

**MEETING MINUTES OF  
MILWAUKEE 440<sup>TH</sup> LOCAL REDEVELOPMENT AUTHORITY (LRA)  
NOVEMBER 6, 2007 AT 2:30 P.M.  
GENERAL MITCHELL INT'L AIRPORT SIJAN CONFERENCE ROOM  
5300 S. HOWELL AVE., MILWAUKEE, WI 53207**

**PRESENT:** Brian Dranzik, Milwaukee County, LRA Vice-Chair; Rocky Marcoux, City of Milwaukee, LRA Treasurer; Tony Snieg, Milwaukee County General Mitchell Int'l Airport, LRA Secretary; Dave Misky, City of Milwaukee, LRA Board Staff

**EXCUSED:** Jeff Polenske, City of Milwaukee, LRA Chair

**ATTENDEES:** Craig Seymour, RKG Associates; Ernesto Chacon, Office of Governor; Bill Jasinski, 128<sup>th</sup> Air Refueling Wing/CES; Barry Bateman, Milwaukee County, GMIA; Lynn Boese, DOD – OEA; Pete Jaskulski, Milwaukee County Sheriff's Office; Aaron Klug, 440<sup>th</sup>/CEV; Lou Mangold, 440<sup>th</sup>/CEC; Mike Sargent, MATC; Sherrie Tussler, Hunger Task Force; Shawn Niessen, Milwaukee County, GMIA; Wendy Domoracki, Sterling Aviation.

Vice-Chairman Dranzik called the meeting to order at 2:40 p.m.

### **Introductions**

Dranzik asked all in attendance to identify themselves for the group.

### **Agenda Review / Repair**

No changes were made.

### **Approval of Minutes from October 23, 2007 Meeting**

Snieg made a motion to approve the draft of the minutes from the October 23, 2007 meeting. Dranzik seconded the motion. All were in favor. Motion passed.

### **Recommendation of Working Group to Retain Legal Counsel**

The legal counsel proposal review working group included Snieg and Misky of the LRA Board, Tim Karaskiewicz of Milwaukee County, Tom Gartner of the City of Milwaukee, and Larry Glusman from the local law firm Freiber, Finerty & St. John, SC. After a review of the proposals and subsequent telephone interviews, Kutak Rock LLP emerged as the group's recommendation to become the LRA's legal counsel. Misky cited the firm's significant experience with a wide range of legal issues surrounding base closures – more specifically Kutak's experience with bases adjacent to airports - as the determining factor. A summary of the working group's scoring was distributed to LRA Board members. The working group's strong recommendation is to enter into negotiations with Kutak Rock using Redevelopment Authority

of the City of Milwaukee (RACM) contracting authority. Although it is not anticipated, in the event that negotiations are unsuccessful, negotiations would move to the firm scoring next highest.

Marcoux asked if Kutak would be able to meet the RACM Procurement DBE requirements of 20 percent. Misky stated this would not be a problem, as Kutak has reportedly met similar requirements for other contracts and intends to utilize local firms that will help to meet the DBE goal.

It is critical to retain legal counsel soon. Misky informed the group that Kutak is available to come out within the next week or two to visit the base and meet with the LRA Board. Federal grant funding is already in place. Misky is unsure if the Intergovernmental Agreement between the LRA and RACM will need to be amended. He asked the Board to give him authority to include in the LRA's Memorandum of Understanding (MOU) with RACM, the recommendation of Kutak Rock to become the legal counsel, and to enable RACM to execute a contract on behalf of the LRA. Boese cautioned that whoever enters into the contract agreement becomes the client. Although the RACM MOU already covers many issues of authority, it appears that authority to contract for legal counsel needs to be granted explicitly, aside from the authority previously granted for contracting with the planning consultant. Legal clarification is needed. Misky will solicit an opinion from Gartner to avoid any missteps in the process.

Marcoux moved to amend the RACM MOU to allow RACM to contract on behalf of the LRA for legal services, and to include the LRA's recommendation of Kutak Rock. Dranzik seconded. All were in favor. Motion passed.

Marcoux made a motion for the LRA to vote on a contract with Kutak Rock at the next meeting or, if an agreement as to the contract terms cannot be reached, to move forward in negotiating with the next highest scoring legal firm. Dranzik seconded. All were in favor. Motion passed.

### **City Council Communication File**

Misky and Seymour made a presentation before the City of Milwaukee Zoning and Neighborhood Development Committee. The Committee keeps a communication file similar to that of Milwaukee County, so the same documents were placed on file. All information was received without significant challenges; however, the Committee does want to receive regular updates of the LRA's progress.

Once the LRA has made its decisions on a reuse plan, resolutions will need to be approved by the Milwaukee County Board of Supervisors as well as the Common Council of Milwaukee.

### **Airline Meeting on November 6, 2007**

Snieg explained to airline representatives the long-term benefits of a Public Benefit Conveyance of 440<sup>th</sup> property to the airport. Airline approval is needed for the airport to use retained airline revenues to temporarily cover anticipated property operating and maintenance costs until leasing revenues are sufficient for the property to become self-sustaining. Although the airlines were

receptive to the concept during the meeting, economic struggles currently experienced by the airlines could influence their decisions. A ballot has been sent to each airline. The voting deadline is November 30, 2007. If the vote is in favor, Snieg will draft a report for the Transportation, Public Works, & Transit Committee for its December 5, 2007 meeting.

## **AFRPA Update**

### Environment Assessment vs. Environmental Impact Study

The AFRPA has informed Misky that they have decided to go with the simpler Environmental Assessment as a more comprehensive Environmental Impact Study will be done later, at the time of the planned runway expansion.

### Caretaker Contract

Adam Antwein and Chris Morris are the AFRPA representatives working on the caretaker contract. Antwein informed Misky that other groups have laid claim to some additional items on the Personal Inventory List. If the LRA accommodates any late requests for inventoried property, it will set a potentially difficult precedent since this would pave the way for additional requests over time. Marcoux cited the minutes of the last LRA meeting, which documented the formalization of LRA intent to acquire all of the items appearing on the inventory list originally provided to by the AFRPA. Colonel Bowen, of the 440<sup>th</sup>, needs to be notified.

Misky stated that the AFRPA would like to have the caretaker RFP out by December, and have a contract in place by January 20, 2008. If the LRA wins the caretaker contract, the actual performance of caretaker duties will need to be sub-contracted. Seymour noted that, as a Federal acquisition, it might fall under special business contracting rules that could affect the ability of the LRA to contract or sub-contract for caretaker services. Snieg pointed out that the airport is looking to fill a vacant Business Manager position that will be assigned to handle the properties management functions for the LRA. That person would be able to execute contracts; however, the position will probably not be filled until after January. Bateman agreed to have airport staff execute contacts when and if appropriate. Schlossberg, of Kutak Rock, has experience and will be knowledgeable about any of these contracting issues.

## **Other**

### Access / Security Fencing

The 128<sup>th</sup> National Guard has inquired about access to its property north of the base. Snieg emphasized the need for security fences at the north end of the base property to prevent unauthorized access to the airfield. This is a critical security issue. Although Seymour has been talking with Antwein and Morris about some of these issues, Snieg will invite them to tour the base to provide a more accurate perspective on where things are and what challenges exist. This will hopefully be helpful for them when writing specifications to be included in the caretaker RFP.

## Building 205

Seymour obtained some detailed information from Lou Mangold about Building 205. He will share this information with Tussler, of the Hunger Task Force, to help the group to evaluate that piece of the 440th property in terms of appropriateness for their use.

## **Next Meeting**

November 20, 2007 at 2:00 p.m. in the General Mitchell International Airport's Sijan Conference Room.

## **Adjournment**

This meeting was adjourned at 3:14 p.m.