

**Common Council
of the
City of Waukesha, Wisconsin**

Resolution No. 2022 – _____

**Resolution Creating Tax Incremental Finance District 31,
Approving Its Project Plan and Establishing Its Boundaries**

Whereas the City of Waukesha, referred to herein as the City, has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

Whereas proposed Tax Incremental District 31, referred to herein as the District, is a district in need of rehabilitation or conservation work as defined in Wisconsin Statutes §66.1105, the Tax Increment Law; and

Whereas a Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number, and location of all proposed public works or improvements within the District or outside of the District as provided in Wisconsin Statutes §66.1105(2)(f)1.k. and §66.1105(2)(f)1.n.;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time at which the related costs or monetary obligations will be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes, and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the District promotes the orderly development of the City;
- k. An opinion of the City Attorney advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f); and

Whereas prior to its publication, a copy of a notice of a public hearing to be held on September 28, 2022 was sent to the chief executive officers of Waukesha County, the Waukesha School District, and the Waukesha County Area Technical College District, and all other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

Whereas prior to its publication, a copy of the notice of public hearing was also sent to the owners of all property in the proposed District; and

Whereas in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on September 28, 2022 held a public hearing concerning the project plan and boundaries and proposed creation of the District, providing interested parties a reasonable opportunity to express their views thereon; and

Whereas after said public hearing, the Plan Commission designated the boundaries of the District, adopted the Project Plan, and recommended to the Common Council that it create the District and approve the Project Plan.

Now, therefore the Common Council of the City of Waukesha hereby resolves that:

1. City of Waukesha Tax Incremental District 31 is created, effective January 31, 2023, with boundaries as shown in Exhibit A attached to this resolution.
2. The Common Council finds and declares that:
 - a. Not less than 50% by area of the real property within the District is in need of rehabilitation or conservation work within the meaning of Wisconsin Statutes §66.1337(2m)(b).
 - b. Based upon the finding stated in subsection 2.a., above, the District is declared to be a district in need of rehabilitation or conservation work based on the identification and classification of the property included within the District.
 - c. The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - d. The equalized value of the taxable property in the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - e. That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.
 - f. The City estimates, as required by Wisconsin Statutes §66.1105(5)(b), that none of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

- g. The project costs relate directly to promoting the rehabilitation or conservation of the area consistent with the purpose for which the District is created.
- 3. The Project Plan for Tax Incremental District 31, City of Waukesha, attached hereto as Exhibit B, is approved, and the Common Council further finds the Plan is feasible and in conformity with the master plan of the City.

Be it further resolved that the City Clerk-Treasurer is authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a Determination of Tax Incremental Base as of January 1, 2023, pursuant to the provisions of Wisconsin Statutes §66.1105(5)(b).

Be it further resolved that pursuant to Wisconsin Statutes §66.1105(5)(f) the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45 those parcels of property that are within the District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Wisconsin Statutes §70.65.

This Resolution was passed and adopted by the Common Council of the City of Waukesha this 18th day of October 2022.

Shawn N. Reilly, Mayor

Gina L. Kozlik, City Clerk-Treasurer