

COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION

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DATE: January 13, 2014

TO: Supervisor Patricia Jursik, Chair, Economic & Community Development Committee

FROM: Teig Whaley-Smith, Economic Development Director, Department of Administrative Services

SUBJECT: Downtown Transit Center Update (File 14-9)

**REQUEST**

There is no request at this time; this report is for informational purposes only.

**BACKGROUND**

At the April 15, 2013 ECD Committee meeting a request was made that Economic Development staff ("ED Staff") prepare a monthly written report on the Status of Negotiations with Barrett Visionary Development ("BVD"), using resolution 12-633 as a guidepost ("Resolution"). The text of the resolution is repeated below in italics, with the respective update below.

1. *Develop a plan to incorporate the components of the Park East Redevelopment Compact (PERC) into the development agreement in order to provide additional sustainable community benefits that includes disadvantaged business opportunities and verified best faith efforts to employ Milwaukee County racial minorities and women in the project.*

In the last month, ED Staff has met frequently with BVD to move negotiations forward. BVD was successful in meeting similar workforce goals in its previous projects and intends to do the same on this project.

2. *Identify or develop an element of public attraction within the proposed development and ensure the project does not compete with public use facilities near the site.*

Current plans include public access across Lincoln Memorial Drive, public access throughout the elevated first floor, public parking and other public attractions that do not compete with public use facilities near the site.

3. *Advise the Committee on Economic and Community Development on the appraised value of the site with the understanding that the County Board expects to receive fair market value for the property.*

ED staff has received an appraisal. The appraisal, together with demolition, environmental remediation, other cost estimates, and public benefits negotiated will be used to establish a purchase price. More detailed demolition costs are being gathered.

4. *Work with the Parks Director and the Wisconsin Department of Natural Resources to determine if any portion of the development site is in conflict with the lakebed public trust doctrine.*

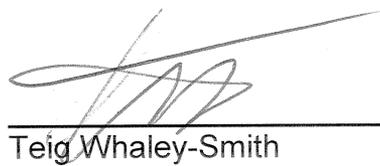
The State of Wisconsin has specified that the development site and other applicable sites west of the 1913 line are "not part of the lake bed of Lake Michigan" (Wis. Stats. Sec. 30.2038).

5. *Prepare written reports for each monthly meeting of the Committee on Economic and Community Development on the status of the negotiations with Barrett Visionary Development with the understanding that the committee may, at its discretion, direct that a Request for Proposal (RFP) process be initiated if negotiations do not progress.*

This report is designed to meet this requirement.

### **RECOMMENDATION**

There is no recommendation at this time; this report is for informational purposes only. ED Staff requests a closed session to discuss further details of negotiation.



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Teig Whaley-Smith  
Economic Development Director, Department of Administrative Services

cc: Chris Abele, County Executive  
Marina Dimitrijevic, County Board Chairwoman  
Economic and Community Development Committee Members  
Don Tyler, Director, Department of Administrative Services  
Amber Moreen, Chief of Staff, Office of the County Executive  
Raisa Koltun, Director of Legislative Affairs, County Executive's Office  
Julie Esch, Director of Operations, DAS

DEC 19 2013  
Jursik moved  
referred  
Back to  
Committee  
Passed  
18 ->

(ITEM ) From the Director of County Economic Development, Department of Administrative Services, requesting authorization to create a 2014 Workforce Development Investment using \$400,000 of the 2014 Economic Development Fund, by recommending adoption of the following:

A RESOLUTION

WHEREAS, County Board Resolution 11-601 created the Economic Development Fund; and

WHEREAS, the 2014 Budget established that 25 percent of proceeds collected from the sale of the University of Wisconsin-Milwaukee Innovation Campus shall be contributed to the Economic Development Fund ("2014 Economic Development Fund Allocation"); and

WHEREAS, County Board Resolution 11-601 specifically allows for the expenditure of the 2014 Economic Development Fund Allocation for "increased jobs" and "Economic Development," which includes workforce development; and

WHEREAS, sector based intermediaries have illustrated the ability to (a) increase wages by 29 percent for targeted groups, (b) increase employment by 11 percent for targeted groups, and (c) provide a return on investment for employers of over 146 percent; and

WHEREAS, the Milwaukee Area Workforce Funding Alliance has illustrated the ability to leverage matching funds; streamline applications, reporting and monitoring; and provide for an efficient and effective distribution of resources; now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes the Director of County Economic Development to implement a 2014 Workforce Development Investment ("2014 WDI") using \$400,000 of the 2014 Economic Development Fund Allocation ("2014 WDI Funds"); and

BE IT FURTHER RESOLVED, the 2014 WDI shall include at least the following terms and conditions:

- The 2014 WDI Funds shall be invested with the Milwaukee Area Workforce Funding Alliance (MAWFA).
- The entire balance of the 2014 WDI Funds shall be invested by the MAWFA into sector based intermediaries.
- The 2014 WDI Funds will prioritize sectors that have high employment placement and growth potential.

APPROVED AS TO FORM  
*Paul Bay*  
CORPORATION COUNSEL

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- The 2014 WDI Funds will prioritize sectors and programs that serve individuals referred by a County Department.
- The MAWFA will follow its established procedures for the distribution, reporting, and monitoring of funds.
- 2014 WDI Funds shall be expended only to the extent the funds are available from proceeds received by the County that are attributable to the 2014 Economic Development Fund Allocation.

ag  
12/12/13  
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: December 2, 2013

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: 2014 Workforce Development Investment

FISCAL EFFECT:

- No Direct County Fiscal Impact
  - Existing Staff Time Required
- Increase Operating Expenditures  
(If checked, check one of two boxes below)
  - Absorbed Within Agency's Budget
  - Not Absorbed Within Agency's Budget
- Decrease Operating Expenditures
- Increase Operating Revenues
- Decrease Operating Revenues
- Increase Capital Expenditures
- Decrease Capital Expenditures
- Increase Capital Revenues
- Decrease Capital Revenues
- Use of contingent funds

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
<b>Operating Budget</b>	Expenditure	\$0	\$0
	Revenue	\$0	\$0
	Net Cost	\$0	\$0
<b>Capital Improvement Budget</b>	Expenditure	\$0	\$0
	Revenue	\$0	\$0
	Net Cost	\$0	\$0

# DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.<sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
  - A. The Director of Economic Development, Department of Administrative Services (DAS) is requesting the creation of a 2014 Workforce Development Investment from the 2014 Economic Development Fund created by the 2014 Budget.
  - B. The funds used for the MRPI are already budgeted for thus there are no current year fiscal impacts.
  - C. The funds used for the 2014 WDI will only be expended to the extent revenues have been generated from the proceeds of the sale of UWM Innovation Campus. Consequently the net fiscal impact is zero. The payments received from project participants will be reinvested in the fund, thus there are no expected future year budget impacts except for the property tax revenue described in B above.
  - D. See B above.

Department/Prepared By DAS-Economic Development

Authorized Signature(s) \_\_\_\_\_

Did DAS-Fiscal Staff Review?  Yes  No

Did CDBP Review?<sup>2</sup>  Yes  No  Not Required

<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

<sup>2</sup> Community Business Development Partners' review is required on all professional service and public work construction contracts.

COUNTY OF MILWAUKEE  
INTER-OFFICE COMMUNICATION

Referred  
DET = 8/2013  
County Board  
Chair

13-919  
ECD

**DATE:** November 25, 2013  
**TO:** Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors  
**FROM:** Teig Whaley-Smith, Economic Development Director  
Department of Administrative Services  
**SUBJECT:** 2014 Workforce Development Investment

**POLICY**

The Director of the Economic Development Division, Department of Administrative Services (DAS) is requesting that the County Board approve a resolution to create a 2014 Workforce Development Investment.

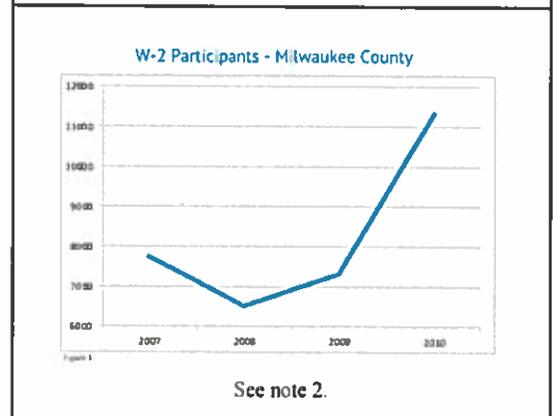
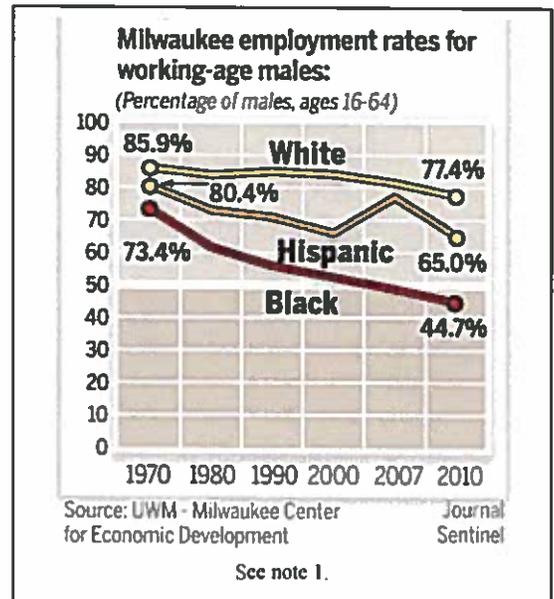
**BACKGROUND**

Unemployment and Poverty need to be addressed

It is a core mission of Milwaukee County to “enhance self-sufficiency” and “economic opportunity” of the people of Milwaukee County. Unfortunately, for some groups in the county unemployment has increased to 55%<sup>1</sup> and poverty rates to 37%.<sup>2</sup> These problems require targeted, efficient, sustainable, data driven solutions.

Unemployment cost taxpayers millions

Tax payers spend millions on income maintenance and other programs to address the symptoms of poverty. The enrollment rates for Foodshare,<sup>3</sup> W-2,<sup>4</sup>



<sup>1</sup> Schmid, John. "Employment of Black Men drops drastically." Milwaukee Journal Sentinel (Jan. 23, 2013) available at <http://www.jsonline.com/business/employment-of-black-men-drops-dramatically-tf3tg7m-137932723.html> (citing Levine, Marc. "Race and Male Employment in the Wake of the Great Recession." (2012 UWM Center for Econ. Dev.) available at [http://www4.uwm.edu/ced/publications/black-employment\\_2012.pdf](http://www4.uwm.edu/ced/publications/black-employment_2012.pdf)).

<sup>2</sup> Williams, Claudia, et al. "Women, Poverty, and Economic Insecurity in Wisconsin and the Milwaukee-Waukesha-West Allis MSA." (2011 Institute for Women's Policy Research), available at [www.iwpr.org/publications/pubs](http://www.iwpr.org/publications/pubs).

<sup>3</sup> Id.

<sup>4</sup> Id.

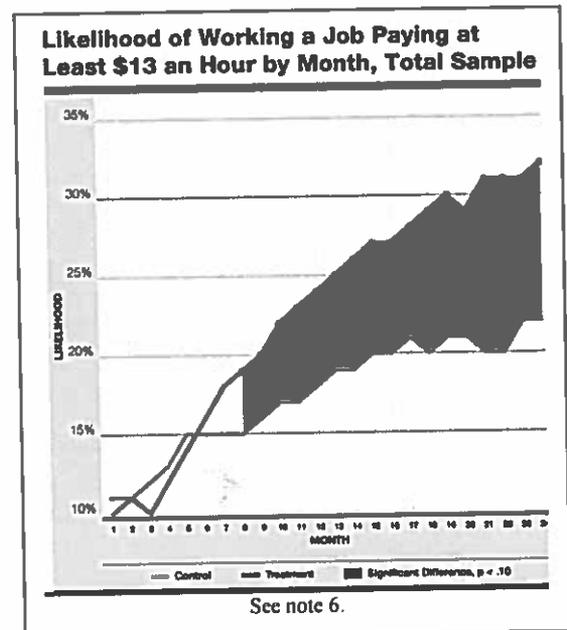
and other programs continue to skyrocket.<sup>5</sup> Again, this problem requires a targeted, efficient, sustainable, data driven solution.

*Sector Based Intermediaries have Shown Proven Results*

Sector based intermediaries are agencies that “prepare unemployed and underskilled workers for skilled positions and connect them with employers seeking to fill such vacancies.”<sup>6</sup> Through a detailed control vs. treatment group impact study it was found that program participants “earned 29% more than controls,” and “program participants were significantly more likely than controls to work all 12 months (52 percent versus 41 percent).<sup>7</sup> Furthermore, employers have reported a return on investment of 146%.<sup>8</sup>

*Funding Alliances Leverage Funding and Create Efficiencies in Monitoring and Investment*

The National Fund for Workforce Solutions (NFWS) is “a dynamic national partnership of communities, employers, workers and philanthropy that is transforming how low-wage workers acquire the education, training, and credentials needed to secure access to family-supporting careers ... [by developing] up-to-the minute intelligence about skills industry needs.”<sup>9</sup> The NFWS has leveraged \$41 Million from national funders.<sup>10</sup> Milwaukee is fortunate to have a local affiliate of the NFWS, the Milwaukee Area Workforce Funding Alliance (MAWFA or “Funding Alliance”). The Funding Alliance has leveraged dozens of funders and “1,200 [residents] have been placed and 172 employers have been engaged.”<sup>11</sup>



<sup>5</sup> For an analysis of incarceration rates, see Pawasarat, John, et al. "Wisconsin's Mass Incarceration of African American Males: Workforce Challenges for 2013." (2013 UWM Employment and Training Institute) available at <http://www4.uwm.edu/eti/2013/BlackImprisonment.pdf>.

<sup>6</sup> "Tuning In to Local Labor Markets: Findings from the Sectoral Employment Impact Study," Public/Private Ventures, available at <http://www2.oaklandnet.com/oakca/groups/ceda/documents/report/dowd021455.pdf>

<sup>7</sup> Id. at iv.

<sup>8</sup> Wilson, Randall and Holm, Robert, "Career Stat: A Guide to Making the Case for Investing in the Frontline Hospital Workforce," National Fund for Workforce Solutions (Apr. 2012) at <http://nfwsolutions.org/sites/nfwsolutions.org/files/publications/CareerSTATFINAL.pdf>

<sup>9</sup> "Building on Success: Five Years of Impact 2007-2012," National Fund for Workforce Solutions, available at [http://www.nfwsolutions.org/sites/nfwsolutions.org/files/tools/NFWS\\_BuildforSuccess\\_SeparatePG\\_071913%5B1%5D.pdf](http://www.nfwsolutions.org/sites/nfwsolutions.org/files/tools/NFWS_BuildforSuccess_SeparatePG_071913%5B1%5D.pdf)

<sup>10</sup> Id.

<sup>11</sup> "2012 MANI Winners and finalists," LISC Milwaukee available at [http://www.lisc.org/milwaukee/mandi/2012\\_mandi/2012\\_mandi\\_winners\\_and\\_finalists.php](http://www.lisc.org/milwaukee/mandi/2012_mandi/2012_mandi_winners_and_finalists.php)

2014 Workforce Development Investment

The 2014 Workforce Development Investment will provide a \$400,000 investment ("2014 WDI Funds") in the Funding Alliance with the following conditions:

- (a) The 2014 WDI Funds shall be invested with the Milwaukee Area Workforce Funding Alliance (MAWF);
- (b) The entire balance of the 2014 WDI Funds shall be invested by the MAWF into sector based intermediaries;
- (c) The 2014 WDI Funds will prioritize sectors that have high employment placement and growth potential;
- (d) The 2014 WDI Funds will prioritize sectors and programs that serve individuals referred by a County Department; and
- (e) The MAWF will follow its established procedures for the distribution, reporting and monitoring of funds.

Expected Economic Development Outcomes

1. Jobs. Milwaukee County residents will be placed in jobs in targeted high growth employment sectors. Actual jobs projections will be established in partnership with the Milwaukee Area Workforce Funding Alliance.

Performance Measures

1. Jobs. Participant level data will be collected, maintained and reported by Milwaukee Area Workforce Funding Alliance. Data will be tracked by both residency and referral from County Department.

**RECOMMENDATION**

The Director of the Economic Development, Department of Administrative Services (DAS) recommends authorization for a 2014 Workforce Development Investment of \$400,000 to be funded through the 2014 Economic Development Fund, to be administered by the Milwaukee Area Workforce Funding Alliance.



Teig Whaley-Smith  
Economic Development Director

- cc: Chris Abele, County Executive  
Supervisor Patricia Jursik, Chair, Economic & Community Development Committee (ECD)  
Supervisor David Bowen, Vice Chair, ECD Committee  
Supervisor Willie Johnson, Jr., ECD Committee  
Supervisor Michael Mayo, Sr., ECD Committee  
Supervisor James (Luigi) Schmitt, ECD Committee  
Supervisor Steve F. Taylor, ECD Committee  
Supervisor Khalif Rainey ECD Committee  
Nelson Soler, County Board Research Analyst  
Don Tyler, Director, Department of Administrative Services

Julie Esch, Director of Operations, Department of Administrative Services  
Amber Moreen, Chief of Staff, Office of the County Executive  
Raisa Koltun, Director of Legislative Affairs, Office of the County Executive



Community Business Development Partners

# MILWAUKEE COUNTY

RUBEN L ANTHONY, Jr, PhD • Interim Director, DBE Liaison Officer, ACDBE Liaison Officer

## INTER-OFFICE COMMUNICATION

**DATE:** December 27, 2013

**TO:** Supervisor Marina Dimitrijevic, Chair, County Board of Supervisors  
Supervisor Patricia Jursik, Chair, Economic & Community Development Committee  
Supervisor Michael Mayo, Sr., Chair, Transportation, Public Works & Transit Committee

**FROM:** Ruben L. Anthony Jr. Ph.D., Interim Director, Community Business Development Partners

**SUBJECT:** DBE WAIVER REPORT FOR NOVEMBER OF 2013

### DIRECTIVE

At the request of the Committee on Economic and Community Development, the Community Business Development Partners Department (CBDP) provides a monthly update on the Disadvantaged Business Enterprise (DBE) utilization waivers requested by, and granted to, Milwaukee County departments/divisions.

### BACKGROUND

CBDP is responsible for designing, implementing, monitoring and enforcing Milwaukee County's DBE Program in order to maintain compliance with Federal Regulations and Milwaukee County Ordinances. Implementation of the Program includes assignment of participation goals on, both, Federal and County funded contracts, as well as monitoring and enforcing compliance of these contracts. Participation goals may only be established on contracts where opportunities exist for ready, willing and able certified firms to perform commercially useful functions related to the satisfaction of those contracts.

In 1999, the United States Department of Transportation (USDOT) implemented DBE Program rules with seven (7) key objectives directed at creating a level playing field on which certified firms could compete fairly for USDOT-assisted contracts. This legislation, 49 CFR Parts 23 and 26, requires all recipients of USDOT funds to establish and maintain a DBE program that, not only, complies with the intent and language of the legislation, but that has also been reviewed and approved by USDOT. As a result of public and private stakeholder input, Milwaukee County determined and approved, by action of the County Executive and the full County Board, to establish and maintain a program based upon the Federal DBE Program rules and standards for all of its contracts. This action designed to ensure the same level of commitment and consistency in approach to the facilitation of small business involvement when and where appropriate has been enacted in Chapter 42 of the Milwaukee County Code of General Ordinances.

Milwaukee County is required to provide and establish contract opportunities for certified firms on its projects based upon the number of ready, willing and able firms certified to perform within the scope(s) of each of these projects. Only firms certified through Wisconsin's Unified Certification Program (UCP), a consortium of over 24 municipalities and agencies throughout the State, count as ready, willing and able firms for this purpose. Four of the UCP members serve as certifying partners for the consortium, Milwaukee County, WisDOT, Dane County, and the City of Madison. Milwaukee County has the responsibility of verifying and maintaining the certification status of 351 of the 830 currently certified firms throughout the State, while processing all new applications for DBE certification.

WAIVER REQUESTS

When CBDP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before rendering a determination. The Interim Director may require staff to gather more comprehensive information or to provide more detailed clarification regarding any identified issues prior to issuing a determination.

WAIVER REPORT SUMMARY

The figures below include Professional & Management Service and Capital Improvement/Maintenance contracts awarded during November of 2013. This report does not include contracts awarded by the Procurement Division of the Department of Administrative Services processes under Chapter 32. Please see the attachment for waivers requested as broken out by owner department, contractor/consultant awarded, scope of services rendered, total contract amounts, and reason for approval.

<b>Total Contracted Dollars for Period</b>	<b>\$ 10,349,902.60</b>
<b>Total Contracted Dollars w/o DBE Participation</b>	<b>\$ 1,053,706.17</b>
<b>Percentage of Contracts w/o DBE Participation</b>	<b>10.2%</b>
<b>Total Contracted Dollars w/ Waiver Approval</b>	<b>\$ 881,188.00</b>
<b>Percentage of Contracts w/ Waiver Approval</b>	<b>8.5%</b>
<b>Total Contracted Dollars w/o Waiver Approval</b>	<b>\$ 11,340.00</b>
<b>Percentage of Contracts w/o Waiver Approval</b>	<b>0.1%</b>

It is also important to note that the Milwaukee County Code of General Ordinances exempts various contracts from DBE participation consideration review for services such as those used for the purpose of securing credit rating services related to debt issuance and administration. These exemptions appear as Chapter 56.30(2)(a), and 56.30(10)(a).

<b>Total Contracted Dollars for Period</b>	<b>\$ 10,349,902.60</b>
<b>Total Exempted Contract Dollars</b>	<b>\$ 161,178.17</b>
<b>Percentage of Exempted Contracts for Period</b>	<b>1.6%</b>

RECOMMENDATION

CBDP prepared this informational report, and recommends that it be received and filed, as such.

Approved by:



Ruben L. Anthony Jr., Ph.D.  
Interim Director, CBDP

CC: Chris Abele, Milwaukee County Executive

# Milwaukee County Community Business Development Partners Department (CBDP) DBE Waiver Report November 2013

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
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Approved Waivers<sup>1</sup>

Parks	Milwaukee Metropolitan Sewerage District	Survey of stormwater in vicinity of Dineen Park	33,000.00	Specialized Service
Parks	Nagy Restoration, Inc.	Fish Hatchery	39,200.00	Specialized Service
DHHS-Deinquency & Court Services	Jewish Family Services	JFS to provide administrative & fiscal services for the Youth Sports Authority	8,000.00	Specialized Service
DHHS-Deinquency & Court Services	Express Yourself Milwaukee	The multi-cultural artistic team will provide a series of weekly sessions for youth whose detained	12,500.00	Specialized Service
DHHS-BHD	City of Milwaukee Police Department	To provide an identified police officer to the BHD Mobile Crisis Team	109,375.00	Intergovernmental Cooperation
Family Care	La Crecia S. Thomson	To facilitate three focus groups in Milwaukee, Racine & Kenosha	1,800.00	Under \$2,000.00
Risk Management	AEGIS	To provide medicare mandatory insurer reporting services	37,975.00	Specialized Service
MCSO	Brentwood Animal Hospital	Veterinary Services	20,000.00	Specialized Service
Dept. of Administration	CBRE, Inc.	To address the use and/or alternatives for the Coggs bldg & City Campus	50,000.00	Specialized Service
Dept. of Administration	Amset, Inc.	Fire Investigation of Courthouse	50,000.00	Specialized Service
Human Resources	ACL, Inc.	Drug and alcohol testing for employees for the Dept. of Transportation Regulations	26,025.00	Specialized Service
GMIA	USDA - APHIS	GMIA - Wildlife Services 2014-2016	475,377.00	Intergovernmental Cooperation
Parks -by DAS - FM	James G Otto Architect	Wehr Nature Center Improvements	9,900.00	Annual Consultant Utilization
GMIA	Mead & Hunt	GMIA - Engineering Review of Fire Suppression Systems in Airport Hangar # 217 & 302 at the MKE Regional Business Park	6,000.00	Annual Consultant Utilization
Parks -by DAS - FM	Endpoint Solutions	Wehr Nature Center Improvements - Environmental Inspection	2,038.00	Annual Consultant Utilization

Contracts Issued Without Review<sup>2</sup>

Dept. on Aging	Personnel Specialist	Temporary help in Resource Center	7,200.00	
House of Corrections	Benedict Center	Superintendent was given a specific budget and tasked with creating new programming, this is a one time test	4,140.00	

Exempted Contracts<sup>3</sup>

GMIA	Chapman & Cutler	Professional services relating to the issuance of \$47,095,000 of 2013A General Airport Revenue Bonds \$3,330,000	94,904.87	Per Chapter 56.30(2)(a)
GMIA	Chapman & Cutler	Professional services relating to the issuance of \$28,935,000 of general obligation corporate purpose bonds, series 2013A	66,273.30	Per Chapter 56.30(2)(a)
<b>Total Contract \$ Amount for Period *</b>			<b>\$10,349,902.60</b>	
<b>Total Contract \$ Amount w/o DBE Participation for Period</b>			<b>1,053,706.17</b>	
<b>Percentage w/o DBE Participation</b>			<b>10.2%</b>	
<b>Total Approved Waiver \$ Amount</b>			<b>881,168.00</b>	
<b>Percentage Waived</b>			<b>8.5%</b>	
<b>Total Unapproved Waiver \$ Amount</b>			<b>11,340.00</b>	
<b>Percentage w/o Waiver Approval</b>			<b>0.1%</b>	
<b>Total Exempted \$ Amount</b>			<b>161,178.17</b>	
<b>Percentage Exempted</b>			<b>1.6%</b>	

<sup>1</sup> Waivers approved by CBDP; within guidelines of Code of General Ordinances

<sup>2</sup> Contracts issued by Departments in violation of the Code of General Ordinances;  
CBDP is made aware of these projects when Accounts Payable forwards new contract information

<sup>3</sup> These contracts are exempted from Disadvantaged Business Enterprise participation review within the guidelines of Code of General Ordinance Chapter 56.30(2)(a) such as those used for the purpose of securing credit rating services related to debt issuance and administration

\* Total does not include Procurement Division Figures

1 By Supervisor Weishan  
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5 **A RESOLUTION**  
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7 creating a policy for informing policymakers on Milwaukee County voting on a  
8 standing joint review board as it relates to Tax Improvement Districts  
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10 WHEREAS, Wisconsin Statute 66.1105(3)(g) allows a city that is creating a  
11 tax incremental district to create a standing joint review board; and  
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13 WHEREAS, Wisconsin Statute 66.1105(4)(m) requires that one representative  
14 be chosen by any county that has power to levy taxes on the property within the tax  
15 incremental district; and  
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17 WHEREAS, the representative shall be the County Executive or his designee  
18 or the Milwaukee County Treasurer who possesses knowledge of Milwaukee County  
19 finances; and;  
20

21 WHEREAS, the County Executive has designated the Director of Economic  
22 Development as the County representative to any municipal joint review boards; and  
23

24 WHEREAS, it would be helpful to policymakers if the County's representative  
25 to the joint review boards provided a regular update as to the matters considered by  
26 the joint review board(s) and any votes cast on behalf of Milwaukee County; now,  
27 therefore,  
28

29 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
30 requires the Milwaukee County appointed representative to a municipal Joint Review  
31 Board to provide an informational update as soon as practicable to the Committee  
32 on Community and Economic Development related to the actions taken by any  
33 municipal Joint Review Boards, including any votes cast by the County  
34 representative.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** January 14, 2014

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** A resolution creating a policy for informing policymakers on Milwaukee County voting on a standing joint review board as it relates to Tax Improvement Districts

**FISCAL EFFECT:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input checked="" type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><input type="checkbox"/> Use of contingent funds |
|--|--|

*Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.*

	Expenditure or Revenue Category	Current Year	Subsequent Year
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

**DESCRIPTION OF FISCAL EFFECT**

**In the space below, you must provide the following information. Attach additional pages if necessary.**

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.<sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this resolution will require the Milwaukee County appointed representative to a municipal Joint Review Board to provide an informational update as soon as practicable to the Committee on Community and Economic Development related to the actions taken by any municipal Joint Review Boards, including any votes cast by the County representative. Currently, the County Executive’s appointed representative to any local Joint Review Boards is the Director of Economic Development.

Approval of this resolution will not require an expenditure of funds, but will require staff time to provide periodic updates to the County Board.

Department/Prepared By Steve Cady, Director of Research Services, Office of the Comptroller

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

Did CBDP Review?<sup>2</sup>  Yes  No  Not Required

<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

<sup>2</sup> Community Business Development Partners’ review is required on all professional service and public work construction contracts.

**COUNTY OF MILWAUKEE**  
**INTER-OFFICE COMMUNICATION**

**DATE:** January 13, 2014

**TO:** Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors

**FROM:** Teig Whaley-Smith, Economic Development Director, Department of Administrative Services

**SUBJECT: Amendment to County Ground Land Lease**

**POLICY**

The Director of the Economic Development, Department of Administrative Services (DAS) is requesting that the County Board approve an amendment to a Land Lease between the County and Premier Development Group L.L.C.

**BACKGROUND**

In November of 2011, Milwaukee County entered into a land Lease agreement for 1.748 acers of County owned land located at 8624 W Watertown Plank Rd with Premier Development Group for use as a day care development site (File No.11-390) The recent DOT construction project will reconfigure and expand the stretch of Watertown Plank Rd that runs along the Child Care site. This expansion of Right of Way will eliminate 871 Square Feet of land from use.

This amendment to the lease alters the scheduled rental payments to properly reflect the change to the site.

**RECOMMENDATION**

The Director of the Economic Development, Department of Administrative Services (DAS) recommends approval of this Amendment to the Lease

---

Teig Whaley-Smith  
Economic Development Director

Attachment

cc: Chris Abele, County Executive  
Supervisor Patricia Jursik, Chair, Economic & Community Development Committee (ECD)  
Supervisor David Bowen, Vice Chair, ECD Committee  
Supervisor Willie Johnson, Jr., ECD Committee

Supervisor Michael Mayo, Sr., ECD Committee  
Supervisor James (Luigi) Schmitt, ECD Committee  
Supervisor Steve F. Taylor, ECD Committee  
Supervisor Khalif Rainey ECD Committee  
Don Tyler, Director, Department of Administrative Services  
John Dargle, Director, Parks Department  
Brian Dranzik, Director, Department of Transit  
Scott Manske, Comptroller  
Dan Dilibirti, Treasurer  
Greg High, Director, Division of Architectural & Engineering  
Bill Shaw, Director, MCAMLIS  
Julie Esch, Director of Operations, Department of Administrative Services  
Amber Moreen, Chief of Staff, Office of the County Executive  
Raisa Koltun, Director of Legislative Affairs, Office of the County Executive  
Barbara Pariseau, Senior Executive Assistant, DAS

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(ITEM ) A resolution to amend an existing Land Lease agreement between the County and Premier Development LLC for the Child Care site at 8624 W. Watertown Plank Rd. and authorize Economic Development to sign said amendment on behalf of the County:

**A RESOLUTION**

WHEREAS, in 1991 Milwaukee Regional Medical Center, Inc. (“MRMC”) constructed a 13,670 square foot child daycare facility (“Facility”) on a 1.748-acre parcel of County-owned land (“Subject land”) leased from Milwaukee County (“County”) pursuant to a lease effective June 12, 1990 (the “Lease”); and,

WHEREAS, in 2011 the Milwaukee County Board of Supervisors approved the execution of a new lease with Premier Development Group LLC for the 1.748- acre parcel effectively terminating the original lease with MRMC: and,

WHEREAS, the 2011 lease rate was set at an appraised fair market value of \$57,092 per year with subsequent annual rental increases of 1% for each of the ten years on the lease; and,

WHEREAS, DOT project (1060-33-23) will expand the Right of Way along West Watertown Plank Rd, and thus eliminate 871 square feet of land from the original land lease agreement; and,

WHEREAS, Representatives from the County and Premier Development Group LLC wish to have an amendment drafted to properly recognize the DOT’s taking and fairly adjust the previously set rent schedule; now, therefore,

BE IT RESOLVED that the Director for Economic Development Division is hereby authorized to sign the Amendment with premier Development Group LLC, for the Land Lease located at 8624 West Watertown Plank Road

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** January 13, 2014

Original Fiscal Note                    x

Substitute Fiscal Note

**SUBJECT:** Authorization to amend a land lease with Premier Development Group LLC for the site located at 8624 West Watertown Plank road Wauwatosa, Wisconsin

**FISCAL EFFECT:**

- |  |  |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact  | <input type="checkbox"/> Increase Capital Expenditures |
| x Existing Staff Time Required   |  |
| <input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below) | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Absorbed Within Agency's Budget   | <input type="checkbox"/> Increase Capital Revenues     |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget   | <input type="checkbox"/> Decrease Capital Revenues     |
| <input type="checkbox"/> Decrease Operating Expenditures   | <input type="checkbox"/> Use of contingent funds       |
| <input type="checkbox"/> Increase Operating Revenues   |  |
| <input checked="" type="checkbox"/> Decrease Operating Revenues  |  |

*Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.*

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	
	Revenue	0	
	Net Cost	0	
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

## DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. <sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

An existing Land Lease is to be amended due to the DOT's taking 871 square feet for expansion of Right of Way due to the construction of Watertown Plank Road. An adjustment to the previously approved rent schedule would reduce the income collected by the County by \$4,869.90 which would be spread across the remaining seven years of the lease agreement.

(a) It needs to be noted that the County was compensated by the DOT for the original taking in the amount of \$4,620.00

Department/Prepared By Teig Whaley-Smith, Economic Development Director

Authorized Signature \_\_\_\_\_

Did DAS-Fiscal Staff Review?  Yes  No

Did CBDP Review?<sup>2</sup>  Yes  No  Not Required

<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

<sup>2</sup> Community Business Development Partners' review is required on all professional service and public work construction contracts.

1<sup>st</sup> Amendment to the Land Lease Agreement

Milwaukee County and Premier Development Group L.L.C.

for Child Care Facility

THIS AMENDMENT TO THE ORIGINAL LEASE AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between Milwaukee County (“Lessor”), and Matthew J. Mehring, also doing business as, Premier Development Group L.L.C., (“Lessee”)

WHEREAS, Lessor entered into a land lease agreement with Lessee in November 2011 for 1.748 acres of land identified in Exhibit A in the original agreement.

WHEREAS, The Wisconsin Department of Transportation has expanded the Right of Way due to the reconstruction of Watertown Plank Road, thereby reducing the overall size of the land identified in Exhibit A of the original agreement by 871 Square Feet.

WHEREAS, the area being lost to the Right of Way does not impact the operational value of the lands leased to Lessee,

WHEREAS, Lessor will make a concession to the original Rent schedule found in Exhibit B of the original agreement as follows;

**Adjusted Rent Schedule**

<u>YEAR #</u>	<u>YEAR</u>	<u>ANNUAL RENTAL COMPENSATION</u>
4	2014	\$58,485.89
5	2015	\$59,070.75
6	2016	\$59,661.47
7	2017	\$60,258.08
8	2018	\$60,860.65
9	2019	\$61,469.27
10	2020	\$62,083.96

THEREFORE, the parties hereto wish to modify the agreement to reflect the approved rent Schedule payments outlined above to the original lease agreement. The parties further agree that the terms and conditions in the 2011 Land Lease Agreement, as amended herein, shall remain in full force and effect.

The parties hereto agree to this AMENDMENT TO THE LAND LEASE AGREEMENT.

**Milwaukee County**

By \_\_\_\_\_  
Teig Whaley-Smith – County Economic Development

**Premier Development Group L.L.C.**

By \_\_\_\_\_  
Matthew J. Mehring

Approved for Execution

Reviewed By

\_\_\_\_\_  
Corporation Counsel

\_\_\_\_\_  
Risk Manager

**COUNTY OF MILWAUKEE**  
INTEROFFICE COMMUNICATION

DATE: January 13, 2014

TO: Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors

FROM: Teig Whaley-Smith, Economic Development Director, Department of Administrative Services

SUBJECT: Amendments to Milwaukee County Code of General Ordinances Chapters 6 and 32, relating to the management and disposition of tax deed foreclosure properties.

**POLICY ISSUE**

Milwaukee County will be taking over an unprecedented number of tax foreclosure properties in 2014. Continuous efforts of the Treasurer's Office and DAS-Economic Development to ensure a smooth transition to ownership have uncovered some inconsistencies and ambiguities in the ordinances relating to tax deed foreclosures. The following report represents the next step in clarifying, prioritizing and streamlining the internal process for handling tax foreclosure properties; continuing the efforts to streamline the process started by the Treasurer's Office in 2013 with CB Resolution 13-374 and the Economic Development Division's effort to prioritize the resale of tax foreclosures with CB Resolution 13-918.

**BACKGROUND**

DAS-Economic Development's Real Estate Services section is charged with the acquisition, management and disposition of real estate for Milwaukee County, including surplus county lands and properties acquired by the county during the tax deed foreclosure process. In the Milwaukee County Code of General Ordinances there are two conflicting provisions regarding the duties of real estate services: Chapter 32, subchapter 5 and Chapter 6.

This Report will outline these sections of the Code as currently written, highlight the inconsistencies and obsolete provisions of each and propose ordinance amendments to simplify and streamline the departmental directives. Real Estate Services needs clear directives to effectively and efficiently handle the county's real estate assets. This is especially important for the disposition of tax foreclosure properties, which are unique county assets in terms of both category and quantity. Providing clear and consistent expectations for buyers will decrease the amount of time these properties are off the tax rolls and negatively impacting taxpayers.

Chapter 32 is entitled "Department of Administration." Its subchapter 5 is entitled "Economic Development" and within sub. 5 is section 32.96 entitled "Real Estate." These layers of authority are consistent with the County's organizational structure. According to the journal of proceedings, this section was created in 1992 and amended in 2007 and 2012. Thus, it is relatively current.

The first subsection under 32.96 reads, "Manage, sell and acquire real estate for the county. Specific responsibilities include managing and leasing improved and unimproved properties, including air space parking lots for the state department of transportation (WIDOT). County surplus real estate and tax foreclosure properties in the county suburbs are sold by the division." (Attachment A contains the full text of the current Chapter 32)

Subsections (2) through (5) all relate to the land disposition process. Subsection (2) specifies that "land sales shall follow the policy and procedure for disposition of real estate as recommended by the committee on economic and community development (ECD committee), approved by the county board and implemented by the Department of Administration (DAS) – Economic Development Division." *No land disposition policy has been approved to date.* Therefore, anytime Real Estate Services wants to sell a parcel of land it must put forth a resolution to the ECD committee to have the parcel declared surplus and recommend a process for disposition. When a buyer is found, approval of the actual sale must similarly be reviewed by the committee and the board before closing can occur.

Chapter 6 is entitled "Collection of Delinquent Real Estate Taxes and Acquisition, Management and Disposition of Lands" and also makes references to the duties of the Real Estate Services division. Excepting Section 6.01(5), which was created in June 2012, the most recent amendment to Chapter 6 occurred in 1998. There are seven sections in Chapter 6:

- (1) 6.01 - Foreclosure of tax lien by action in rem
  - (2) 6.02 - Duties of county treasurer
  - (3) 6.03 - Duties of the department of administration, economic development division, real estate section, hereinafter referred to as "division"
  - (4) 6.04 - Sale of lands to county employees prohibited
  - (5) 6.05 - Conveyances for sale of lands
  - (6) 6.06 - Interest and penalty on overdue and delinquent taxes.
  - (7) 6.07 - Delinquent property tax collection via personal liability
- (Full Text of Current Chapter 6 included in Attachment B)

Section 6.01 describes the relationship between the treasurer and Real Estate Services in making the determination whether to acquire a property by tax foreclosure based on environmental factors. Section 6.02 focuses on the necessary actions of the treasurer to take the deed, and Section 6.03 discusses Real Estate Services' management of

properties (i.e. making repairs, temporary rentals), retaining properties for county use and the process for selling properties. Sections 6.04 and 6.05 specify restrictions to and how said lands shall be conveyed, while Sections 6.06 and 6.07 lay out the penalties for overdue/delinquent taxes and collection via personal liability.

Sections 6.01, 6.02, 6.06 and 6.07 all clearly relate to the collection of delinquent real estate taxes. Sections 6.03, 6.04 and 6.05 all relate to the acquisition, management and disposition of land. The placement of land disposition procedures for all land sales within the tax foreclosure section is awkward and can lead to confusion. For example, the text of 6.03 seems to place heavy emphasis on what can be presumed are tax foreclosure properties, but no distinction is made between tax foreclosure properties and other county owned surplus properties. Sections 6.04 and 6.05 on the other hand, clearly do and should apply to the sales of all county owned properties, not just tax foreclosures. Nevertheless, these two provisions make no reference to Chapter 32. Moreover, select portions of the entire chapter are obsolete. Section 6.01 frequently refers to Real Estate Services as being under the department of public works and development. Subsection (5) of 6.01 is not well organized and occasionally cites language from Wisconsin State Statutes that is not accurate. Sections 6.03(1) and (4) are essentially the same provision, but contain different monetary restrictions such that they may cause confusion.

Based on the conflicting messages sent by the current ordinance provisions, it would be advisable to amend the ordinances to clarify the directives to the Real Estate Services section of the Economic Development Division. Based on the organizational structure of the county, it would be logical for a person to refer to Chapter 32 in the ordinances to determine the duties and responsibilities of the Real Estate Services section. Thus, provisions related to the sale of county-owned land are appropriately placed in that section. With respect to tax foreclosure properties however, there is an entire process in which the Real Estate Services division is involved prior to the land sale, which is more appropriately placed in Chapter 6. Logically, it makes sense that the land management and disposition provisions related to tax foreclosure properties be in Chapter 6 as well. While this would mean placing duties of the section outside of Chapter 32, a simple cross reference should be sufficient to clarify this deviation.

Thus, the following amendments are being proposed:

- (1) Rename Chapter 6 "Collection of Delinquent Real Estate Taxes, and Acquisition, Management and Disposition of Tax Foreclosure Properties."
- (2) Amend Section 6.01 to reference the proper department (DAS-Economic Development rather than Department of Public Works and Development). The text, as amended can be found in Attachment C.
- (3) Repeal and recreate Section 6.03. The newly created text, which contains elements of the old text and provides a simple process for disposition apart from Chapter 32 can be found in Attachment D.

- (4) Create Sections 32.96(7) and (8) to supersede Sections 6.04 and 6.05. The text of the newly created sections (identical to former sections 6.04 and 6.05) can be found in Attachment E.
- (5) Create Section 32.96(3) to reference the provisions of Chapter 6 for tax foreclosure properties and renumber the remaining subsections of 32.96, also seen in Attachment E.

The proposed amendments recognize that tax foreclosure properties are distinctly different assets than other parcels of county-owned real estate. First, in a year that tax foreclosure properties are acquired and disposed of, they are more numerous compared to other surplus county property. While not exclusively residential homes, the bulk of the tax foreclosure properties are just that. These are properties for which the County has little to no use, other than the sales revenue to compensate for lost tax revenue. While the County was losing tax revenues prior to acquisition, there are significant carrying costs of holding them as well. At the moment of acquisition, the County becomes responsible for the control and maintenance of these properties. In certain circumstances the County is also forced to act as a landlord. To ensure a smooth transition for persons still living in the homes at the time of assumption, the County often signs temporary, month-to-month licenses of the premises to the current owner or renter as the circumstances may be. The County has no desire to act as a landlord in that capacity on a long term basis. Thus, the County's best interests dictate that it be able to dispose of the properties as quickly as possible. Quick disposition is also in the best interests of the neighbors. Neighborhoods with foreclosures experience negative impacts in the way of depressed home values, blight and crime. The County can best serve these areas by placing homes back in the hands of responsible homeowners as soon as possible.

## **RECOMMENDATION**

To efficiently manage tax foreclosure properties the Real Estate Services section of DAS-Economic Development Division must have a clear and consistent process. Because of the unique nature of tax foreclosure properties, these directives will be more effective by separating them from the rest of the duties of the Real Estate Services section. The proposed ordinance amendments are imperative to creating such a transparent process.

---

Teig Whaley-Smith, Economic Development Director  
Department of Administrative Services

Attachments: (A) Current Chapter 32; (B) Current Chapter 6; (C) Amended Section 6.01; (D) Repealed and Recreated Section 6.03; (E) Amended Section 32.96

cc: Chris Abele, County Executive  
Supervisor Patricia Jursik, Chair, Economic & Community Development  
Committee  
Supervisor David Bowen, Vice Chair, ECD Committee  
Supervisor Michael Mayo, Sr., ECD Committee  
Supervisor James (Luigi) Schmitt, ECD Committee  
Supervisor Willie Johnson, Jr., ECD Committee  
Supervisor Steve F. Taylor, ECD Committee  
Supervisor Khalif Rainey ECD Committee  
Don Tyler, Director, Department of Administrative Services  
Amber Moreen, Chief of Staff, Office of the County Executive

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(ITEM \*) From the Director, DAS-Economic Development Division, recommending adoption of a resolution/ordinance to amend Chapters 6 and 32 of the Milwaukee County Code of General Ordinances relating to the management and disposition of tax foreclosure properties, by recommending the following:

**A RESOLUTION**

WHEREAS, DAS-Economic Development Division is charged with the acquisition, management and disposition of real estate for Milwaukee County, including surplus county lands and properties acquired by the county through the tax deed foreclosure process; and

WHEREAS, there are two conflicting provisions in the Milwaukee County Code of General Ordinances regarding the duties of the division with respect to county-owned real estate: Chapter 6, sections 6.01 and 6.03 and Chapter 32, section 32.96; and

WHEREAS, Section 32.96 lays out the duties of the Real Estate Services section of the division; and

WHEREAS, Section 6.01 lays out the division's duties with respect to tax foreclosure properties, while Section 6.03 seems to apply to all types of county-owned real estate although several subprovisions clearly relate to tax foreclosure properties; and

WHEREAS, Milwaukee County will be taking an unprecedented number of tax foreclosure properties in 2014, which are unique county assets in terms of both category and quantity; and

WHEREAS, tax deed foreclosures are distinctly different assets than other parcels of county-owned real estate in that:

- (a) they are greater in number compared to other surplus county property;
- (b) the bulk of foreclosures are residential homes, which are properties the County has little to no use for;
- (c) significant carrying costs to the county are associated with the holding of the foreclosure properties;
- (d) they can have a negative impact on the surrounding neighborhood by depressing home values and potentially increasing blight and crime.

WHEREAS, it is in the best interests of the county and the surrounding neighborhoods to dispose of the properties as quickly and efficiently as possible; and

45 WHEREAS, the division needs clear directives to effectively handle the  
46 management and disposition of the county's tax foreclosure properties, which requires  
47 a process wholly separate from that related to other county properties; and  
48

49 WHEREAS, based on the conflicting messages sent by the current ordinance  
50 provisions, it would be advisable to amend the ordinances to clarify the directives to the  
51 division with regards to general land sales and the disposition of tax foreclosure  
52 properties; now, therefore,  
53

54 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
55 amends Chapters 6 and 32 of the Milwaukee County Code of General Ordinances by  
56 adopting the following:  
57

### 58 AN ORDINANCE

59  
60 The County Board of Supervisors of the County of Milwaukee does ordain as  
61 follows:  
62

63 SECTION 1. Chapter 6 of the General Ordinances of Milwaukee County is renamed as  
64 follows:  
65

66 Chapter 6 COLLECTION OF DELINQUENT REAL ESTATE TAXES, AND  
67 ACQUISITION, MANAGEMENT AND DISPOSITION OF ~~LAND~~ TAX FORECLOSURE  
68 PROPERTIES  
69

70 SECTION 2. Section 6.01 of the General Ordinances of Milwaukee County is amended  
71 as follows:  
72

73 6.01. Foreclosure of tax lien by action *in rem*.  
74

75 From and after March 1, 1963, the county elects to adopt s. 75.521, Wis. Stats.  
76 for the purpose of enforcing tax liens in such county in the cases where the procedure  
77 provided by such section is applicable. Where applicable, this method shall be used in  
78 preference to obtaining real estate by a guardianship deed, old age assistance lien or  
79 where, in the opinion of the corporation counsel, it is more effective for obtaining  
80 merchantable title.

81 (1) ~~The department of public works and development, through its real estate branch~~  
82 ~~of the professional services division~~ department of administrative services –  
83 economic development division, shall make cursory inspections of all properties  
84 on the county treasurer's list of properties scheduled for foreclosure for  
85 nonpayment of real estate taxes. Within three (3) days after the final date of  
86 redemption, the treasurer shall furnish the ~~department~~ division a list of the  
87 remaining properties in the court action and the projected foreclosure date and  
88 the ~~department~~ division shall present a written report to the treasurer on which of

- 89 the remaining properties in the court action contains or are likely to contain  
90 hazardous materials.
- 91 (2) Properties that have been identified by the division ~~department of public works~~  
92 ~~and development~~ as containing or likely to contain hazardous materials shall be  
93 taken by foreclosure only if there is agreement of the treasurer and the division  
94 ~~department~~.
- 95 (3) ~~If it is determined by~~ the treasurer and the division ~~department~~ determine that a  
96 phase one environmental assessment is required and/or a plan should be  
97 developed for ~~submittal~~ submission to the state department of natural resources  
98 in order to protect the county's interests, an assessment can be undertaken  
99 and/or a plan developed and submitted if sufficient funds are available for these  
100 purposes.
- 101 (4) ~~If there is disagreement between the treasurer and the department of public~~  
102 ~~works and development~~ division disagree about whether a property might contain  
103 hazardous materials, the need for further environmental assessment or  
104 development of a plan for submittal to the state department of natural resources,  
105 or if sufficient funds are not available for these purposes, the county shall not  
106 take judgment of foreclosure on the property in question and the ~~matter shall be~~  
107 ~~submitted by the treasurer~~ shall submit the matter to the committee on finance  
108 for review and direction by the county board.
- 109 (5) Return of property to former homestead owner after property is foreclosed upon  
110 by tax lien action *in rem*;
- 111 (a) Definition: "Homestead owner" is defined as owner who has lived in  
112 property within ~~two (2)~~ five (5) years of *in rem* tax lien foreclosure;
- 113 (b) Any former homestead owner(s) or his or her heir(s) who has lost his or  
114 her title to land through delinquent tax collection enforcement procedure  
115 shall have the ~~right~~ ability to have this property returned from the county  
116 as authorized in s. 75.35(3), Wis. Stats., and this ordinance.
- 117 (c) An exception to this policy shall allow the county to declare that it will keep  
118 the tax deeded land for county use if ~~another county department~~ the  
119 ~~Milwaukee County Parks Department, the county economic development~~  
120 ~~department, or the county real estate division,~~ which shall be notified of  
121 such foreclosures within ten (10) days of ~~such action~~ acquisition of the  
122 properties, do declare declares a county interest in holding title to said  
123 property within thirty (30) days of receipt to said notice. In case of such  
124 declaration, the disposition of said property will be referred to the county  
125 board, which shall ~~to~~ determine if whether the county shall retain title to  
126 said tax deeded land(s);
- 127 (d) In cases where a former homestead owner(s) or his or her heir(s) do  
128 exercise their ~~right~~ ability of return of said to have foreclosed property  
129 returned to them pursuant to this section, said persons shall pay;

- 130 (i) ~~all~~All of the delinquent taxes which were the basis for the taking of  
131 tax deed, plus interest, and any penalties established by law and  
132 all, special charges and assessments, and other tax bill charges or  
133 fees as defined in s. 75.36(1), Wis. Stats., a pro rata share of the  
134 costs of the tax collection enforcement foreclosure process, any  
135 costs accrued by the county real estate division and corporation  
136 counsel, plus an additional sum of three (3) percent of all the  
137 aforementioned amounts or two hundred dollars (\$200.00),  
138 whichever is greater.
- 139 (ii) ~~The former owner(s) or his or her heir(s) shall pay the~~ The taxes for  
140 the full year in which the return of the property from the county took  
141 place and the amount the taxes, penalties and interest would have  
142 been owing in any years had the county not taken tax deed to the  
143 property.
- 144 (e) If the former owner(s) do not initiate their ~~option~~ ability to have the  
145 foreclosed property returned with within sixty (60) days of foreclosure by  
146 signing an agreed upon written contract with the office of the treasurer  
147 within sixty (60) days, the rights ability of the homestead owner to have  
148 the foreclosed property returned pursuant to this section specified in this  
149 ordinance to return the property shall be forever lost.
- 150 (f) The County shall not return title to the owner of the property shall not be  
151 returned to the former homestead owner until full payment is received as  
152 stipulated under section ~~(b)~~ (d) above, and the corporation counsel has  
153 received court approval to vacate the foreclosure order regarding the  
154 property in question.
- 155 (g) The preference granted to the former homestead owner(s) or his or her  
156 heir(s) to return said property from the county is exempt from the  
157 provisions of s. 75.69, Wis. Stats.

158

159 SECTION 3. Section 6.03 of the General Ordinances of Milwaukee County is repealed  
160 and recreated as follows:

161

162 (1) *Declaration of surplus and assumption of jurisdiction.* Upon the County  
163 Treasurer taking title of tax foreclosure properties, such properties shall automatically  
164 be deemed surplus and placed under the jurisdiction of the department of  
165 administrative services, economic development division.

166 (2) *Management of tax foreclosure properties.* While the tax foreclosure properties  
167 are under its jurisdiction, the division is responsible for managing the properties or  
168 hiring a contractor to manage the properties, which includes but is not limited to:

169

- (a) Controlling access to and physically inspecting the properties.

- 170 (b) Arranging for cleaning, general maintenance or other repairs, as  
171 necessary to prepare the properties for resale.
- 172 (i) The division shall authorize emergency repairs not exceeding five  
173 thousand dollars (\$5,000.00).
- 174 (ii) For nonemergency repairs, the procurement provisions of chapter  
175 32, subchapter II shall apply.
- 176 (c) Obtaining appraisals for the marketable tax deed foreclosure properties.
- 177 (d) Negotiating temporary leases or licenses with occupants, if mutually  
178 agreeable.
- 179 (i) Rental rates shall be determined on the basis of fair market value.
- 180 (ii) Leases or licenses shall be in writing on a month-to-month basis.  
181 Leases or licenses longer than one (1) year require the approval of  
182 the county board.
- 183 (iii) All rents shall be paid directly to the division.
- 184 (e) Paying special charges levied against the properties. Notwithstanding the  
185 foregoing, the county is not required to pay any special assessment until  
186 the time of sale, pursuant to s. 73.36(2), Wis. Stats.
- 187 (f) If feasible and determined to be in the best interests of the county,  
188 combining or dividing the tax foreclosure properties with other properties  
189 to improve salability, as contemplated by s. 75.35(4), Wis. Stats.
- 190 (3) *Retention of tax foreclosure properties for municipal purposes.*
- 191 (a) County Use. Upon receipt of jurisdiction of the tax foreclosure properties,  
192 the division shall notify all other county department heads of the  
193 availability of the real estate for public purposes. County department  
194 heads shall have 30 days from the date of notification to respond in writing  
195 advising the division of their interest in the real estate. The property will  
196 be transferred via jurisdictional transfer agreement to the interested  
197 department, whereby the interested department assumes the carrying  
198 costs of the property. Whether additional consideration or cross charges  
199 are required shall be determined on a case-by-case basis by the division  
200 director.
- 201 (b) Other Municipal Use. In the absence of county interest, the division shall  
202 contact the municipality in which the tax foreclosure property resides to  
203 determine whether the municipality has an interest in obtaining the  
204 property for a public purpose. The municipality shall have 30 days from  
205 the date of notification to respond in writing advising the division of its  
206 interest in the real estate. The price of the real estate is presumed to be  
207 its appraised value. Notwithstanding the foregoing, if doing so would  
208 provide a community benefit or serve a public purpose, the division may  
209 enter into a Memorandum of Understanding or other similar agreement  
210 with the municipality evidencing the mutually beneficial agreement for the

211 transfer of real estate between them for consideration other than fair  
212 market value.

213 (c) The 30 day review period set forth in this section may run concurrently for  
214 county departments and other municipalities.

215 (4) *Sale of tax foreclosure properties.* The division shall sell tax foreclosure  
216 properties via offer to purchase.

217 (a) The division shall list marketable tax foreclosure properties for sale on the  
218 MLS (Multiple Listing Service) at their appraised values.

219 (i) If the division receives an offer to purchase a tax foreclosure  
220 property within ninety percent (90%) of its appraised value during  
221 the first 120 days of listing (“Initial Offer Period”), it may sell the  
222 property without further approval of the county board.

223 (ii) If the division receives an offer to purchase a tax foreclosure  
224 property within 75% of its appraised value during the next 120 days  
225 of listing (“Extended Offer Period”), it may sell the property without  
226 further approval of the county board.

227 (iii) If the Extended Offer Period lapses without a sale, the division  
228 director may authorize the sale of a tax foreclosure property without  
229 further approval of the county board, provided that the purchase  
230 price is not less than 25% of the appraised value.

231 (iv) As an alternative to subs. (i)-(iii) above, the division may at any  
232 time request separate board approval of an offer to purchase.

233 (iv) The division director, or his/her designee, shall have the authority  
234 to negotiate additional terms with any potential buyer if doing so  
235 would be in the best interests of the county, provided the additional  
236 terms do not disregard the price directives in subs. (i)-(iii) above.

237 (b) The division shall negotiate with adjacent property owners or the  
238 municipality in which the tax foreclosure resides for the disposition of  
239 unmarketable (remnant) tax foreclosure properties. For purposes of this  
240 section, unmarketable tax foreclosure properties are those properties  
241 which are unbuildable by nature of their size, location or subsurface  
242 composition. The division shall notify the County Board of any  
243 agreements for the disposition of unmarketable tax foreclosure properties.  
244 Board members will have five (5) days to object to the sale or disposition  
245 in writing, at which point the transaction will require the approval of the full  
246 Board. In absence of a timely objection, the agreement shall be deemed  
247 approved by the Board per s. 59.17(2)(b)3, Wis. Stats.

248 (c) All annual proceeds from these sales - less costs incurred by the  
249 Economic Development Division, the Office of the Treasurer, and the  
250 Corporation Counsel, as well as any outstanding delinquent taxes, special  
251 assessment, special charges and delinquent utility charges, as well as

252 accrued interest and penalties (already booked as receivables) - shall be  
253 credited to the economic development account, unless otherwise directed  
254 in the annual budget.

255 (d) The provisions of sections 32.96(7) and (8) of this Code are applicable to  
256 tax foreclosure sales. Any land sale to an individual covered by 32.96(7)  
257 shall require county board approval per s. 59.17(2)(b)3, Wis. Stats.

258 (5) *County Board Notification.* Upon signing an agreement for sale or disposition of  
259 a tax foreclosure in accordance with sections (3) and (4) above, the division shall notify  
260 the County Board of the transaction. Board members will have five (5) days to object to  
261 the sale or disposition in writing, at which point the transaction will require the approval  
262 of the full Board. In absence of a timely objection, the agreement shall be deemed  
263 approved by the Board per s. 59.17(2)(b)3, Wis. Stats.

264

265 SECTION 4. Sections 6.04 and 6.05 of the General Ordinances of Milwaukee County  
266 are superseded by newly created Sections 32.96(7) and 32.96(8).

267

268 ~~6.04. Sale of lands to county employes prohibited.~~

269

270 ~~No officer or employe, either part-time or full-time, of the county, whether elected or~~  
271 ~~appointed, in either the classified or unclassified service, shall purchase real estate~~  
272 ~~acquired by the county, pursuant to this chapter, through an agent. However, the~~  
273 ~~aforementioned individuals, if not involved directly in the sale, may purchase real estate~~  
274 ~~themselves or with their spouses, if their county employment is disclosed in the offer.~~

275

276 ~~6.05. Conveyances for sale of lands.~~

277

278 ~~The county executive and county clerk shall sign all conveyances on behalf of the~~  
279 ~~county for the sale of lands acquired by the county under the procedure authorized by~~  
280 ~~this chapter when approved as ready for execution by the corporation counsel.~~

281

282 SECTION 5. Section 32.96 of the General Ordinances of Milwaukee County is  
283 amended as follows:

284

285 32.96. Real Estate.

286

287 (1) Manage, sell and acquire real estate for the county. Specific responsibilities  
288 include managing and leasing improved and unimproved properties, including air space  
289 parking lots for the state department of transportation (WIDOT). County surplus real  
290 estate and tax deed foreclosure properties in the county suburbs are sold by the  
291 division.

292 (2) Land sales shall follow the policy and procedure for disposition of real estate as  
293 recommended by the committee on economic and community development (ECD  
294 committee), approved by the county board and implemented by the Department of  
295 Administration (DAS) – Economic Development Division.

- 296 (3) Sales of tax foreclosure properties shall be consistent with the provisions of s.  
297 6.03.
- 298 ~~(3)(4)~~ All land sales not covered by 6.03 including those declared surplus by the county  
299 shall be referred to the ECD committee for disposition and the ECD committee may  
300 consider any of the following policies for such disposition:
- 301 (a) A site-specific plan because of the unique character or location of the  
302 property.
  - 303 (b) A request for proposal (RFP) process which is intended to be a formal  
304 process that is generally reviewed in closed hearings if such hearings are  
305 deemed appropriate by opinion of corporation counsel.
  - 306 (c) A request for information (RFI) process which is intended to be a less  
307 formal process that is generally reviewed in an open hearing unless  
308 corporation counsel provides and opinion that proprietary information  
309 must be protected. Such RFI process may be followed by a more specific  
310 procedure as recommended by the ECD committee.
  - 311 (d) Any other policy for disposition that the ECD committee establishes as  
312 appropriate which may be determined by the totality of the circumstances  
313 regarding the real estate involved.
  - 314 (e) A development agreement negotiated by DAS – Economic Development  
315 Division that the ECD committee established with regard to a specific  
316 developer to develop an identified real estate parcel.
- 317 ~~(4)(5)~~ The ECD committee may, at their discretion, recommend to the county board  
318 any community benefit requirements for either the surplus disposition plan or  
319 development agreement.
- 320 ~~(5)(6)~~ All negotiations and review of RFP, RFI, or any other negotiated procedures  
321 shall be conducted by the DAS – Economic Development Division which shall make  
322 final recommendations to the ECD committee for review and recommendation to the  
323 county board.
- 324 (7) No officer or employee, either part-time or full-time, whether elected or  
325 appointed, in either the classified or unclassified service, shall purchase real estate  
326 acquired by the county, pursuant to this chapter, through an agent. However, the  
327 aforementioned individuals, if not involved directly in the sale, may purchase real estate  
328 themselves or with their spouses, if their county employment is disclosed in the offer.
- 329 (8) The county executive and county clerk shall sign all conveyances on behalf of  
330 the county for the sale of lands acquired by the county under the procedure authorized  
331 by his chapter when approved as ready for execution by the corporation counsel.

332  
333 SECTION 6. The provisions of this ordinance shall be effective upon passage and  
334 publication.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** January 13, 2014

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Amendment of Milwaukee County Ordinances Chapters 6 and 32, relating to the management and disposition of tax foreclosure properties by the Department of Administrative Services – Economic Development Division.

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><input type="checkbox"/> Use of contingent funds |
|---|--|

*Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.*

	Expenditure or Revenue Category	Current Year	Subsequent Year
<b>Operating Budget</b>	Expenditure		
	Revenue		
	Net Cost		
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

## DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.<sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The actions requested are amendments to existing Milwaukee County Ordinances Chapters 6 and 32. The amendments merely clarify the duties of DAS-Economic Development relating to the management and disposition of tax foreclosure properties acquired by the County.

Department/Prepared By Teig Whaley-Smith, Economic Development Director

Authorized Signature \_\_\_\_\_

Did DAS-Fiscal Staff Review?  Yes  No

Did CBDP Review?<sup>2</sup>  Yes  No  Not Required

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<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

<sup>2</sup> Community Business Development Partners' review is required on all professional service and public work construction contracts.

Attachment A  
Current Chapter 32

**32.93. General administration.**

The division of economic and community development shall be directly supervised by an administrator whose title is reflected in the county's position ordinance, and its general policies shall be subject to the review of the director of the department of administrative services.

**32.94. Duties.**

The department of administrative services through its division of economic and community development shall perform the duties listed in this subchapter by major function.

**32.95. Community and business development services.**

Develop and administer programs designed to enhance the business climate, allowing existing businesses in the county to flourish and expand, and attracting new businesses to the community. Specific responsibilities should include assisting businesses in accessing county resources and services, providing a clearinghouse for other resources available to businesses in the county, identifying and referring businesses to various sources of technical and financial assistance, working with municipalities and economic development agencies to package services to companies and promoting the county to outside businesses.

**32.96. Real estate.**

(1) Manage, sell and acquire real estate for the county. Specific responsibilities include managing and leasing improved and unimproved properties, including air space parking lots for the state department of transportation (WIDOT). County surplus real estate and tax deed foreclosure properties in the county suburbs are sold by the division.

(2) Land sales shall follow the policy and procedure for disposition of real estate as recommended by the committee on economic and community development (ECD committee), approved by the county board and implemented by the Department of Administration (DAS) - Economic Development Division.

(3) All land sales including those declared surplus by the county shall be referred to the ECD committee for disposition and the ECD committee may consider any of the following policies for such disposition:

- (a) A site-specific plan because of the unique character or location of the property.
- (b) A request for proposal (RFP) process which is intended to be a formal process that is generally reviewed in closed hearings if such hearings are deemed appropriate by opinion of corporation counsel.
- (c) A request for information (RFI) process which is intended to be a less formal process that is generally reviewed in an open hearing unless corporation counsel

provides an opinion that proprietary information must be protected. Such RFI process may be followed by a more specific procedure as recommended by the ECD committee.

(d) Any other policy for disposition that the ECD committee establishes as appropriate which may be determined by the totality of the circumstances regarding the real estate involved.

(e) A development agreement negotiated by DAS - Economic Development Division that the ECD committee established with regard to a specific developer to develop an identified real estate parcel.

(4) The ECD committee may, at their discretion, recommend to the county board any community benefit requirements for either the surplus disposition plan or development agreement.

(5) All negotiations and review of RFP, RFI, or any other negotiated procedures shall be conducted by the DAS - Economic Development Division which shall make final recommendations to the ECD committee for review and recommendation to the county board.

Attachment B  
Current Chapter 6

**6.01. Foreclosure of tax lien by action in rem.**

From and after March 1, 1963, the county elects to adopt s. 75.521, Wis. Stats. for the purpose of enforcing tax liens in such county in the cases where the procedure provided by such section is applicable. Where applicable, this method shall be used in preference to obtaining real estate by a guardianship deed, old age assistance lien or where, in the opinion of the corporation counsel, it is more effective for obtaining merchantable title.

(1) The department of public works and development, through its real estate branch of the professional services division, shall make cursory inspections of all properties on the county treasurer's list of properties scheduled for foreclosure for nonpayment of real estate taxes. Within three (3) days after the final date of redemption, the treasurer shall furnish the department a list of the remaining properties in the court action and the projected foreclosure date and the department shall present a written report to the treasurer on which of the remaining properties in the court action contains or are likely to contain hazardous materials.

(2) Properties that have been identified by the department of public works and development as containing or likely to contain hazardous materials shall be taken by foreclosure only if there is agreement of the treasurer and the department.

(3) If it is determined by the treasurer and the department that a phase one environmental assessment is required and/or a plan should be developed for submittal to the state department of natural resources in order to protect the county's interests, an assessment can be undertaken and/or a plan developed and submitted if sufficient funds are available for these purposes.

(4) If there is disagreement between the treasurer and the department of public works and development about whether a property might contain hazardous materials, the need for further environmental assessment or development of a plan for submittal to the state department of natural resources, or if sufficient funds are not available for these purposes, the county shall not take judgment of foreclosure on the property in question and the matter shall be submitted by the treasurer to the committee on finance for review and direction by the county board.

(5) Return of property to former homestead owner after property is foreclosed upon by tax lien action in rem:

(a) Definition: "Homestead owner" is defined as owner who has lived in property within two (2) years of foreclosure:

(b) Any former homestead owner(s) or his or her heir(s) who has lost his or her title to land through delinquent tax collection enforcement procedure shall have the right to have this property returned from the county as authorized in s. 75.35(3), Wis. Stats., and this ordinance.

(c) An exception to this policy shall allow the county to declare that it will keep the tax deeded land for county use if the Milwaukee County Parks Department, the county economic development department, or the county real estate division, which shall be notified of such foreclosures within ten (10) days of such action, do declare a county interest in holding title to said property within thirty (30) days of receipt to said notice. In case of such declaration, the disposition of said property will be referred to the county board to determine if the county shall retain title to said tax deeded land(s);

(d) In cases where a former homestead owner(s) or his or her heir(s) do exercise their right of return of said property, said persons shall pay all of the delinquent taxes which were the basis for the taking of tax deed, plus interest, and any penalties established by law and all, special charges and assessments, and other tax bill charges or fees as defined in s. 75.36(1), Wis. Stats., a pro rata share of the costs of the tax collection enforcement foreclosure process, any costs accrued by the county real estate division and corporation counsel, plus an additional sum of three (3) percent of all the aforementioned amounts or two hundred dollars (\$200.00), whichever is greater.

(e) The former owner(s) or his or her heir(s) shall pay the taxes for the full year in which the return of the property from the county took place and the amount the taxes would have been owing in any years had the county not taken tax deed to the property.

(f) If the former owner(s) do not initiate their option to have the property returned with an agreed upon written contract with the office of the treasurer within sixty (60) days, the rights specified in this ordinance to return the property shall be forever lost.

(g) The title to the owner of the property shall not be returned until full payment is received as stipulated under section (b) above, and the corporation counsel has received court approval to vacate the foreclosure order.

(h) The preference granted to the former homestead owner(s) or his or her heir(s) to return said property from the county is exempt from the provisions of s. 75.69, Wis. Stats.

## **6.02. Duties of county treasurer.**

(1) The county treasurer shall, pursuant to ss. 74.12(12) and 74.29, Wis. Stats., annually settle in full for all real property taxes, special assessments, special charges and special taxes.

(2) The county treasurer shall send quarterly statements to delinquent property owners of record.

- (3) All other designated duties per Wis. Stats. and assigned via county ordinances, adopted county resolutions and annual county budgets.

**6.03. Duties of the department of administration, economic development division, real estate section, hereinafter referred to as "division."**

(1) *Management of real estate.* The division shall manage county real estate under the jurisdiction of the department. The real estate includes properties acquired by tax deed foreclosure, institution and social service liens, highway right-of-way and other lands declared excess. The division may combine or divide real estate for sale or management purposes and is authorized to pay any special charges levied against it. The division shall manage property under the department's jurisdiction in conformity with the following policy:

- (a) Rentals shall be determined on the basis of fair market value and will be paid directly to the department.
- (b) Leases shall be on a written month-to-month basis and leases longer than one (1) year shall be approved by the county board.
- (c) The division shall authorize emergency repairs not exceeding five thousand dollars (\$5,000.00). For nonemergency repairs, the following shall apply:
  - (1) Repairs estimated at or less than two thousand five hundred dollars (\$2,500.00) may be performed by county employees or private contractors. Repairs estimated to cost in excess of two thousand five hundred dollars (\$2,500.00) and less than ten thousand dollars (\$10,000.00) shall require solicitation of three (3) informal bids and acceptance by the division of the lowest qualified bid, either on the basis of firm price or time and material.
  - (2) The division may obtain assistance of the department of public works and development in planning, estimating, or making repairs.

(2) *Retention of real estate for county use.* Upon receipt of such real estate, the division shall notify the department heads of the department of public works and development, the department of parks, recreation and culture, the department of health and human services, the department of administration, the director of housing and community development and the superintendent of the house of correction of the availability of such real estate for public purposes. Within thirty (30) days after notification, they shall advise the department in writing of their interest, if any, in the real estate.

(3) *Sale of real estate.*

- (a) The division shall, upon approval of the county board, dispose of the excess real estate by offer to purchase, sealed bid or public auction unless otherwise directed by the county board. The division shall have an appraisal made of each property before sale, unless the county board approves otherwise. After exposure for sale, the offered amount and the appraised value shall be presented to the standing committee with a staff recommendation. All proceeds, less costs incurred by the

division, shall be credited to the economic development account, unless otherwise directed by the county board.

(b) The division shall notify each municipality of a conveyance of county real estate located within the municipality.

(c) Any county department having jurisdiction over real estate which is declared excess shall notify the division after approval of the county board and the division shall market the property for sale in accordance with paragraph (3)(a) above.

(4) *Management of property.* The division shall manage property under its jurisdiction in conformity with the following policy:

(a) *Rental.*

(1) Rentals shall be determined by it on the basis of market rental.

(2) Tenancy shall be on a written month-to-month basis. Longer term leases shall be approved by the county board.

(3) All rents shall be paid directly to the department of public works and development, real estate and housing division.

(b) *Repairs.* The real estate and housing division shall authorize emergency repairs not exceeding five thousand dollars (\$5,000.00) to be made when necessary. For nonemergency repairs, the following shall apply:

(1) Repairs estimated at less than five hundred dollars (\$500.00) may be performed by county employees or private contractors upon authorization of the real estate and housing division. Repairs estimated to cost in excess of five hundred dollars (\$500.00) and less than five thousand dollars (\$5,000.00) shall require solicitation of three (3) informal bids and acceptance by the division of the lowest qualified bid, either on the basis of firm price or time and material.

(2) When practical, the real estate and housing division may obtain assistance of the central services division in planning or making repairs.

#### **6.04. Sale of lands to county employees prohibited.**

No officer or employee, either part-time or full-time, of the county, whether elected or appointed, in either the classified or unclassified service, shall purchase real estate acquired by the county, pursuant to this chapter, through an agent. However, the aforementioned individuals, if not involved directly in the sale, may purchase real estate themselves or with their spouses, if their county employment is disclosed in the offer.

#### **6.05. Conveyances for sale of lands.**

The county executive and county clerk shall sign all conveyances on behalf of the county for the sale of lands acquired by the county under the procedure authorized by this chapter when approved as ready for execution by the corporation counsel.

#### **6.06. Interest and penalty on overdue and delinquent taxes.**

(1) There is hereby imposed a penalty of one-half (0.5) percent per month, or fraction of a month, in addition to the interest as provided for in s. 74.47(1), Wis. Stats. on all general property taxes, special assessments, special charges and special taxes included in the returned tax roll, which are delinquent.

(2) All interest and penalties collected by the county treasurer shall be distributed in accordance with s. 74.47(3), Wis. Stats.

(3) This section is adopted pursuant to authority contained in s. 74.47, Wis. Stats.

#### **6.07. Delinquent property tax collection via personal liability.**

Pursuant to s. 74.53(5), Wis. Stats., the county board hereby abrogates its duty to approve and notice each civil action for personal liability to recover delinquent real estate taxes and waives the duty to specifically approve each personal liability action that the county may bring under s. 74.53, Wis. Stats.

1. *Purpose.* As authorized under s. 74.53, Wis. Stats., for the categories described in subparagraph 3, this section allows Milwaukee County to bring an in personam action (action against the person, not the property) for delinquent real estate taxes, special charges, special assessments and special taxes.

2. *Definitions.* In this section:

(a) "In personam action" means an action against the person, not the property, for delinquent real estate taxes, special charges, special assessments and special taxes.

(b) "Post-list delinquencies" means delinquencies arising after the tax year for which an in rem foreclosure action was brought and in which action the owner failed to redeem.

(c) "Repeat delinquent owner" means a person who had an ownership interest in two (2) or more parcels foreclosed upon via in rem foreclosure within the last five years predating the tax certificate list containing the parcel against which the particular taxes, charges and interest are delinquent.

3. *Parcel categories.*

(a) *Suspected environmental contamination.* The real estate section of the economic development division of the department of administration, together with the environmental services division of the department of public works, shall advise the county treasurer and corporation counsel regarding those parcels for which tax certificates have been issued under s. 74.57, Wis. Stats., and according to their records and reasonable belief are suspected of being environmentally contaminated or adversely affected by environmental contamination and which:

(i) There is no desire to investigate or test for the purpose of determining existence or the extent of suspected or actual contamination; or

(ii) There is no desire to acquire the parcel in rem with the knowledge of, and in spite of, suspected or actual environmental contamination.

(b) *Fair market value.* The county treasurer, together with corporation counsel and the real estate section of the economic development division of the department of administration, shall identify those parcels for which tax certificates have been issued, are suspected of having expenses associated with the parcel, including but not limited to taxes, assessments, charges, razing costs, interest and penalties, which exceed the parcel's most recent assessed value. Said expenses may include actual or reasonably estimated expenses associated with foreclosing against, managing, repairing, razing, maintaining or selling the parcel after acquisition as well as actual or reasonably estimated expenses to correct health, safety or building code violations outstanding at the time of categorization.

(c) *Abandoned.* The real estate section of the economic development division of the department of administration shall identify those parcels for which tax certificates have been issued and upon reason and belief are suspected of being abandoned.

(d) *Repeat delinquent owner.* The county treasurer shall review the tax certificate list to identify repeat delinquent owners and those parcels on the tax certificate list owned by the repeat delinquent owners.

(e) *Post-list delinquency.* The county treasurer and corporation counsel shall identify those parcels where, due to in rem foreclosure, post-list delinquencies exist.

4. *Decision to bring action.* The county treasurer and corporation counsel shall review the suspected environmental contamination, fair market value, abandoned, repeat delinquent owner and post-list delinquency categorized parcels, and determine, in their discretion, whether to commence an in personam action against the parcel owner.

5. *Letter of notice.* The county treasurer and corporation counsel shall prepare a report regarding those parcels in the categories listed in this section where in their discretion an in personam action is advisable. The county treasurer shall send written notice to the owner or owners of such parcels selected as defendants that a decision has been made to commence an in personam action against him or her. The notice shall indicate that if full payment of the amounts recoverable under s. 74.53 Wis. Stats., including interest and penalties, in cash or by cashiers check, is received within eight weeks from the date of the notice, the action will not be commenced. The notice shall be personally delivered or mailed to the owner at his or her last known post-office address via registered or certified mail, return receipt requested.

6. *Commencement of action.* If the owner fails to make full and timely payment as requested in the notice, the corporation counsel may commence the in personam

action, but in no event until the expiration of the appropriate time period for commencement of an in rem foreclosure.

7. *Enforcement of judgment.* In the event a judgment is granted in an in personam action, the corporation counsel is further authorized to take all actions necessary to enforce and collect said judgment as are appropriate and otherwise authorized by law, but in no event until after expiration of the redemption date that would have applied if the parcel had been foreclosed upon in rem.

Attachment C  
Amended Section 6.01

**6.01. Foreclosure of tax lien by action *in rem*.**

From and after March 1, 1963, the county elects to adopt s. 75.521, Wis. Stats. for the purpose of enforcing tax liens in such county in the cases where the procedure provided by such section is applicable. Where applicable, this method shall be used in preference to obtaining real estate by a guardianship deed, old age assistance lien or where, in the opinion of the corporation counsel, it is more effective for obtaining merchantable title.

- (1) ~~The department of public works and development, through its real estate branch of the professional services division~~ department of administrative services – economic development division, shall make cursory inspections of all properties on the county treasurer's list of properties scheduled for foreclosure for nonpayment of real estate taxes. Within three (3) days after the final date of redemption, the treasurer shall furnish the ~~department~~ division a list of the remaining properties in the court action and the projected foreclosure date and the ~~department~~ division shall present a written report to the treasurer on which of the remaining properties in the court action contains or are likely to contain hazardous materials.
- (2) Properties that have been identified by the division ~~department of public works and development~~ as containing or likely to contain hazardous materials shall be taken by foreclosure only if there is agreement of the treasurer and the division ~~department~~.
- (3) ~~If it is determined by the treasurer and the division~~ department determine that a phase one environmental assessment is required and/or a plan should be developed for ~~submittal~~ submission to the state department of natural resources in order to protect the county's interests, an assessment can be undertaken and/or a plan developed and submitted if sufficient funds are available for these purposes.
- (4) ~~If there is disagreement between the treasurer and the department of public works and development~~ division disagree about whether a property might contain hazardous materials, the need for further environmental assessment or development of a plan for submittal to the state department of natural resources, or if sufficient funds are not available for these purposes, the county shall not take judgment of foreclosure on the property in question and the ~~matter shall be submitted by the treasurer~~ shall submit the matter to the committee on finance for review and direction by the county board.
- (5) Return of property to former homestead owner after property is foreclosed upon by tax lien action *in rem*:
  - (a) Definition: "Homestead owner" is defined as owner who has lived in property within ~~two (2)~~ five (5) years of *in rem* tax lien foreclosure.
  - (b) Any former homestead owner(s) or his or her heir(s) who has lost his or her title to land through delinquent tax collection enforcement procedure shall have the right ability to have this property returned from the county as authorized in s. 75.35(3), Wis. Stats., and this ordinance.

- (c) An exception to this policy shall allow the county to declare that it will keep the tax deeded land for county use if ~~another county department~~ the Milwaukee County Parks Department, the county economic development department, or the county real estate division, which shall be notified of such foreclosures within ten (10) days of ~~such action~~ acquisition of the properties, do declare declares a county interest in holding title to said property within thirty (30) days of receipt to said notice. In case of such declaration, the disposition of said property will be referred to the county board, ~~which shall to~~ determine if whether the county shall retain title to said tax deeded land(s);
- (d) In cases where a former homestead owner(s) or his or her heir(s) do exercise their ~~right~~ ability of return of said to have foreclosed property returned to them pursuant to this section, said persons shall pay:
- a. ~~all~~ All of the delinquent taxes which were the basis for the taking of tax deed, plus interest, and any penalties established by law and all, special charges and assessments, and other tax bill charges or fees as defined in s. 75.36(1), Wis. Stats., a pro rata share of the costs of the tax collection enforcement foreclosure process, any costs accrued by the county real estate division and corporation counsel, plus an additional sum of three (3) percent of all the aforementioned amounts or two hundred dollars (\$200.00), whichever is greater.
  - b. ~~The former owner(s) or his or her heir(s) shall pay the~~ The taxes for the full year in which the return of the property from the county took place and the amount the taxes, penalties and interest would have been owing in any years had the county not taken tax deed to the property.
- (e) If the former owner(s) do not initiate their ~~option~~ ability to have the foreclosed property returned ~~with~~ within sixty (60) days of foreclosure by signing an agreed upon written contract with the office of the treasurer ~~within sixty (60) days~~, the ~~rights~~ ability of the homestead owner to have the foreclosed property returned pursuant to this section ~~specified in this ordinance to return the property~~ shall be forever lost.
- (f) The County shall not return title to the owner of the property shall not be returned to the former homestead owner until full payment is received as stipulated under section ~~(b)~~ (d) above, and the corporation counsel has received court approval to vacate the foreclosure order regarding the property in question.
- (g) The preference granted to the former homestead owner(s) or his or her heir(s) to return said property from the county is exempt from the provisions of s. 75.69, Wis. Stats.

Attachment D  
Repealed and Recreated Section 6.03

**6.03. Duties of the department of administrative services, economic development division, hereinafter referred to as “division.”**

(1) *Declaration of surplus and assumption of jurisdiction.* Upon the County Treasurer taking title of tax foreclosure properties, such properties shall automatically be deemed surplus and placed under the jurisdiction of the department of administrative services, economic development division.

(2) *Management of tax foreclosure properties.* While the tax foreclosure properties are under its jurisdiction, the division shall be responsible for managing the properties or hiring a contractor to manage the properties, which includes but is not limited to:

- (a) Controlling access to and physically inspecting the properties.
- (b) Arranging for cleaning, general maintenance or other repairs, as necessary to prepare the properties for resale.
  - (i) The division shall authorize emergency repairs not exceeding five thousand dollars (\$5,000.00).
  - (ii) For nonemergency repairs, the procurement provisions of chapter 32, subchapter II shall apply.
- (c) Obtaining appraisals for the marketable tax deed foreclosure properties.
- (d) Negotiating temporary leases or licenses with occupants, if mutually agreeable.
  - (i) Rental rates shall be determined on the basis of fair market value.
  - (ii) Leases or licenses shall be in writing on a month-to-month basis. Leases or licenses longer than one (1) year require the approval of the county board.
  - (iii) All rents shall be paid directly to the division.
- (e) Paying special charges levied against the properties. Notwithstanding the foregoing, the county is not required to pay any special assessment until the time of sale, pursuant to s. 73.36(2), Wis. Stats.
- (f) If feasible and determined to be in the best interests of the county, combining or dividing the tax foreclosure properties with other properties to improve salability, as contemplated by s. 75.35(4), Wis. Stats.

(3) *Retention of tax foreclosure properties for municipal purposes.*

- (a) County Use. Upon receipt of jurisdiction of the tax foreclosure properties, the division shall notify all other county department heads of the availability of the real estate for public purposes. County department heads shall have 30 days from the date of notification to respond in writing advising the division of their interest in the real estate. The property will be transferred via jurisdictional transfer agreement to the interested department, whereby the interested department assumes the carrying costs of the property. Whether additional consideration or cross charges are required shall be determined on a case-by-case basis by the division director.
  - (b) Other Municipal Use. In the absence of county interest, the division shall contact the municipality in which the tax foreclosure property resides to determine whether the municipality has an interest in obtaining the property for a public purpose. The municipality shall have 30 days from the date of notification to respond in writing advising the division of its interest in the real estate. The price of the real estate is presumed to be its appraised value. Notwithstanding the foregoing, if doing so would provide a community benefit or serve a public purpose, the division may enter into a Memorandum of Understanding or other similar agreement with the municipality evidencing the mutually beneficial agreement for the transfer of real estate between them for consideration other than fair market value.
  - (c) The 30 day review period set forth in this section may run concurrently for county departments and other municipalities.
- (4) *Sale of tax foreclosure properties.* The division shall sell tax foreclosure properties via offer to purchase.
- (a) The division shall list marketable tax foreclosure properties for sale on the MLS (Multiple Listing Service) at their appraised values.
    - (i) If the division receives an offer to purchase a tax foreclosure property within ninety percent (90%) of its appraised value during the first 120 days of listing (“Initial Offer Period”), it may sell the property without further approval of the county board.
    - (ii) If the division receives an offer to purchase a tax foreclosure property within 75% of its appraised value during the next 120 days of listing (“Extended Offer Period”), it may sell the property without further approval of the county board.
    - (iii) If the Extended Offer Period lapses without a sale, the division director may authorize the sale of a tax foreclosure property without further approval of the county board, provided that the purchase price is not less than 25% of the appraised value.

- (iv) As an alternative to subs. (i)-(iii) above, the division may at any time request separate board approval of an offer to purchase.
  - (iv) The division director, or his/her designee, shall have the authority to negotiate additional terms with any potential buyer if doing so would be in the best interests of the county, provided the additional terms do not disregard the price directives in subs. (i)-(iii) above.
  - (b) The division shall negotiate with adjacent property owners or the municipality in which the tax foreclosure resides for the disposition of unmarketable (remnant) tax foreclosure properties. For purposes of this section, unmarketable tax foreclosure properties are those properties which are unbuildable by nature of their size, location or subsurface composition. The division shall notify the County Board of any agreements for the disposition of unmarketable tax foreclosure properties. Board members will have five (5) days to object to the sale or disposition in writing, at which point the transaction will require the approval of the full Board. In absence of a timely objection, the agreement shall be deemed approved by the Board per s. 59.17(2)(b)3, Wis. Stats.
  - (c) All annual proceeds from these sales - less costs incurred by the Economic Development Division, the Office of the Treasurer, and the Corporation Counsel, as well as any outstanding delinquent taxes, special assessment, special charges and delinquent utility charges, as well as accrued interest and penalties (already booked as receivables) - shall be credited to the economic development account, unless otherwise directed in the annual budget.
  - (d) The provisions of sections 32.96(7) and (8) of this Code are applicable to tax foreclosure sales. Any land sale to an individual covered by 32.96(7) shall require county board approval per s. 59.17(2)(b)3, Wis. Stats.
- (5) *County Board Notification.* Upon signing an agreement for sale or disposition of a tax foreclosure in accordance with sections (3) and (4) above, the division shall notify the County Board of the transaction. Board members will have five (5) days to object to the sale or disposition in writing, at which point the transaction will require the approval of the full Board. In absence of a timely objection, the agreement shall be deemed approved by the Board per s. 59.17(2)(b)3, Wis. Stats.

Attachment E  
Amended Section 32.96

**32.96. Real Estate.**

(1) Manage, sell and acquire real estate for the county. Specific responsibilities include managing and leasing improved and unimproved properties, including air space parking lots for the state department of transportation (WIDOT). County surplus real estate and tax deed foreclosure properties in the county suburbs are sold by the division.

(2) Land sales shall follow the policy and procedure for disposition of real estate as recommended by the committee on economic and community development (ECD committee), approved by the county board and implemented by the Department of Administration (DAS) – Economic Development Division.

(3) Sales of tax foreclosure properties shall be consistent with the provisions of s. 6.03.

~~(3)~~(4) All land sales not covered by 6.03 including those declared surplus by the county shall be referred to the ECD committee for disposition and the ECD committee may consider any of the following policies for such disposition:

- (a) A site-specific plan because of the unique character or location of the property.
- (b) A request for proposal (RFP) process which is intended to be a formal process that is generally reviewed in closed hearings if such hearings are deemed appropriate by opinion of corporation counsel.
- (c) A request for information (RFI) process which is intended to be a less formal process that is generally reviewed in an open hearing unless corporation counsel provides and opinion that proprietary information must be protected. Such RFI process may be followed by a more specific procedure as recommended by the ECD committee.
- (d) Any other policy for disposition that the ECD committee establishes as appropriate which may be determined by the totality of the circumstances regarding the real estate involved.
- (e) A development agreement negotiated by DAS – Economic Development Division that the ECD committee established with regard to a specific developer to develop an identified real estate parcel.

~~(4)~~(5) The ECD committee may, at their discretion, recommend to the county board any community benefit requirements for either the surplus disposition plan or development agreement.

~~(5)~~(6) All negotiations and review of RFP, RFI, or any other negotiated procedures shall be conducted by the DAS – Economic Development Division which shall make final recommendations to the ECD committee for review and recommendation to the county board.

(7) No officer or employee, either part-time or full-time, whether elected or appointed, in either the classified or unclassified service, shall purchase real estate acquired by the county, pursuant to this chapter, through an agent. However, the aforementioned individuals, if not involved directly in the sale, may purchase real estate themselves or with their spouses, if their county employment is disclosed in the offer.

(8) The county executive and county clerk shall sign all conveyances on behalf of the county for the sale of lands acquired by the county under the procedure authorized by his chapter when approved as ready for execution by the corporation counsel.

COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION

7

DATE: January 13, 2014

TO: Supervisor Patricia Jursik, Chair, Economic & Community Development Committee

FROM: Teig Whaley-Smith, Economic Development Director, Department of Administrative Services

SUBJECT: Status of Excess Property Sales (File 14-8) (Informational Only)

The Real Estate Services Section of the Economic Development Division reports, on a monthly basis, the status of excess property sales. Attached is the report for period beginning December 1, 2013 and ending January 7, 2014.



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Teig Whaley-Smith  
Economic Development Director, Department of Administrative Services

Attachment

cc: Chris Abele, County Executive  
Marina Dimitrijevic, County Board Chairwoman  
Economic and Community Development Committee Members  
Don Tyler, Director, Department of Administrative Services  
Amber Moreen, Chief of Staff, Office of the County Executive  
Raisa Koltun, Director of Legislative Affairs, County Executive's Office  
Julie Esch, Director of Operations, DAS  
David Cialdini, Economic Development Real Estate Agent

## REAL ESTATE SERVICES SECTION

REVENUE STATUS REPORT  
Period ending January 7, 2014

### CLOSED PROPERTIES

Property	Committee Date	Closed	Gross Sale Proceeds
North of 8310 South 100 <sup>th</sup> Street, Franklin		January, 2013	\$ 3,750.00
2254 South 75 <sup>th</sup> Street, West Allis		January, 2013	\$ 26,900.00
UWM Innovation Park –Release of Mortgage for ABB		March 29, 2013	\$ 225,000.00
6212 N Willow Glen Lane, Glendale		August 26, 2013	\$ 43,000.00
		TOTAL	\$ 298,650.00
		<b>2013 Budget</b>	<b>\$ 400,000.00</b>

### PENDING PROPERTY CLOSINGS

Property	Committee Date	Pending Closing	Gross Sale Proceeds
Block 6E, Park East Development	April 3, 2006	2013	\$ 406,000.00 <sup>1</sup>
6215 W National Ave, West Allis	October 26, 2013	2014	\$ 31,800.00
3802 E Cudahy Ave, Cudahy	October 28, 2013	2014	\$ 9,000.00
		TOTAL	<b>\$ 446,800.00</b>

### GENERAL PROPERTY STATUS

Property	Date Made Available	Status	Asking Price
5414-22 South Packard Avenue, Cudahy	June 12, 2006	Available for sale	\$ 35,000.00
3618 East Grange, Cudahy	August 11, 2009	Available for sale	\$ 4,900.00
3749 East Squire, Cudahy	June 21, 2001	Available for sale	\$ 16,900.00
8450 West Beatrice Ct., Milwaukee	August 8, 2008	Available for sale	\$ 375,000.00 <sup>2</sup>
9074 S 5 <sup>th</sup> Ave, Oak Creek	February 12, 2010	Available for sale	\$ 28,900.00

1. County's share of \$700,000 sales price

2. Net proceeds to Federal Transit Administration or Future Transit Capital Project

**SUMMARY DETAIL OF PENDING PROPERTY CLOSINGS**

<b>PROPERTY</b>	<b>BUYER</b>	<b>CLOSING</b>	<b>COMMENTS</b>
3802 E Cudahy Ave	Carmen St Clair	2014	No contingencies or options. Expect to close before the end of 2013.
6215 W National Ave	City of West Allis	2014	Sale is contingent upon a successful MOU eliminating Storm Water Management Fees against Milwaukee County owned properties.

**SUMMARY DETAIL OF UWM, INNOVATION PARK, LLC SALE**

<b>PROPERTY</b>	<b>BUYER</b>	<b>CLOSING</b>	<b>COMMENTS</b>
NE Quadrant County Grounds	UWM, Innovation Park, LLC	February 15, 2011	<p>Initial \$5 million paid February 15, 2011.</p> <p>County Board extended each of the purchase price installment payment dates after closing by twenty-four (24) months as follows:</p> <ul style="list-style-type: none"> <li>• Second \$5 million payable on February 15, 2014</li> <li>• \$887,500 payable on February 15, 2015</li> <li>• \$887,500 payable on February 15, 2016</li> <li>• \$887,500 payable on February 15, 2017</li> <li>• \$887,500 payable on February 15, 2018</li> </ul>