



Attachment FPO - 2

MILWAUKEE AREA TECHNICAL COLLEGE DISTRICT BOARD FINANCE, PERSONNEL, AND OPERATIONS February 1, 2010

CALL TO ORDER

The Special meeting of the Finance, Personnel, and Operations Committee of the Milwaukee Area Technical College District Board was held in open session on Monday, February 1, 2010, and called to order by Director Peter Earle at 3:01 p.m. in the Board Room, Room M210, at the Milwaukee Campus of Milwaukee Area Technical College.

ITEM A: ROLL CALL

Present: Mr. Thomas Michalski, Mr. Fred Royal (via phone), and Mr. Peter Earle

ITEM B: COMPLIANCE WITH THE OPEN MEETINGS LAW

The Finance, Personnel, and Operations Committee meeting was noticed in compliance with the Wisconsin Open Meetings Law.

ITEM C: **Consideration of MATC's Position Regarding the Proposed Amendment to City of Milwaukee Tax Incremental District (TID) No. 34, Third Ward Riverwalk, and Similar TID Proposals**

Discussion: Mr. Michael Sargent, vice president, Finance, provided background information to the proposed amendment to City of Milwaukee TID No. 34, Third Ward Riverwalk and the two underlying ordinances that had been passed enabling this type of amendment. The first ordinance allows all City of Milwaukee TIDs scheduled to mature in 2010 and 2011 to be extended to pay for road maintenance already scheduled to take place over the course of the next six years within the affected TIDs and their surrounding one-half mile radii. The second ordinance would allow new City of Milwaukee TIDs to include a provision requiring TID monies to pay for scheduled road maintenance within the affected TIDs and their surrounding one-half mile radii.

According to Mr. Sargent and Janice Falkenberg, general counsel, a question has been raised as to whether the proposed amendment to TID 34 meets the "but-for" test as required by statute since the road maintenance has already been scheduled and did not contemplate the establishment of a TID for funding. As a state agency, MATC could request the legal opinion of an attorney general on the matter of the appropriateness of the proposed amendment and underlying City ordinances

Mr. Sargent reported that TID No. 34 currently has a surplus of \$2 million. MATC and the other four City of Milwaukee taxing authorities would temporarily forego this money if the amendment passes. Mr. Earle added that in the event of this amendment passing, the City of Milwaukee would be setting a precedent for the diversion of tax dollars from educational institutions to scheduled road maintenance.

Motion: It was moved by Mr. Royal, seconded by Mr. Michalski, that Milwaukee Area Technical College pursue legal review by the State Attorney General of the lawfulness

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of the amendment to the City of Milwaukee Tax Incremental District (TID) No. 34,
Third Ward Riverwalk, and the two enabling ordinances.

Action: Motion approved.

ADJOURNMENT

The Committee adjourned at 3:30 p.m.

Respectfully submitted,

Karen M. Esche-Eiff

Karen M. Esche-Eiff
Administrative Specialist, Finance