



## Legislation Details (With Text)

**File #:** 051275 **Version:** 2

**Type:** Resolution **Status:** Passed

**File created:** 1/18/2006 **In control:** FINANCE & PERSONNEL COMMITTEE

**On agenda:** **Final action:** 9/26/2006

**Effective date:**

**Title:** Substitute resolution approving a Project Plan, creating Tax Incremental District No. 65 (20th and Brown), authorizing Contingent Borrowing and approving a Cooperation Agreement with the Redevelopment Authority of the City of Milwaukee to implement the Project Plan, in the 15th Aldermanic District.

**Sponsors:** ALD. HINES JR.

**Indexes:** TAX INCREMENTAL DISTRICTS, TAX INCREMENTAL FINANCING

**Attachments:** 1. Fiscal Note, 2. Substitute Fiscal Note, 3. Cooperation Agreement as of 1-13-06.pdf, 4. Cooperation Agreement as of 9-13-06, 5. Project Plan as of 1-12-06.pdf, 6. Project Plan - Final, 7. Project Plan Maps 1-5, 8. Feasibility Study, 9. Draft - RACM resolution, 10. Letter from Comptroller's Office, 11. DCD Letter, 12. Executed Contract

Date	Ver.	Action By	Action	Result	Tally
1/18/2006	0	COMMON COUNCIL	ASSIGNED TO		
1/20/2006	1	CITY CLERK	DRAFT SUBMITTED		
1/23/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/23/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/31/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
2/13/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/13/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/22/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE			
9/11/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/11/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/12/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/19/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
9/19/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	5:0
9/19/2006	2	CITY CLERK	DRAFT SUBMITTED		
9/20/2006	2	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
9/26/2006	2	COMMON COUNCIL	ADOPTED	Pass	15:0

10/6/2006

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MAYOR

SIGNED

051275

Substitute 2

ALD. HINES

Substitute resolution approving a Project Plan, creating Tax Incremental District No. 65 (20th and Brown), authorizing Contingent Borrowing and approving a Cooperation Agreement with the Redevelopment Authority of the City of Milwaukee to implement the Project Plan, in the 15th Aldermanic District.

Adoption of this substitute resolution will approve a Project Plan for a Tax Incremental District that will assist in redeveloping a blighted area consistent with the Fond du Lac and North Neighborhood Plan and will authorize a Cooperation Agreement with the Redevelopment Authority to implement the Project Plan.

The Project Plan provides for up to \$3.25 million for costs associated with site assembly, building public improvements and providing forgivable loans and grants to existing homeowners plus capitalized interest of \$325,000.

Whereas, Chapter 105 of the Laws of 1975 of the State of Wisconsin with amendments from other chapters of said laws created Section 66.1105, Wisconsin Statutes, titled "Tax Increment Law;" and

Whereas, Section 66.1105(4) of the Tax Increment Law sets forth certain criteria that the Common Council of the City of Milwaukee ("Common Council") and the Redevelopment Authority of the City of Milwaukee ("Authority") must follow to create a Tax Incremental District ("District" or "TID") and approve a Project Plan for the District; and

Whereas, Pursuant to Section 66.1105(4) (a) through (gm), Wisconsin Statutes, a public hearing was conducted by the Authority on December 15, 2005, and a resolution designating the boundaries of the District, recommending that the District be created, and approving a Project Plan for the North 20th and West Brown Streets TID No. 63 (now known as TID No. 65), was approved by the Authority on January 19, 2006; and

Whereas, Under the provisions of Section 66.1105(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 66.1105(2) (a), Wisconsin Statutes; an area "in need of rehabilitation or conservation work" within the meaning of Section 66.1337(2m) (b), Wisconsin Statutes; or must be suitable for "industrial sites" within the meaning of Section 66.1101, Wisconsin Statutes, and be zoned for industrial use; and

Whereas, Based upon field survey and available public information and records, 77.7 percent, by area, of the real property located within the proposed District, as identified in Exhibit 1 of the Project Plan for the TID ("Plan"), consists of properties which, in the aggregate, are blighted or in need of rehabilitation or conservation work, and, therefore, the District meets one of the criteria essential to creation of a District as set forth in Section 66.1105(4) (gm) 4.a., Wisconsin Statutes; and

Whereas, The Plan contains statements and other factual information indicating that the improvement of the area is likely to increase the value of real property in the District, that project costs directly serve to promote the development of the District consistent with the purposes for which the District is created under 66.1105(4) (gm) 4.a., Wisconsin Statutes, and that the aggregate value of equalized taxable property in the District plus the value increment of all existing Districts has been determined to be less than 12 percent of the total value of equalized taxable property within the City of Milwaukee ("City"); and

Whereas, File No. 051132 authorized the sale and issuance of General Obligation Corporate Purpose Bonds, which includes \$140,004,734 of bonds for Tax Incremental Purposes, including the anticipated use of \$60,000,000 of Contingent Borrowing Authority; and

Whereas, The Common Council is desirous of authorizing Contingent Borrowing in the amount of \$3,575,000 to provide funding for TID No. 65 expenditures; and

Whereas, A Cooperation Agreement between the City and the Authority is required to implement the Plan, a sample of which is attached to this Common Council File; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it is found, determined and affirmed that financial assistance to the Authority will be provided by Tax Incremental District No. 65 (20th and Brown); and, be it

Further Resolved, That the Common Council finds and determines that not less than 50 percent, by area, of the real property within the proposed District, qualifies as "blighted" or "in need of rehabilitation or conservation work," within the meaning of Section 66.1105(4) (gm)4.a., Wisconsin Statutes, that the improvement and/or redevelopment of such area, as hereinafter provided, is likely to increase the value of the other real property in and adjoining the District, that project costs relate directly to eliminating blight and serve to promote development consistent with the City's Master Plan, and with the purpose(s) for which this District is created under Section 66.1105(4) (gm)4.a., Wisconsin Statutes, and that the percentage of the aggregate value of the equalized taxable property of the District, plus the value increment of all existing Districts, has been determined to be less than the statutory maximum 12 percent of the aggregate value of total equalized value of taxable property within the City; and, be it

Further Resolved, That TID No. 65 (20th and Brown), City of Milwaukee, is created as of January 1, 2006, and that the boundaries of said District are approved as described in the Plan; 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 directed to enter into a Cooperation Agreement with the Authority to implement the Plan, the form of which is substantially the same as that attached to this Common Council File; and, be it

Further Resolved, That the City Clerk is directed to apply in writing 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 66.1105(5), Wisconsin Statutes; and, be it

Further Resolved, That the Assessment Commissioner is directed to identify upon the assessment roll, returned and examined under Section 70.45, Wisconsin Statutes, those parcels of property which are within TID No. 65 (20th and Brown), specifying thereon the name of the District; and, be it

Further Resolved, That the City Clerk is directed to make notations on the tax roll for the District similar to those required to be made under Section 70.65, Wisconsin Statutes; and, be it

Further Resolved, That the Commissioner of City Development is directed to act on behalf of the Common Council as coordinator of all Plan activities, which in his judgment are necessary to carry out the Plan and the intent of this resolution; and, be it

Further Resolved, That the Common Council declares its purpose to issue general obligation bonds in an amount not to exceed \$3,575,000 (\$3,250,000 Project Plan plus capitalized interest of \$325,000) for paying TID No. 65 expenditures using Contingent Borrowing Authority approved under File No. 051144; and, be it

Further Resolved, That the City Comptroller, in conjunction with the Commissioner of City

Development, is directed to perform such acts and to create such Tax Incremental accounts and subaccounts and make appropriate transfers upon written request by the Department of City Development for all revenue or expenditure activity under this resolution; and, be it

Further Resolved, That the City Clerk is directed to transmit a certified copy of this resolution, along with a copy of the Plan attached to said resolution, to the Commissioner of Public Works, the Commissioner of Neighborhood Services, the Commissioner of City Development, the Assessment Commissioner and the City Engineer, for administrative and/or informational purposes, respectively, and to the Joint Review Board established for the District.

DCD:JWS:jws

09/14/06