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A resolution by Supervisor Weishan, Jr., authorizing and requesting the Administrator, Department of Health and Human Services, Housing Division, develop a revolving loan fund to help residential property owners finance lead remediation as part of the Home Repair Program, authorizing a transfer of \$550,000 from Org. Unit 1945 Appropriation for Contingencies to Org. Unit 8000 Department of Health and Human Services, Housing Division, requiring remediation as a condition of sale of County-acquired tax-foreclosed properties with known lead contamination, and urging all County municipalities to create programs pursuant to 2017 Act 137, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the United Nations 2030 Agenda for Sustainable Development, Sustainable Development Goal 6.1 calls for, “By 2030, achieve universal and equitable access to safe and affordable drinking water for all”; and

WHEREAS, in 1991, the Federal Environmental Protection Agency began regulating lead pipes after many studies found serious health consequences of leaked lead in drinking water; and

WHEREAS, the Federal Centers for Disease Control and Prevention posits there is no safe blood lead level, particularly in children, and an October 2016 Wisconsin Council on Children and Families study titled, “Lead and Wisconsin’s Children,” reported Wisconsin Department of Health Services figures, which found the City of Milwaukee’s (the City) rate of lead poisoning for children aged less than six years to be 8.6 percent, higher than Flint, Michigan’s, 4.9 percent rate; and

WHEREAS, a May 2016 slideshow provided by the League of Wisconsin Municipalities found the following Milwaukee County (the County) municipalities with substantial lead service laterals:

Municipality	Lead Service Laterals	Total Service Laterals	Percentage Lead Laterals
City of Cudahy	1,244	5,457	22.8%
City of Milwaukee	70,000	162,405	43.1%
City of South Milwaukee	1,905	5,935	32.1%
City of Wauwatosa	8,655	16,728	51.7%
City of West Allis	6,689	19,581	34.2%
Village of Whitefish Bay	3,000	4,865	61.7%

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; and

WHEREAS, the County urged the State of Wisconsin (the State) to act on replacing residential lead service laterals in 2016 (File No. 16-376); and

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WHEREAS, the County further investigated creating a pilot grant program for residents in a section of the City (File No. 16-484), and set aside \$1,000,000 for lead abatement grants which lapsed to Org. Unit 1945 – Appropriation for Contingencies Account (File No. 17-789); and

WHEREAS, in response to File No. 16-484, the Director of Economic Development, Department of Administrative Services, recommended (File No. 17-199):

- The County align its focus to match that of the City and Milwaukee Water Works (MWW).
- The County pursue grant opportunities supporting lead poisoning remediation in lieu of direct cash grant contributions.
- The County further explore the potential of Property Assessed Clean Energy equity financing to address private property improvements.
- The County advise homeowners on lead paint remediation via a thorough risk assessment of the property.

; and

WHEREAS, in response to File No. 16-484, the County Comptroller recommended (File No. 18-214):

- The County study the feasibility of operating a lead paint assessment/remediation program within its Home Repair Program.
- The County seek non-Housing and Urban Development revenue for financing lead paint assessment, remediation, and program administration.
- The County continue discussions with MWW to determine how the County may further replacement of lead service laterals.

; and

WHEREAS, the County Home Repair Program, operated by the Housing Division, Department of Health and Human Services, with Federal Community Development Block Grant and Home Investment Partnerships Program dollars, provides low-interest loans to income-eligible County residents (with the exception of the residents of the City, the City of West Allis, and the Village of River Hills), including for lead risk assessments and lead paint, lead plumbing, and lead service lateral abatement; and

WHEREAS, in February 2018, the State passed 2017 Act 137, which enabled local water utilities to, upon creation of a local ordinance and successful application to the Public Service Commission (PSC), provide financial assistance for lead-based customer-side water service lines via Section 196.372, Wisconsin State Statutes (State Statutes); and

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WHEREAS, as of June 2019, the City of Kenosha was the only municipality in the State to completely fulfill the requirements of Section 196.372, State Statutes, while the Cities of Kaukana and Menasha had begun the application process; and

WHEREAS, the City Superintendent of MWW reported to the City Common Council Public Works Committee in March 2019, that it was crafting a proposal for Common Council approval regarding an application to the PSC, pursuant to Section 196.372, State Statutes; and

WHEREAS, the County supports protecting the health and general welfare of the people of the County with the mechanisms enabled by the State; and

WHEREAS, the Committee on Transportation, Public Works, and Transit, at its meeting of September 4, 2019, recommended adoption of File No. 19-727 (vote 5-0); now, therefore,

BE IT RESOLVED, Milwaukee County (the County) authorizes and directs the Housing Division, Department of Health and Human Services (DHHS), to expand the Home Repair Program to allow any County resident, regardless of income, to have access to a low-interest revolving loan program for the sole purpose of lead abatement, and whose additional administrative costs shall not exceed 10 percent; and

BE IT FURTHER RESOLVED, the Office of the Comptroller and Department of Administrative Services are authorized and directed to process an administrative transfer of \$550,000 from Org. Unit 1945 -- Appropriation for Contingencies, to create an account in Org. Unit 8000 – Housing Division, DHHS, to cover costs related to expanding the County Home Repair Program by creating a revolving loan program; and

BE IT FURTHER RESOLVED, it is the policy of the County that upon condition of sale on a County-acquired tax-foreclosed property, if the presence of lead contamination hazardous to human health is a known issue, that the purchaser must agree to resolve the contamination to make the property fit for human habitation; and

BE IT FURTHER RESOLVED, the County urges all its municipalities containing lead service laterals to create programs and adopt local ordinances pursuant to Section 196.372, Wisconsin State Statutes (2017 Act 137), and the Office of Government Affairs staff is authorized and requested to communicate the contents of this resolution to the legislatures and executives of all County municipalities; and

BE IT FURTHER RESOLVED, the County Clerk is requested to provide this resolution to the legislatures and executives of all County municipalities.

kae
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