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3 (ITEM) From the Director, Milwaukee County Zoo, requesting authorization to
4 amend Section 50.041 of the Milwaukee County Code of General Ordinances relative to
5 the Railroad and Specimen Trust Funds, by recommending adoption of the following:
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7

8 **A RESOLUTION/ORDINANCE**
9

10 WHEREAS, upon the transfer of the Washington Park Zoological Gardens to
11 Milwaukee County, the City of Milwaukee Park Board transferred to the Milwaukee
12 County Park Commission the balance of the so-called "specimen fund", comprised of
13 the revenues from the sale of animals and other small incomes at the zoo and used for
14 disbursements for the purchase of animals and expenses associated with such
15 purchases, such as freight expenses (per File No. 2491, Journal of Proceedings,
16 February 2, 1937, page 793); and
17

18 WHEREAS, the Milwaukee County Board of Supervisors (County Board)
19 approved the receipt and use of such specimen fund (per File No. 2491, Journal of
20 Proceedings, February 2, 1937, page 811); and
21

22 WHEREAS, the County Board accepted a donation from the Milwaukee Journal
23 and the Zoological Society of a miniature narrow gauge railroad and equipment (per File
24 No. 15872, Journal of Proceedings, May 15, 1956), upon the conditions set forth in said
25 resolution, reiterated in amended Section 50.041(1)(a) of the Milwaukee County Code
26 of General Ordinances (the Code) below, and established a Railroad Trust Fund for
27 those purposes; and
28

29 WHEREAS, the County Board approved the placement of revenues from rubber-
30 tired trains (also known as Zoomobiles) into the Railroad Trust Fund for the purposes
31 and on the conditions previously established (per resolution adopted on June 23, 1964,
32 Journal of Proceeding, page 908); and
33

34 WHEREAS, in 1989, the County Board previously adopted Section 50.041 of the
35 Code to transfer the funds from the Zoological Board of Trustees to the Treasurer and
36 to codify these funds (per File No. 89-86, Journal of Proceedings, pages 329-343,
37 February 16, 1989; and pages 393-94 and 499-500, March 16, 1989); and
38

39 WHEREAS, the Director, Milwaukee County Zoo, requests amending the Code in
40 order to codify and clarify the sources and uses of the Specimen and the Railroad Trust
41 Funds; and
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43 WHEREAS, the Committee on Parks, Energy, and Environment, at its meeting of
44 January 26, 2016, recommended adoption of the Director's request (vote 6-0); now,
45 therefore,
46

47 BE IT RESOLVED, the Milwaukee County Code of General Ordinances (the
48 Code) are hereby amended to clarify the sources and uses of the zoo's funds set forth
49 above; and

50
51 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors
52 herby amends Section 50.041 of the Code, by adopting the following:

53

54

AN ORDINANCE

55

56 The County Board of Supervisors of the County of Milwaukee does ordain as
57 follows:

58

59 **Section 1.** Section 50.041 is amended to read as follows:

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61 **50.041. – Zoo Railroad and Specimen Transfer of funds.**

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63 (1) The zoological director or designee shall maintain the following funds are hereby
64 transferred from the zoological board of trustees to the county treasurer. The zoological
65 director or designee shall, in consultation with the zoological society of the county, make
66 all decisions concerning the use thereof, subject to general supervision of the county
67 board.

68

69 (a) The zoo railroad fund established by the county board (Journal of
70 Proceedings, May 29, 1956, p. 682; June 23, 1964, p. 908). The fund shall receive all
71 revenues from the operation of the railroad and zoomobiles, and, in the discretion of the
72 zoo director, any other revenues from other zoo attractions and activities or unrestricted
73 donations. The fund may be used for expenditures for the following purposes and in the
74 following order of priority:-

74

(1) Defraying the cost of railroad operations;

75

(2) Replacement, additions, extensions and/or improvement of the
76 railroad, including its road bed and rolling stock;

77

(3) Purchase of additional train(s), when in the determination of the zoo
78 director patronage and public demand warrant it;

78

79

(4) Acquiring animals and related expenses and for the benefit and/or
80 improvement of the zoo, including additional attractions.

81

82 (b) The zoo specimen fund established by the county board (Journal of
83 Proceedings, February 2, 1937, p. 811). The fund shall receive revenues from the sale
84 of animals and, in the discretion of the zoological director or designee, the fund may
85 also receive revenues from zoo attractions and activities, other than from the operation
86 of the railroad and zoomobiles, and from unrestricted donations. The fund may be used
87 for expenditures for acquiring animals and related expenses, for the benefit and/or
88 improvement of the zoo, including staff education and development expenses, and for
89 expenses related to zoo conservation programs.

89

90 (2e) Other trust funds. The Railroad Trust Fund and the Specimen Fund (d) The zoo
91 specimen fund, including proceeds from the sale of surplus animals, shall be carried
92 over from one (1) year to the next.

93 (3e) The funds shall be invested by the county treasurer.
94 (4f) ~~Interest from funds.~~ Interest from investment income on the trust funds is to be
95 credited to the trust funds and not the county general fund.
96

97 **Section 2.** The provisions of this ordinance shall be effective upon passage and
98 publication.
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102 1/26/16
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