



Legislation Text

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150157

SUBSTITUTE 1

130053

ALD. KOVAC

Substitute resolution approving Amendment No. 1 to the Project Plan for Tax Incremental District No. 79 (North Water Street Riverwalk), approving a Riverwalk Development Agreement and authorizing expenditures for the construction of a riverwalk segment adjoining the property at 1781 North Water Street, in the 3rd Aldermanic District. The Common Council created Tax Incremental District No. 79 in 2013 to assist in the financing of riverwalks and related public improvements.

TID No. 79 has incurred project costs of \$150, including interest on debt and associated carrying charges, and approximately \$0 of incremental revenue has been generated in the TID.

Amendment No. 1 to the Project Plan for TID No. 79 will provide funding to construct a Riverwalk extension, three public connections and a dockwall reconstruction.

This substitute resolution authorizes the appropriate City officials to enter into a Riverwalk Development Agreement.

Whereas, The Common Council of the City of Milwaukee ("Common Council") on May 21, 2013, adopted File No. 130053, which approved a Project Plan and created Tax Incremental District No. 79 (North Water Street Riverwalk) ("District"); and

Whereas, Pursuant to Section 66.1105(4)(h)(1), Wisconsin Statutes, on May 21, 2015, the Redevelopment Authority of the City of Milwaukee ("RACM") conducted a public hearing on Amendment No. 1 to the Project Plan for the District ("Amendment"), approved such Amendment by resolution and submitted such Amendment, a copy of which is attached to this Common Council File, to the Common Council for its approval; and

Whereas, Section 66.1105(4)(h)(1), Wisconsin Statutes, provides that an amendment to a Project Plan shall be approved by the Common Council with the adoption of a resolution, which contains findings that such amendment is feasible and in conformity with the Master Plan of the City of Milwaukee ("City"); and

Whereas, Water Street Realty Partners, LLC, the owner/developer ("Developer") of the property located at 1781 North Water Street ("Property"), desires to construct a riverwalk along the Milwaukee River, a portion of which will be adjacent to the Property; and

Whereas, The Developer is willing to construct, maintain and repair the riverwalk; and

Whereas, The City is willing to provide the Developer with certain funds from the District, not to exceed \$3,920,000, to finance 70 percent of the cost of constructing the riverwalk, 50 percent of the cost of the dockwall and 100 percent of the cost of the public access connections; and

Whereas, In consideration of City reimbursement for a portion of the construction cost of the riverwalk, the Developer is willing to convey a non-exclusive, permanent, public access easement to the City; and

Whereas, The City has been requested to execute and deliver a Riverwalk Development Agreement by and among the Developer, RACM and the City, a copy of which is attached to this Common Council File, to evidence the agreements therein contained; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it finds and determines as follows:

1. The Amendment retains the existing boundaries of the District and does not alter the number of properties within the District. Therefore, the findings made in File No. 130053, pursuant to Section 66.1105(4) (gm)1 and 4, Wisconsin Statutes, are unchanged.
2. The Amendment revises the project costs to be supported by the District and revises the forecast of the District Cash Flow and District Breakeven Analysis that is part of the Project Plan and makes related changes regarding the timing of project costs and methods of financing.
3. Project costs provided in the Amendment relate directly to promoting development consistent with the City's Master Plan and with the purpose(s) for which the District was created under Section 66.1105(4) (gm)4a, Wisconsin Statutes.
4. The percentage of the aggregate value of the equalized taxable property of the District, plus the incremental value of all other existing Tax Incremental Districts, does not exceed 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 the Amendment is approved and the Project Plan for said District, as amended, 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:

1. The City Clerk is directed to notify the Wisconsin Department of Revenue, in such form as may be prescribed by said Department, of approval of the Amendment pursuant to the provisions of Section 66.1105(5), Wisconsin Statutes.
2. The City Comptroller is authorized to utilize excess tax incremental revenue, or borrow on a short-term basis, or some combination of both, and transfer up to \$2,320,000, plus 10 percent capitalized interest, to Project Account No. TD07980000, for the purpose of providing funds necessary to implement the Amendment.
3. The City Comptroller, in conjunction with the Commissioner of the Department of City Development, is directed to perform such acts and to create such accounts and subaccounts and to 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 proper City officials are directed to execute a Riverwalk Development Agreement; and, be it

Further Resolved, That the proper City officials are directed to accept a Public Access Easement and that the Commissioner of the Department of City Development is directed to sign for acceptance of such easement; and, be it

Further Resolved, That the proper City officials, in consultation with the City Attorney's Office, are authorized to make non-substantive changes to the Riverwalk Development Agreement, without further Common Council action, as necessary to achieve the intent of the City's action and to provide for construction of the riverwalk; and, be it

Further Resolved, That the City shall make available to RACM up to \$2,320,000 in funds from the District to allow RACM to supply the reimbursement to the Developer for the specified share of the cost of constructing the riverwalk improvements.

DCD:Alyssa.Remington:aer

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