



Department of City Development

Housing Authority
Redevelopment Authority
City Plan Commission
Historic Preservation Commission
NIDC

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

April 29, 2005

Mr. Ronald D. Leonhardt
City Clerk
City Hall, Room 205
Milwaukee, WI 53202

Dear Mr. Leonhardt:

Enclosed is a fully executed original of a Cooperation Agreement identified as Contract No. 03-144, dated March 23, 2005, between the City of Milwaukee and the Historic Third Ward Association for the preparation of planning and design guidelines for the Historic Third Ward.

Please insert this agreement into Common Council Resolution File No. 010679, adopted October 12, 2001 and 021016 adopted November 26, 2002.

Sincerely,

RM
Rocky Marcoux
Commissioner

Enclosure

**COOPERATION AGREEMENT
FOR PREPARATION OF
PLANNING AND DESIGN GUIDELINES FOR THE HISTORIC THIRD WARD
MILWAUKEE, WI**

This Agreement, dated this 23RD day of MARCH, 2005, is entered into by and between the City of Milwaukee ("City"), a municipal corporation, and the Historic Third Ward Association ("Historic Third Ward").

WITNESSETH:

WHEREAS, the parties have determined that planning and design guidelines are needed to guide the further development of the eastern portion of the Historic Third Ward in the City of Milwaukee; and

WHEREAS, the parties have determined the scope of work to be completed, methods to be used, products to result, and likely costs associated with neighborhood planning and design guidelines for the area; and

WHEREAS, the City, by Common Council Resolution File No. 010679, adopted October 12, 2001 and 021016, adopted November 26, 2002, has approved this Agreement and authorized the proper City officers to execute this Agreement on the City's behalf and provided funds for the City's portion of the cost.

NOW, THEREFORE, the parties for good and sufficient consideration as herein expressed, agree as follows:

**ARTICLE I
CITY ACTIVITIES**

The City, agrees to assist in the preparation of the plan and design guidelines by:

- A. Maintaining close liaison with the Historic Third Ward and its consultant through the City's Commissioner of City Development ("Commissioner") or designee;
- B. Promptly completing the review and approval of study reports so as not to delay work in progress ;
- C. Providing such data, maps, and relevant studies as exist in its files and are needed by the Historic Third Ward Association for the preparation of the plan and guidelines;

- D. Participating with the Historic Third Ward Association in the public involvement activities associated with plan and design guidelines preparation, in particular, with outreach to residents and interested businesses, organizations and institutions; and
- E. Providing up to one-half the cost of the plan and design guidelines preparation described in Article II of this Agreement, in an amount not to exceed \$40,000.00.

**ARTICLE II
HISTORIC THIRD WARD ACTIVITIES**

The Historic Third Ward Association agrees to assist in the preparation of the plan and design guidelines by:

- A. Maintaining close liaison with the City through the City's Commissioner of City Development (or designee);
- B. Obtaining the City's approval of any request for proposals, scope of work, and any consultants to be retained for the plan and design guidelines;
- C. Obtaining the City's review and approval of draft and final reports on the analysis; and
- D. Providing up to one-half the cost of the plan and design guidelines preparation described herein, in an amount not to exceed \$40,000.00.

**ARTICLE III
TIME OF PERFORMANCE**

The parties shall attempt to complete the activities described herein on or before November 20, 2005. The time of performance under this Agreement may be extended by mutual consent of the parties.

**ARTICLE IV
RECORD KEEPING AND RECORD ACCESS**

- A. Complete and accurate financial books and records accounting for the use and expenditure of City resources are to be kept. Such books and records shall be maintained in accordance with generally accepted accounting principles (GAAP) and shall be sufficient to facilitate an audit or examination by an independent certified public accountant.

- B. The City Comptroller or any duly authorized representatives and agents of the City shall have the right to examine, inspect, transcribe and audit at any time during normal business hours, and upon reasonable notice, all books, records, maps, plans, financial statements, and all other documents related to compliance with this Agreement, whether in paper, electronic or other form.

**ARTICLE V
NOTICES**

Any written notices regarding this Agreement shall be sent to:

- A. For the City:

Mr. Rocky Marcoux, Commissioner
Department of City Development
809 North Broadway, P.O. Box 324
Milwaukee, WI 53201

- B. For the Historic Third Ward Association:

Mr. Einar Tangen, Executive Director
Historic Third Ward Association
219 North Broadway
Milwaukee, WI 53202

**ARTICLE VI
EXHIBITS**

The following exhibits are incorporated herein and made a part hereof:

- A. Exhibit A: Term Sheet, Third Ward Plan and Guidelines
- B. Exhibit B: Common Council Resolution File No. 010679, adopted October 12, 2001.
- C. Exhibit C: Common Council Resolution File No. 021016, adopted November 26, 2002.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

IN THE PRESENCE OF:

Kimberly R. Montgomery

Kathleen H. Mollica

CITY OF MILWAUKEE

By Tom Barrett
Tom Barrett, Mayor

By Ronald D. Leonhardt
Ronald D. Leonhardt, City Clerk

COUNTERSIGNED:

By Michael J. Dan DEPUTY
W. Martin Morics, Comptroller *clw*

IN THE PRESENCE OF:

Nancy O'Keefe

HISTORIC THIRD WARD ASSOCIATION

By Einar Tangen
Einar Tangen, Executive Director

Approved as to Form and Execution
Dated 4/22/05

[Signature]
Assistant City Attorney
Deputy

EXHIBIT A

Term Sheet

Third Ward Neighborhood Planning and Design Guidelines

1. The City of Milwaukee ("City") and the Historic Third Ward Association ("Association") agree to collaborate in preparing a Plan and development guidelines for the eastern portion of the Historic Third Ward.
2. The City agrees to assist in the preparation of the analysis by:
 - ◆ Maintaining a close liaison with the Historic Third Ward Association and its consultant through the City's Commissioner of City Development (or designee);
 - ◆ Promptly completing the review and approval of study reports so as not to delay work in progress;
 - ◆ Providing such data, maps, and relevant studies as exist in its files and are needed by the Historic Third Ward Association for the preparation of the plan and guidelines;
 - ◆ Participating with the Historic Third Ward Association in the public involvement activities associated with plan preparation, in particular, with outreach to residents and interested businesses, organizations and institutions; and
 - ◆ Funding up to one half the cost of the plan, but not more than \$40,000.
3. The Association agrees to:
 - ◆ Maintain a close liaison with the Association through the City's Commissioner of City Development (or designee);
 - ◆ Obtain the City's approval of any request for proposals, scope of work, and any consultants to be retained for the plan;
 - ◆ Obtain the City's review and approval of draft and final reports on the analysis; and
 - ◆ Fund up to one-half of the cost of the plan.

City of Milwaukee

Office of the City Clerk

200 E. Wells Street
Milwaukee, Wisconsin 53202

Certified Copy of Resolution

FILE NO: 010679

Substitute resolution appropriating funds from the Department of City Development's Advance Planning Fund for an Historic Third Ward Tax Incremental District analysis.

Whereas, The City's Riverwalk plans call for the extension of the Riverwalk through the Historic Third Ward to Lake Michigan; and

Whereas, The Historic Third Ward Association has expressed the desire to extend distinctive streetscaping into the portions of the Historic Third Ward where streetscaping has not been installed; and

Whereas, Tax incremental financing has been used to install Riverwalk and streetscaping in other areas of the City; and

Whereas, The Historic Third Ward Association has offered to pay half of the cost of an analysis of funding streetscape and Riverwalk improvements in the Historic Third Ward with tax incremental financing; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to enter into a Cooperation Agreement with the Historic Third Ward Association for an analysis of funding Riverwalk, streetscape, and other street improvement projects in the Historic Third Ward through tax incremental financing; and, be it

Further Resolved, That the Cooperation Agreement shall be consistent with the terms and conditions outlined in Exhibit A, a copy of which is attached to this Common Council File; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer \$20,000 from the Advance Planning Fund Parent Account No. UR01280000 to Subaccount No. UR01280122 established for said analysis; and, be it

Further Resolved, That all City departments, boards and commissions are authorized and directed to provide whatever assistance is needed to carry out the intent and purpose of this resolution.



I, Ronald D. Leonhardt, City Clerk, do hereby certify that the foregoing is a true and correct copy of a(n) Resolution passed by the COMMON COUNCIL of the City of Milwaukee, Wisconsin on October 12, 2001.

Ronald D. Leonhardt

Ronald D. Leonhardt
City Clerk

October 30, 2001

Date Certified

City of Milwaukee

Office of the City Clerk

200 E. Wells Street
Milwaukee, Wisconsin 53202
Certified Copy of Resolution

FILE NO: 021016

Resolution amending Common Council File No. 010679 which appropriated funds from the Department of City Development's Advance Planning Fund for a tax incremental district analysis in the Historic Third Ward. (DCD)

Whereas, The Common Council of the City of Milwaukee adopted File No. 010679 on October 12, 2001, which appropriated \$20,000 from the Advance Planning Fund for a tax incremental district analysis in the Historic Third Ward; and

Whereas, Said File also authorized the proper City officials to enter into a Cooperation Agreement with the Historic Third Ward Association based on the conditions in a Term Sheet; and

Whereas, The scope of work for this project has expanded to include a plan and updated design guidelines for the Third Ward which necessitates up to an additional \$20,000 from the Advance Planning Fund; and

Whereas, The Historic Third Ward Association will match the City's share of the total cost of this planning project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Comptroller is authorized and directed to transfer \$20,000 from the Advance Planning Fund Parent Account No. UR01280000 to Subaccount No. UR01280122 for said planning project; and, be it

Further Resolved, That the proper City officials are authorized and directed to enter into a Cooperation Agreement with the Historic Third Ward Association consistent with the terms and conditions outlined in the Term Sheet, a copy of which is attached to this Common Council File; and, be it

Further Resolved, That all City departments, boards and commissions are authorized and directed to provide whatever assistance is needed to carry out the intent and purpose of this resolution.



I, Ronald D. Leonhardt, City Clerk, do hereby certify that the foregoing is a true and correct copy of a(n) Resolution passed by the COMMON COUNCIL of the City of Milwaukee, Wisconsin on November 26, 2002.

Ronald D. Leonhardt

Ronald D. Leonhardt
City Clerk

December 11, 2002

Date Certified