

# 👉 09hr\_SC-LEUA\_ab0165\_pt01



Details:

(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2009-10

(session year)

### Senate

(Assembly, Senate or Joint)

### Committee on ... Labor, Elections, and Urban Affairs (SC-LEUA)

### COMMITTEE NOTICES ...

- [Committee Reports ...](#) **CR**
- [Executive Sessions ...](#) **ES**
- [Public Hearings ...](#) **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- [Appointments ...](#) **Appt** (w/Record of Comm. Proceedings)
- [Clearinghouse Rules ...](#) **CRule** (w/Record of Comm. Proceedings)
- [Hearing Records ...](#) bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- [Miscellaneous ...](#) **Misc**

## Senate

### Record of Committee Proceedings

#### **Committee on Labor, Elections and Urban Affairs**

##### **Assembly Bill 165**

Relating to: expanding the types of property that may be specially assessed by a neighborhood improvement district.

By Representatives Richards, Zepnick, Colon, Grigsby, Berceau, Turner and Fields; cosponsored by Senators Plale, Carpenter and Taylor.

May 18, 2009            Referred to Committee on Labor, Elections and Urban Affairs.

September 2, 2009    **PUBLIC HEARING HELD**

Present:    (5)    Senators Coggs, Wirch, Lehman, A. Lasee and Grothman.

Absent:     (0)    None.

##### Appearances For

- Josh Zepnick — Representative
- Tim Carpenter — Senator
- Bob Donovan — Alderman
- Jennifer Gonda — City of Milwaukee

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- Jeff Plale — Senator
- Ed Huck — Wisconsin Alliance of Cities
- Jon Richards — Representative
- Lena Taylor — Senator
- Dam Thompson — League of Wisconsin Municipalities

##### Registrations Against

- None.

##### Registrations for Information Only

- None.

December 15, 2009 **EXECUTIVE SESSION HELD**

Present: (5) Senators Coggs, Wirch, Lehman, A. Lasee and Grothman.

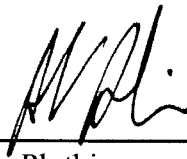
Absent: (0) None.

Moved by Senator Wirch, seconded by Senator Lehman that **Assembly Bill 165** be recommended for concurrence.

Ayes: (3) Senators Coggs, Wirch and Lehman.

Noes: (2) Senators A. Lasee and Grothman.

CONCURRENCE RECOMMENDED, Ayes 3, Noes 2

  
\_\_\_\_\_  
Adam Plotkin  
Committee Clerk

## Vote Record

### Committee on Labor, Elections and Urban Affairs

---

Date: Tuesday, Dec. 15, 2009

Moved by: WIRCH                      Seconded by: LEHMAN

AB 165                      SB \_\_\_\_\_                      Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_                      SJR \_\_\_\_\_                      Appointment \_\_\_\_\_  
 AR \_\_\_\_\_                      SR \_\_\_\_\_                      Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:  
 Passage                       Adoption                       Confirmation                       Concurrence                       Indefinite Postponement  
 Introduction                       Rejection                       Tabling                       Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Senator Spencer Coggs, Chair</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Robert Wirch</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator John Lehman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Alan Lasee</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Glenn Grothman</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>3</u>	<u>2</u>	_____	_____

Motion Carried

Motion Failed

**WISCONSIN ASSEMBLY**  
**2009-2010 SESSION**  
*Speaker Sheridan*

**AB 165**  
**BY RICHARDS**  
**NEIGHBORHOOD IMPROVEMENT DISTRICT ASSESSMENTS**  
**PASSAGE**

AYES - 53   NAYS - 45   NOT VOTING - 1   PAIRED - 0

<u>A</u>	<u>N</u>	<u>NY</u>	<u>NAME</u>		<u>A</u>	<u>N</u>	<u>NY</u>	<u>NAME</u>		<u>A</u>	<u>N</u>	<u>NY</u>	<u>NAME</u>	
	N		BALLWEG	R	Y			KESSLER	D		N		ROTH	R
Y			BARCA	D		N		KESTELL	R	Y			ROYS	D
Y			BENEDICT	D		N		KLEEFISCH	R	Y			SCHNEIDER	D
Y			BERCEAU	D		N		KNODL	R	Y			SEIDEL	D
Y			BERNARD SCHABER	D		N		KRAMER	R	Y			SHERMAN	D
	N		BIES	R	Y			KRUSICK	D	Y			SHILLING	D
Y			BLACK	D		N		LEMAHIEU	R	Y			SINICKI	D
	N		BROOKS	R		N		LOTHIAN	R	Y			SMITH	D
Y			CLARK	D	Y			MASON	D	Y			SOLETSKI	D
Y			COLON	D		N		MEYER	R	Y			SPANBAUER	R
Y			CULLEN	D	Y			MILROY	D	Y			STASKUNAS	D
Y			DANOU	D	Y			MOLEPSKE	D	Y			STEINBRINK	D
	N		DAVIS	R		N		MONTGOMERY	R		N		STONE	R
Y			DEXTER	D		N		MURSAU	R		N		STRACHOTA	R
Y			FIELDS	D		N		MURTHA	R		x		SUDER	R
	N		FITZGERALD	R		N		NASS	R		N		TAUCHEN	R
	N		FRISKE	R	Y			NELSON	D	Y			TOLES	D
Y			GARTHWAITE	D		N		NERISON	R		N		TOWNSEND	R
Y			GOTTLIEB	R		N		NEWCOMER	R	Y			TURNER	D
Y			GRIGSBY	D		N		NYGREN	R	Y			VAN AKKEREN	D
	N		GUNDERSON	R		N		OTT, A.	R		N		VAN ROY	R
	N		GUNDRUM	R		N		OTT, J.	R		N		VOS	R
Y			HEBL	D	Y			PARISI	D	Y			VRUWINK	D
Y			HILGENBERG	D	Y			PASCH	D		N		VUKMIR	R
Y			HINTZ	D		N		PETERSEN	R	Y			WILLIAMS, A.	D
Y			HIXSON	D		N		PETROWSKI	R		N		WILLIAMS, M.	R
	N		HONADEL	R	Y			POCAN	D		N		WOOD	I
Y			HRAYCHUCK	D	Y			POPE-ROBERTS	D	Y			YOUNG	D
Y			HUBLER	D		N		PRIDEMORE	R	Y			ZEPNICK	D
	N		HUEBSCH	R	Y			RADCLIFFE	D		N		ZIEGELBAUER	D
Y			JORGENSEN	D		N		RHOADES	R	Y			ZIGMUNT	D
	N		KAUFERT	R	Y			RICHARDS	D		N		ZIPPERER	R
	N		KERKMAN	R		N		RIPP	R	Y			SPEAKER	D

IN CHAIR: STASKUNAS

NO VACANT DISTRICTS

SEQUENCE NO. 105  
 Wednesday, May 13, 2009  
 12:02 PM

AB165

ASSEMBLY BILL 165

An Act to amend 66.1110 (7) (a) of the statutes; relating to: expanding the types of property that may be specially assessed by a neighborhood improvement district. (FE)

2009

03-24-09.	A.	Introduced by Representatives Richards, Zepnick, Colon, Grigsby, Berceau, Turner and Fields; cosponsored by Senators Plale, Carpenter and Taylor.	
03-24-09.	A.	Read first time and referred to committee on Urban and Local Affairs. . . . .	<b>108</b>
04-07-09.	A.	Public hearing held.	
04-09-09.	A.	Fiscal estimate received.	
05-05-09.	A.	Executive action taken.	
05-08-09.	A.	Report passage recommended by committee on Urban and Local Affairs, Ayes 6, Noes 2	<b>174</b>
05-08-09.	A.	Referred to committee on Rules. . . . .	<b>174</b>
05-08-09.	A.	Placed on calendar 5-13-2009 by committee on Rules.	
05-13-09.	A.	Read a second time. . . . .	<b>181</b>
05-13-09.	A.	Ordered to a third reading. . . . .	<b>181</b>
05-13-09.	A.	Rules suspended. . . . .	<b>181</b>
05-13-09.	A.	Read a third time and <b>passed</b> , Ayes 53, Noes 45 . . . . .	<b>181</b>
05-13-09.	A.	Ordered immediately messaged. . . . .	<b>182</b>
05-13-09.	S.	Received from Assembly. . . . .	<b>169</b>
05-18-09.	S.	Read first time and referred to committee on Labor, Elections and Urban Affairs. . . .	<b>177</b>

*bipartisan*  
↑

Noes 2

↓  
*Ziegelbauer,  
LeMahieu*



WISCONSIN STATE ASSEMBLY

Public Hearing  
Senate Committee on Labor, Elections and Urban Affairs  
September 2, 2009  
Testimony of Representative Jon Richards  
Assembly Bill 165

Good afternoon Chairman Coggs and members of the Senate Committee on Labor, Elections and Urban Affairs.

First, thank you Chairman Coggs for scheduling Assembly Bill 165 for a public hearing and for giving me the opportunity to testify. Your willingness to move quickly on this bill is greatly appreciated.

Wisconsin created a Neighborhood Improvement District (NID) statute in 2006. This law, patterned after the successful Business Improvement District (BID) law, is narrowly focused on neighborhoods composed exclusively of large multifamily housing units or a mix of businesses and multifamily housing.

What do NIDs do? They provide extra amenities or services to a neighborhood that may improve its appearance, livability or safety. For instance, a neighborhood may want to add extra lighting to public areas or add distinctive signage, park benches, decorative landscaping, or even additional snow plowing. Basically anything that serves a clear public purpose and that meets with the approval of the NID board and the home municipality would be a permissible use of NID funds.

Assembly Bill 165 expands the current NID law to allow the establishment of NIDs in areas containing single family dwellings and smaller multifamily buildings. These types of property, along with tax exempt property, may not be included in a NID under current law. AB165 maintains the current prohibition on including tax exempt property in a NID.

Some areas of Milwaukee that include single family and other smaller residential units have expressed interest in establishing NIDs as a way to improve public safety services. Residents of these neighborhoods were disappointed to discover that establishing a NID is not a viable option. Assembly Bill 165 will expand the areas in which a NID can be established while maintaining all of the important notification and organization requirements in current law.

Assembly Bill 165 was passed by Assembly Committee on Urban and Local Affairs on a vote of 6-2 and the full Assembly on a vote of 53-45.

Thank you for listening to my testimony and at this point I would be happy to answer questions from the committee.









Department of Administration  
Intergovernmental Relations Division

Tom Barrett  
Mayor

Sharon Robinson  
Director of Administration

Paul Vornholt  
Director of Intergovernmental Relations

---

**Neighborhood Improvement District (NID) Corrective Legislation  
Assembly Bill 165**

Date?

We would like to thank Representatives Richards and Zepnick and Senators Plale and Carpenter and the other cosponsors for introducing 2009 Assembly Bill 165. This legislation is a correction to 2005 Wisconsin Act 186, which authorized municipalities and neighborhoods to create Neighborhood Improvement Districts (NIDs). The NID legislation built upon the success of Wis. Stat. Sec. 66.1109 which enables municipalities to create Businesses Improvement Districts (BIDs).

Last year, the City of Milwaukee authorized the creation of Neighborhood Improvement District No.1: The Brewery (plan attached). In the discussion surrounding this and other proposed NIDs, one issue has repeatedly surfaced; the Act exempted residential properties with fewer than 8 units from the collection of special assessments to support the district.

Assembly Bill 165 proposes to eliminate this restriction for the following reasons:

- It allows a property owner to petition for the creation of a NID to not be subject to the special assessments that fund the district's operation.
- It allows exempt properties to benefit from the NID improvements.
- It limits the utility of the district concept since the vast majority of properties and tax base in the city and state have fewer than 8 units.
- It limits the revenue-generating potential of most districts to an extent that they are not worthwhile.

Background about NIDs (also attached is the Legislative Council Memo on 2005 WI Act 186):

- A NID is a geographic area including at least one parcel used in part for residential purposes:
  - Could include both commercial and residential parcels
  - Could include residential parcels exclusively
  - Commercial parcels should still form a BID, not a NID
  - Parcels must be nearby but not necessarily contiguous.
- They can be used to finance public area improvement efforts initiated by residential neighborhoods like improved lighting, distinctive signage, park equipment, landscaping or other purposes approved by the board.

- A NID is managed by a board whose members proportionally represent commercial and residential property based on the commercial/residential property assessment valuation within the NID.
- Certain property owners have exceptional rights.
  - Owners of property having a valuation equal to more than 40% of all property to be assessed can block the creation of a NID.
  - Owners of property having a valuation equal to more than 50% of all property to be assessed can trigger termination of a NID.
  - The NID will automatically terminate if owners of property having a valuation equal to more than 50% of all property assessed fail to petition to continue the NID after the board commercial/residential majority changes.

For more information, please contact:

Jennifer Gonda, Senior Legislative Fiscal Manager  
(414) 286-3492 or [jgonda@milwaukee.gov](mailto:jgonda@milwaukee.gov)

---



# LEVA Exec + Hwg - 9/2/09

## Exec

all unanimous, no discussion

AB165

## Hearing

AB165

- Zepnick, Carpenter, Donovan
- SJ, expansion of bill passed years ago
  - used in Pabst Brewery
  - original bill limited to only
- Donovan
  - based on Biz. Imp. Dist.
  - expanded to neighborhood
  - desired use is for pub
  - potential amendment - targeted property owner through certified mail to costly - use regular mail instead
- Carpenter
  - permissive, authorizes city to create
- SC? - change is for fiscal effect?
  - SJ, could use more specific language on mailing?  
leave it as local control?
- SC? - talked to bill authors?
  - Donovan talked to Plate (OK), SJ talked to Richards (not OK)
- Lehman? - current law limits on housing - public input on participating?
  - Donovan - majority of residents have to submit mail in cards
- legislation not specific to Mike?
  - no, universal & permissive

- Lasee? - who decides which neighborhoods are eligible?
  - Donovan - all properties would be assessed?
  - SZ - blight not necessary, formed for a specific project
  - Corp. - process would protect neighbors
- Lehman? - Gov LC, determine politics of process
- Jennifer Gonda, City of MKC
  - has written testimony
- LC, would this increase neighbor participation?
- SC? on Set/Long
  - not approved yet
- SC reads registrations
- SB 168
- Lera - has written testimony
- SC? 's to clarify bill 1
- SB 179
- SC + Leon Young
- Grothman ?'s on penalties, language, clerks
- Lehman? on penalties
- Kevin Kennedy - has written testimony
  - difficult crimes to enforce under current law
  - doesn't delegate power to K<sup>2</sup> rather than board only
  - criminal penalties are over the top
  - alternative methods to present info to voters (pamphlet, online)
  - need funding for some of these items
- SC? - wants K<sup>2</sup> to submit specific suggestions
- BW? - comment on severity of penalty
- JL? - missed



0  
①  
LEVA Exec + Hearing - 12/15/09

Exec

AB142

nothing

AB165

AB165

nothing

SPB 168

nothing

LRB 3860/1

nothing

---

Public Hearing

James Wenzler

- James Wenzler

- very short intro

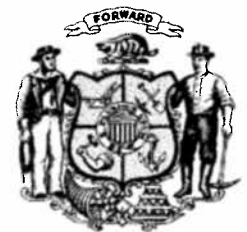
- SC - why selected?

- why been mild?

- SC - experienced many auctions?



# WISCONSIN STATE LEGISLATURE





## AB/65 (NID)

Date?

- Donovan only one with plan for one
  - Operation Impact (police cameras and lights in police district 2)
- one NID exists now (in 6<sup>th</sup> SD + Basmann) - The Brewery
- limited by Stepp Amendment (only 8 or more units)
- not enough areas w/ fewer than 8 units
- needs to be part of city budget that's finalized by Nov.



- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists

Presented by the Wisconsin Government Accountability Board



as of Monday, August 31, 2009

**2009-2010 legislative session**  
**Legislative bills and resolutions**

(search for another legislative bill or resolution at the bottom of this page)

**Assembly Bill 165**

expanding the types of property that may be specially assessed by a neighborhood improvement district. (FE)

<p><b>TEXT</b> sponsors LBR analysis</p>	<p><b>STATUS</b> committee actions and votes text of amendments</p>	<p><b>COST &amp; HOURS</b> of lobbying efforts directed at this proposal</p>
--	---	--

Organization		These organizations have reported lobbying on this proposal:	Place pointer on icon to display comments, click icon to display prior comments		
Profile	Interests		Date Notified	Position	Comments
◆	◆	City of Milwaukee	4/2/2009	↑	
◆	◆	Gundersen Lutheran Administrative Services, Inc	8/17/2009	↔	💬
◆	◆	League of Wisconsin Municipalities	3/31/2009	↑	
◆	◆	Wisconsin Alliance of Cities Inc	4/6/2009	↑	
◆	◆	Wisconsin Bankers Association	4/27/2009	↔	
◆	◆	Wisconsin Realtors Association	4/23/2009	↔	

Select a legislative proposal and click "go"

<b>House</b>	Assembly Senate
<b>Proposal Type</b>	Bill Joint Resolution Resolution
<b>Proposal Number</b>	165 (enter proposal number)
<b>Legislative Session</b>	2009 Regular Session ▼
	<input type="button" value="Go"/>



From AB 165 folder.

NEIGHBORHOOD IMPROVEMENT DISTRICT NO. 1: THE BREWERY  
PROPOSED INITIAL OPERATING PLAN

August, 2008

TABLE OF CONTENTS

	Page
I. INTRODUCTION .....	1
II. DISTRICT BOUNDARIES.....	1
III. PROPOSED OPERATING PLAN.....	2
A. Plan Objectives.....	2
B. Proposed Activities.....	2
C. Proposed Expenditures and Financing Method.....	4
D. Organization of the District Board.....	5
IV. METHOD OF ASSESSMENT.....	7
A. Annual Assessment Rate and Method.....	7
B. Excluded and Exempt Property.....	8
V. PROMOTION OF ORDERLY DEVELOPMENT OF THE CITY.....	8
A. Enhanced Safety and Cleanliness.....	8
B. City Role in District Operation.....	8
VI. PLAN APPROVAL PROCESS .....	9
A. Public Review Process.....	9
B. Petition Against Creation of the District.....	10
VII. FUTURE YEAR OPERATING PLANS.....	10
A. Changes.....	10
B. Amendment, Severability and Expansion.....	11

## APPENDICES

- A. Wisconsin Statutes section 66.1110
- B. Petitions
- C. Proposed District Boundaries
- D. Listing of Properties Included in the District and Proposed District Assessments
- E. Proposed 2009 Budget
- F. City Attorney's Opinion

## I. INTRODUCTION

Under Wisconsin Statutes section 66.1110, municipalities are authorized to create Neighborhood Improvement Districts ("NIDs") upon the petition of at least one property owner within the proposed district. Similar to the statute governing Business Improvement Districts (Wisconsin Statutes section 66.1109), the purpose of the NID statute is to allow owners of real property, at least some of which is used for residential purposes, within the districts ". . . to develop, to manage and promote the districts and to establish an assessment method to fund these activities." 1983 Wis. Act 184, Section 1, legislative declaration. See Appendix A.

The City of Milwaukee (the "City") has received petitions from property owners which request creation of a NID to be known as the Brewery Neighborhood Improvement District (the "District"). See Appendix B. The purpose of the District shall be to promote and sustain the development and operation of the former historic Pabst Brewery as a thriving mixed use development to be known as The Brewery, A Joseph J. Zilber Historic Redevelopment (the "Brewery"). In this regard, the District shall be authorized to manage, maintain and contract for services which supplement those services currently provided by the City to owners and occupants in the District.

Pursuant to the NID statute, this initial Operating Plan (the "Operating Plan") for the District has been prepared to establish the services proposed to be offered by the District, proposed expenditures by the District and the special assessment method applicable to properties within the District. This Plan has been developed by the District proponents with technical assistance from the Department of City Development, the Department of Public Works and Business Improvement District No. 21 ("Milwaukee Downtown").

## II. DISTRICT BOUNDARIES

The District boundaries, as proposed, cover approximately nine (9) blocks and encompass the former Pabst Brewery properties now known as "The Brewery." The proposed District boundaries include Interstate 43 to the west, West Highland Avenue to the south, North 8th Street to the east and West Winnebago Street to the north. Boundaries of the NID are shown in Appendix C of this Operating Plan. A narrative listing of the properties included in the District is set forth in Appendix D.



### III. PROPOSED OPERATING PLAN

#### A. Plan Objectives.

The objectives of the District are to promote and sustain the area of The Brewery as a thriving mixed use development and a clean, safe and friendly environment in which to live, work and play. The District proposes to achieve its objectives by supplementing the maintenance and security services provided by the City in order to increase the safety and cleanliness (and the perceived safety and cleanliness) of The Brewery area. Specifically, the District seeks to replicate, in the area of The Brewery, the successful programs of Milwaukee Downtown, and the District may contract with Milwaukee Downtown or similar entities to achieve such goal. The District also shall provide in the area of The Brewery maintenance and utility cost of the neon Pabst sign over Juneau Avenue, maintenance and utility cost for pocket parks, maintenance of public art, maintenance including snow removal of alleys, maintenance of streetscapes and other landscaping features as well as maintenance of storm-water management improvements including the bio-swales.

#### B. Proposed Activities.

The District will offer The Brewery owners and occupants additional safety services, enhanced sidewalk cleaning, supplemental public space maintenance, pocket park operation and maintenance, streetscape maintenance, storm-water management maintenance and integrated marketing and promotional services to complement a base level of services currently being provided by the City. As a supplement to City services, the District may employ and manage its own safety and maintenance staff and develop and implement its own marketing initiatives or contract with Milwaukee Downtown or other reputable resources to do so. The following are the activities proposed by the District for calendar year 2009. The District may, from time to time and as it deems necessary, adjust the size and scope of the activities and staffing levels described below, but only so long as such adjustments in activities and staff are part of the activities identified in this or a subsequently approved or amended Operating Plan. The District may not undertake new activities except as included in duly approved operating plans for future years.

1. Public Service Ambassadors Program. The District proposes to sponsor a Public Service Ambassadors Program to provide safety and goodwill services to The Brewery, supplemental to existing City police services. The aim of the program will be to increase the

public's comfort and sense of security through a visible, uniformed presence in addition to law enforcement.

The District may hire directly, or engage through a contract with Milwaukee Downtown or other reputable resources, personnel to perform the services described above functioning as Public Service Ambassadors ("PSAs").

Following appropriate training, uniformed but unarmed PSAs will be assigned "beats" to patrol the District on foot. Beat assignments will be based on the amount of foot traffic in the area, hours of business operation, special event schedules, police beat assignments and crime statistics and trends.

PSAs' primary responsibilities will be to assist and direct residents, workers, shoppers and visitors and to observe and report suspicious behavior. PSAs must familiarize themselves with the businesses and residents in their beats and be able to recognize suspicious behavior. PSAs will be supplied with uniforms to create an official but approachable appearance and will be equipped with two-way radios to report any incidents to a PSA supervisor/dispatcher linked directly to the City Police Department.

The District will pursue partnerships with other service providers. These partnerships may include development of a policy for referring panhandlers and the homeless to appropriate resources and/or working with other security resources to share information and develop response strategies.

2. Clean Sweep Ambassadors Program. The District proposes to sponsor a Clean Sweep Ambassador Program to provide additional sidewalk cleaning, public space maintenance, storm-water management maintenance, pocket park operation and maintenance, alley maintenance (including snow and ice removal), streetscape maintenance and, more generally, to introduce an active, positive force in the area of The Brewery.

The District may hire directly, or engage through a contract with Milwaukee Downtown or other reputable resources, personnel to perform the services described above functioning as Clean Sweep Ambassadors ("CSAs"). Following appropriate training, CSAs will be assigned "beats," depending on the public use of the area and the need for services.

The maintenance efforts of CSAs, hired, paid and uniformed or contracted for by the District will complement the efforts of the City Department of Public Works. CSAs will manually sweep sidewalks, pocket parks and other green spaces, pick up litter and remove graffiti. Weather permitting, CSAs will mechanically sweep public curbs and sidewalks in a rotation consistent with the City's street sweeping schedule. From April through October, CSAs will also power wash and steam clean sidewalks and clean, mow, maintain, water, plant, weed and fertilize tree wells, planters and streetscape areas. CSAs also will maintain pocket parks, alleys (including snow and ice removal from November through March) and maintain other green spaces as well as manage and maintain storm-water facilities within the District boundaries.

Besides their maintenance responsibilities, CSAs will maintain a friendly and helpful presence in the area of The Brewery. Working in recognizable uniforms, CSAs will create an aura, not only of cleanliness, but also of safety. CSAs will be trained in crime resistance and to furnish helpful information and directions to residents and visitors.

3. Marketing Initiatives. District staff will coordinate a public relations campaign to promote the safer, cleaner, friendlier Brewery neighborhood and Downtown being created through the efforts of the District and Milwaukee Downtown. Marketing will aim to encourage increased use of The Brewery neighborhood and to convince both constituents of the District and potential users that The Brewery neighborhood is a positive destination with unique qualities and amenities.

C. Proposed Expenditures and Financing Method.

The 2009 proposed annual operating budget for the District is \$29,192.00. See Appendix E. Of this amount, \$2,500.00 will finance the Public Service Ambassadors Program, \$22,450.00 will fund the Clean Sweep Ambassadors Program, and \$4,242.00 will be reserved for administrative expenses and a contingency. The Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

The Board shall approve an annual operating budget for the District each year. After the District Board has approved the annual operating plan and

budget, they will be sent to the City for approval, adoption and inclusion in the City's annual budget for that year.

The 2008 assessed valuation of all property subject to assessment within the proposed District boundaries was \$8,110,900.00. The method of assessing annual operating expenses against properties located within the District is set forth in Article IV of this Operating Plan. Any change in the method of assessing annual operating expenses against properties located within the District must be approved by a 4/5 majority of the entire District Board and a majority of the Common Council of the City. Subsequent revisions to this Operating Plan will specify any additional assessment methodologies and amounts for operating expenses.

D. Organization of the District Board.

Upon creation of the District, the District shall hold annual meetings to elect members to the District Board (the "Board") consistent with the terms of this subsection. The Board shall be responsible for implementation of this Operating Plan. This requires the Board to negotiate with providers of services and materials to carry out the Operating Plan; to enter into various contracts; to monitor the effectiveness of the District's activities, to ensure compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of District assessments.

Wisconsin Statutes section 66.1110(4)(a)(1) requires that the Board be composed of at least five members, all of whom shall own or occupy real property within the District.

The Board shall be structured and operate as follows:

1. Board Size. Five (5) members.
2. Composition.
  - (a) One member shall represent the owner of the largest property(ies) within the District as measured by assessed valuation.
  - (b) One member shall be a representative of a multi-tenant office building in the District.
  - (c) One member shall be the owner or operator of a street-level retail business, hotel or, if those businesses do not exist, a

multitenant office building located within the District (which business may include, without limitation, a restaurant).

- (d) One member shall be a representative of a parking structure or surface parking lot within the District including at least 100 spaces.
- (e) One member shall be a representative of a residential building within the District.

Each year, the Board shall reconfirm the assessed valuations, ownerships and occupancies of all properties located within the District. If the assessed valuation, ownership or occupancy of any particular building or site in any year ceases to satisfy the criteria set forth above, the Board shall rearrange such building or site in the appropriate category and consistent with Wisconsin Statutes section 66.1110(4). Notwithstanding anything herein to the contrary, the number of board members who represent commercial and residential property, respectively, shall be set, as closely as possible, in the same proportion as is the aggregate valuation of commercial property in the District to the total assessed value of all property in the District, and the aggregate valuation of residential property in the District to the total assessed value of all property in the District.

- 3. Term. All members elected to the Board shall serve for a period of three years, except that members may be re-elected.
- 4. Compensation. None.
- 5. Meetings. All meetings of the Board shall be governed by the Wisconsin Open Meetings Law if and as legally required.
- 6. Record Keeping. Files and records of the Board's affairs shall be kept pursuant to public records requirements.
- 7. Staffing and Office. The Board may employ staff and/or contract for staffing services pursuant to this Operating Plan and subsequent modifications thereof. The Board may also maintain an office for the District, which shall be located within the District.
- 8. Meetings. The Board shall meet regularly, at least once every six months. The Board shall adopt rules of order (by-laws) to govern the conduct of its meetings.

9. Method of Electing Members to District Board. An annual meeting at which members of the Board will be elected shall be held on the first Tuesday of February of each year of the District's existence. Prior to the meeting, the City shall publish a Class 2 notice that contains the time and place of the annual meeting. The notice shall specify that all individuals who either own or occupy real property within the District are eligible to serve on the Board and vote at the election.

At the meeting, the individuals who own or occupy real property within the District shall be divided in 2 groups. One group shall consist of those individuals who own or occupy commercial property, and one group shall consist of those individuals who own or occupy residential property. Each group shall elect from among its members the number of Board members set to represent its group pursuant to this or a subsequent operating plan.

10. Executive Committee. The Board shall elect from its members a chair, a secretary, and a treasurer who shall comprise an Executive Committee of the Board. The Executive Committee shall be authorized to oversee the day to day operations of the District, subject to the by-laws adopted by the Board.
11. Changes. Any change in the Board size, composition or election methodology must be approved by a 4/5 majority of the entire District Board.

#### IV. METHOD OF ASSESSMENT

##### A. Annual Assessment Rate and Method.

The annual assessment for District operating expenses will be levied against each property within the District in direct proportion to the current assessed value of each property for real property tax purposes. Thus, the amount of a special assessment against a particular property may change from year to year if that property's assessed value changes relative to other properties within the District.

Appendix D identifies each property included in the District and shows the proposed District assessment for each property for the initial year of operation. Such proposed assessments are based on the assessed value and classification estimated in 2009 pursuant to the foregoing formula.

B. Excluded and Exempt Property.

The NID statute requires explicit consideration of certain classes of property. In compliance with the law, the following statements are provided.

1. In accordance with the interpretation of the City Attorney regarding Wisconsin Statutes section 66.1110(7)(a), property exempt from general real estate taxes has been excluded from the District. Owners of tax exempt property adjoining the District and expected to benefit from District activities will be asked to make a financial contribution to the District on a voluntary basis. Funds collected in this manner in any given year shall be used to reduce the assessment against taxable property in the District for the following year. In addition, those tax exempt properties adjoining the District which are later determined no longer to be exempt from general property taxes shall automatically become included within the District and subject to assessment under any current operating plan without necessity to undertake any other act.
2. In accordance with Wisconsin Statutes section 66.1110(7)(c), real property used exclusively for less than eight (8) residential dwelling units has been excluded from the District.
3. The Board may not own real property unless otherwise provided in a subsequent operating plan and approved consistent with Wisconsin Statutes section 66.1110(2)(e).

V. PROMOTION OF ORDERLY DEVELOPMENT OF THE CITY

A. Enhanced Safety and Cleanliness.

Under Wisconsin Statutes section 66.1110(2)(d), this Operating Plan is required to specify how the creation of the District promotes the orderly development of the City. The District will enhance the safety and cleanliness of The Brewery area and, consequently, encourage positive commercial and residential activity in the City. Increased activity in the City will increase property tax base and sales tax revenues.

B. City Role in District Operation.

The City has committed to assisting owners and occupants in the District to promote its objectives. To this end, the City has played a significant role in

creation of the District and in the implementation of the initial Operating Plan. In furtherance of its commitment, the City shall:

1. Provide technical assistance to the District in the adoption of this and subsequent operating plans and provide such other assistance as may be appropriate.
2. Collect assessments, maintain the same in a segregated account and disburse monies to the Board.
3. Receive annual audits as required per Wisconsin Statutes section 66.1110(4)(c).
4. Provide the Board, through the Office of Assessment, on or before June 1 of each year, with the official City records on the assessed value of each tax key number within the District as of January 1 of each year for purposes of calculating the District assessments.

## VI. PLAN APPROVAL PROCESS

### A. Public Review Process.

The NID statute establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

1. The City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
2. A public hearing notice, a copy of the proposed Operating Plan and a detail map showing the proposed District boundaries will be sent, by certified mail, to all owners of real property within the proposed district. In addition, a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
3. At least 30 days before creation of the District, the City Plan Commission will hold a public hearing, will approve or disapprove this Operating Plan and will report its action to the Common Council.
4. The Economic Development Committee of the Common Council will review the proposed Operating Plan at a public meeting and will make a recommendation to the full Common Council.



5. The Common Council will act on the proposed Operating Plan at a meeting which has been preceded by publication of a Class 2 notice of the meeting and mailing a notice of the meeting by certified mail to all owners of real property within the proposed District.
6. If adopted by the Common Council, the proposed Operating Plan is sent to the Mayor for his approval.

B. Petition Against Creation of the District.

The City may not create the District if, within 30 days of the City Plan Commission's public hearing, a petition is filed with the City containing signatures of:

Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or

Owners of property to be assessed under the proposed initial Operating Plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial Operating Plan.

## VII. FUTURE YEAR OPERATING PLANS

A. Changes.

It is anticipated that the District will continue to revise and develop this Operating Plan annually, in response to changing needs and opportunities in the District, in accordance with the purposes and objectives defined in this Operating Plan.

Wisconsin Statutes section 66.1110(4)(b) requires the Board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms proposed activities, information on specific assessed values, budget amounts and assessment amounts are based solely upon current conditions. Greater detail about subsequent years' activities will be provided in the required annual plan updates, and approval by the Common Council of such plan updates shall be conclusive evidence of compliance with this Operating Plan and the NID statute.

In later years, the District Operating Plan will continue to apply the assessment formula, as adjusted, to raise funds to meet the next annual budget. However, the method of assessing and the board composition shall not be materially altered, except with the approval of a 4/5 majority of the entire District Board and consent of the City of Milwaukee.

B. Amendment, Severability and Expansion.

This District has been created under authority of Wisconsin Statutes section 66.1110. Except as set forth in the next sentence, should any court find any portion of this statute invalid or unconstitutional its decision will not invalidate or terminate the District and this Operating Plan shall be amended to conform to the law without need of re-establishment. Should any court find invalid or unconstitutional the organization of the entire District Board, any requirement for a 4/5 majority vote of the District Board, the budgeting process or the automatic termination provision of this or any subsequent Operating Plan, the District shall automatically terminate and this Operating Plan shall be of no further force and effect.

APPENDIX A

Wisconsin Statutes section 66.1110

(e) If after the expiration of 30 days after the date of hearing under par. (c), by petition under this subsection or subsequent notification under par. (d), and after subtracting any retractions under par. (d), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

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

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

*History:* 1983 s. 184; 1989 s. 56 s. 258; 1999 s. 150 s. 539; Stats. 1999 s. 66.1109; 2001 s. 85.

**66.1110 Neighborhood improvement districts.** (1) In this section:

(a) "Board" means a neighborhood improvement district board elected under sub. (4) (a).

(b) "Chief executive officer" means a mayor, city manager, village president, or town chairperson.

(c) "Local legislative body" means a common council, village board of trustees, or town board of supervisors.

(d) "Municipality" means a city, village, or town.

(e) "Neighborhood improvement district" means an area within a municipality consisting of nearby but not necessarily contiguous parcels, at least some of which are used for residential purposes and are subject to general real estate taxes, and property that is acquired and owned by the board if the local legislative body approved acquisition of the property under sub. (4) (d) as part of its approval of the initial operating plan under sub. (3) (e).

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation, and promotion of a neighborhood improvement district.

(g) "Owner" means the owner of real property that is located within the boundaries, or the proposed boundaries, of a neighborhood improvement district.

(h) "Planning commission" means a plan commission under s. 62.23 or, if none exists, a board of public land commissioners or, if none exists, a planning committee of the local legislative body.

(2) An operating plan shall include at least all of the following elements:

(a) The special assessment method applicable to the neighborhood improvement district.

(b) The kind, number, and location of all proposed expenditures within the neighborhood improvement district.

(c) A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

(d) A description of how the creation of the neighborhood improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

(e) A statement as to whether the local legislative body authorizes the board to own real property and, if so, a description of the real property to be owned, the purpose of the ownership, and a

statement of to whom the real property will be transferred if the neighborhood improvement district is terminated.

(f) A legal opinion that pars. (a) to (e) have been complied with.

(3) A municipality may create a neighborhood improvement district and adopt its operating plan if all of the following conditions are met:

(a) An owner of real property subject to general real estate taxes and located in the proposed neighborhood improvement district designated under par. (b) has petitioned the municipality for creation of a neighborhood improvement district.

(b) The planning commission has designated a proposed neighborhood improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the neighborhood improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed neighborhood improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice, together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed neighborhood improvement district, shall be sent by certified mail to all owners of real property within the proposed neighborhood improvement district. The notice shall state the boundaries of the proposed neighborhood improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under par. (c), one of the following has not filed a petition with the planning commission protesting the proposed neighborhood improvement district or its proposed initial operating plan:

1. The owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40 percent of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan.

2. The owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40 percent of the assessed valuation of all property to be assessed under the proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the neighborhood improvement district. The local legislative body shall publish a class 2 notice under ch. 985 regarding the meeting at which the local legislative body will vote on whether to adopt the proposed initial operating plan for the neighborhood improvement district. Before publication, a copy of the notice shall be sent by certified mail to all owners of real property within the proposed neighborhood improvement district.

(4) (a) 1. If the local legislative body adopts the proposed initial operating plan under sub. (3) (e), it shall determine the size of board, which shall consist of at least 5 members, all of whom shall own or occupy real property in the neighborhood improvement district.

2. The number of board members who represent commercial and residential property, respectively, shall be set by the local legislative body, as closely as possible, in the same proportion as is the aggregate valuation of commercial property in the neighborhood improvement district to the total assessed value of all property in the district, and the aggregate valuation of residential property in the district to the total assessed value of all property in the district.

3. The local legislative body shall set the time and place for a meeting at which members of the board will be elected, and shall publish a class 2 notice under ch. 985 that contains this information. The notice shall specify that all individuals who either own or occupy real property within the neighborhood improvement district are eligible to serve on the board and vote at the election.

66.1110 MUNICIPAL LAW

4. At the meeting, the individuals who own or occupy real property shall be divided into 2 groups. One group shall consist of those individuals who own or occupy commercial property, and one group shall consist of those individuals who own or occupy residential property. Each group shall elect from among its members the number of board members set to represent its group by the local legislative body under subd. 2.

5. Board members elected under subd. 4 shall serve a one year term, and may be reelected. Annually, the number of board members who represent commercial and residential properties, based on the calculation described in subd. 2., may be reallocated by the local legislative body to the greatest extent possible to be consistent with the proportion described under subd. 2.

6. Annually, board members shall be elected under the procedures contained in this paragraph. If a vacancy occurs during the term of a board member, an individual shall be elected to fill the unexpired term of the member under the procedures contained in this paragraph.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for the neighborhood improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the neighborhood improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the neighborhood improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the neighborhood improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all of the powers necessary or convenient to implement the operating plan, including the power to contract.

(5) All special assessments received from a neighborhood improvement district and all other appropriations by the municipality or other moneys received for the benefit of the neighborhood improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (4)(c) or on order of the board for the purpose of implementing the operating plan. On termination of the neighborhood improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the neighborhood improvement district, in the same proportion as the last collected special assessment.

(6) (a) Subject to pars. (b) and (c), a municipality shall terminate a neighborhood improvement district if one of the following occurs:

1. The owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, file a petition with the planning commission requesting termination of the neighborhood improvement district.

2. The owners of property assessed under the operating plan having an assessed valuation equal to more than 50 percent of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the neighborhood improvement district.

3. The owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan fail to file a petition with the planning commission to continue the neighborhood improvement district within one year of the date on which the membership of the board changes from a majority which represents commercial properties to a majority that represents residential properties, or vice versa, as described under sub. (4)(a) 3.

(b) 1. A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the neighborhood improvement district.

2. On and after the date on which a petition is filed under par. (a) 1. or 2., or on and after the date on which a petition must be filed under par. (a) 3., neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of the hearing under subd. 3, and unless the neighborhood improvement district is not terminated under par. (c).

3. Within 30 days after the filing of a petition under par. (a) 1. or 2., the planning commission shall hold a public hearing on the proposed termination. Within 30 days after the deadline for filing a petition under par. (a) 3. passes, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice, together with a copy of a detail map showing the boundaries of the neighborhood improvement district, shall be sent by certified mail to all owners of real property within the neighborhood improvement district. The notice shall state the boundaries of the neighborhood improvement district and shall indicate that copies of the operating plan are available from the planning commission on request and are posted in the building in which the municipality's governing body regularly holds its meetings.

4. Within 30 days after the date of the hearing under subd. 3., every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under par. (a) 1. or 2., that the owner retracts the owner's request to terminate the neighborhood improvement district, or, if the owner did not file or sign a petition under par. (a) 1. or 2., that the owner requests termination of the neighborhood improvement district under par. (a) 1. or 2.

5. Within 30 days after the date of the hearing under subd. 3., every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under par. (a) 3., that the owner retracts the owner's request to continue the neighborhood improvement district, or, if the owner did not file or sign a petition under par. (a) 3., that the owner requests continuation of the neighborhood improvement district under subd. 3.

(c) After the expiration of 30 days after the date of the hearing under par. (b) 3., and after adding any additions and subtracting any retractions under par. (b) 4. and 5., the municipality shall terminate the neighborhood improvement district on the date on which the obligation with the latest completion date entered into to implement the operating plan expires if the owners who have signed the petition requesting the termination of the neighborhood improvement district under par. (a) 1. or 2. constitute the required groups specified in par. (a) 1. or 2., or if an insufficient representation of owners, as described under par. (a) 3., petition to continue the neighborhood improvement district under par. (a) 3.

(7) (a) Any parcel of real property used exclusively for less than 8 residential dwelling units and real property that is exempted from general property taxes under s. 70.11 may not be specially assessed for purposes of this section.

(b) A municipality may terminate a neighborhood improvement district at any time.

APPENDIX B

Petitions

August 13, 2008

City of Milwaukee  
c/o Mses. Vanessa Koster  
and Rhonda Manuel  
Department of City Development  
809 North Broadway - Second Floor  
Milwaukee, WI 53202-3617

Dear Mses Koster and Manuel:

Re: Creation of Neighborhood  
Improvement District for The Brewery

The undersigned owner of property located at 810 West Juneau Avenue hereby petitions the City of Milwaukee to create a new neighborhood improvement district (the "NID") for the area of The Brewery, A Joseph J. Zilber Historic Redevelopment. The undersigned owner intends to participate in the NID consistent with the enclosed operating plan.

Yours very truly,

BREWERY PROJECT LLC

BY 

Its Vice President

MWI520792

August 13, 2008

City of Milwaukee  
c/o Mses. Vanessa Koster  
and Rhonda Manuel  
Department of City Development  
809 North Broadway - Second Floor  
Milwaukee, WI 53202-3617


Dear Mses Koster and Manuel:

Re: Creation of Neighborhood  
Improvement District for The Brewery

The undersigned owner of property located at 1131 North 8<sup>th</sup> Street, 1128 North 10th Street, 1009 West Juneau Avenue, 1003-1011 West Winnebago Avenue and 902-926 West Juneau Avenue hereby petitions the City of Milwaukee to create a new neighborhood improvement district (the "NID") for the area of The Brewery, A Joseph J. Zilber Historic Redevelopment. The undersigned owner intends to participate in the NID consistent with the enclosed operating plan.

Yours very truly,

BREWERY PROJECT LLC

BY   
Its Vice President

REINHART\2421534



August 13, 2008

City of Milwaukee  
c/o Mses. Vanessa Koster  
and Rhonda Manuel  
Department of City Development  
809 North Broadway - Second Floor  
Milwaukee, WI 53202-3617

Dear Mses Koster and Manuel:

Re: Creation of Neighborhood  
Improvement District for The Brewery

The undersigned owner of property located at 1217 North 10th Street, 1250 North 11th Street and 1217 North 10th Street hereby petitions the City of Milwaukee to create a new neighborhood improvement district (the "NID") for the area of The Brewery, A Joseph J. Zilber Historic Redevelopment. The undersigned owner intends to participate in the NID consistent with the enclosed operating plan.

Yours very truly,

BP PROPERTY OWNER LLC

BY 

Its Vice President

REINHART02421527

August 13, 2008

City of Milwaukee  
c/o Mses. Vanessa Koster  
and Rhonda Manuel  
Department of City Development  
809 North Broadway - Second Floor  
Milwaukee, WI 53202-3617

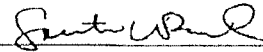
Dear Mses Koster and Manuel:

Re: Creation of Neighborhood  
Improvement District for The Brewery

The undersigned owner of property located at 1037 West McKinley Avenue hereby petitions the City of Milwaukee to create a new neighborhood improvement district (the "NID") for the area of The Brewery, A Joseph J. Zilber Historic Redevelopment. The undersigned owner intends to participate in the NID consistent with the enclosed operating plan.

Yours very truly,

BC PABST HOLDINGS, LLC

BY   
Its MANAGER  
SANTINO L. BANDO

REINHART 2421522

August 13, 2008

City of Milwaukee  
c/o Mses. Vanessa Koster  
and Rhonda Manuel  
Department of City Development  
809 North Broadway - Second Floor  
Milwaukee, WI 53202-3617

Dear Mses Koster and Manuel:

Re: Creation of Neighborhood  
Improvement District for The Brewery

The undersigned owner of property located at 1220 North 11th Street hereby petitions the City of Milwaukee to create a new neighborhood improvement district (the "NID") for the area of The Brewery, A Joseph J. Zilber Historic Redevelopment. The undersigned owner intends to participate in the NID consistent with the enclosed operating plan.

Yours very truly,

BREWERY SILO LLC


BY 

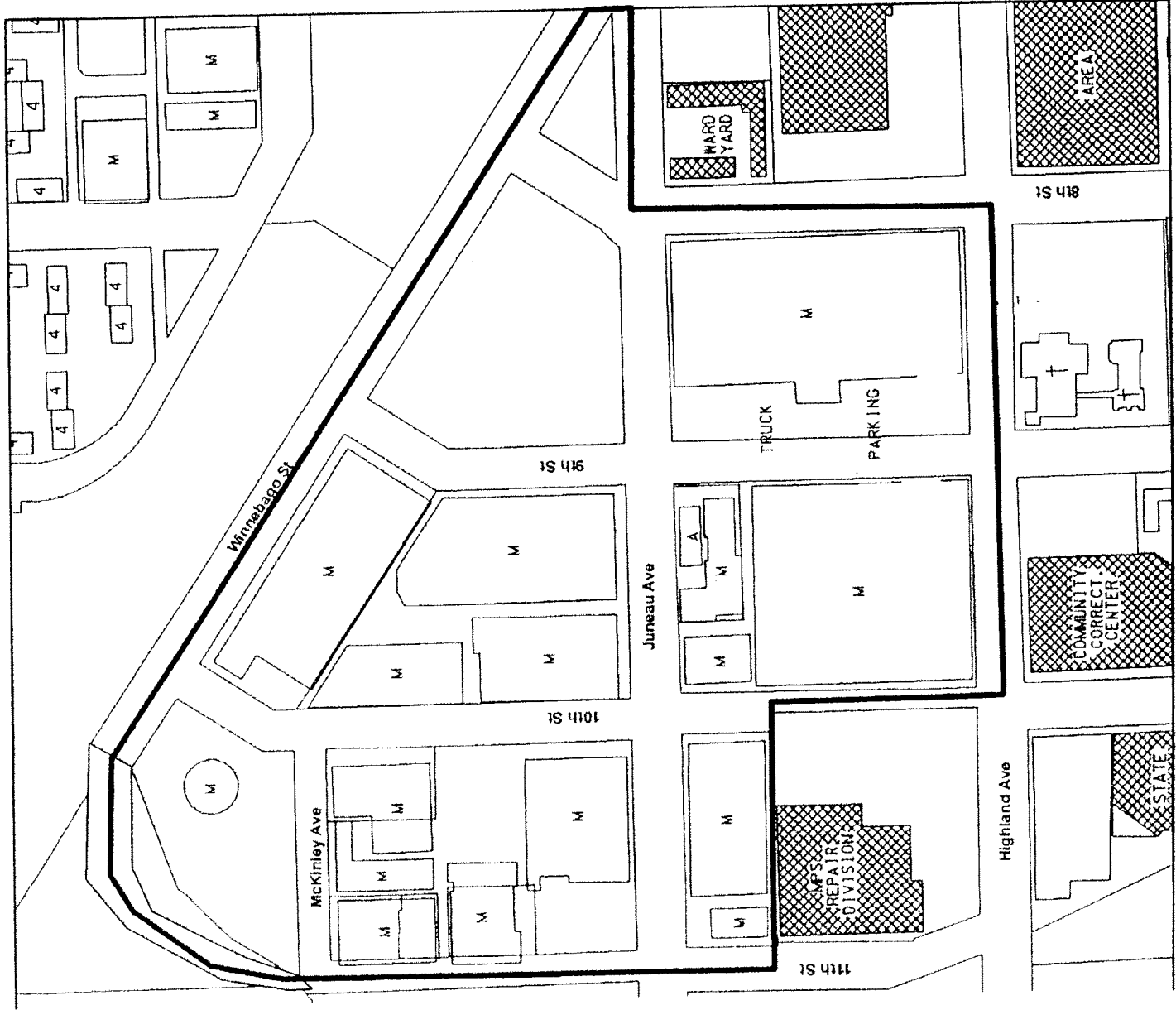
Its Vice President

REINHART2421529

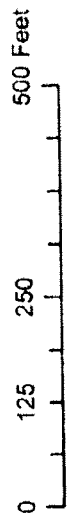
APPENDIX C  
Proposed District Boundaries

# The Brewery Neighborhood Improvement Boundary (NID)

 Potential NID Boundary



Produced by:  
Department of City Development Information Center, RTW  
Project File:  
W:\Map Requests 2008\the brewery nide brewery nid.mxd  
Map File:  
W:\Map Requests 2008\the brewery nide brewery nid.pdf  
Generated: 07-August-2008. Scale = 1:2,500



APPENDIX D

Listing of Properties Included in the District  
and proposed District assessments

The Brewery 2008 Tax Assessment

TAXKEY	Address Range	Street	Owner	Address	County	Parcel ID	Land	Improvements	Total	2008 NED ASSESSMENT
382-00-21-000	910	W BUREAU	809MERY PROJECT LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ 91,200.00	\$ 100.00	\$ 91,300.00	\$ 3,251.65
382-00-21-000	915	W WINEBAUO	ST BLUE MASON LOFT APTS LLC	200 N MARK ST	WI	51275	\$ 493,000.00	\$ 274,000.00	\$ 767,000.00	\$ 2,796.32
382-00-21-000	920	W BUREAU	AV BREWERY PROJECT LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ 930,800.00	\$ 259,000.00	\$ 1,189,800.00	\$ 4,246.11
382-00-21-000	1001	W WINEBAUO	AV PPH REDEVELOPMENT LLC	757 N WATER ST 4200	WI	51202	\$ 132,500.00	\$ 87,000.00	\$ 219,500.00	\$ 791.83
382-00-21-000	1017	K 10TH	ST 8P PROPERTY OWNER LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ 850,200.00	\$ 109,000.00	\$ 959,200.00	\$ 3,442.53
382-00-21-000	1037	W WINEBAUO	8P PABST HOLDINGS LLC	135 W WELLS ST	WI	51203	\$ -	\$ -	\$ -	\$ -
382-00-21-000	1037	W WINEBAUO	8P PROPERTY OWNER LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ -	\$ -	\$ -	\$ -
382-00-21-000	1037	N 11TH	8P PROPERTY OWNER LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ 103,100.00	\$ 100.00	\$ 103,200.00	\$ 371.07
382-00-21-000	1037	N 11TH	BREWERY S&O LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ 488,700.00	\$ 100.00	\$ 488,800.00	\$ 1,751.89
382-00-21-000	1037	W WINEBAUO	AV BREWERY PROJECT LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ 374,000.00	\$ 87,000.00	\$ 461,000.00	\$ 1,656.84
381-00-41-000	1009	W WINEBAUO	AV BREWERY PROJECT LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ 1,964,300.00	\$ 259,000.00	\$ 2,223,300.00	\$ 4,180.04
381-00-41-000	1128	N 10TH	ST BREWERY PROJECT LLC	710 N PLANKINTON AV STE 1200	WI	51203	\$ 1,443,300.00	\$ 438,000.00	\$ 1,881,300.00	\$ 3,204.09
381-00-41-000	1131	N 8TH	ST BREWERY PROJECT LLC	2022 N 117TH ST, STE 4223	WI	51228	\$ 154,500.00	\$ 347,700.00	\$ 502,200.00	\$ 1,807.47
381-00-21-000	915	W BUREAU	AV BREWERY PROJECT LLC		WI	51203	\$ 154,500.00	\$ -	\$ 154,500.00	\$ 28,182.28

APPENDIX E  
Proposed 2009 Budget



**The Brewery  
NID 1 Operating Budget  
2009**

<b>Expense Item</b>	<b>2009</b>
Pocket Park Electric	2,400
Pocket Park Water	1,200
Pocket Park Landscape Maint.	3,300
Pocket Park Insurance	1,200
Snow Removal-Alleys	3,000
Pabst Sign Repair	1,000
Pabst Sign Electric	600
Storm Water Retention Maint.	500
Bio-Swale Landscape Maint.	0
Bio-Swale Cleaning	1,500
Streetscape Maint.	0
Public Art Maint.	250
Public Service Ambassadors	2,500
Clean Sweep Ambassadors	7,500
Administration	4,242
Marketing	0
<b>Total</b>	<b>29,192</b>

APPENDIX F  
City Attorney's Opinion