

CITY OF RACINE, WISCONSIN

REDEVELOPMENT AUTHORITY RESOLUTION 19-22

Approval of Memorandum of Understanding with Racine County regarding access to tax delinquent properties

WHEREAS, § 75.377 of the Wisconsin Statutes allows the County or a person authorized by the County to enter any real property for which a tax certificate has been issued under § 74.57 of the Wisconsin Statutes (the “Tax Delinquent Properties”), to determine the nature and extent of environmental pollution, as defined in § 299.01 (4) of the Wisconsin Statutes; and

WHEREAS, the perception or actual presence of environmental pollution at Tax Delinquent Properties tends to contribute to the likelihood that such properties will remain tax delinquent and contribute to and perpetuate blight in the community; and

WHEREAS, the Redevelopment Authority has established programs to enter properties for the purpose of investigating and cleaning up environmental contamination and to eliminate blight and encourage the sale, redevelopment and return to productive use of blighted property; and

WHEREAS, the Redevelopment Authority has no means of legal access to tax delinquent properties other than permission of the owner and court issued inspection warrant, which are difficult or impossible to obtain; and

WHEREAS, Racine County has resolved, by Resolution No. 2019-21 of the County Finance and Human Resources Committee (“County Resolution 2019-21”), to sign a Memorandum of Understanding in substantially the same form as set forth in County Resolution 2019-21 (the “MOU”); and

WHEREAS, the MOU would allow the RDA and its designees to enter all Tax Delinquent Properties at the RDA’s sole risk and expense, as the County’s designee under § 75.377 of the Wisconsin Statutes, in order to facilitate the orderly assessment, cleanup and return to the tax rolls of as many Tax Delinquent Properties as possible in the City of Racine, and

WHEREAS, the Redevelopment Authority has reviewed County Resolution 2019-21 and the Memorandum of outside counsel regarding “Considerations for MOU on Access to Properties” and finds the terms and conditions of the MOU to be reasonable under the circumstances for entry to Tax Delinquent Properties on a case-by-case basis to determine the nature and extent of environmental pollution, as defined in § 299.01 (4) of the Wisconsin Statutes.

BE IT THEREFORE RESOLVED, that the Redevelopment Authority approves the terms and conditions of the MOU and all exhibits thereto in substantially the same form as set forth in County Resolution 2019-21; and

FURTHER RESOLVED, that the Redevelopment Authority authorizes and directs the Chair or Vice Chair to execute the MOU in substantially the same form as set forth in County Resolution

2019-21 upon receipt of the City Council's resolution in support of the RDA signing the MOU in substantially the same form as set forth in County Resolution 2019-21 and upon receipt of the City Attorney's approval of the final MOU documents;

FURTHER RESOLVED, that upon full execution of the final MOU documents the Executive Director is authorized and directed to access Tax Delinquent Properties in accordance with the MOU at the Executive Director's discretion as consistent with the priorities established or approved by the Redevelopment Authority or upon further directive of the Redevelopment Authority.

Fiscal Note: The RDA will expend funds to enter properties pursuant to the MOU, but the majority of those costs are generally covered by site assessment grants from the federal government.

Adopted on: July 18, 2019 *Seal*

By a Vote of

For:	0
Against:	0
Abstain:	0

Attest:

Amy Connolly, AICP
Executive Director/Director of City Development