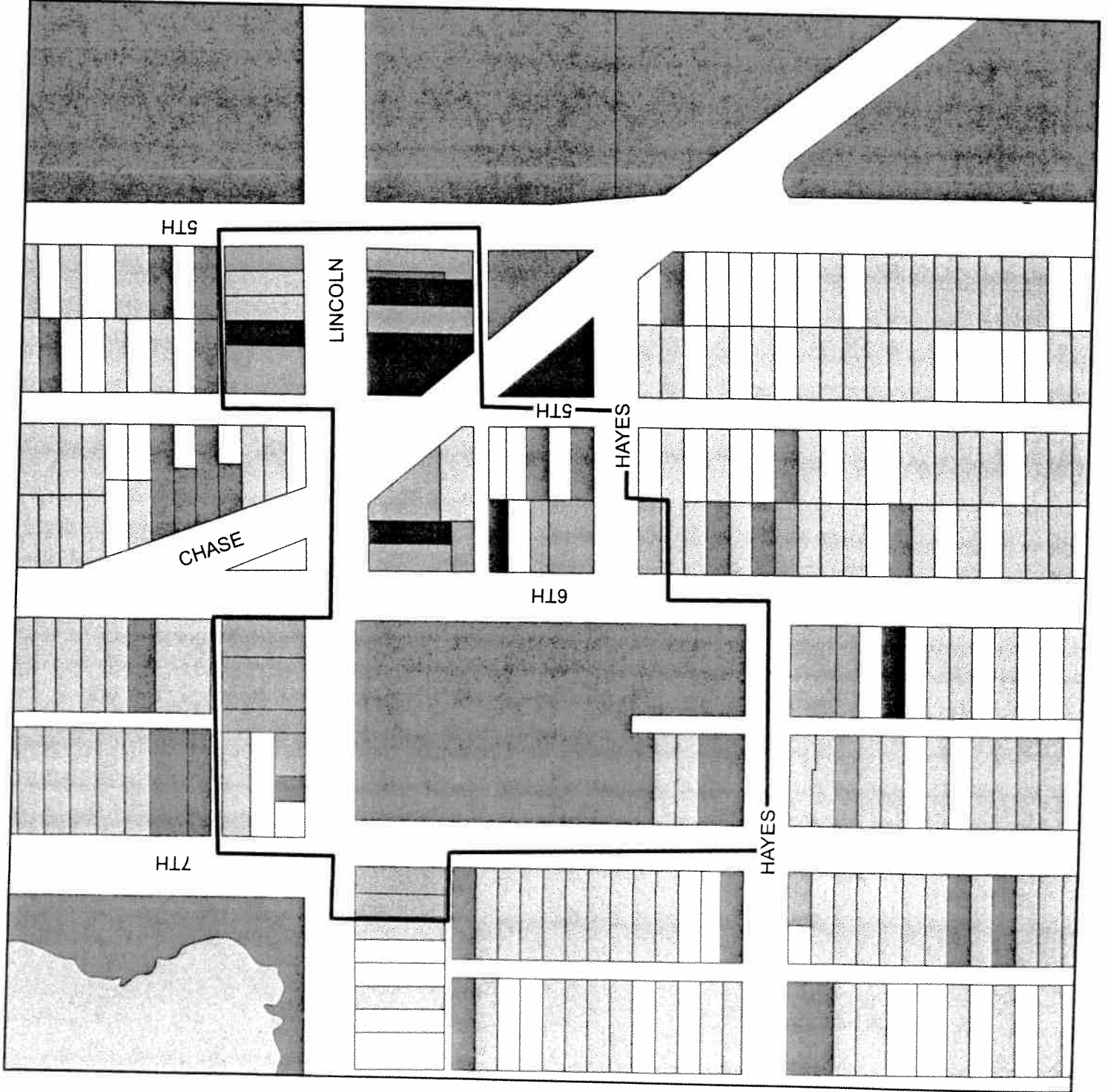
Transportation, Communications, and Utilities



Public and Quasi-Public



Vacant Land or Recent Taxkey Change



Produced By
Department of City Development Information Center AT
Project No.
F:\GIS\Basilica\BID2010\PD\MIS_ML_BID
Map File
F:\GIS\Basilica\BID2010\BID\MIS_ML_BID
Generated 9-Aug-2010 Scale = 1:6,522



0 87.5 175 350 Feet

Appendix D: List of Assessed Properties

HOUSE #		STREET	ST TYPE	Current Assessment	BID Assessment
500	W	LINCOLN	AV	94900	474.5
501	W	LINCOLN	AV	141000	650
505	W	LINCOLN	AV	4400	22
507	W	LINCOLN	AV	84800	424
511	W	LINCOLN	AV	158000	650
514	W	LINCOLN	AV	66400	332
517	W	LINCOLN	AV	0	0
522	W	LINCOLN	AV	313000	650
550	W	LINCOLN	AV	0	0
565	W	LINCOLN	AV	157000	650
569	W	LINCOLN	AV	93400	467
573	W	LINCOLN	AV	221000	650
2316	S	6TH	ST	144000	650
2324	S	6TH	ST	66700	333
2330	S	6TH	ST	81400	407
2333	S	6TH	ST	0	0
2338	S	6TH	ST	209000	650
2400	S	6TH	ST	143000	650
600	W	LINCOLN	AV	246000	650
606	W	LINCOLN	AV	388000	650
616	W	LINCOLN	AV	161000	650
620	W	LINCOLN	AV	68800	344
628	W	LINCOLN	AV	0	0
703	W	LINCOLN	AV	206000	650
705	W	LINCOLN	AV	96700	483.5
				3144500	11087

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

August 26, 2010

Rocky Marcoux, Commissioner
Department of City Development
809 North Broadway
Milwaukee, WI 53202

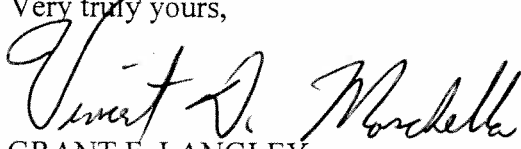
Re: Proposed Operating Plan for Business Improvement District No. 46


Dear Commissioner Marcoux:

This letter is written in response to your request of August 23, 2010 for this office to review the proposed initial Operating Plan for Business Improvement District No. 46 (the "Plan"). You asked us to provide an opinion with respect to compliance on the part of the Plan with the requirements of Wis. Stat. § 66.1109 (1)(f).

We have reviewed the Plan, a copy of which is attached hereto, and, based upon such review, are of the opinion the Plan meets the requirements of Wis. Stat. § 66.1109 (1)(f), in particular subsections 1 through 4 thereof.

Very truly yours,

for 
GRANT F. LANGLEY
City Attorney


KEVIN P. SULLIVAN
Assistant City Attorney

KPS:lmc
Enclosure

1050-2010-2359:160894

NOTICES SENT TO FOR FILE: 100763

[illegible]



Legislation Details (With Text)

File #: 100764 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution creating Business Improvement District No. 47, Lincoln Village, and approving its first year Operating Plan, in the 12th Aldermanic District.

Sponsors: ALD. WITKOWIAK

Indexes: BUSINESS IMPROVEMENT DISTRICT 47, BUSINESS IMPROVEMENT DISTRICTS

Attachments: Fiscal Impact Statement, City Plan Commission Letter, BID 47 Operating Plan, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/20/2010	1	CITY CLERK	DRAFT SUBMITTED		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number
100764
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. WITKOWIAK

Title
Substitute resolution creating Business Improvement District No. 47, Lincoln Village, and approving its first year Operating Plan, in the 12th Aldermanic District.

Analysis
This substitute resolution establishes a Business Improvement District, pursuant to Wisconsin Statutes, for the area along West Lincoln Avenue between 10th and 15th Streets and properties on South 13th Street and Windlake Avenue. This substitute resolution also adopts a first year Operating Plan and budget for the BID, creates a District Board and authorizes special assessments totaling \$18,000 on taxable properties in the BID.

Body
Whereas, The Lincoln Village business district is a vital and integral part of the City of Milwaukee ("City"); and

Whereas, A Business Improvement District ("BID"), as authorized by Section 66.1109, Wisconsin Statutes, provides a financing method to allow the Lincoln Village business district to become self-sustaining; and

Whereas, Several property owners in the proposed BID have submitted petitions requesting the City to establish a BID in the area; and

Whereas, A first year Operating Plan has been prepared, a copy of which is attached to this Common Council File, which describes proposed activities within the District and which acts in accordance with applicable Wisconsin Statutes; and

Whereas, Said Operating Plan has been reviewed and adopted by the City Plan Commission following a public hearing; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Business Improvement District No. 47, Lincoln Village, and the associated District Board are hereby created; and, be it

Further Resolved, That the first year Operating Plan for BID No. 47 is hereby adopted; and, be it

Further Resolved, That the City Treasurer, City Comptroller and other affected departments are hereby directed to collect and disburse BID No. 47 assessments in accordance with said Operating Plan; and, be it

Further Resolved, That all City officials, departments, boards and commissions are directed to take all actions and provide such assistance, as needed, to carry out the intent and purpose of this resolution and the adopted Operating Plan for BID No. 47.

Drafter
DCD:RFM:rfm
10/19/10



City of Milwaukee Fiscal Impact Statement

A

Date

File Number

☐ Original

☐ Substitute

Subject

B

Submitted By (Name/Title/Dept./Ext.)

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

This Note

☐ Was requested by committee chair

E

Charge To

☐ Department Account

☐ Capital Projects Fund

☐ Debt Service

☐ Other (Specify)

☐ Contingent Fund

☐ Special Purpose Accounts

☐ Grant & Aid Accounts

F

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other			
TOTALS			

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.

<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	

H

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

I

Assumptions used in arriving at fiscal estimate.

J

Additional information.

September 21, 2010

To the Honorable Members of the
Community Economic Development Committee
City of Milwaukee

Dear Committee Members:

On September 20, 2010, the City Plan Commission held a public hearing regarding the file creating Business Improvement District No. 47 (Lincoln Village), and approving its first year Operating Plan, for the properties in the Lincoln Village business area along West Lincoln Avenue between 10th and 15th Street and properties on South 13th Street and Windlake Avenue, in the 12th Aldermanic District.

Section 66.1109 of the State statutes allows businesses within such a district to develop, manage and promote the district, and to establish an assessment method to fund these activities.

Business Improvement District No. 47 will be used to develop the vitality of the Lincoln Village business district, increase the number and variety of businesses within the BID, enhance the community image through safety and beautification initiatives, market the area as a premier commercial corridor on Milwaukee's south side, and grow commercial business while protecting and preserving the historical significance and integrity of structures in the BID area.

Based on this information, the commission felt that the establishment of the business improvement district would be a positive step for the general area and therefore approved the establishment of BID No. 47.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: R. Manuel

File:

BUSINESS IMPROVEMENT DISTRICT NO. 47

Lincoln Village

PROPOSED OPERATING PLAN

Business Improvement District No. 47
Lincoln Village Business Improvement District (LVBID)
Proposed Operating Plan

Table of Contents

1. Introduction
2. District Boundaries
3. Proposed Operating Plan
 - a. Plan Objectives
 - b. Proposed Activities – Year One
 - c. Proposed Expenditures – Year One
 - d. Financing Method
 - e. Organization of BID Board
 - f. Relationship to LVBA
4. Method of Assessment
 - a. Assessment rate and method
 - b. Future Assessments
 - c. Excluded and exempt property
5. Relationship to City of Milwaukee Comprehensive Plan and Orderly Development of the City
 - a. City plans
 - b. City role in district operation
6. Plan Approval Process
 - a. Public Review Process
 - b. Petition Against Creation of the BID
7. Future Year Operating Plans
 - a. Phased Development
 - b. Amendment, Severability, and Expansion
 - c. Performance Review

1. Introduction

In 1984, the Wisconsin legislature created 66.1109 (formerly 66.608) 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.)

The City of Milwaukee has previously approved a petition from property owners which requested the creation of a Business Improvement District for the purposes of revitalizing and improving the Lincoln Village business district on Milwaukee’s south side. The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed Lincoln Village Business Improvement District. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

2. District Boundaries

A listing of the properties included in the district is provided in Appendix A. The Lincoln Village Business Improvement District is roughly bounded by:

- The eastern boundary of the LVBID is the Kosciuszko Park side of the intersection of South 10th Street and West Lincoln Ave.
- The northern boundary of the LVBID is the businesses along the northern side of West Lincoln Ave. as well as the businesses along South 13th Street that are south of West Windlake Ave.
- The western boundary of the LVBID is the businesses east of the intersection of South 16th Street and West Lincoln Ave.
- The southern boundary of the LVBID is the businesses along the southern side of West Lincoln Ave. as well as some along South 13th Street which are functionally linked to the Lincoln Village business district.

3. Proposed Operating Plan

a. Plan Objectives

The objectives of the LVBID are to:

- i. Develop the vitality of the Lincoln Village business district;
- ii. Increase the number and variety of businesses within the LVBID;
- iii. Enhance the community image through safety and beautification initiatives;
- iv. Market the Lincoln Village area as the premier commercial corridor on Milwaukee’s south side;
- v. Promote the mutually beneficial opportunities among LVBID’s businesses;
- vi. Protect and preserve the historical significance and integrity of structures in the target area;
- vii. Ultimately grow commercial business and property values.

b. Proposed activities – Year One

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

- i. Provide a matching grant for property owners to obtain a security system for their property not to exceed \$2000 or 40% of the total project cost;
- ii. Broaden the existing marketing and promotional programs, in conjunction with the Main Street Milwaukee program and VISIT Milwaukee to build a brand for the retail and dining amenities within the LVBID;
- iii. Further develop the websites of LVBID businesses and the LVBID as the primary communications and promotion tool among businesses in the LVBID area;
- iv. Organize and participate in neighborhood cleanup events;
- v. Actively participate with local task forces of government and businesses seeking to promote economic development activities on Milwaukee's south side.

c. Proposed Expenditures – Year One

Category	Item	Expenditure	%
Admin	Security System Grant	\$8,500	47.2%
	Administration	\$7,500	41.7%
	Audit	\$2,000	11.1%
TOTAL		\$18,000	100%

d. Financing Method

It is estimated that \$18,000 will be raised through BID 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 the BID Board

The Mayor will appoint members to the LVBID Board ("board"). The board's primary responsibility will be the 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 board members be owners or occupants of property within the district.

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

- i. Board Size – At least five members

- ii. 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 members shall elect its Chairperson from among its members.
- iii. Term – Appointments to the board shall be for a period of two years.
- iv. Compensation – None
- v. Meetings – All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
- vi. Record Keeping – Files and records of the board's affairs shall be kept pursuant to public record requirements.
- vii. Staffing – The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
- viii. Meetings – the board shall meet regularly, at least twice a year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

f. Relationship to the Lincoln Village Business Association (LVBA)

The LVBID shall be a separate entity from the LVBA, notwithstanding the fact that members, officers, and directors of each may be shared. The LVBA shall remain a publicly and privately funded non-profit organization, and subject to the open meeting law for its records generated in connection with the BID board. The LVBA may, and it is intended, shall, contract with the LVBID to provide services to the BID, in accordance with this Plan.

4. 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 a flat fee on each property was the most equitable assessment method related to the potential benefit provided by the BID. Therefore, a fixed assessment of \$250 per year 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 has a total assessed value of \$13,381,500. This plan proposed to assess the property in the district at a rate of \$250 per parcel will raise \$18,000 for the purposes of the BID.

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

b. Future Assessments

The Lincoln Village BID Board of Directors will engage in a performance review after every year of BID operation to determine appropriate assessment rate changes to meet the needs of the BID operator as well as property owners.

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.

- i. State Statute 66.1109(1) (f) Im: The district will contain property used exclusively for mercantile, manufacturing and special mercantile 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.
- ii. 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.
- iii. 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.

5. 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 Lincoln Village 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:

- i. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
- ii. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
- iii. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
- iv. Receive annual audits required per sec. 66.1109 (3) (c) of the BID law.
- v. 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.
- vi. Encourage the State of Wisconsin, Milwaukee County and other units of government to support activities of the district.

6. 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:

- i. 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.
- ii. 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.
- iii. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
- iv. 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.
- v. The Common Council will act on the proposed BID Plan.
- vi. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
- vii. 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:

- i. Owners of property to be assessed under the proposed initial Operating Plan having 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
- ii. 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.

7. 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.

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

The 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 or 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 authorizes under Section 66.1109(3) (b).

c. Performance Review

The Lincoln Village BID 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.

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 XL. DEVELOPMENT**

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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 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 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.

<<For credits, see Historical Note field.>>

HISTORICAL AND STATUTORY NOTES
2003 Main Volume

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
LINCOLN VILLAGE BUSINESS IMPROVEMENT DISTRICT**

We petition you to (1) create the Lincoln Village Business Improvement District (the "LVBID") in accordance with Wisconsin State Statute 66.608, 1983 Wisconsin Act 184 (the "Act"), and (2) to refer this Petition to the appropriate planning commission which guides the approval process of the LVBID. We endorse the preliminary Operating Plan (the "Plan") prepared by the Lincoln Village BID Steering Committee of the Lincoln Village Business Association, attached as Exhibit A, which describes the BID and its proposed location, purposes, benefits, assessment method, formation, budget and management. We urge the planning group, after public hearing, to recommend to you the creation of the LVBID in substantial conformance with the attached Operating Plan.

We also petition you to (1) enact an ordinance creating the LVBID as described by the Plan as soon as you receive the recommendation of the planning group, and (2) to appoint the Lincoln Village Business Association to administer and implement the Plan in accordance with the Act.

I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Nick and Colin Cycling LLC
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

[Signature]
Title(s) (if any):
(Please Print)

Date:

5-21-10
(Please Print)

Address(es) of real property owned:

1001 W. Lincoln

1013 W. Lincoln

1018 W. Lincoln

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

CMAD Properties LLC

(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Robert Montemayor - Member

Title(s) (if any): Robert Montemayor
(Please Print)

Date:

2-19-2010
(Please Print)

Address(es) of real property owned:

1026-1028 W Lincoln Ave

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

David Hodges
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

David Hodges

Title(s) (if any):

PRESIDENT
(Please Print)

Date:

June 10 - 2010
(Please Print)

Address(es) of real property owned:

1120 W. LINCOLN AVE.

1116 W. LINCOLN AVE.

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Luis Barbosa
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Luis Barbosa

Title(s) (if any): OWNER
(Please Print)

Date: July 2-2010
(Please Print)

Address(es) of real property owned:

1131 W. Lincoln

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Hanin Abdelrehim
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Hanin Abdelrehim

Title(s) (if any):

(Please Print)

Owner

Date:

(Please Print)

7-6-10

Address(es) of real property owned:

1132 West Lincoln Ave

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Villareal LLC V+M Real Estate
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Carmen Villareal

Title(s) (if any): Manager
(Please Print)

Date: 5/21/2010
(Please Print)

Address(es) of real property owned:

2200 S. 13th St.

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
LINCOLN VILLAGE BUSINESS IMPROVEMENT DISTRICT**

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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):


(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Title(s) (if any): Jim Highmeh
(Please Print)

Date: 3-10-10
(Please Print)

Address(es) of real property owned:

1301 W. Lincoln Ave
1311 W. Lincoln Ave
1317 W. LINCOLN Ave
1327 W. LINCOLN Ave
1333 W. LINCOLN Ave

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Valdemar Escobar

Title(s) (if any):

(Please Print)

Date:

3-4-10
(Please Print)

Address(es) of real property owned:

821 W. Lincoln
Ave. Milwaukee
WI. 53218

~~2395 ST~~
2239 S. 13th
Milwaukee WI
WI. 53215

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

1434 W. WINDLAKE LLC
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Jasbir Singh Panu

Title(s) (if any): JASBIR SINGH PANU
(Please Print)

Date:

06/10/10
(Please Print)

Address(es) of real property owned:

1434 W. WINDLAKE AV

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Terry Byrd Sierra
(Individuals, corporations, limited liability
company, etc.)

Authorized Signature(s):

[Signature]

Title(s) (if any):

(Please Print)

Date:

5-4-10
(Please Print)

Address(es) of real property owned:

1412 W Lincoln

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**PETITION TO THE COMMON COUNCIL OF THE
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Victor M Correa
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Owner

Title(s) (if any):

(Please Print)

Date:

06-09-10
(Please Print)

Address(es) of real property owned:

1438 W Lincoln Ave

PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
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I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

ANA M RAZO LA GUADALUPANA
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

Ana M Razo

Title(s) (if any): OWNER
(Please Print)

Date:

3-4-2010
(Please Print)

Address(es) of real property owned:

1520 - 24 W LINCOLN
MILWAUKEE WI 53215

**PETITION TO THE COMMON COUNCIL OF THE
CITY OF MILWAUKEE TO CREATE IN MILWAUKEE A
LINCOLN VILLAGE BUSINESS IMPROVEMENT DISTRICT**

We petition you to (1) create the Lincoln Village Business Improvement District (the "LVBID") in accordance with Wisconsin State Statute 66.608, 1983 Wisconsin Act 184 (the "Act"), and (2) to refer this Petition to the appropriate planning commission which guides the approval process of the LVBID. We endorse the preliminary Operating Plan (the "Plan") prepared by the Lincoln Village BID Steering Committee of the Lincoln Village Business Association, attached as Exhibit A, which describes the BID and its proposed location, purposes, benefits, assessment method, formation, budget and management. We urge the planning group, after public hearing, to recommend to you the creation of the LVBID in substantial conformance with the attached Operating Plan.

We also petition you to (1) enact an ordinance creating the LVBID as described by the Plan as soon as you receive the recommendation of the planning group, and (2) to appoint the Lincoln Village Business Association to administer and implement the Plan in accordance with the Act.

I certify that I have authority to sign this Petition on behalf of the owner(s) of the real property referred to below.

Name(s) of Real Property Owner(s):

Ruben Rivera / Shayleen Morales.
(Individuals, corporations, limited liability company, etc.)

Authorized Signature(s):

[Signature]

Title(s) (if any): owner. Shayleen Morales.
(Please Print)

Date: 3/4/10

(Please Print)

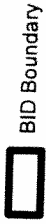
Address(es) of real property owned:

1561 W Lincoln Ave Milwaukee WI 53215

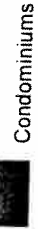
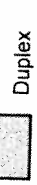
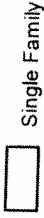
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_____	_____
_____	_____
_____	_____

Business Improvement District No. 47 (Lincoln Village)

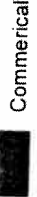
Land Use



Residential



Commercial



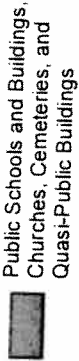
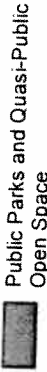
Manufacturing, Construction, and Warehousing



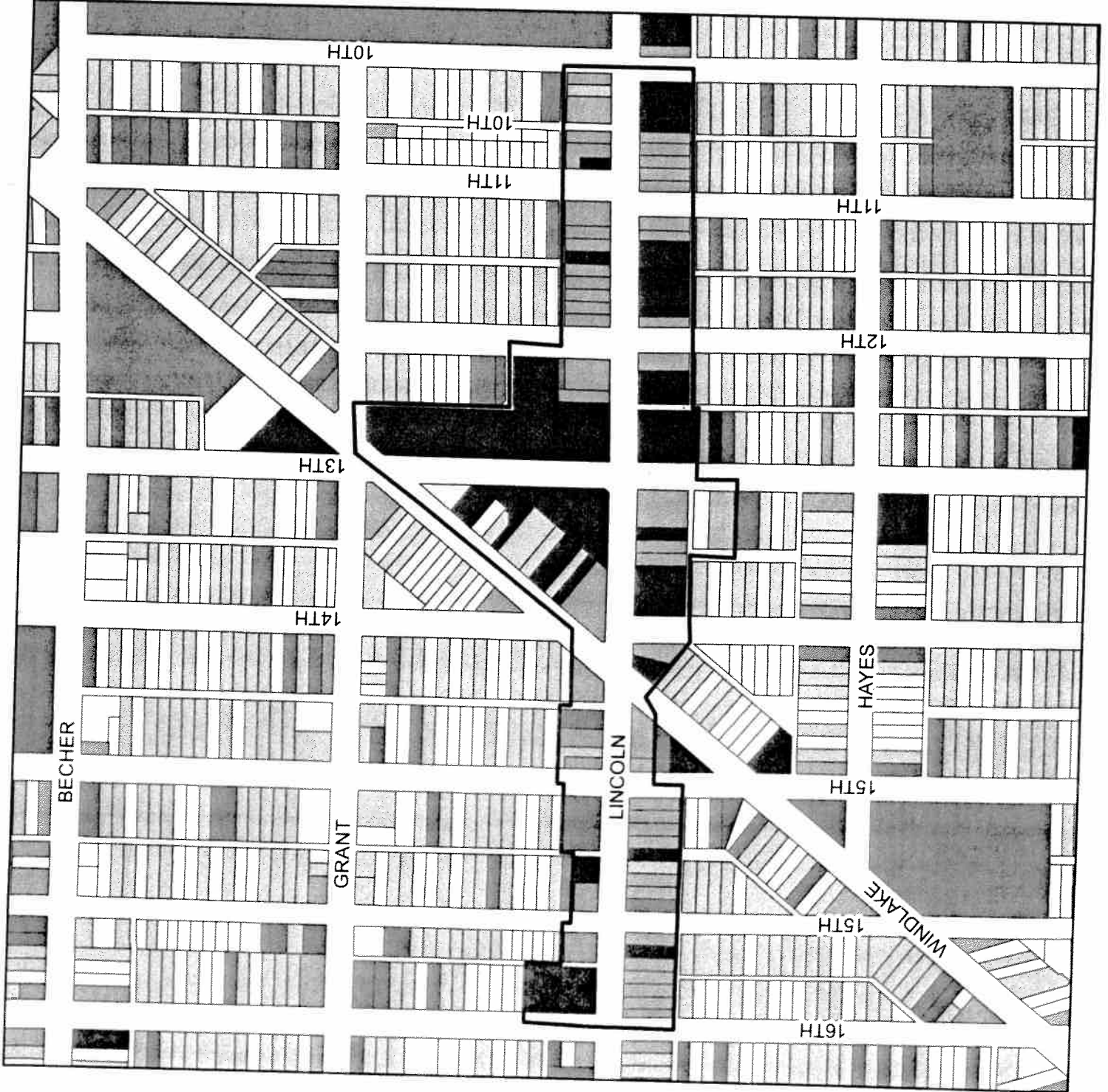
Transportation, Communications, and Utilities



Public and Quasi-Public



Vacant Land or Recent Taxkey Change



Produced By:
Department of City Development Information Center AT
Project No:
F:\GIS\Map\Projects\BID2010\BID47\ML_BID
Map File:
F:\GIS\Map\Projects\BID2010\BID47\ML_BID
Generated: 9-Aug-2010, Scale: 1:5,522



Appendix D: List of Assessed Properties

HOUSE #	DIR	STREET	STTYPE	CURRENT ASSESSMENT	BID ASSESSMENT
1000	W	LINCOLN	AV	123000	250
1001	W	LINCOLN	AV	216000	250
1008	W	LINCOLN	AV	33100	250
1013	W	LINCOLN	AV	136000	250
1017	W	LINCOLN	AV	130000	250
1018	W	LINCOLN	AV	145000	250
1021	W	LINCOLN	AV	116000	250
1022	W	LINCOLN	AV	159000	250
1025	W	LINCOLN	AV	173000	250
1026	W	LINCOLN	AV	155000	250
1027	W	LINCOLN	AV	163000	250
1033	W	LINCOLN	AV	141000	250
1100	W	LINCOLN	AV	271000	250
2305	S	11TH	ST	163000	250
1105	W	LINCOLN	AV	92600	250
1108	W	LINCOLN	AV	76000	250
1111	W	LINCOLN	AV	168400	250
1112	W	LINCOLN	AV	106000	250
1116	W	LINCOLN	AV	84400	250
1117	W	LINCOLN	AV	181000	250
1120	W	LINCOLN	AV	60000	250
1125	W	LINCOLN	AV	58100	250
1126	W	LINCOLN	AV	99600	250
1128	W	LINCOLN	AV	104000	250
1129	W	LINCOLN	AV	107000	250
1131	W	LINCOLN	AV	120000	250
1132	W	LINCOLN	AV	92700	250
1136	W	LINCOLN	AV	129000	250
1200	W	LINCOLN	AV	581000	250
1201	W	LINCOLN	AV	201000	250
1207	W	LINCOLN	AV	60000	250
1210	W	LINCOLN	AV	115000	250
1211	W	LINCOLN	AV	125000	250
1221	W	LINCOLN	AV	1028000	250
2200	S	13TH	ST	522000	250

2222	S	13TH	ST	562000	250
2229	S	13TH	ST	9600	250
2239	S	13TH	ST	216700	250
2251	S	13TH	ST	101000	250
2261	S	13TH	ST	504000	250
2266	S	13TH	ST	903000	250
2325	S	13TH	ST	274000	250
1301	W	LINCOLN	AV	441000	250
1311	W	LINCOLN	AV	132000	250
1317	W	LINCOLN	AV	105000	250
1321	W	LINCOLN	AV	95700	250
1326	W	LINCOLN	AV	366000	250
1327	W	LINCOLN	AV	277000	250
1333	W	LINCOLN	AV	119000	250
1371	W	WINDLAKE	AV	62500	250
1430	W	WINDLAKE	AV	121000	250
1412	W	LINCOLN	AV	280300	250
1428	W	LINCOLN	AV	166000	250
1437	W	LINCOLN	AV	101000	250
1438	W	LINCOLN	AV	146000	250
1500	W	LINCOLN	AV	0	0
1501	W	LINCOLN	AV	0	0
1505	W	LINCOLN	AV	109000	250
1509	W	LINCOLN	AV	124000	250
1515	W	LINCOLN	AV	104400	250
1519	W	LINCOLN	AV	93600	250
1520	W	LINCOLN	AV	234300	250
1525	W	LINCOLN	AV	136000	250
1530	W	LINCOLN	AV	210000	250
1531	W	LINCOLN	AV	150000	250
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1551	W	LINCOLN	AV	142000	250
1555	W	LINCOLN	AV	73600	250
1559	W	LINCOLN	AV	132000	250
1563	W	LINCOLN	AV	133000	250
1567	W	LINCOLN	AV	86800	250
1570	W	LINCOLN	AV	144000	250

Draft
8-20-2010

1571	W	LINCOLN	AV	101000	250
1575	W	LINCOLN	AV	88300	250
TOTAL				13544500	18000

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys

**CITY OF
MILWAUKEE**
Office of the City Attorney

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

August 26, 2010

Rocky Marcoux, Commissioner
Department of City Development
809 North Broadway
Milwaukee, WI 53202

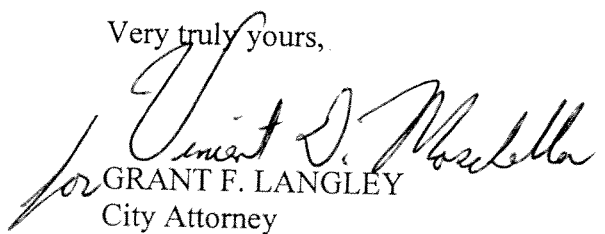
Re: Proposed Operating Plan for Business Improvement District No. 47


Dear Commissioner Marcoux:

This letter is written in response to your request of August 23, 2010 for this office to review the proposed initial Operating Plan for Business Improvement District No. 47 (the "Plan"). You asked us to provide an opinion with respect to compliance on the part of the Plan with the requirements of Wis. Stat. § 66.1109 (1)(f).

We have reviewed the Plan, a copy of which is attached hereto, and, based upon such review, are of the opinion the Plan meets the requirements of Wis. Stat. § 66.1109 (1)(f), in particular subsections 1 through 4 thereof.

Very truly yours,


GRANT F. LANGLEY
City Attorney


KEVIN P. SULLIVAN
Assistant City Attorney

KPS:lmc
Enclosure

1050-2010-2360:160896

NOTICES SENT TO FOR FILE: 100764

[illegible]



Legislation Details (With Text)

File #: 100765 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing the proper City officials to execute an Agreement among the Milwaukee Metropolitan Sewerage District, the City of Milwaukee and Rexnord Industries, LLC, for modifications to the floodwall system and internal drainage system at the Falk Complex, 3001 West Canal Street.

Sponsors: ALD. DONOVAN

Indexes: AGREEMENTS, FLOOD CONTROL, MENOMONEE RIVER VALLEY, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT, RIVERS

Attachments: Agreement as of 10-12-10.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100765

Version

ORIGINAL

Reference

100553

Sponsor

ALD. DONOVAN

Title

Resolution authorizing the proper City officials to execute an Agreement among the Milwaukee Metropolitan Sewerage District, the City of Milwaukee and Rexnord Industries, LLC, for modifications to the floodwall system and internal drainage system at the Falk Complex, 3001 West Canal Street.

Analysis

This resolution will authorize the City of Milwaukee to execute an Agreement among the Milwaukee Metropolitan Sewerage District, the City of Milwaukee and Rexnord Industries, LLC, for modifications to the floodwall system and internal drainage system at the company's facility at 3001 West Canal Street. There is no Local Match required.

Body

Whereas, On May 18, 2010, the City of Milwaukee ("City") was awarded \$8.2 million from the State of Wisconsin Department of Commerce, Community Development Block Grant - Emergency Assistance Program ("CDBG-EAP"), originating from the U.S. Department of Housing and Urban Development, to assist in recovery efforts related to flooding that occurred in 2008; and

Whereas, By adoption of File No. 100553 on September 21, 2010, the Common Council of the City of Milwaukee ("Council") authorized the City to apply for, accept and fund the grant for the Kinnickinnic River and Falk Complex Projects; and

Whereas, The grant specified a grant award to the Falk Complex, located in the Menomonee River Valley at 3001 West Canal Street, of \$2.3 million to assist the company with levee and floodwall improvements for its facility; and

Whereas, Rexnord Industries, LLC, parent company of Falk, and the Milwaukee Metropolitan Sewerage District have worked jointly to design a flood mitigation program and storm water sewerage system for the Falk Complex at 3001 West Canal Street; and

Whereas, The City supports efforts to retain and possibly expand employment opportunities within the City, and in furtherance of such support of local employers, the City proposes to apply the grant, as directed by the State of Wisconsin, to be used toward the floodwall system for the Falk Complex; and

Whereas, The grant project for flood mitigation is from May 18, 2010 to June 30, 2014 and will cost approximately \$2.5 million, of which \$2.3 million will be provided by the Grantor and the remaining will be provided by Rexnord Industries, LLC; and

Whereas, The Milwaukee Metropolitan Sewerage District will provide an additional grant of \$823,000 to Rexnord Industries, LLC, for internal storm water drainage, as described in an Agreement, a copy of which is attached to this Common Council File; and

Whereas, No Local Match is required:

In-Kind City Share: \$-0-

Out-of-Pocket City Share: \$-0-

Local, Non-City Share: \$-0-

; and

Whereas, The City has determined that the benefits to the City from the grant project exceed the City's Share of costs and other obligations to be incurred under this project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are authorized to execute an Agreement among the Milwaukee Metropolitan Sewerage District, the City of Milwaukee and Rexnord Industries, LLC, under the terms specified above; and, be it

Further Resolved, That the proper City officials are authorized to accept the terms of the Agreement, without further Common Council approval, unless any of the following occur:

1. The purpose of such grant project changes significantly.
2. The amount of the Out-of-Pocket City Share increases from the amount specified above.
3. The ratio of Out-of-Pocket City Share to Grantors' Share increases from that specified above.

Drafter

DCD-Redevelopment Authority

DPM:dpm

10/12/10/A

**AGREEMENT BETWEEN THE
MILWAUKEE METROPOLITAN SEWERAGE DISTRICT,
THE CITY OF MILWAUKEE AND REXNORD INDUSTRIES, LLC,
FOR MODIFICATIONS TO THE
FLOODWALL SYSTEM AND INTERNAL DRAINAGE SYSTEM
AT THE FALK COMPLEX, 3001 CANAL STREET, MILWAUKEE, WISCONSIN**

This Agreement entered into as of the last date appearing in the signature block below, by and among the Milwaukee Metropolitan Sewerage District ("District"), a municipal body corporate, created and operating pursuant to Wis. Stat. §§ 200.21 through 200.65; the City of Milwaukee, a general purpose municipal corporation organized and operating pursuant to Special Charter, hereafter "City;" and Rexnord Industries, LLC, hereafter "Rexnord," a Delaware limited liability company authorized to do business in Wisconsin:

- A. WHEREAS, Rexnord owns land and facilities bordering the Menomonee River located at 3001 West Canal Street, hereafter "the Falk Complex"; and
- B. WHEREAS, the Falk Complex has flooded on multiple occasions in the past 50 years and Rexnord is concerned that development in the Menomonee River Valley could increase future risk of flooding at the Falk Complex; and
- C. WHEREAS, the Falk Complex presently has a perimeter floodwall protection system consisting of sheet piling and reinforced concrete floodwalls which may no longer provide adequate reduction of flood risk; and
- D. WHEREAS, the District is authorized by statute to project, plan, design, construct, maintain, and operate a sewerage system for the collection, transmission, and disposal of all drainage of the sewerage service area including, either as an integrated or as a separate feature of the system, the collection, transmission and disposal of storm water and groundwater; and
- E. WHEREAS, the preferred method to reduce flood risk at the Falk Complex is installation of an improved

floodwall protection system, including flood gates, hereinafter referred to as "floodwall system," which would provide adequate free board protection from the risk of the 1% probability flood so as to meet National Flood Insurance Standards, and installation of an internal drainage system at the Falk Complex; and

- F. WHEREAS, Rexnord agrees, subject to certain conditions contained in Paragraph 1.B, below, to plan, design, construct, operate and maintain improvements in the floodwall system and internal drainage system at the Falk Complex; and
- G. WHEREAS, the City supports efforts to retain and possibly expand employment opportunities within the City and in furtherance of such support of local employers, the City proposes to apply to the Wisconsin Department of Commerce for a Community Development Block Grant through the Emergency Assistance Program in the amount of \$2,300,000 to be used toward the floodwall system; and
- H. WHEREAS, Rexnord proposes to convey a drainage/flood easement for the Falk Complex to the District in exchange for reimbursement of project costs as set forth in this Agreement; and

NOW, THEREFORE, IT IS AGREED AMONG THE PARTIES, THAT IN CONSIDERATION TO THE MUTUAL PROMISES MADE BY THE PARTIES TO THIS AGREEMENT:

1. *Design and Construction of Floodwall System and Internal Drainage System at the Falk Complex*

- A. Rexnord to Design and Construct the Floodwall System and the Internal Drainage System.
 - (1) Subject to Subparagraph A.(2) and A.(3), Rexnord shall cause a floodwall system and internal drainage system to be designed and built consistent with the memoranda titled "Falk Complex-Interior Drainage System Improvements," prepared by Tetra Tech, Inc., and dated

September 28, 2009, and "Falk Complex –Floodwall Modifications," prepared by Collins Engineers Inc., and dated July 3, 2008, which are appended hereto as Attachment A and are made a part of this Agreement by reference thereto.

- (2) In the event the City is wholly or partially unable to obtain an Emergency Assistance Program grant, Rexnord agrees, subject to the District providing the funding set forth in Subparagraph B.(3)(i) and in accordance with the terms set forth in this Agreement, to design and construct an internal drainage system consistent with the memorandum on internal drainage system improvements referenced in Attachment A.
- (3) In the event the City is wholly or partially unable to obtain an Emergency Assistance Program grant, Rexnord agrees, subject to the District providing the funding set forth in Subparagraphs B.(3)(iii) and B.(3)(iv) and in accordance with the terms set forth in this Agreement, to design and construct affordable floodwall system improvements consistent with the memorandum on floodwall modifications referenced in Attachment A. The term "affordable" means such design and construction that uses all available Emergency Assistance Program grant funds and, as provided in subsection B.(3)(iii) or (iv), up to \$338,000 in District contribution toward the floodwall system.
- (4) Subject to the District's reimbursement as set forth in Subparagraph B.(3), Rexnord agrees to pay all reasonable and necessary costs to operate and maintain the hydraulics and hydrology of the floodwall system and internal drainage system (or to pass such obligation on to a successor) for however long as such systems are in service.

B. Payment and Reimbursement for Design and Construction Costs.

- (1) Rexnord agrees to seasonably perform all necessary design and construction work on the floodwall and

internal drainage system and to be directly responsible for all costs incurred to design and construct both the floodwall system and the internal drainage system; provided, however, that appropriate designers and contractors enter into definitive contracts to perform all necessary design and construction work on the floodwall and internal drainage system; and provided further, however, that adequate funding of the work is available and that adequate arrangements have been made to recompense Rexnord for funds it expends to design and construct the above referenced work to the extent agreed to herein.

- (2) City Participation in Costs of Design and Construction.
 - (i) Apply to the Wisconsin Department of Commerce for a Community Development Block Grant pursuant to the Emergency Assistance Program to fund the improvement of the perimeter floodwall at Rexnord.
 - (ii) The City agrees to provide Rexnord with that portion of any Emergency Assistance Program grant obtained to fund all or part of the design and construction of the floodwall system and the internal drainage system as permitted by said grant program as soon as such grant funds can be provided to Rexnord under the regulations applicable to the grant program.
- (3) District Participation in Costs of Design and Construction.
 - (i) Regardless of whether the City is able to obtain an Emergency Assistance Program grant to provide assistance for the design and construction of the floodwall system at the Falk Complex, the District will reimburse Rexnord for the actual cost incurred to design and construct the internal drainage system at the Falk Complex in an amount "not-to-exceed" \$823,000.

- (ii) If an Emergency Assistance Program grant in the amount of \$2,300,000 is obtained by the City, the District will not provide financial assistance for design and construction of the floodwall system at the Falk Complex.
 - (iii) If no Emergency Assistance Program grant is obtained, the District will reimburse Rexnord for actual costs incurred, in a "not-to-exceed" amount of \$338,000, to be used either to design and construct the floodwall system up to the 1% probability flood event with one additional foot of freeboard or to provide maintenance for the current floodwall system.
 - (iv) In the event the City receives a partial award of grant funding, e.g., less than \$2,300,000, the District will reimburse Rexnord for actual costs incurred to design and construct the floodwall system up to the 1% probability flood event with one additional foot of freeboard in an amount up to \$338,000, provided that the amount of District financial participation in funding floodwall work, when added to the amount of grant money received, shall not exceed \$2,300,000. For example, if the City receives a grant for \$2 million, the District will contribute \$300,000.
- (4) The City and the District agree that the funding provided to Rexnord for the work at the Falk Complex is not a loan and does not obligate Rexnord to reimburse the City or the District for any of the funding Rexnord receives; provided, however, that nothing in this provision relieves Rexnord of its obligation under **Article 9 Easement** to provide the District with the required easement; and provided further, however, that Rexnord proceeds in a seasonable manner to perform the work funded hereinabove.

C. Plan Review, Engineering Services, and Other Engineering Considerations.

- (1) Rexnord shall provide the City and the District with plans and specifications for the floodwall system and for the internal drainage system for review and approval, which approval shall not be unreasonably withheld, prior to the start of construction, unless the City's review and approval is waived by the City or the District's review and approval is waived by the District.
- (2) Rexnord is responsible for providing engineering services, including resident engineer and inspection activities, during construction at no cost to the District. None of the funds provided by the District may be used to pay administrative and supervisory costs of Rexnord employees.
- (3) Rexnord shall provide as-built drawings acceptable to the District within 60 days after substantial completion.
- (4) Subject to its exercise of reasonable discretion, Rexnord shall permit designated City or District staff to enter the Falk Complex at all reasonable times for the limited purpose of inspection of the floodwall and internal drainage system.
- (5) The District shall provide Rexnord with the hydraulic model for the lower reaches of the Menomonee River and shall, upon request and to the extent such information is available to the District, provide technical information.

2. *Payment*

Rexnord may submit a quarterly invoice to the District for the District's share of the project's cost. The invoice should include: an invoice number, detailed description of the work performed and including costs incurred for which reimbursement is sought by the invoice, the dates covered by the invoice, and backup documentation of actual costs incurred by Rexnord. The District shall pay Rexnord's invoice within Thirty (30) days after receiving the invoice provided a complete invoice is

submitted to the District; provided, however, that the final payment will not be made until and unless Rexnord has furnished the District with a mutually acceptable easement at the Falk Complex as identified in **Article 9 Easement**. To expedite the payment of invoices under this Contract, all invoices shall be sent directly to the following address:

Milwaukee Metropolitan Sewerage District
Attn: David Fowler
260 West Seeboth Street
Milwaukee, WI 53204-1446

3. *Reports*

At the end of every three month period, Rexnord shall provide a written report to the District describing the progress made during that three month period on design or construction of the systems identified in this Agreement.

4. *Materials*

Rexnord shall furnish all materials, equipment, and supplies used to provide the services required by this Agreement.

5. *Insurance*

Neither the City nor the District will provide any insurance coverage of any kind for Rexnord or Rexnord's employees, consultants, agents, or contractors. Rexnord agrees that all legal obligations to provide insurance and all sound risk management considerations that suggest the propriety for insurance shall be purchased or undertaken by Rexnord.

6. *Terminating the Agreement*

For reasonable cause, either District or Rexnord may terminate this Agreement, effective immediately upon giving written notice; provided, however, that in the event the District makes any payment of any costs related to the internal drainage system, including any progress payment toward design or construction costs, Rexnord is required to provide the easement described in **Article 9 Easement**. Reasonable cause requires a material violation of this Agreement that is not remedied by the "at fault" party within forty-five (45) days of the "at fault" party's receipt of written notice of such material violation of this Agreement. The forty-five

(45) day notice of material violation of this Agreement allowed above does not apply in the event Rexnord fails or refuses to execute the **Article 9 Easement**. Rexnord agrees the District may bring a lawsuit for specific performance in the Milwaukee County Circuit Court to compel execution of an appropriate **Article 9 Easement**.

7. Exclusive Agreement

This is the entire Agreement between Rexnord, the City, and District.

8. Modifying the Agreement

This Agreement may be modified only by a writing signed by all parties.

9. Easement

Subject to Rexnord receiving the funding set forth in Subparagraph B.(3), within 30 days of the District's acceptance of the substantial completion of the project, Rexnord agrees to grant a mutually agreed upon permanent drainage/flood easement to the District in which the District is named as grantee for the Falk Complex. The District reserves its right to use the easement at its discretion under the District Watercourse Policy; provided, however, the District may not exercise its discretion in such a manner as to increase the burden of its easement upon Rexnord's Falk Complex.

10. Maintenance of Drainage/Flood Easement

The District and Rexnord agree that maintenance of the easement area granted to the District by Rexnord will be necessary to preserve the integrity of the floodwall system and to prevent flooding of structures by flood events up to the 1% probability flood. Rexnord will be responsible for all reasonable and necessary operation and maintenance costs of the flood easement area and all operation, maintenance, and replacement costs of the flood management improvements that are part of this agreement; provided that the District agrees that such obligation may be assigned to a successor in interest to Rexnord.

11. Contract Completion

The parties agree that the work contemplated in this Agreement will

be completed no later than 31 December 2012.

[SIGNATURE PAGE TO FOLLOW]

**MILWAUKEE METROPOLITAN
SEWERAGE DISTRICT**

By: _____
Kevin L. Shafer, P.E.
Executive Director

Dated: _____

Approved as to form:

Attorney for the District

REXNORD INDUSTRIES, LLC

By: _____

Tim Carpenter
Vice President & General
Manager - Gear Division

Dated: 9/29/10

CITY OF MILWAUKEE

By: _____

Thomas Barrett, Mayor

Dated: _____

By: _____

W. Martin Morics,

Comptroller

Dated: _____

By: _____

Ronald D. Leonhardt

City Clerk

Dated: _____

Approved as to form and
execution

By: _____

Assistant City Attorney

Dated: _____

NOTICES SENT TO FOR FILE: 100765

[illegible]



Legislation Details (With Text)

File #: 100706 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing transfer of \$100,000 in Community Development Block Grant Special Economic Development Funds from the Department of City Development to the City of Milwaukee Emerging Business Enterprise office for a Century City contractor's loan pool in the 7th Aldermanic District.

Sponsors: ALD. WADE

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, COMMUNITY DEVELOPMENT, DEPARTMENT OF CITY DEVELOPMENT, EMERGING BUSINESS ENTERPRISES, REDEVELOPMENT

Attachments: Cover Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number
100706
Version
ORIGINAL
Reference

Sponsor
ALD. WADE

Title
Resolution authorizing transfer of \$100,000 in Community Development Block Grant Special Economic Development Funds from the Department of City Development to the City of Milwaukee Emerging Business Enterprise office for a Century City contractor's loan pool in the 7th Aldermanic District.

Analysis
This resolution authorizes the transfer of \$100,000 in Special Economic Development Funds from the Department of City Development to the City of Milwaukee EBE office to establish a working capital loan pool for contractors working on the Century City redevelopment project.

Body
Whereas, The Century City redevelopment project requires compliance with provisions of Chapter 355, Milwaukee Code of Ordinance, including 25% participation by City certified Emerging Business Enterprises ("EBE") for construction contracts; and

Whereas, EBE's are often challenged by a lack of access to capital to meet the short-term cash flow demands of construction projects; and

Whereas, By adoption of Resolution File No. 100027 on May 25, 2010, the Common Council of the City of Milwaukee authorized the transfer of Community Development Block Grant ("CDBG") reprogramming funds to the Department of City Development ("DCD") to provide financing assistance to EBE contractors at the Century City redevelopment site; and

Whereas, The City EBE Office currently underwrites and services loans to small businesses and is an appropriate City development to administer the Century City loan program; and

Whereas, The Century City loan program will operate under existing EBE Office program guidelines, which will ensure consistency in loan programs and ease of use for City certified EBE's; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee hereby approves the transfer of the \$100,000 of the 2010 HUD award from the DCD to the City EBE Office; 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 CDBG cost incurred shall be paid in accordance with approved CDBG 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 Grant Program set forth in Common council File Number 74-92-5v are fully applicable to the 2010 Community Development Entitlement Funding Program.

Drafter
CDGA-DCD-EBEP
KLB:klb

09/29/10

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Block Grant Director

DATE: September 29, 2010

RE: Resolutions for Introduction

Attached is a resolution that seeks the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments

NOTICES SENT TO FOR FILE: 100706

[illegible]



Legislation Details (With Text)

File #: 100707 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **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 2011 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, HOUSING

Attachments: Cover Letter, Allocation of community development funds - Ald. Davis, 2011 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/14/2010	1	CITY CLERK	DRAFT SUBMITTED		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100707

Version

SUBSTITUTE 1

Reference

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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 2011 Community Development entitlement estimated at \$25,740,186. 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 2011 estimated at \$25,740,186 which includes CDBG funding at \$18,200,000, HOME funding at \$6,800,000 and ESG funding at \$740,186; and

Whereas, Common Council File Number (CCFN) 090292 authorized the submission of the Consolidated Strategy and Plan and Annual Action Plan for 2011 consolidated community development entitlement funding; and

Whereas, CCFN 100317 adopted on July 27, 2010 authorized the 2011 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 \$300,000 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 \$26,255,186 of which \$25,740,186 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	\$2,440,186*
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*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 2011 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 2011 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 2011 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/projects titled Community Development Block Grant, HOME, and ESG:

<u>Project/Grant</u>	<u>Fund</u>	<u>Org</u>	<u>Program</u>	<u>BY</u>	<u>SubClass</u>	<u>Acct</u>
GR0001100000 0150	9990	0001	0000	R999	000600	

<u>Project</u>	<u>Amount</u>
Grantor Share	\$26,255,186*

*\$25,740,186 2011 estimated new entitlement, estimated program income of \$515,000 (Emerging Business Enterprise program - \$90,000; Department of City Development - \$125,000-CDBG & \$300,000-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 2011 grant budget funds for updating computer equipment.
3. Expend from the 2011 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 \$999,000 - CDBG, and \$485,000 - HOME, for the administration of the City of Milwaukee's 2011 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 2011 Consolidated Community Development Entitlement Projects implementing Program Administration are hereby authorized in the total amount of \$2,506,800 in CDBG funds and \$579,000 of HOME 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 2011 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 2011 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 2011 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 Community Development Grants Administration is authorized to allocate DPW Site Improvement Contingency funds to appropriate site-specific projects accounts upon request of the Commissioner of Public Works in accordance with City procedure and Community Development Program regulations; and, be it

Further Resolved, That CDGA is authorized to allocate the NIP Fund and Housing Production Fund to appropriate projects in accordance with NIP and Housing Production policies and practices as approved by the Community & Economic Development Committee; and, be it

Further Resolved, That the Emerging Business Enterprise Program be authorized to carryover any funds remaining from 2010 into 2011; and, be it

Further Resolved, That any Section 108 Guaranteed Loan Program projects that may be proposed in 2011 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 2011 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 2011 Community Development Program in accordance with the 2011 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 2011 Community Development Entitlement Funding Program.

Requestor

Drafter

2011CDBG-ADMIN-1

10/11/10

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Block Grant Director

DATE: September 29, 2010

RE: Title Only Resolutions for Introduction

Attached are the 2011 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



**City
of
Milwaukee**

INTERDEPARTMENTAL CORRESPONDENCE

M E M O

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 13, 2010

Attached are resolutions and accompanying attachments which collectively comprise the City of Milwaukee's 2011 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 25, 2010, 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 22.
2. The Community and Economic Development Committee will hear the recommendations and written amendments on Monday, October 25 starting at 9:00 a.m.
3. The Common Council will consider these matters at its Wednesday, November 3 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

YEAR 2011 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 - Administration</u>				
	City Attorney Office	Legal Services	30,000	30,000
	City Clerk Office	Administration - Historic Preservation	97,800	97,800
	Community Development Grants Administration	Administration	999,000	999,000
	Comptroller's Office	Administration	615,000	615,000
	Department of City Development	Administration	300,452	300,452
	RACM	Administration	464,548	464,548
			<u>2,506,800</u>	<u>2,506,800</u>

Resolution #100707

YEAR 2011 FUNDING RECOMMENDATIONS

Entitlement Funds

HOME Investment Partnerships (HOME)

**Organization
Name**

**Funding
Category**

**Requested
Amount** **HOME
CDGA
Recomm**

City Departments - Administration

Community Development Grants Administration	Administration	485,000	485,000
Comptroller's Office	Administration	94,000	94,000
Total Housing Admin City Depts.		579,000	579,000

Resolution #100707

NOTICES SENT TO FOR FILE: 100707

[illegible]



Legislation Details (With Text)

File #: 100708 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **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 2011 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

Attachments: Cover Letter, 2011 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/14/2010	1	CITY CLERK	DRAFT SUBMITTED		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100708

Version

SUBSTITUTE 1

Reference

100707

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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 2011 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 2011 consolidated community development entitlement funding; and

Whereas, CCFN 100317 adopted on July 27, 2010 authorized the 2011 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 2011 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 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 2011 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 2011 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 2011 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 2011 Community Development Program in accordance with the 2011 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 2011 Community Development Entitlement Funding Program.

Requestor

Drafter

2011CDBG-NSP-1

10/11/10

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Block Grant Director

DATE: September 29, 2010

RE: Title Only Resolutions for Introduction

Attached are the 2011 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 2011 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	50,000	50,000
2	Havenwoods Economic Development Corp.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
3	Lincoln Park Community Center	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
4	Northwest Side Comm Dev Corp	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
5	Sherman Park Community Association	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
6	Harambee Ombudsman Project, Inc.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
7	YMCA of Metro Milwaukee-Community Dev. Corp.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
8	North Avenue Community Dev. Corp.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
9	Project RESPECT, Inc.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
10	YMCA of Metro Milwaukee-Community Dev. Corp.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
11	Lisbon Avenue Neighborhood Development	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
12	Safe & Sound, Inc.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
13	Boys & Girls Club of Gtr Milw-Pieper/Hillside Club	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
14	Merrill Park Neighborhood Association	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
15	Southside Organizing Committee	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
16	Hope House of Milwaukee, Inc.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
17	Southside Organizing Committee	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
18	YMCA of Metro Milwaukee-Community Dev. Corp.	Community Organizing /Crime Awareness Prevention/NSP	50,000	50,000
<i>Total Neighborhood Strategic Planning</i>			<u>900,000</u>	<u>900,000</u>

Resolution #100708

NOTICES SENT TO FOR FILE: 100708

[illegible]



Legislation Details (With Text)

File #: 100709 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **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 2011 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

Attachments: Cover Letter, 2011 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/14/2010	1	CITY CLERK	DRAFT SUBMITTED		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100709

Version

SUBSTITUTE 1

Reference

100707

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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 2011 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 2011 consolidated community development entitlement funding; and

Whereas, CCFN 100317 adopted on July 27, 2010 authorized the 2011 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 2011 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 2011 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 2011 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 2011 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 2011 Community Development Program in accordance with the 2011 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 2011 Community Development Entitlement Funding Program.

Requestor

Drafter

2011CDBG-ESSEN-1

10/11/10

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Block Grant Director

DATE: September 29, 2010

RE: Title Only Resolutions for Introduction

Attached are the 2011 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 2011 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>				
	Safe & Sound, Inc.	<u>NO-RFP</u> Community Partners Initiative	250,000	250,000
	North Avenue Community Dev. Corp.	<u>NO-RFP</u> Community Prosecution Unit	50,000	50,000
	Riverworks Development Corp.	Community Prosecution Unit	105,000	105,000
	Southside Organizing Committee	Community Prosecution Unit	120,000	120,000
	<i>Total Community Prosecution</i>		275,000	275,000
<i>Resolution #100709</i>				

YEAR 2011 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	37,700	30,000
	Arts at Large, Inc.	Youth Services	34,800	0
	ArtWorks for Milwaukee, Inc.	Youth Services	30,840	0
	Betty Brinn Children's Museum	Youth Services	50,000	0
	Boys & Girls Club of Gtr Milw-Daniels/Mardak Club	Youth Services	44,221	30,000
	Boys & Girls Club of Gtr Milw-Davis Club	Youth Services	43,375	30,000
	Boys & Girls Club of Gtr Milw-Fitzsimonds Club	Youth Services	42,897	30,000
	Boys & Girls Club of Gtr Milw-LaVarnway Club	Youth Services	44,677	30,000
	Boys & Girls Club of Gtr Milw-Mary Ryan Club	Youth Services	44,253	30,000
	Boys & Girls Club of Gtr Milw-Pieper/Hillside Club	Youth Services	42,450	30,000
	Career Youth Development, Inc.	Youth Services	30,000	30,000
	Center for Self-Sufficiency, Inc.	Youth Services	50,000	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
	Compel Them to Come, Inc.	Youth Services	50,000	0
	Growing Power, Inc.	Youth Services	102,500	30,000
	Harambee Ombudsman Project, Inc.	Youth Services	40,000	0
	Heartlove Place	Youth Services	40,000	0
	Hmong/American Friendship Association, Inc.	Youth Services	60,000	0
	Hope House of Milwaukee, Inc.	Youth Services	35,000	30,000
	Howard Fuller Educational Foundation	Youth Services	52,629	0
	Journey House, Inc.	Youth Services	70,000	0
	Latino Community Center	Youth Services	60,000	30,000
	Legacy Redevelopment Corp.	Youth Services	48,000	30,000
	Merrill Park Neighborhood Association	Youth Services	37,580	0
	Milwaukee Christian Center	Youth Services - Kid's Place Project Challenge	35,000	30,000
	Milwaukee Christian Center	Youth Services - MCC Kosciuszko Youth Dev Prog	65,000	30,000
	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

YEAR 2011 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>				
	New Beginnings Are Possible, Inc.	Youth Services	40,000	0
	Northcott Neighborhood House, Inc.	Youth Services	50,000	30,000
	Pearls for Teen Girls, Inc.	Youth Services	50,000	30,000
	Project Respect, Inc.	Youth Services	103,801	0
	Project Respect, Inc.	Youth Services	68,400	0
	REACH, Inc.- Comprehensive Mental Health Clinic	Youth Services	30,000	0
	Risen Savior Lutheran Church - Safe Harbor	Youth Services	30,000	20,000
	Rosalie Manor Community & Family Services, Inc.	Youth Services	35,465	30,000
	Silver Spring Neighborhood Center	Youth Services	64,633	30,000
	Street Academy of Cream City Mentors, Inc.	Youth Services	30,015	0
	United Community Center	Youth Services	45,000	30,000
	Urban Underground	Youth Services	40,000	0
	Walker's Point Center for the Arts	Youth Services	30,000	30,000
	Wisconsin Regional Training Partnership, Inc./BigStep	Youth Services	60,000	0
	Woodland Pattern, Inc.	Youth Services	40,132	30,000
	YMCA of Metro Milwaukee-Northside Family Center	Youth Services	50,400	30,000
	YMCA of Metro Milwaukee-Parklawn Family Center	Youth Services	50,400	0
	Total Youth Services		2,229,168	800,000

Resolution #100709

Youth Services - Mandated Safe Places

	<u>NO-RFP</u>			
	Safe & Sound, Inc.	Youth Services	200,000	200,000

Resolution #100709

YEAR 2011 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	150,000	150,000
<u>Resolution #100709</u>				

YEAR 2011 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	48,750	40,000
	Journey House, Inc.	Employment Services - Job Placement	40,000	25,000
	Lincoln Park Community Center	Employment Services - Job Placement	55,000	35,000
	Milwaukee Careers Cooperative	Employment Services - Job Placement	96,000	60,000
	Milwaukee Urban League	Employment Services - Job Placement	25,000	25,000
	Project RETURN, Inc.	Employment Services - Job Placement	65,000	25,000
	Riverworks Development Corp.	Employment Services - Job Placement	30,000	25,000
	Wisconsin Community Service, Inc.	Employment Services - Job Placement	100,000	60,000
	Wisconsin Regional Training Partnership, Inc./BigStep	Employment Services - Job Placement	60,000	25,000
	Word of Hope Ministries, Inc.	Employment Services - Job Placement	150,000	70,000
	Harambee Ombudsman Project, Inc.	Employment Services - Job Training & Placement	40,000	0
	Lao Family Community, Inc.	Employment Services - Job Training & Placement	55,000	55,000
	Northwest Side Comm Dev Corp	Employment Services - Job Training & Placement	50,000	0
	Riverworks Development Corp.	Employment Services - Job Training & Placement	30,000	0
	Wisconsin Community Service, Inc.	Employment Services - Job Training & Placement	100,000	55,000
	Wisconsin Regional Training Partnership, Inc./BigStep	Employment Services - Job Training & Placement	40,000	0
	Wiscraft, Inc.	Employment Services - Job Training & Placement	25,000	25,000
	<i>Total Employment Services</i>		<u>1,009,750</u>	<u>525,000</u>

Resolution #100709

YEAR 2011 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>Homebuyer Counseling</u>				
		<u>NO-RFP</u>		
	Career Youth Development, Inc.	Homebuyer Counseling Services	70,000	70,000
	Hmong/American Friendship Association, Inc.	Homebuyer Counseling Services	50,000	50,000
	Housing Resources, Inc.	Homebuyer Counseling Services	125,000	125,000
	Select Milwaukee, Inc.	Homebuyer Counseling Services	85,000	85,000
	United Community Center	Homebuyer Counseling Services	70,000	70,000
	<i>Total Homebuyer Counseling</i>		<u>400,000</u>	<u>400,000</u>

Resolution #100709

YEAR 2011 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.	Crisis Emergency Shelter for Abused and Neglected Children	26,732	26,732
	Asha Family Services, Inc.	Domestic Violence - Intervention/Prevention/Case Management	53,379	53,379
	Community Advocates, Inc.	Emergency Shelter/Transitional Housing - Domestic Violence	106,777	106,777
	Daystar, Inc.	Emergency Shelter/Transitional Housing - Domestic Violence	25,763	25,763
	Sojourner Family Peace Center, Inc.	Emergency Shelter/Transitional Housing - Domestic Violence	147,278	147,278
	Guest House of Milwaukee, Inc.	Emergency/Transitional Shelter for Homeless Indiv and Families	70,885	70,885
	Hope House of Milwaukee, Inc.	Emergency/Transitional Shelter for Homeless Indiv and Families	106,327	106,327
	Social Development Commission	Emergency/Transitional Shelter for Homeless Indiv and Families	90,216	90,216
	YWCA of Greater Milwaukee	Emergency/Transitional Shelter for Homeless Indiv and Families	52,482	52,482
	Community Advocates, Inc.	Permanent Hsg-Interventn/Preventn/Case Mgmt for Homeless Families	128,172	128,172
	Sojourner Family Peace Center, Inc.	Shelter & Supportive Serv Domestic Violence-Legal Asst	94,851	94,851
	Counseling Center of Milw. - Pathfinders Prog	Shelter & Supportive Serv Services - Runaway/Homeless Youth	25,087	25,087
	Walker's Point Youth & Family Center	Shelter & Supportive Serv Services - Runaway/Homeless Youth	72,051	72,051
	<i>Total Homeless Shelters</i>		<u>1,000,000</u>	<u>1,000,000</u>

Resolution #100709

YEAR 2011 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	50,000	50,000
	Metro Milwaukee Fair Housing Council, Inc.	Fair Housing Enforcement/Education/Predatory Lending	124,000	124,000
	<i>Total Fair Hsg Enfrcmnt/Educa/Pred Lending</i>		<u>174,000</u>	<u>174,000</u>
	Community Advocates, Inc.	Continuum of Care Planning	10,000	10,000
	<i>Total Planning</i>		<u>184,000</u>	<u>184,000</u>
<i>Resolution #100709</i>				

YEAR 2011 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>Economic Development</u>				
		<u>RFP</u>		
	African American Chamber of Commerce, Inc.	Special Economic Development	121,000	0
	Burleigh Street Community Dev. Corp.	Special Economic Development	150,000	80,000
	Hispanic Chamber of Commerce of Wis	Special Economic Development	125,000	75,000
	Hmong Wisconsin Chamber of Commerce	Special Economic Development	100,000	75,000
	Layton Boulevard West Neighbors, Inc.	Special Economic Development	75,000	75,000
	Lincoln Neighborhood Redevelopment Corp.	Special Economic Development	60,000	60,000
	Lincoln Village Business Association	Special Economic Development	100,000	0
	Martin Luther King Economic Development Corp.	Special Economic Development	75,000	60,000
	Milwaukee Health Services, Inc.	Special Economic Development	150,000	0
	Milwaukee Urban Entrepreneur Partnership, Inc.	Special Economic Development	65,000	55,000
	North Avenue Community Dev. Corp.	Special Economic Development	150,000	60,000
	Northwest Side Comm Dev Corp	Special Economic Development	75,000	30,000
	Riverworks Development Corp.	Special Economic Development	75,000	60,000
	Wisconsin Regional Training Partnership, Inc./BigStep	Special Economic Development	75,000	0
	Wisconsin Women's Business Initiative Corp.	Special Economic Development	200,000	120,000
	<i>Total Special Economic Development</i>		<u>1,596,000</u>	<u>750,000</u>
Mainstreet				
<i>Recommendations Provided by Mainstreet Board</i>	RFP in Year 2011		0	100,000
Large Impact Development	RFP in Year 2011		<u>0</u>	<u>425,000</u>
	<i>Total Economic Development</i>		<u>1,596,000</u>	<u>1,275,000</u>

Resolution #100709

YEAR 2011 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	100,000	100,000
<i>Total Technical Assistance</i>			<hr/> 100,000	<hr/> 100,000
<i>Resolution #100709</i>				

YEAR 2011 FUNDING RECOMMENDATIONS
Entitlement Funds
Community Development Block Grant (CDBG)

NSP Area	Organization Name	Funding Category	Requested Amount	CDBG CDGA Recomm
<u>Housing</u>				
		<u>NO-RFP</u>		
	Milwaukee Christian Center-NIP	Housing Accessibility Program	110,000	110,000
	Rebuilding Together Greater Milwaukee, Inc.	Housing Accessibility Program	50,000	50,000
			160,000	160,000
		<u>NO-RFP</u>		
	Gibraltar Development Corp.	Housing - Neighborhood Improvement Program (NIP)	73,000	73,000
	Harambee Ombudsman Project, Inc.	Housing - Neighborhood Improvement Program (NIP)	36,500	36,500
	Milwaukee Christian Center-NIP	Housing - Neighborhood Improvement Program (NIP)	321,200	321,200
	Social Development Commission	Housing - Neighborhood Improvement Program (NIP)	109,500	109,500
	YMCA of Metro Milwaukee-Community Dev. Corp.	Housing - Neighborhood Improvement Program (NIP)	219,000	219,000
	YMCA of Metro Milwaukee-Community Dev. Corp.	Housing - NIP Targeted Initiatives	125,000	125,000
			884,200	884,200
		<u>RFP</u>		
	Bright Futures Initiative, Inc.	Housing - Neighborhood Improvement Program (NIP)	70,000	0
	Dominican Center for Women, Inc.	Housing - Neighborhood Improvement Program (NIP)	36,500	29,200
	Housing Resources, Inc.	Housing - Neighborhood Improvement Program (NIP)	43,750	29,200
	Riverworks Development Corp.	Housing - Neighborhood Improvement Program (NIP)	87,000	0
	Sherman Park Community Association	Housing - Neighborhood Improvement Program (NIP)	36,500	29,200
			273,750	87,600
		<u>RFP</u>		
	Dominican Center for Women, Inc.	Neighborhood Improvement Prog (NIP) Supplemental Repair Program	85,000	35,400
	Gibraltar Development Corp.	Neighborhood Improvement Prog (NIP) Supplemental Repair Program	48,750	0
	Harambee Ombudsman Project, Inc.	Neighborhood Improvement Prog (NIP) Supplemental Repair Program	50,000	0
	Housing Resources, Inc.	Neighborhood Improvement Prog (NIP) Supplemental Repair Program	87,700	35,000
	Milwaukee Christian Center-NIP	Neighborhood Improvement Prog (NIP) Supplemental Repair Program	175,400	0
	Sherman Park Community Association	Neighborhood Improvement Prog (NIP) Supplemental Repair Program	80,000	35,000
	Social Development Commission	Neighborhood Improvement Prog (NIP) Supplemental Repair Program	175,400	35,000
	YMCA of Metro Milwaukee-Community Dev. Corp.	Neighborhood Improvement Prog (NIP) Supplemental Repair Program	175,400	35,000
			877,650	175,400
		<u>NO-RFP</u>		
	Milwaukee Christian Center-NIP	General Housing Production/Rehab (Freshstart Program)	100,000	100,000
	Northcott Neighborhood House	General Housing Production/Rehab (Freshstart Program)	200,000	200,000
			300,000	300,000
		<u>NO-RFP</u>		
	Milwaukee Christian Center-NIP	Housing - Graffiti Abatement	70,000	70,000
	Safe & Sound, Inc.	Housing - Graffiti Abatement	20,000	20,000
			90,000	90,000
		<u>NO-RFP</u>		
	Community Advocates, Inc.	Tenant Assistance Program	93,400	93,400
Resolution #100709	Total Housing		2,679,000	1,790,600

YEAR 2011 FUNDING RECOMMENDATIONS**Entitlement Funds****HOME Investment Partnerships (HOME)**

Organization Name	Funding Category	Requested Amount	HOME CDGA Recomm
<u>Housing</u>			
<u>NO-RFP</u>			
Gibraltar Development Corp.	Housing - Neighborhood Improvement Program (NIP)	245,000	245,000
Harambee Ombudsman Project, Inc.	Housing - Neighborhood Improvement Program (NIP)	122,500	122,500
Milwaukee Christian Center-NIP	Housing - Neighborhood Improvement Program (NIP)	1,078,000	1,078,000
Social Development Commission	Housing - Neighborhood Improvement Program (NIP)	367,500	367,500
YMCA of Metro Milwaukee-Community Dev. Corp.	Housing - Neighborhood Improvement Program (NIP)	735,000	735,000
		2,548,000	2,548,000
<u>RFP</u>			
Bright Futures Initiative, Inc.	Housing - Neighborhood Improvement Program (NIP)	245,000	
Dominican Center for Women, Inc.	Housing - Neighborhood Improvement Program (NIP)	153,500	98,000
Housing Resources, Inc.	Housing - Neighborhood Improvement Program (NIP)	147,000	98,000
Riverworks Development Corp.	Housing - Neighborhood Improvement Program (NIP)	294,000	0
Sherman Park Community Association	Housing - Neighborhood Improvement Program (NIP)	122,500	98,000
		962,000	294,000
<u>NO-RFP</u>			
Milwaukee Christian Center-NIP	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	250,000	250,000
Milwaukee Community Service Corp.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	150,000	150,000
		400,000	400,000
Milwaukee Christian Center-NIP	CHDO Operating HOME Funds	50,000	50,000
Milwaukee Community Service Corp.	CHDO Operating HOME Funds	30,000	30,000
		80,000	80,000
<u>RFP</u>			
Harambee Ombudsman Project, Inc.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	400,000	0
Impact Seven, Inc.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	400,000	260,000
Layton Boulevard West Neighbors, Inc.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	300,000	100,000
Martin Luther King Economic Development Corp.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	500,000	340,000
United Methodists Children's Services of WI, Inc.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	275,000	0
Walnut Way Conservation Corp.	Affordable Housing (Acquire/Rehab/Sell & New Construction)-CHDO	800,000	100,000
		2,675,000	800,000

YEAR 2011 FUNDING RECOMMENDATIONS**Entitlement Funds****HOME Investment Partnerships (HOME)**

Organization Name	Funding Category	Requested Amount	HOME CDGA Recomm
<u>Affordable Housing-CHDO (continue)</u>			
Harambee Ombudsman Project, Inc.	CHDO Operating HOME Funds	120,000	40,000
Impact Seven, Inc.	CHDO Operating HOME Funds	100,000	80,000
Layton Boulevard West Neighbors, Inc.	CHDO Operating HOME Funds	50,000	50,000
United Methodists Children's Services of WI, Inc.	CHDO Operating HOME Funds	50,000	0
Walnut Way Conservation Corp.	CHDO Operating HOME Funds	220,000	50,000
		540,000	220,000
<u>NO-RFP</u>			
Milwaukee Christian Center-NIP	General Housing Production/Rehab (Freshstart Program)	125,000	125,000
Northcott Neighborhood House	General Housing Production/Rehab (Freshstart Program)	275,000	275,000
		400,000	400,000
Total Housing CBO's		7,605,000	4,742,000

Resolution #100709

YEAR 2011 FUNDING RECOMMENDATIONS**Entitlement Funds
Emergency Shelter Grant (ESG)****Organization
Name****Funding
Category****Requested
Amount****ESG
CDGA
Recomm****Homeless Shelters****NO-RFP**

LaCausa, Inc.	Crisis Emergency Shelter for Abused and Neglected Children	30,091	30,091
Daystar, Inc.	Emergency Shelter/Transitional Housing - Domestic Violence	28,672	28,672
Community Advocates, Inc.	Emergency Shelter/Transitional Housing - Domestic Violence	81,236	81,236
Sojourner Family Peace Center, Inc.	Emergency Shelter/Transitional Housing - Domestic Violence	<u>52,965</u>	<u>52,965</u>
		192,964	192,964
Cathedral Center, Inc.	Emergency/Transitional Shelter for Homeless Individuals and Families	25,442	25,442
Guest House of Milwaukee, Inc.	Emergency/Transitional Shelter for Homeless Individuals and Families	97,653	97,653
Hope House of Milwaukee, Inc.	Emergency/Transitional Shelter for Homeless Individuals and Families	86,971	86,971
Salvation Army	Emergency/Transitional Shelter for Homeless Individuals and Families	97,031	97,031
Social Development Commission	Emergency/Transitional Shelter for Homeless Individuals and Families	105,885	105,885
YWCA of Greater Milwaukee	Emergency/Transitional Shelter for Homeless Individuals and Families	<u>42,991</u>	<u>42,991</u>
		455,973	455,973
Community Advocates, Inc.	Permanent Hsg-Interventn/Preventn/Case Mgmt for Homeless Families	47,582	47,582
Pathfinders Milwaukee, Inc.	Shelter & Supportive Serv Services - Runaway/Homeless Youth	20,554	20,554
Walker's Point Youth & Family Center	Shelter & Supportive Serv Services - Runaway/Homeless Youth	<u>23,113</u>	<u>23,113</u>
		43,667	43,667
Total Proposed 2011 ESG Funding		<u><u>740,186</u></u>	<u><u>740,186</u></u>

Resolution #100709

NOTICES SENT TO FOR FILE: 100709

[illegible]



Legislation Details (With Text)

File #: 100710 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **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 2011 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, 2011 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/14/2010	1	CITY CLERK	DRAFT SUBMITTED		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100710

Version

SUBSTITUTE 1

Reference

100707

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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 2011 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 2011 consolidated community development entitlement funding; and

Whereas, CCFN 100317 adopted on July 27, 2010 authorized the 2011 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 2011 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 2011 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 2011 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 2011 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 2011 Community Development Program in accordance with the 2011 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 2011 Community Development Entitlement Funding Program.

Requestor

Drafter

2011CDBG-STRAT-1

10/11/10

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Block Grant Director

DATE: September 29, 2010

RE: Title Only Resolutions for Introduction

Attached are the 2011 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 2011 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	321,357	321,357
Department of Administration		COMPASS Program	229,612	229,612
			550,969	550,969
Department of City Development		Mainstreet Program	78,522	78,522
Department of City Development		Retail Investment Fund - RIF	150,000	150,000
Department of City Development		Youth Internship Program	300,000	300,000
Department of City Development		Owner-Occupied, Deferred Payment, Home Rehab Loan Prog	754,481	754,481
			1,283,003	1,283,003
Department of Neighborhood Services		DNS-Landlord /Tenant Compliance Prog	47,500	47,500
Department of Neighborhood Services		DNS Code Enforcement Inspectors Targeted Enforcement	1,264,365	1,264,365
Department of Neighborhood Services		DNS - Neighborhood Cleanups	119,210	119,210
Department of Neighborhood Services		DNS-Receiverhsip Program	95,014	95,014
Department of Neighborhood Services		Code Enforcement - Housing	798,964	798,964
Department of Neighborhood Services		Vacant Lot Maintenance - Demolition DNS	200,000	200,000
			2,525,053	2,525,053
Department of Public Works		Vacant Lot Maintenance-Grass/Snow Removal	200,000	200,000
Health Department		Milwaukee Health Department (In-House) Lead Based Paint Prevention/Abatement Program	848,498	848,498
Health Department		Milw Health Dept. Lead Based Paint Prevention/ Abatement Project (CDGA Housing Providers)	677,986	677,986
			1,526,484	1,526,484
Milwaukee Fire Department		FOCUS and Fire Prevention Education	255,000	255,000
Milwaukee Public Library		Community Outreach & Technology Center	512,529	512,529
RACM		RACM Land Management	349,897	349,897
RACM		Brownfield Initiatives	192,288	192,288
RACM		Environmental Planning and Review	30,000	30,000
RACM		RACM Spot Acquisition	418,377	418,377
			990,562	990,562
Total City Departments			7,843,600	7,843,600

Resolution #100710

YEAR 2011 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	1,354,000	1,354,000
Department of City Development	Rental Rehabilitation Loan Program	125,000	125,000
Total Housing City Depts.		1,479,000	1,479,000

Resolution #100710

NOTICES SENT TO FOR FILE: 100710

[illegible]



Legislation Details (With Text)

File #: 100711 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **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 2011 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, COMMUNITY DEVELOPMENT BLOCK GRANT, FEDERAL GRANTS, HIV/AIDS

Attachments: Cover Letter, 2011 Funding Recommendations, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/14/2010	1	CITY CLERK	DRAFT SUBMITTED		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2010	1	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100711

Version

SUTSTITUTE 1

Reference

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2011 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 \$574,936 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 \$574,936 for 2011; and

Whereas, Common Council File Number (CCFN) 090292 authorized the submission of the Consolidated Strategy and Plan and Annual Action Plan for 2011 consolidated community development entitlement funding; and

Whereas, CCFN 100317 adopted on July 27, 2010 authorized the 2011 Funding Allocation Plan; and

Whereas, It has been determined that operation of the HOPWA programs for one year would cost approximately \$574,936 of which \$574,936 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 2011 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 2011 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>
GR0001100000 0150	9990	0001	0000	R999	000600	

<u>Project</u>	<u>Amount</u>
Grantor Share	\$574,936

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 responsible for awarding subrecipient contracts for the attached 2011 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 2011 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 2011 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 2011 Community Development Entitlement funding Program.

Requestor

Drafter

2011CDBG-HOPWA-1

10/11/10

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Block Grant Director

DATE: September 29, 2010

RE: Title Only Resolutions for Introduction

Attached are the 2011 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 2011 FUNDING RECOMMENDATIONS
Entitlement Funds
Housing Opportunities for Persons with AIDS (HOPWA)

Organization <u>Name</u>	<u>Funding Category</u>	<u>Requested Amount</u>	<u>HOPWA CDGA Recomm</u>
AIDS Resource Center of Wisconsin	<u>RFP</u> HOPWA	574,936	492,720
Richard's Place	HOPWA	85,000	82,216
Total Proposed 2011 HOPWA Funding		659,936	574,936

Resolution #100711

NOTICES SENT TO FOR FILE: 100711

[illegible]



Legislation Details (With Text)

File #: 100725 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **In control:** COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to the application, acceptance and funding of the Community Development Block Grant Supplemental Disaster Allocation Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the Wisconsin Department of Commerce for the Autumn West Project.

Sponsors: THE CHAIR

Indexes: COMMUNITY BLOCK GRANT ADMINISTRATION, COMMUNITY DEVELOPMENT BLOCK GRANT, FEDERAL GRANTS, HOUSING, STATE GRANTS

Attachments: Grant Budget Form, Cover Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/20/2010	0	COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

100725

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relative to the application, acceptance and funding of the Community Development Block Grant Supplemental Disaster Allocation Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the Wisconsin Department of Commerce for the Autumn West Project.

Analysis

The resolution authorizes the Department of Administration's Community Development Grants Administration (CDGA) to apply, accept and fund CDBG-Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the Wisconsin Department of Commerce in the amount of \$1,500,000 for the Autumn West Project.

Body

Whereas, The City of Milwaukee is eligible for grant funds for the CDBG-Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the Wisconsin Department of Commerce; and

Whereas, The City of Milwaukee will contract with Community Advocates to assist in the development of new construction affordable rental housing located at 3412 W. Lisbon Ave; and

Whereas, The operation of the grant program from June 1, 2010 through December 31, 2012 would cost \$1,500,000 which would be provided by the grantor; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Wisconsin Department of Commerce 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, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City of Milwaukee assures and certifies that it will comply with regulations, policies guidelines and requirements with respect to the acceptance and use of the Wisconsin Department of Commerce funds to be signed by the Mayor of the City of Milwaukee as the certifying official for these grant programs; and, be it

Further Resolved, That the administration of these funds will require the Community Development Grants Administration to monitor funds complete performance reports, and provide due diligence on grant compliance; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2010 Special Revenue Grant And Aid Project Funds, the following amounts for the program/project titled Community Development Block Grant -Emergency Assistance Program-Autumn West Project:

<u>Project/Grant</u>	<u>Fund</u>	<u>Org</u>	<u>Program</u>	<u>BY</u>	<u>SubClass</u>	<u>Acct</u>
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GR0001000000 0150 9990 0001 0000 R999 000600

<u>Project</u>	<u>Amount</u>
Grantor Share	\$1,500,000

2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against these Project/Grant values the amount required under the grant agreement;
3. Establish the necessary City Share Project values; and, be it

Further Revolved, That \$1,500,000 is 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. Enter into subcontracts as detailed in the grant budget.

Requestor

Drafter

CDGA-CDBG-EAP-AutWest

10/04/10

CITY OF MILWAUKEE OPERATING GRANT BUDGET

PROJECT/PROGRAM TITLE: Wisconsin Department of Commerce
 Community Development Block Grant Emergency Assistance Program
 CONTACT PERSON: Steven L. Mahan

PROJECT/PROGRAM YEAR: 2010

NUMBER OF POSITIONS		LINE DESCRIPTION	PAY RANGE NO.	GRANTOR SHARE	IN-KIND SHARE	CASH MATCH A/C #	TOTAL
NEW	EXIST						
		PERSONNEL COSTS					
		TOTAL PERSONNEL COSTS					
		FRINGE BENEFITS					
		TOTAL FRINGE BENEFITS					
		SUPPLIES AND MATERIALS					
		TOTAL SUPPLIES AND MATERIALS					
		EQUIPMENT AND FACILITY RENT					
		TOTAL EQUIPMENT AND FACILITY RENT					
		SERVICES (sub-contact) Community Advocates		\$1,500,000			\$1,500,000
		TOTAL SERVICES		\$1,500,000			\$1,500,000
		EQUIPMENT					
		TOTAL EQUIPMENT					
		INDIRECT COSTS					
		TOTAL INDIRECT COSTS					
		TOTAL COSTS		\$1,500,000			\$1,500,000

TO: The Honorable, Common Council
City of Milwaukee

FROM: Steven L. Mahan
Block Grant Director

DATE: October 4, 2010

RE: Resolution for Introduction

Attached is a resolution that seeks the approval from the Common Council.

If you have any questions please call Darlene Hayes at extension 3844.

Attachments

NOTICES SENT TO FOR FILE: 100725

[illegible]