

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

**DATE:** September 1, 2022

**TO:** Shawn Rolland, Co-Chair, American Rescue Plan Act (ARPA) Taskforce  
Ricardo Diaz, Co-Chair, American Rescue Plan Act (ARPA) Taskforce

**FROM:** Aaron Hertzberg, Director, Department of Administrative Services  
Joe Lamers, Director, Strategy, Budget, and Performance

**SUBJECT:** An action report from the Directors of Department of Administrative Services and Office Strategy, Budget, and Performance requesting a recommendation to allocate \$20 million of ARPA funds for the purchase of a purpose-built Center for Forensic Science and Protective Medicine facility to house Milwaukee County's Offices of the Medical Examiner and Emergency Management

**REQUEST**

Requesting a recommendation to allocate \$20 million of ARPA funds for the planned purchase of a purpose build Center of Forensic Science and Protective Medicine (CFSPM) facility to house Milwaukee County's Offices of the Medical Examiner and Emergency Management.

**POLICY**

Milwaukee County Board file 21-555: "A resolution to create a Task Force to review and recommend funding allocations to the Milwaukee County Board of Supervisors for monies received by the County in the Federal American Rescue Plan Act of 2021". See the background section for reference to prior reports regarding the proposed CFSPM.

**PROJECT STATUS**

Milwaukee County is pursuing development of a Center for Forensic Science and Protective Medicine to be co-located with the State's Crime Lab on the Milwaukee Regional Medical Center (MRMC) campus. The County would occupy approximately 108,000 of the planned 200,000 square foot purpose-built facility. The facility would be constructed in collaboration with the Medical College of Wisconsin (MCW), construction provided by CD Smith Construction, Summit Smith Development and Royal Capital Group.

Occupying the County's portion of the building would be the Offices of the Medical Examiner and Emergency Management. After reviewing potential lease terms and the impacts of rising interest rates, both the State and County are individually considering purchase and sale agreements for acquisition of their condo withing the building upon completion of construction.

The current estimate for purchase and outfitting of the County's portion of the building is \$127,107,093. Of the total estimate, \$100,792,078 is allocated to purchase of the County share of shell costs and

County tenant improvements. The remaining \$26,315,015 is allocated for outfitting the County's furniture, fixtures, and equipment and for design and oversight to ensure the facility meets County needs and specifications. It should be noted that within the equipment budget funds are included to update much of the dated equipment in ME and OEM offices. Including the equipment upgrades, allows for replacement and installation within the new building layout and design. This would avoid costly replacement in existing facilities and help to ensure a more seamless transition to the new building without disruptions required to transfer equipment.

County space allocations are estimated as follows:

<b>Allocation</b>	<b>% of County Space</b>
Medical Examiner	51%
Emergency Management	22%
County Shared Space (ME & OEM)	13%
County share of Building Common Areas (State & County)	14%

Note: space allocations are not immediately transferable to share of building costs. Many shared and common areas would be necessary for each users, but costs are reduced by sharing across multiple users. Space allocations also don't account for equipment needs for each County user.

In August, the State of Wisconsin approved a commitment of \$99 million, subject of the finalization of deal documents, for acquisition of their share of the building. While each tenant would acquire their share of the building, the State and County would jointly manage the Condo Association, sharing in common area and overall building management.

Industry standards for the structural and security needs of the planned users from both the State and County are similar. This helps to justify the co-location model and sharing of site planning and development costs. Based on those the needed building standards, standard commercial styled office buildings should not be considered for financial comparison. As a purpose-built institutional building the projected life of the asset is in excess of 50 years with regular care and maintenance.

All parties are anxious to advance the project for a construction start in May 2023, with planned occupancy in the second quarter of 2025. The need to address the conditions of the current Medical Examiner space are urgent. Inflation of construction pricing and financing are also project drivers.

## **CURRENT CONDITONS**

The Medical Examiner ("ME") is currently housed at 933 W Highland Ave., in a 53,000 square foot 1974 facility converted from an abandoned hospital in 1989. Milwaukee County has been actively considering a new ME facility since 2012. In June 2016, the County ME submitted a report (File 16-393) to the Board of Supervisors which stated that the current ME facility "has deteriorated beyond its useful life and will need to be relocated to a new facility soon due to space limitations and the failure of current facilities to meet industry standards". A March 2019 Audit<sup>1</sup> was performed that in part reviewed the current condition of the existing facility. The Audit found numerous concerns that included: the lack of functioning showers in the locker room for all staff working on autopsies, climate control within the office due to a need to keep the toxicology lab temperature cold enough for the machines to not overheat, resulting in areas of the office being too cold for staff, air circulation that

may not be up to code, drainage of waste from autopsies to the sewage system, and flooding in basement.

The five divisions of the Office for Emergency Management (“OEM”) are currently situated in two separate locations – the Safety Building and leased space at 633 W Wisconsin Ave. The County 911 Center and OEM Radio Services are both housed in the Safety Building, which is substandard and planned to be demolished. To maximize efficiencies and public safety coordination, and to allow potential consolidation of county-wide Public Safety Access Points (“PSAPs”), all divisions must be co-located in a secure and larger environment that affords daily collaboration and an immediate and coordinated emergency response during a crisis. OEM’s specific needs and benefits of co-locating in the Center for Forensic Science and Protective Medicine were outlined in the November 2016 report to Board (File 16-721).

As detailed in File 17-298, a collaboration between Milwaukee County and MCW to establish a joint Center for Forensic Science and Protective Medicine could set a national model for forensic science and educational excellence that would benefit all southeast Wisconsin. A memorandum from the Milwaukee County Chief Medical Examiner and Director of the Office of Emergency Management dated October 4, 2018, has previously been presented outlining departmental benefits of colocation with the Medical College of Wisconsin and others in a CFSPM.

It is widely believed that additional opportunities for collaboration and enhance public service exist in the co-location model on the MPMC campus. Benefits to criminal investigations, disaster preparedness, and emergency response are anticipated. The state-of-the-art facility will also help to attract top-tier talent and create an improved environment for training, development, and retention.

## **FUNDING STRATEGY**

Milwaukee County is providing careful consideration of the funding strategy for the project. Multiple sources are being considered to mitigate the impact on taxpayers and to ensure the responsible use of available resources. As noted, in the “background” section below \$14,207,544 has been allocated for the project in prior capital budgets. While a significant funding needs gap remains, the commitment of the requested \$20 million in ARPA funds would further demonstrate Milwaukee County’s commitment to the project.

It should also be noted that the ARPA investment aligns with the County’s ARPA strategy to invest one-time funds to buy-down future costs. The need to address the existing facility conditions will not go away and will likely only increase in cost over time. This is a unique opportunity to develop multi-level government and public-private collaboration to enhance services to the community.

Staff is actively evaluating additional opportunities to reduce the project funding gap, including, but not limited to: additional capital fund allocations, partner contributions, an increase in medical examination fees (File 19-774), on-site parking revenues, sub-lease, use of reserves, and cost reduction opportunities.

## **BACKGROUND**

The concept of a joint facility for the Milwaukee County Offices of the Medical Examiner and Emergency Management and the State of Wisconsin’s Crime Lab was first presented to the Milwaukee County Board

as an informational report in 2016. In 2017, a study by the Public (Wisconsin) Policy Forum helped outlined the potential merits of the proposed co-location. Since the report the Milwaukee County has continued to explore a potential partnership with the Medical College of Wisconsin (MCW), the State and other potential partners.

In the 2019, 2020 and 2021 Budgets allocated capital funds for the planned project, recognizing that the cost of the County's portion of the project would be significant and in recognition of the growing need to act urgently to address the facility conditions of the current Medical Examiner offices.

In 2019, \$940,262 in 2019 (WC21401) was allocated from the capital budget for project planning and design. Those funds are currently being spent down as project planning continues. In 2020, \$11,191,328 was approved as part of the capital budget for the planned project (WC20901). The funds were held in contingency, subject to review of further plans and deal documents. In 2021, an additional \$3,016,216 was added to the capital allocation, subject to further reporting of the project status.

The original allocation included a request by the Board for the Office of the Comptroller to work with the Department of Administrative Services ("DAS") to perform a cost-benefit analysis of owning versus leasing a portion of the proposed new Center for Forensic Science and Protective Medicine Building ("CFSPM"). In addition, other alternatives such as the County constructing and owning the building and leasing a portion of the building to the Medical College of Wisconsin ("MCW") were examined and presented to the Board (File 19-625). The Office of the Comptroller and DAS were also requested by the Board to explore the status of the proposed State of Wisconsin Crime Lab for potential synergies of collocating the facility in or adjacent to the planned CFSPM. Those efforts have led to the proposed collaboration.

In May 2020, staff reported to the Board that as part of land sales at MRMC, 6 acres of land was reserved on the campus for development of the planned project in partnership with MCW (File 20-235). Additionally, in May, staff presented draft lease terms to the Finance Committee, but noted that negotiations regarding the project had been paused due to the on-going COVID-19 pandemic. The pause on negotiations allowed the County to re-evaluate the partner landscape and consider additional opportunities for funding (File 20-237).

In December of 2020, the State of Wisconsin's Department of Administration issued a request for proposals (RFP) for a new Milwaukee State Crime Laboratory. Milwaukee County had previously collaborated on response to a similar RFP for the State Crime Lab in 2016. The 2016 contract award was issued to another development team, but the project was never delivered. The reissuance of the RFP provided another opportunity for Milwaukee County to consider a co-location model for the CFSPM project with the State Crime Lab, which is widely viewed as a complimentary government function. A report outlining the benefits of co-location was prepared by the Public (Wisconsin) Policy Forum in 2017 (File 17-298).

MCW collaborated with design and construction partners to submit qualified response to the State's RFP co-locating the State and County uses on the land the County has reserved for the project on the MRMC Campus (File 21-262) The State has since awarded the RFP for advancement of the combined State/County facility.

The County Board has previously received information relevant to the project in the following reports:

- 16-393 – An informational report regarding a collaborative effort between the OEM, Office of the Medical Examiner, State of Wisconsin Department of Justice Crime Lab and the Medical College of the Wisconsin in creating a Forensic Science and Intelligence Center
- 16-721 – An informational report regarding Milwaukee County’s participation in the development of a collaborative forensic research facility
- 17-298 – An informational report regarding the Public Policy Forum report titled “Breaking New Ground?” Analyzing the potential for a public-private forensic science center in southeast Wisconsin
- 18-484 – An informational report regarding Milwaukee Regional Medical Complex land options
- 18-764 – From the County Executive, submitting the 2019 Recommended Budget (see Amendment 1B005 by Supervisor Lipscomb, Sr. amending Capital Project WC21401 – Forensic Science Center Phase 1)
- 19-625 – An informational report regarding Amendment 1B005 Center for Forensic Science and Protective Medicine
- 19-705 – An informational report on the Development of the Center for Forensic Science and Protective medicine, Recommending Transfer of \$660,00 from Allocated Contingency to Capital Improvement Project WC21401 - Forensic Science Center Phase 1
- 20-235 – An informational report regarding the sale of County owned land at 9201-9501 W. Watertown Plank Road and other lands at the Milwaukee Regional Medical Complex
- 20-237 – An action report on the Development of the Center for Forensic Science and Protective Medicine, Recommending Transfer of \$11,191,328 from Allocated Contingency to Capital Improvement Project WC20901 – Forensic Science Center
- 20-610 – An informational report presentation regarding the Center for Forensic Science and Protective Medicine including current Capital Projects WC21401 and WC20901 Phases I and II, respectively
- 21-262 – An informational report from the Director of Economic Development Division – Department of Administrative Services regarding capital Project WC20901 – Forensic Science Center Phase II as it pertains to Constructing a Facility for the Center for Forensic Science and Protective Medicine
- 22-855 – An informational report from the Director of Administrative Services regarding capital project WC20901 – Forensic Science Center Phase II as it pertains to constructing a facility for the Center for Forensic Science and Protective Medicine

## **ALIGNMENT TO STRATEGIC PLAN**

The planned project aligns closely to Milwaukee County’s Strategic Plan, advancing many of our strategic focus areas. The collaborative approach proposed helps to breakdown silos not only within County government, but also with our partners at the State Crime Lab and the health and education partners on the MRMC campus. This is major step forward to enhancing the quality of services provided by the County through the ME and OEM.

Proximity and partnership opportunities will better position all entities to understand and respond to critical health issues within our community including emergency and disaster preparedness and response. Many of the early reports on the project outline the value of the project in addressing issues like the on-going opioid epidemic. That remains true but is perhaps further understood in the context of the on-going Covid-19 pandemic. The planned CFSPM existed during the early phases of the pandemic, it likely would have served as a central nexus for the data collection, analysis, planning,

communication, and response. If completed, the facility will no-doubt serve a critical role in addressing future community health needs.

As has been widely documented, the impacts of epidemics, pandemics, disasters, and other emergencies, are often inequitable. An improvement in Milwaukee County's preparedness and response to such issues will be critical to addressing these inequities and the larger health disparities within our community.

It should also be noted that the purchase and sale agreement is intended to include community benefit goals, helping to ensure contracting to qualifying targeted businesses.

## **RECOMMENDATION**

**Requesting a recommendation to allocate \$20 million of ARPA funds for the planned purchase of a purpose build Center of Forensic Science and Protective Medicine facility to house Milwaukee County's Offices of the Medical Examiner and Emergency Management.**

*Aaron Hertzberg*

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Aaron Hertzberg, Director  
Department of Administrative Services

*Joe Lamers*

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Joe Lamers, Director  
Office of Strategy, Budget & Performance

cc: David Crowley, County Executive  
MaryJo Meyers, Chief of Staff, Office of the County Executive  
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