



Legislation Text

File #: 000165, Version: 2

000165
SUBSTITUTE 2

THE CHAIR

Substitute resolution approving a Project Plan and creating Tax Incremental District Number Thirty-Nine (City Center Hilton/Midwest Express Center Parking and Streetscape Project) and approving the terms of a Development Agreement to implement the Project Plan, in the 4th Aldermanic District.

- Analysis -

This substitute resolution approves a tax incremental district Project Plan to provide partial funding for an 850 space parking ramp to be located at North 6th and West Michigan Streets, as well as related streetscape improvements. This substitute resolution also approves the terms of a Development Agreement between the City, the Redevelopment Authority and The Marcus Corporation through which Marcus will advance funding for the project and be repaid by the City, but only to the extent of incremental tax revenue actually generated in the district. Whereas, Chapter 105 of the Laws of 1975 of the State of Wisconsin with amendments from other chapters of said Laws created Section 66.46, Wisconsin Statutes, titled "Tax Increment Law"; and

Whereas, Pursuant to Sections 66.46(4)(a) through (gm), Wisconsin Statutes, the City Plan Commission designated the boundaries of a Tax Incremental District (the "District") at North 6th and West Michigan Streets and recommended that the District be created and submitted such recommendation to the Common Council of the City of Milwaukee (the "Common Council") for approval with a proposed Project Plan for Tax Incremental District Number Thirty-Nine, City of Milwaukee (the "Plan"), a copy of which is attached to this Common Council File; and

Whereas, Section 66.46(4)(g), Wisconsin Statutes, provides that a Project Plan for a Tax Incremental District shall be approved by the Common Council prior to or concurrent with the adoption of a resolution by the Common Council which contains findings that such Plan is feasible and in conformity with the Master Plan of the City; and

Whereas, Under the provisions of Section 66.46(4)(gm)4.a., Wisconsin Statutes, not less than 50 percent, by area, of the real property within a proposed District must qualify as either a "blighted area" within the meaning of Section 66.46(2)(a), Wisconsin Statutes; an area "in need of rehabilitation or conservation work" within the meaning of Section 66.435(3), Wisconsin Statutes; or must be suitable for "industrial sites" within the meaning of Section 66.52, Wisconsin Statutes, and be zoned for industrial use; and

Whereas, More than 50 percent, by area, of the real property in the District is determined to be blighted and, therefore, satisfies the requirements of Section 66.46(4)(gm)4.a.1., Wisconsin Statutes; and

Whereas, The Plan contains statements and other factual information indicating that the improvement of such area is likely to enhance significantly the value of real property in the District; that project costs directly serve to promote development of the District consistent with the purpose(s) for which the District is created under Section 66.46(4)(gm)4.a., Wisconsin Statutes, and that the aggregate value of equalized taxable property of the District plus all existing Districts has been determined to be less than 7 percent of the total value of equalized taxable property within the City of Milwaukee (the "City"); now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee regarding Tax Incremental District Number Thirty-Nine, City of Milwaukee, that it finds and determines as follows:

1. The District is a "blighted area" within the meaning of Section 66.46(4)(gm)4.a., Wisconsin Statutes, and "blighted property" under Section 66.431 (2m)(bm), Wisconsin Statutes.
2. The improvement and/or redevelopment of such area, as hereinafter provided, is likely to enhance significantly the value of substantially all of the other real property in and adjoining such District.
3. Project costs relate directly to promoting development consistent with the City's Master Plan and with the purpose(s) for which the District is created under Section 66.46(4)(gm)4.a., Wisconsin Statutes.
4. The percentage of the aggregate value of the equalized taxable property of the District plus all existing Districts does not exceed the statutory maximum 7 percent of the aggregate value of total equalized value of taxable property within the City; and, be it

Further Resolved, That Tax Incremental District Number Thirty-Nine, City of Milwaukee, is created as of January 1, 2000 and that the boundaries of the District recommended by the City Plan Commission are approved as described and more precisely set forth in the Plan and that said boundaries include only those whole units of property as are assessed for general property tax purposes and do not include any area identified as a wetland on a map under Section 23.32, Wisconsin Statutes; and, be it

Further Resolved, That the Plan is approved as the Project Plan for said District and that the Plan is feasible, in conformity with the Master Plan for the City and will promote the orderly development of the City; and, be it

Further Resolved, That the proper City officials are authorized and directed to enter into a Development Agreement for the purposes of implementing the Plan on terms substantially in accordance with the Term Sheet for TID No. 39, a copy of which is attached to this Common Council File; and, be it

Further Resolved, That:

1. The City Clerk is authorized and directed to apply to the Wisconsin Department of Revenue for a "Determination of Tax Increments and Tax Incremental Base," for the District pursuant to the provisions of Section 66.46(5), Wisconsin Statutes.
2. Pursuant to the provisions of Section 66.46(5)(f), Wisconsin Statutes:
 - a. The Assessment Commissioner is authorized and directed to identify upon the assessment roll, returned and examined under Section 70.45, Wisconsin Statutes, those parcels of property which are within Tax Incremental District Number Thirty-Nine, City of Milwaukee, specifying thereon the name of the District.
 - b. The City Clerk is authorized and directed to make notations on the tax roll for the District similar to those required to be made under Section 70.65, Wisconsin Statutes.
3. A variance is authorized from the procedures of Common Council File No. 68-461-x, being the Guidelines for the Control of Capital Expenditures, and directs the City Comptroller to:

Establish the appropriate accounts within the TID No. 39 project account, No. 0336-1910-TD03980000, to appropriate tax increment collections equal to the total required to pay the City Contribution to The Marcus Corporation as provided in the Term Sheet for this District, in such amounts as set forth in the Plan, as shall be

necessary to implement the Plan.

4. The City Comptroller is authorized to establish all accounts and make all appropriation transfers upon request by the Department of City Development for all revenue or expenditure activity under this resolution.

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