Redevelopment Authority of the City of Milwaukee

Resolution No.:	10372
Adopted on:	September 20, 2012
Project Area:	Park East
Aldermanic District:	3rd

Resolution authorizing up to a $1,000,000 loan from the EPA Brownfield Revolving Loan Fund to Park East Two, LLC to be used on properties at 406 E. Ogden Ave., 415 E. Lyon St., 1425 N. Jefferson St., Milwaukee, Wisconsin.

Whereas, the Environmental Protection Agency (EPA) has awarded $8.45 million dollars in total Brownfield Revolving Loan Fund (BRLF) funding to the Authority for the purpose of making loans and subgrants in support of environmental cleanup on brownfield properties in Milwaukee; and

Whereas, For the Authority to utilize EPA revolving loan funds to finance environmental remediation for a property outside an urban renewal area, the property must be found to be blighted pursuant to Section 66.1333(5)(c), Wisconsin Statutes, which enables the Redevelopment Authority of a first class city to declare property blighted without designating a boundary or adopting a redevelopment plan; and

Whereas, the properties at 406 E. Ogden Ave., 415 E. Lyon St., 1425 N. Jefferson St., Milwaukee, Wisconsin, are located on approximately 3 acres in the Park East redevelopment area. The properties are contaminated with metals, polycyclic aromatic hydrocarbons, and volatile organic compounds in the soil and groundwater. The contamination at these properties meets the statutory blight definition and are therefore eligible candidates for remediation using EPA loan funds; and

Whereas, Park East Two, LLC is constructing a commercial development with a total estimated investment of $22.1 million, and

Whereas, the EPA loan funds can be loaned at a lower interest rate than Park East Two, LLC can secure through other financing and helps ensure project feasibility; and

Whereas, the term sheet attached hereto contemplates the Authority and Park East Two, LLC are entering into a loan agreement for $1,000,000 for environmental remediation; and

Whereas, the current owner of the land, Park East Square, LLC, waived its right on August 7, 2012 to the statutory public notice pursuant to the provisions of Section 66.1333(5)(c) of Wisconsin Statutes and a Public Hearing on the blight designation; and

Whereas, To comply with federal National Environmental Protection Act (NEPA) requirements, loan recipients must consider the advantages and disadvantages of various remedial options, consider public comments, and choose a preferred remedial option; and

Whereas, the remedial options at these properties includes a combination of engineered barriers institutional controls, and soil excavation as the most time efficient and cost efficient remedial action approach to protect human health, achieve case closure and support the proposed future use of the property; now, therefore be it

Resolved, By the Redevelopment Authority of the City of Milwaukee that the properties at 406 E. Ogden Ave., 415 E. Lyon St., 1425 N. Jefferson St., Milwaukee, Wisconsin, are found to be blighted pursuant to Section 66.1333(2m)(bm), Wisconsin Statutes by virtue of their environmental condition, for the purpose of using EPA revolving loan funds to finance the remediation; and, be it

Further Resolved, that the Authority will provide a $1,000,000 loan from its EPA Revolving Loan Fund to Park East Two, LLC for site remediation; and, be it

Further Resolved, that the preferred remedial option for the properties identified in the attached Analysis of Brownfield Cleanup Alternatives is authorized; and, be it

Further Resolved, That the proper officers of the Redevelopment Authority are authorized and directed to take all necessary actions and provide necessary assistance needed to carry out the intent and purpose of this resolution and Revised Term Sheet.

CERTIFICATION

I certify that the forgoing is a true and exact copy of a resolution adopted by the Redevelopment Authority of the City of Milwaukee, WI on the date set forth above.

(seal)

David P. Misky
Assistant Executive Director – Secretary