

..Number

211413

..Version

PROPOSED SUBSTITUTE

..Reference

141123

..Sponsor

THE CHAIR

..Title

Substitute resolution approving an operating agreement for staging of the 2022 Milwaukee Marathon in the city of Milwaukee.

..Analysis

This resolution authorizes an operating agreement with Milwaukee Marathon LLC for the staging of the 2022 Milwaukee Marathon in the city of Milwaukee on April 2, 2022.

..Body

Whereas, Milwaukee Marathon LLC, a Wisconsin limited liability company whose address is 85 Devonshire St., Floor 9, Boston, MA 02109, desires to stage on April 2, 2022, a marathon, half-marathon, and 5K distance-running event named the 2022 Milwaukee Marathon; and

Whereas, The City has entered into operating agreements with previous organizers for the staging of the previous versions of the Milwaukee Marathon; and

Whereas, As with the previous events, the 2022 Milwaukee Marathon's route is proposed to be entirely within the geographic boundaries of the city; and

Whereas, The staging of the 2022 Milwaukee Marathon requires significant City resources, particularly Milwaukee Police Department and Department of Public Works resources relating to traffic control before, during and after the event; and

Whereas, The Department of Public Works does not have sufficient traffic control equipment needed for the event; and

Whereas, By Resolution File Number 141123, adopted on November 25, 2014, the Common Council found that City taxpayers should not bear the costs of City services provided to support the Milwaukee Marathon, but, rather, that the City should fully recover those costs from the event organizer; and

Whereas, The Commissioner of Public Works is authorized to approve or deny special event permit applications according to the criteria set forth in s. 105-55.5-2-c-1 to c-11 of the Code of Ordinances; and

Whereas, The Commissioner of Public Works has determined that in the absence of an operating agreement, a special event permit would not meet the criteria in s. 105-55.5-2-c-1 because the 2022 Milwaukee Marathon is of such a size or nature requiring the

diversion of so great a number of police officers, ambulances or other emergency services as to deny reasonable emergency services to the city as a whole; and

Whereas, The Commissioner of Public Works has determined that in the absence of an operating agreement, a special event permit would not meet the criteria in s. 105-55.5-2-c-2 because the time, route, size and nature of the 2022 Milwaukee Marathon will unreasonably disrupt the safe and orderly use of any street or any public, or material portion thereof, which is ordinarily subject to great congestion or traffic at the proposed time, or substantially interrupt the safe and orderly movement of other traffic; and

Whereas, The Common Council reaffirms its finding that City of Milwaukee taxpayers should not be required to bear the costs of City services provided to support the 2022 Milwaukee Marathon, but, rather, that the City should fully recover those costs from Milwaukee Marathon LLC; and

Whereas, The City Attorney's Office has prepared the attached operating agreement for the Common Council's review and approval; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the attached proposed operating agreement between the City of Milwaukee and Milwaukee Marathon LLC for staging of the 2022 Milwaukee Marathon is approved; and, be it

Further Resolved, That the proper City officials are authorized to execute an operating agreement with Milwaukee Marathon LLC that is substantially the same as the draft operating agreement attached to this file.

..Requestor  
Department of Public Works  
..Drafter  
TDM:tdm  
1047-2020-1482:278016v3

LRB 177154-2  
Teodros W. Medhin  
1/4/2022