

COMMISSION FILE NO: 20-056-4 **DATE INTRODUCED:** April 15, 2020

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Agreement between the Milwaukee Metropolitan Sewerage District and the Village of Brown Deer Regarding Voluntary Property Acquisition

SUMMARY:

The Commission is requested to authorize the Executive Director to execute an intergovernmental cooperation agreement (ICA) between the Milwaukee Metropolitan Sewerage District (District) and the Village of Brown Deer (Village) regarding voluntary acquisition of 9223 North Green Bay Road.

The Beaver Creek Watercourse Management Plan (BCWMP) (proposed under a separate Commission request) identifies the commercial structure located at 9223 North Green Bay Road, located in the Village, as being in the floodplain. The BCWMP further indicates voluntary property acquisition/removal of this structure as the preferred alternative to eliminate this flood risk.

Commission Policy 1-01.15, District Flood Risk Reduction Policy, (proposed policy title; updated policy proposed under a separate Commission request) indicates that, if voluntary acquisition is the preferred alternative, the District will collaborate with the local government and the property owner to determine the alternative to be implemented. In 2019, the owner of the subject property, in cooperation with the Village, approached the District about a possible voluntary property acquisition. District staff evaluated this request and concurs.

The District and the Village have negotiated the terms of a proposed ICA for voluntary acquisition of this property. Funding for this acquisition is being requested in closed session.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☐ _____

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COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Agreement between the Milwaukee Metropolitan Sewerage District and the Village of Brown Deer Regarding Voluntary Property Acquisition

Under this ICA, the Village will:

- Initiate and conduct all activities associated with purchasing the property and building removal.
- Provide updates to the District quarterly or more frequently if necessary on progress.
- Make a good faith effort to reduce the financial burden on the Village and District taxpayers and, whenever possible, apply for State or Federal grant funds to purchase the property and to meet all granting agency requirements.
- Obtain an appraisal of the property in accordance with Commission Policy 1-11.03, Executive Director-Real Estate, which will be the basis of property purchase negotiation.
- Follow all local and state requirements for completing building removal.
- Publicly bid the removal of buildings from the property.
- Own and maintain the property.
- Provide the District a recorded easement for the property.
- Keep records sufficient to define costs of the project.
- Invoice the District for costs incurred, less grant funding received.

The District will:

- Draft and execute an appropriate restrictive easement that keeps the property in undeveloped public ownership on property purchased.
- Routinely consult with Village officials.
- Reimburse the Village for acquisition and building removal costs. The ICA sets an upper dollar limit that the District will reimburse. This upper limit is identified in the associated closed session item.

RESOLUTION

Agreement between the Milwaukee Metropolitan Sewerage District and the Village of Brown Deer Regarding Voluntary Property Acquisition

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute an intergovernmental cooperation agreement between the Milwaukee Metropolitan Sewerage District and the Village of Brown Deer regarding the voluntary property acquisition of 9223 North Green Bay Road.