

LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

MARCH 11, 2010

Item 10, File #091462

File Number 091462 is a resolution authorizing the transfer and expenditure of \$1,167,970 in capital funding for Riverwalk accessibility improvements.

Background

1. On March 31, 1994, the Common Council adopted File Number 931824, a resolution that approved the creation of Business Improvement District No. 15 (“BID 15”) and also approved the BID’s initial operating plan. This operating plan established a development scheme and funding mechanism for the construction of a series of riverwalks and related amenities along the Milwaukee River in Downtown Milwaukee.
2. The City and the BID entered into a Riverwalk Development Agreement, dated May 23, 1994, to construct the Riverwalk system consistent with the framework established in the initial operating plan.
3. In 2006, the City, BID 15 and the U.S. Department of Justice executed an agreement that requires the City, in conjunction with the BID, to improve 9 segments of the Riverwalk to make them fully compliant with the Americans with Disabilities Act.
4. The BID 15 Riverwalk Development Agreement has been amended 14 times. The most recent amendment, approved through Common Council adoption of File Number 081443 on March 3, 2009, increased the total project budget for the accessibility improvements from \$1.5 million to \$4,797,473 to reflect changes in project scope and higher-than-anticipated costs.

Discussion

1. BID 15 has agreed to contribute 22% of the cost of making the Riverwalk accessibility improvements, the same share it pays for the standard Rivewalk development program. However, for one of the 9 segments receiving accessibility improvements (the Mason Street landing), all costs will be paid by the City, as this is City-owned property.
2. The adopted 2009 City Budget provided \$724,000 in a new ADA Riverwalk Construction capital account for the City’s share of the costs of this project. An additional \$1,167,970 is included in the 2010 Budget. This funding supplements the \$1.5 million that had been previously earmarked in the Department of City Development’s Development Fund capital account for ADA Rivewalk improvements.
3. This resolution directs the City Comptroller to transfer the \$1,167,970 in capital funding provided in the 2010 Budget for the ADA Riverwalk construction project from the parent account to a project account. This will enable the Department of City Development to

expend these funds for payment of the City's share of accessibility improvements to be constructed in 2010.

4. This resolution also directs the City Comptroller to transfer the \$724,000 provided in the 2009 capital budget to the appropriate account to make it available for payment of the City's share of accessibility improvements to be constructed in 2009.
5. To date, accessibility improvements have been completed on 3 of the 9 segments -- at the Iroquois boat landing site, the foot of Mason Street and adjacent to the Usinger's parking lot. A 4th project -- a waterside ramp adjacent to the Steinmeyer Building -- is currently underway. Two other projects are planned for 2010, a ramp or lift adjacent to the Rock Bottom restaurant and a lift near the "Fonzie" statue just south of Wells Street.
6. The Department of City Development has indicated that the U.S. Department of Justice requires completion of all Riverwalk ADA compliance improvements by July 1, 2012.

Fiscal Impact

1. This resolution authorizes the transfer and expenditure of \$1,167,970 from the Department of City Development's ADA Riverwalk Construction capital account for accessibility improvements on various Riverwalk segments in 2010.
2. The estimated total cost of this project is \$4,797,473. These costs will be paid as follows:

City (Development Fund)	\$1,500,000
City (2009 special capital account)	\$724,000
City (2010 special capital account)	\$1,167,970
BID 15 (22% of costs; 8 of 9 segments)	\$910,714
<u>City balance (source(s) yet to be determined)</u>	<u>\$494,789</u>
TOTAL	\$4,797,473

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