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2 FROM THE OFFICE OF JOSPEH J. CZARNEZKI  
3 MILWAUKEE COUNTY CLERK  
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5 County Ordinance No. 15-13  
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7 File No. 15-352  
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10 AN ORDINANCE  
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12 The Milwaukee County Board of Supervisors ordains the following:  
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14 **Section 1.** Chapter 21 of the Milwaukee County Code of General Ordinances is hereby  
15 created as follows:  
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17 **21.01 Policy**

18 Subject to Section 59.17(2)(b)3, Wisconsin Statutes, the Milwaukee County Board of  
19 Supervisors intends that it should be the policy of Milwaukee County to not just sell its  
20 assets for the highest price, but rather to seek development proposals which will provide  
21 the greatest future benefit in jobs, tax base, and image for the community, as well as a  
22 fair price, and further intends that it should be the policy of Milwaukee County that  
23 private developers, and their contractors and subcontractors, including both  
24 construction and end-use employers, benefiting from direct financial assistance on land  
25 being sold by the county for a project initiated after the effective date of this Chapter,  
26 should comport with the goals expressed in Sections 21.03 through 21.10 of this  
27 Chapter by incorporating appropriate terms in a development agreement.  
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29 **21.02 Definitions**

- 30 (1) Direct Financial Assistance, wherever used in Chapter 21, means any form of  
31 assistance, consistent with Section 104.001(3), Wisconsin Statutes, of an  
32 amount greater than or equal to one million dollars (\$1,000,000), provided to a  
33 recipient directly by the  
34 county in the form of loan rates below those commercially available, loan  
35 forgiveness or guarantees, bond financing or forgiveness, leases of land or real  
36 property, or other valuable consideration, or any other assets provided to develop  
37 real property, to foster economic development, or to create or retain jobs or for  
38 other similar purposes which inure to the benefit of the recipient.  
39 (2) Division, wherever used in Chapter 21, means the Economic Development  
40 Division of the Department of Administrative Services as defined in this  
41 subsection. For the purposes of Chapter 21, any successor, assignee,  
42 transferee, lessee, or any other contractor or sub-contractor of a Recipient  
43 employing people on the premises of a project covered by Chapter 21 shall be  
44 considered a Recipient.  
45 (3) Recipient, wherever used in Chapter 21, means an individual or business that  
46 receives Direct Financial Assistance as defined in this subsection. For the  
47 purposes of Chapter 21, any successor, assignee, transferee, lessee, or any

48 other contractor or sub-contractor of a Recipient employing people on the  
49 premises of a project covered by Chapter 21 shall be considered a Recipient.

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51 **21.03 Disadvantaged Business Enterprise (DBE)**

52 Recipients should comply with the DBE requirements set forth in Chapter 42 of the  
53 Milwaukee County Code of General Ordinances (MCCGO). The Office of Community  
54 Business Development Partners should assist in administering this provision.

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56 **21.04 Enhanced Apprenticeship and Training**

57 (1) When determined to be appropriate by the Division, Recipients should employ,  
58 and should require their contractors and subcontractors to employ, apprentices  
59 and on-the-job trainees in the performance of all construction contracts and  
60 subcontracts for the project entered into by the Recipient, contractor, or  
61 subcontractor in accordance with the maximum ratio of apprentices to  
62 journeyman established by the Wisconsin Department of Workforce  
63 development. In determining whether this requirement is appropriate, the  
64 division may consider the nature of the work, whether the construction contract  
65 is of short duration and whether their work will involve trades which do not have  
66 apprentices or on-the-job trainees from Milwaukee County.

67 (2) Recipients, contractors, and subcontractors subject to a requirement under sub  
68 (1) should be required to submit contract time reports showing compliance with  
69 any contract requirements imposed in accordance with this section at least every  
70 three months during the course of their work and within ten days following  
71 completion of their work.

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75 **21.05 Local Employment and Coordination**

76 The Division should determine the appropriate level of participation of county residents  
77 for the project to reflect the job or trade categories required for the project and the pool  
78 of available certified and qualified workers within each job or trade category. The total  
79 appropriate level of participation should be at a minimum 40 percent of the project's  
80 total worker hours, unless the Divisions' director determines there is sufficient reason to  
81 impose a lesser requirement.

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83 **21.06 Prevailing Wage**

84 Recipients and their contractors and subcontractors should be subject to prevailing  
85 wage and minimum wage requirements comparable to those set forth in Chapters 30  
86 and 111 of the Code for the duration of the development agreement.

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88 **21.07 Green Design**

89 Recipients should be certified under the Leadership in Energy & Environmental Design  
90 green building rating system or other national certification.

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92 **21.08 Safety**

93 Development agreements should include a community safety plan that includes efforts  
94 to improve the safety and security of the project area. The community safety plan may  
95 include, but is not limited to, development of a comprehensive safety and security plan,  
96 expansion and enhancement of existing secondary policing programs, installation of  
97 security cameras, and enhanced lighting in project area.

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99 **21.09 Annual Reports**

100 The Division shall compile data assembled by its own employees and provide an annual  
101 report to the County Board on compliance with the provisions of this chapter on or  
102 before October 1 of each year.

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104 **21.10 Monitoring Compliance and Enforcement**

105 (1) The Division should include monitoring and enforcement requirements in  
106 development agreements and require maintenance of appropriate records to  
107 document compliance.

108 (2) Development agreements should include a provision giving the Milwaukee  
109 County Office of the Comptroller – Audit Services Division or any other party  
110 the Division designates the right to demand an audit and examination of records  
111 to document compliance. Development agreements should provide sanctions  
112 and penalties for misconduct or failure to meet standards.

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114 **Section 2.** This ordinance shall become effective upon passage and publication.

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117 **Adopted by the Milwaukee County Board of Supervisors**  
118 **September 24, 2015**