



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda PUBLIC WORKS COMMITTEE

ALD. ROBERT BAUMAN, CHAIR

Ald. Joseph Dudzik, Vice-Chair

Ald. Willie Wade, Ald. Robert Donovan, and Ald. Robert Puente

Staff Assistant, Tobie Black, 286-2231

Fax: 286-3456, tblack@milwaukee.gov

Legislative Liaison, Aaron Cadle, 286-8666,

acadle@milwaukee.gov

Tuesday, March 27, 2012

9:00 AM

Room 301-B, City Hall

1. [111576](#) Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.
Sponsors: THE CHAIR
2. [111575](#) Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$23,000 for a total estimated cost of these projects being \$266,000.
Sponsors: THE CHAIR
3. [111577](#) Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$220,000 for a total estimated cost of these projects being \$1,982,000.
Sponsors: THE CHAIR
4. [111578](#) Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$6,040,000 for a total estimated cost of these projects being \$6,291,000.
Sponsors: THE CHAIR
5. [111516](#) A substitute ordinance relating to the pricing and sale of compressed natural gas.
Sponsors: THE CHAIR
6. [111630](#) Substitute resolution relating to the sale of Compressed Natural Gas.
Sponsors: Ald. Dudzik and Ald. Hamilton
7. [111405](#) Substitute resolution authorizing a Purchase, Sale and Development Agreement for the East Library at 1910 East North Avenue with HSI Properties, LLC to approve sale of the property, redevelopment of a mixed-use building and acquisition of the new East Library condominium unit, in the 3rd Aldermanic District.

Sponsors: Ald. Kovac, Ald. Hamilton and Ald. Coggs

8. [111604](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Howard Avenue, West Norwich Street, South 5th Place and South 6th Street, in the 13th Aldermanic District.
Sponsors: Ald. Witkowski
9. [111607](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Norwich Street, West Waterford Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.
Sponsors: Ald. Witkowski
10. [111609](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Plainfield Avenue, West Waterford Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.
Sponsors: Ald. Witkowski
11. [111612](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of alley in the block bounded by West Bolivar Avenue, West Plainfield Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.
Sponsors: Ald. Witkowski
12. [111069](#) Substitute resolution to vacate the north-south and east-west alleys in the block bounded by East Keefe Avenue, East Nash Street, North Palmer Street and North 1st Street, in the 6th Aldermanic District.
Sponsors: THE CHAIR
13. [111598](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Roberts Street, West Walnut Street, North 37th Street and North 38th Street, in the 15th Aldermanic District.
Sponsors: THE CHAIR
14. [111600](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 12th Street and North 14th Street, in the 15th Aldermanic District.
Sponsors: THE CHAIR
15. [111602](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of alley in the block bounded by West Garfield Avenue, North Hi-Mount Boulevard, West Lloyd Street and North 49th Street, in the 15th Aldermanic District.
Sponsors: THE CHAIR
16. [111580](#) Resolution relative to acceptance and funding of a 2012 Urban Non Point Source & Storm Water Management Program Grant for the Green Streets project on West Grange Avenue between South 19th Street South Howell Avenue and South Howell Avenue directing the

proper City officers to execute a Grant Award Agreement between the City of Milwaukee and the Wisconsin Department of Natural Resources regarding the project grant.

Sponsors: THE CHAIR

17. [111587](#) Resolution directing the Commissioner of Public Works to execute a project agreement titled "State/Municipal Agreement for a Locally Let Congestion Mitigation and Air Quality Project" with the Wisconsin Department of Transportation for the CNG Fuel Program and CNG Retrofit of Refuse Trucks with 80 percent Federal funds under the Congestion Mitigation and Air Quality Grant Program, and to set up funds for the programming, engineering and construction of the project at a total project cost of \$3,004,239 with a Grantor share of \$2,403,391 and a City share of \$600,848.

Sponsors: THE CHAIR

18. [101316](#) Resolution granting a special privilege to George Mureles, agent for Café Corazon to construct and maintain outdoor café enclosure for the premises at 3129 N. Bremen Street, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

--This item may be placed on file as no longer needed.

This meeting will be webcast live at www.milwaukee.gov/channel25.

Common Council members who are not members of this committee may attend this meeting to participate or to gather information. This meeting may constitute a meeting of the Common Council or any of its standing committees although no formal action will be taken at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Parking for persons attending City Hall meetings is available at reduced rates (5 hour limit) at the Milwaukee Center (southwest corner of E. Kilbourn Ave. and N. Water St.) Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 111576 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS, STREET IMPROVEMENTS

Attachments: Official Notice Number 93, Cover Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111576
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

Requestor
INFRASTRUCTURE SERVICES DEPARTMENT
Drafter
MLD:dr
Report 10
03/13/2012

**OFFICIAL NOTICE NUMBER 93
PUBLIC HEARING ON PROPOSED IMPROVEMENTS
AND SPECIAL ASSESSMENTS**

There will be a public hearing held by the Public Works Committee of the Common Council of the City of Milwaukee concerning the following improvements and special assessments. The Commissioner of Public Works has determined these improvements are necessary and in the public interest.

The hearing will be held at the date and time shown below:

<p>TUESDAY</p> <p>MARCH 27, 2012</p> <p>ROOM 301-B – CITY HALL</p> <p>9:00 A.M.</p>

2nd Aldermanic District

W. Florist Ave. – N. 68th St. to N. 76th St. (ST211070124):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (0-7 foot width of tree border area), and grading.

3rd Aldermanic District

E. Back Bay – A point east of N. Terrace Ave. to N. Terrace Ave. (ST211110128):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (1-7 foot width of tree border area), and grading.

5th Aldermanic District

W. Courtland Ave. – W. Potomac Ave. to N. 84th St. (ST211110126):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (8 foot width of tree border area), and grading.

W. Peck Ct. – N. 86th St. to a point west of N. 86th St. (ST211060113):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (13 foot width of tree border area), and grading.

W. Townsend St. – N. 84th St. to N. 86th St. (ST211060149):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-8 foot width of tree border area), and grading.

N. 88th St. – W. Tucker Pl. to W. Capitol Dr. (Including W. Tucker Pl. – W. Lisbon Ave. to W. Elmore Ave.) (ST211120120):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6-10 foot width of tree border area), and grading.

8th Aldermanic District

S. 36th St. – W. Burnham St. to W. Mitchell St. (ST211120152):

Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (4 foot width of tree border area), and grading.

S. 50th St. – W. Cleveland Ave. to W. Jerelyn Pl. (ST211030103):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (14 foot width of tree border area), and grading.

10th Aldermanic District

W. Main St. – S. Hawley Rd. to S. 70th St. (ST211110139):

Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (2-7 foot width of tree border area), and grading.

W. Michigan St. – N. 91st St. to N. 93rd St. (Including N. 93rd St. – W. Blue Mound Rd. to W. Wisconsin Ave. (ST211120131):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-8 foot width of tree border area), and grading.

W. St. Paul Ave. – N. 91st St. to N. 92nd St. (Including N. 91st St. – W. St. Paul Ave. to W. Blue Mound Rd.) (ST211120149):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6 foot width of tree border area), and grading.

11th Aldermanic District

W. Fremont Pl. – S. 63rd St. to S. 67th St. (ST211120151):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-8 foot width of tree border area), grading, and install traffic calming speed hump(s).

W. Montana St. – S. 55th St. to S. 58th St. (ST211120133):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6-9 foot width of tree border area), grading, and install traffic calming speed hump(s).

W. Wedgewood Dr. – S. Honey Creek Dr. to S. 76th St. (Including W. Wedgewood Ct.) (ST211120136):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6 foot width of tree border area), and grading.

13th Aldermanic District

S. 18th St. – W. Morgan Ave. to W. Holt Ave. (ST211120103):

Pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (6 foot width of tree border area), grading, and tree removal where necessary.

15th Aldermanic District

N. 37th St. – W. Hadley St. to W. Locust St. (ST211120162):

Install traffic calming speed hump(s).

You may examine a copy of the report recommending these projects in Room 908, 841 North Broadway, Milwaukee, Wisconsin during the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday.

This notice is published by authority of the Common Council of the City of Milwaukee in accordance with Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances.

Office of the City Clerk, Milwaukee

Ronald D. Leonhardt, City Clerk

March 12, 2012

March 13, 2012

File Number 111576

To the Honorable, the Common Council

Dear Council Members:

The Common Council has adopted preliminary resolutions which determined it necessary and in the public interest to make various public improvements and to make special assessments therefore.

The Commissioner of Public Works is filing this report consisting of a list of projects. This report is subject to amendment at the next Public Works Committee Hearing. The plans and specifications of said improvements are on file in the City Engineer's Office.

I am herewith submitting a report regarding the above matter and recommend adoption of the amended resolution approving same.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

MLD:dr
Afr 10
Report Appended



Legislation Details (With Text)

File #: 111575 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$23,000 for a total estimated cost of these projects being \$266,000.

Sponsors: THE CHAIR

Indexes: ALLEY IMPROVEMENTS, PUBLIC IMPROVEMENTS, STREET IMPROVEMENTS

Attachments: Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111575

Version
ORIGINAL

Sponsor
THE CHAIR

Title
Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$23,000 for a total estimated cost of these projects being \$266,000.

Analysis
This resolution authorizes engineering studies and directs the Commissioner of Public Works to determine any benefits or damages which would result if the projects were to be constructed. After the Commissioner files his report, a Public Hearing will be held on those projects determined assessable. A resolution will be submitted after the Public Hearing authorizing construction. The City cost for engineering these projects is estimated to be \$23,000 with the total cost estimated to be \$266,000.

Body
Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

3rd Aldermanic District

Alley between E. Center St., E. Hadley St., N. Humboldt Blvd., and N. Weil St. (ST212060103): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$95,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

Alley between W. Clybourn St., W. St. Paul Ave., N. 39th St., and N. 40th St. (Except Southerly 115 feet m/l) (ST212020104): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$40,000. This project is anticipated to be completed during the 2012 construction season.

13th Aldermanic District

Alley between E. Cudahy Ave., S. Lenox St., S. Logan Ave., and E. Van Norman Ave. (ST212030114): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$105,000. This project is anticipated to be completed during the 2012 construction season.

14th Aldermanic District

S. Delaware Ave. - 75 feet m/l north of E. Oklahoma Ave. to E. Oklahoma Ave. (ST211120188): Intersection modification, curb push out, sidewalk, sodding and grading where necessary. (Nonassessable Reconstruction Paving Fund -- \$8,000). The total estimated cost for this project including the requested amount is \$26,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

Further Resolved, That the abutting and adjacent properties be assessed a portion of the cost, said assessment to be recommended by the Commissioner of Public Works in his report; and, be it

Further Resolved, That all assessments and payments be made in accordance with Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That all City departments are authorized to do engineering, surveying, preparing of plans, and estimates of cost thereof, to be utilized in the preparation of said report of the Commissioner of Public Works; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor

Infrastructure Services Division

Drafter

MLD:dr

Apr 10

03/13/2012

..Number

111575

..Version

Proposed Substitute A

..Sponsor

THE CHAIR

..Title

Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$63,000 for a total estimated cost of these projects being \$666,000.

..Analysis

This resolution authorizes engineering studies and directs the Commissioner of Public Works to determine any benefits or damages which would result if the projects were to be constructed. After the Commissioner files his report, a Public Hearing will be held on those projects determined assessable. A resolution will be submitted after the Public Hearing authorizing construction. The City cost for engineering these projects is estimated to be \$63,000 with the total cost estimated to be \$666,000.

..Body

Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

3rd Aldermanic District

Alley between E. Center St., E. Hadley St., N. Humboldt Blvd., and N. Weil St. (ST212060103): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$95,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

Alley between W. Clybourn St., W. St. Paul Ave., N. 39th St., and N. 40th St. (Except Southerly 115 feet m/l) (ST212020104): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$40,000. This project is anticipated to be completed during the 2012 construction season.

12th Aldermanic District

S. 14th St. – 80 feet m/l south of W. Harrison Ave. to W. Lincoln Ave. (ST211130138): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$40,000). The total estimated cost for this project including the requested amount is \$400,000. This project is anticipated to be completed during the 2013 construction season.

13th Aldermanic District

Alley between E. Cudahy Ave., S. Lenox St., S. Logan Ave., and E. Van Norman Ave. (ST212030114): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$105,000. This project is anticipated to be completed during the 2012 construction season.

14th Aldermanic District

S. Delaware Ave. – 75 feet m/l north of E. Oklahoma Ave. to E. Oklahoma Ave. (ST211120188): Intersection modification, curb push out, sidewalk, sodding and grading where necessary. (Nonassessable Reconstruction Paving Fund -- \$8,000). The total estimated cost for this project including the requested amount is \$26,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

Further Resolved, That the abutting and adjacent properties be assessed a portion of the cost, said assessment to be recommended by the Commissioner of Public Works in his report; and, be it

Further Resolved, That all assessments and payments be made in accordance with Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That all City departments are authorized to do engineering, surveying, preparing of plans, and estimates of cost thereof, to be utilized in the preparation of said report of the Commissioner of Public Works; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

..Requestor
Infrastructure Services Division

..Drafter
MLD:dr
Apr 10
03/22/2012



Legislation Details (With Text)

File #: 111577 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$220,000 for a total estimated cost of these projects being \$1,982,000.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS, SANITARY SEWERS, SEWER IMPROVEMENTS, SEWERS

Attachments: Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111577

Version
ORIGINAL

Sponsor
THE CHAIR

Title
Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$220,000 for a total estimated cost of these projects being \$1,982,000.

Analysis
This resolution authorizes engineering studies on projects which by City Charter are nonassessable. After design plans and estimates of costs have been prepared, a resolution authorizing construction will be submitted to the Common Council. The City cost for engineering these projects is estimated to be \$220,000 with the total cost estimated to be \$1,982,000.

Body
Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:

1st Aldermanic District

N. 24th Pl. - W. Lincoln Creek Pkwy. to 350 feet m/l south of W. Stark St. (SM495120036): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$410,000. This project is anticipated to be completed during the 2012 construction season.

N. 24th St. - W. Lincoln Creek Pkwy. to W. Linwall Ln. (SM495120035): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$349,000. This project is anticipated to be completed during the 2012 construction season.

4th Aldermanic District

W. Wells St. - N. 17th St. to N. 19th St. (SM495120038): Combined large diameter sewer lining and sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$165,000. This project is anticipated to be completed during the 2012 construction season.

N. 19th St. - W. Kilbourn Ave. to W. Wells St. (SM495120039): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$188,000. This project is anticipated to be completed during the 2012 construction season.

N. 22nd St. - W. Wisconsin Ave. to W. Wells St. (SM495120037): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$131,000. This project is anticipated to be completed during the 2012 construction season.

7th Aldermanic District

W. Concordia Ave. - N. 37th St. to N. 38th St. (SM495120033): New sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$190,000. This project is anticipated to be completed during the 2012 construction season.

8th Aldermanic District

S. 28th St. - 150 feet m/l south of W. Evergreen Ln. to 400 feet m/l south of W. National Ave. (SM495120040): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$291,000. This project is anticipated to be completed during the 2012 construction season.

14th Aldermanic District

S. Quincy Ave. - E. Montana St. to E. Russell Ave. (SM495120034): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$158,000. This project is anticipated to be completed during the 2012 construction season.

City Wide

Sewer Maintenance Exams (SM495120041): (Nonassessable Sewer Maintenance Relay Fund -- \$100,000). The total estimated cost for this project is \$100,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

Further Resolved, That all City Departments are authorized to perform engineering, surveys, plan preparation, and determine an estimated cost thereof; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor
Infrastructure Services Division
Drafter
MLD:dr
Npr 10
03/13/2012

..Number

111577

..Version

Proposed Substitute A

..Sponsor

THE CHAIR

..Title

Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$255,000 for a total estimated cost of these projects being \$2,682,000.

..Analysis

This resolution authorizes engineering studies on projects which by City Charter are nonassessable. After design plans and estimates of costs have been prepared, a resolution authorizing construction will be submitted to the Common Council. The City cost for engineering these projects is estimated to be \$255,000 with the total cost estimated to be \$2,682,000.

..Body

Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:

1st Aldermanic District

N. 24th Pl. – W. Lincoln Creek Pkwy. to 350 feet m/l south of W. Stark St. (SM495120036): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$410,000. This project is anticipated to be completed during the 2012 construction season.

N. 24th St. – W. Lincoln Creek Pkwy. to W. Linwall Ln. (SM495120035): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$349,000. This project is anticipated to be completed during the 2012 construction season.

4th Aldermanic District

W. Wells St. – N. 17th St. to N. 19th St. (SM495120038): Combined large diameter sewer lining and sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$165,000. This project is anticipated to be completed during the 2012 construction season.

N. 19th St. – W. Kilbourn Ave. to W. Wells St. (SM495120039): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total

estimated cost for this project including the requested amount is \$188,000. This project is anticipated to be completed during the 2012 construction season.

N. 22nd St. – W. Wisconsin Ave. to W. Wells St. (SM495120037): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$131,000. This project is anticipated to be completed during the 2012 construction season.

7th Aldermanic District

W. Concordia Ave. – N. 37th St. to N. 38th St. (SM495120033): New sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$190,000. This project is anticipated to be completed during the 2012 construction season.

8th Aldermanic District

S. 28th St. – 150 feet m/l south of W. Evergreen Ln. to 400 feet m/l south of W. National Ave. (SM495120040): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$291,000. This project is anticipated to be completed during the 2012 construction season.

9th Aldermanic District

W. County Line Rd. – 105 feet west of N. Michael Ct. to 470 feet east of N. 107th St. (WT410120701): Water main extension. (Nonassessable Water Fund Budget Line 5010 -- \$5,000; Nonassessable Water Fund Budget Line 6410 -- \$30,000). The total estimated cost for this project including the requested amount is \$700,000. This project is anticipated to be completed during the 2012 construction season.

14th Aldermanic District

S. Quincy Ave. – E. Montana St. to E. Russell Ave. (SM495120034): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$158,000. This project is anticipated to be completed during the 2012 construction season.

City Wide

Sewer Maintenance Exams (SM495120041): (Nonassessable Sewer Maintenance Relay Fund -- \$100,000). The total estimated cost for this project is \$100,000. This project is anticipated to be completed during the 2012 construction season.

;and, be it

Further Resolved, That all City Departments are authorized to perform engineering, surveys, plan preparation, and determine an estimated cost thereof; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

..Requestor
Infrastructure Services Division
..Drafter
MLD:dr
Npr 10
03/22/2012



Legislation Details (With Text)

File #: 111578 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$6,040,000 for a total estimated cost of these projects being \$6,291,000.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS, SANITARY SEWERS, SEWER IMPROVEMENTS, SEWERS, STORM SEWERS

Attachments: Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111578
Version
ORIGINAL
Reference
111024
Sponsor
THE CHAIR
Title

Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$6,040,000 for a total estimated cost of these projects being \$6,291,000.

Analysis

This resolution directs the installation and construction of certain public improvements which have been determined to be nonassessable by the Commissioner of Public Works. The City cost of the projects approved by this resolution is estimated to be \$6,040,000. The total estimated cost of these projects is \$6,291,000.

Body

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

Whereas, Plans, specifications and cost estimates have been prepared for the following described improvements:

3rd Aldermanic District

N. Jackson St. - E. Ogden Ave. to E. Juneau Ave. (SM495110302) File Number 111024: Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$133,000). The total estimated cost for this project including the requested amount is \$148,000. This project is anticipated to be completed during the 2012 construction season.

E. Ogden Ave. - N. Jackson St. to N. Farwell Ave. (SM495110304) File Number 111024: Combined sewer relay and lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$279,000). The total estimated cost for this project including the requested amount is \$294,000. This project is anticipated to be completed during the 2012 construction season.

3rd and 4th Aldermanic Districts

N. Van Buren St. (Various Locations) - E. Ogden Ave. to E. Wells St. (SM495110306) File Number 111024: Combined sewer relay and lining. (Nonassessable Sewer Maintenance Relay Fund -- \$195,000). The total estimated cost for this project including the requested amount is \$210,000. This project is anticipated to be completed during the 2012 construction season.

4th Aldermanic District

N. Broadway - E. Wells St. to E. St. Paul Ave. (SM495110301) File Number 111024: Combined sewer relay and lining. (Nonassessable Sewer Maintenance Relay Fund -- \$51,000). The total estimated cost for this project including the requested amount is \$71,000. This project is anticipated to be completed during the 2012 construction season.

E. Kilbourn Ave. - N. Jackson St. to N. Van Buren St. (SM495110303) File Number 111024: Combined sewer relay and lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$463,000). The total estimated cost for this project including the requested amount is \$478,000. This project is anticipated to be completed during the 2012 construction season.

E./W. St. Paul Ave. - N. 4th St. to N. Broadway (SM495110305) File Number 111024: Combined sewer large diameter lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$505,000). The total estimated cost for this project including the requested amount is \$520,000. This project is anticipated to be completed during the 2012 construction season.

E. State St. - N. Jackson St. to N. Van Buren St. (SM495110307) File Number 111024: Sanitary and combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$100,000). The total estimated cost for this project including the requested amount is \$115,000. This project is anticipated to be completed during the 2012 construction season.

E. Wells St. - N. Van Buren St. to N. Broadway (SM495110308) File Number 111024: Combined sewer large diameter lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$401,000). The total estimated cost for this project including the requested amount is \$416,000. This project is anticipated to be completed during the 2012 construction season.

8th Aldermanic District

W. Mineral St. - S. 23rd St. to S. 25th St. (SM495120015) File Number 111282: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$329,000). The total estimated cost for this project including the requested amount is \$344,000. This project is anticipated to be completed

during the 2012 construction season.

W. Mineral St. - S. 26th St. to S. Layton Blvd. (SM495110073) File Number 111474: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$57,000). The total estimated cost for this project including the requested amount is \$69,000. This project is anticipated to be completed during the 2012 construction season.

S. 24th St. - W. Scott St. to W. Mineral St. (SM495120016) File Number 111282: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$353,000). The total estimated cost for this project including the requested amount is \$368,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

W. Hadley St. - N. Emery Ave. to N. 67th St. (SM495110081) File Number 111024: Relay sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$274,000). The total estimated cost for this project including the requested amount is \$289,000. This project is anticipated to be completed during the 2012 construction season.

N. Hartung Ave. - 200 feet m/l south of W. Lisbon Ave. to N. 67th St. (SM495110082) File Number 111024: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$299,000). The total estimated cost for this project including the requested amount is \$314,000. This project is anticipated to be completed during the 2012 construction season.

W. Lisbon Ave. - N. 64th St. to N. 67th St./W. Girard Ave. (SM495110105) File Number 111024: Relay sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$314,000). The total estimated cost for this project including the requested amount is \$326,000. This project is anticipated to be completed during the 2012 construction season.

W. Locust St. - W. Lisbon Ave./N. 66th St. to W. Appleton Ave. (SM495110104) File Number 111024: Relay sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$682,000). The total estimated cost for this project including the requested amount is \$694,000. This project is anticipated to be completed during the 2012 construction season.

N. 67th St. - W. Center St. to W. Lisbon Ave. (SM495110083) File Number 111024: Relay sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$532,000). The total estimated cost for this project including the requested amount is \$547,000. This project is anticipated to be completed during the 2012 construction season.

11th Aldermanic District

Area bounded by W. Harrison Ave., W. Kinnickinnic River Pkwy., S. 60th St., to S. 72nd St. (#15) (SM494120200) File Number 111282: Sanitary sewer lining. (Infiltration/Inflow Reduction Fund -- \$1,073,000). The total estimated cost for this project including the requested amount is \$1,088,000. This project is anticipated to be completed during the 2012 construction season.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is directed to proceed with said work; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor
Infrastructure Services Division
Drafter
MLD:dr
Nfr 10
03/13/2012

..Number

111578

..Version

Proposed Substitute A

..Reference

111024

..Sponsor

THE CHAIR

..Title

Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$6,240,000 for a total estimated cost of these projects being \$6,941,000.

..Analysis

This resolution directs the installation and construction of certain public improvements which have been determined to be nonassessable by the Commissioner of Public Works. The City cost of the projects approved by this resolution is estimated to be \$6,240,000. The total estimated cost of these projects is \$6,941,000.

..Body

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

Whereas, Plans, specifications and cost estimates have been prepared for the following described improvements:

3rd Aldermanic District

N. Jackson St. – E. Ogden Ave. to E. Juneau Ave. (SM495110302) File Number 111024: Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$133,000). The total estimated cost for this project including the requested amount is \$148,000. This project is anticipated to be completed during the 2012 construction season.

Linnwood Purification Plant – Backup Power Design (WT450108100): (Nonassessable Water Fund -- \$200,000, Additional Funds). The total estimated cost for this project including the requested amount is \$650,000. This project is anticipated to be completed during the 2012 construction season.

E. Ogden Ave. – N. Jackson St. to N. Farwell Ave. (SM495110304) File Number 111024: Combined sewer relay and lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$279,000). The total estimated cost for this project including the requested amount is \$294,000. This project is anticipated to be completed during the 2012 construction season.

3rd and 4th Aldermanic Districts

N. Van Buren St. (Various Locations) – E. Ogden Ave. to E. Wells St. (SM495110306) File Number 111024: Combined sewer relay and lining. (Nonassessable Sewer Maintenance Relay Fund -- \$195,000). The total estimated cost for this project including the requested amount is \$210,000. This project is anticipated to be completed during the 2012 construction season.

4th Aldermanic District

N. Broadway – E. Wells St. to E. St. Paul Ave. (SM495110301) File Number 111024: Combined sewer relay and lining. (Nonassessable Sewer Maintenance Relay Fund -- \$51,000). The total estimated cost for this project including the requested amount is \$71,000. This project is anticipated to be completed during the 2012 construction season.

E. Kilbourn Ave. – N. Jackson St. to N. Van Buren St. (SM495110303) File Number 111024: Combined sewer relay and lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$463,000). The total estimated cost for this project including the requested amount is \$478,000. This project is anticipated to be completed during the 2012 construction season.

E./W. St. Paul Ave. – N. 4th St. to N. Broadway (SM495110305) File Number 111024: Combined sewer large diameter lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$505,000). The total estimated cost for this project including the requested amount is \$520,000. This project is anticipated to be completed during the 2012 construction season.

E. State St. – N. Jackson St. to N. Van Buren St. (SM495110307) File Number 111024: Sanitary and combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$100,000). The total estimated cost for this project including the requested amount is \$115,000. This project is anticipated to be completed during the 2012 construction season.

E. Wells St. – N. Van Buren St. to N. Broadway (SM495110308) File Number 111024: Combined sewer large diameter lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$401,000). The total estimated cost for this project including the requested amount is \$416,000. This project is anticipated to be completed during the 2012 construction season.

8th Aldermanic District

W. Mineral St. – S. 23rd St. to S. 25th St. (SM495120015) File Number 111282: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$329,000). The total estimated cost for this project including the requested amount is \$344,000. This project is anticipated to be completed during the 2012 construction season.

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10th Aldermanic District

W. Hadley St. – N. Emery Ave. to N. 67th St. (SM495110081) File Number 111024: Relay sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$274,000). The total estimated cost for this project including the requested amount is \$289,000. This project is anticipated to be completed during the 2012 construction season.

N. Hartung Ave. – 200 feet m/l south of W. Lisbon Ave. to N. 67th St. (SM495110082) File Number 111024: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$299,000). The total estimated cost for this project including the requested amount is \$314,000. This project is anticipated to be completed during the 2012 construction season.

W. Lisbon Ave. – N. 64th St. to N. 67th St./W. Girard Ave. (SM495110105) File Number 111024: Relay sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$314,000). The total estimated cost for this project including the requested amount is \$326,000. This project is anticipated to be completed during the 2012 construction season.

W. Locust St. – W. Lisbon Ave./N. 66th St. to W. Appleton Ave. (SM495110104) File Number 111024: Relay sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$682,000). The total estimated cost for this project including the requested amount is \$694,000. This project is anticipated to be completed during the 2012 construction season.

N. 67th St. – W. Center St. to W. Lisbon Ave. (SM495110083) File Number 111024: Relay sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$532,000). The total estimated cost for this project including the requested amount is \$547,000. This project is anticipated to be completed during the 2012 construction season.

11th Aldermanic District

Area bounded by W. Harrison Ave., W. Kinnickinnic River Pkwy., S. 60th St., to S. 72nd St. (#15) (SM494120200) File Number 111282: Sanitary sewer lining. (Infiltration/Inflow Reduction Fund -- \$1,073,000). The total estimated cost for this project including the requested amount is \$1,088,000. This project is anticipated to be completed during the 2012 construction season.

now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is authorized and directed to proceed with said work; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

..Requestor
Infrastructure Services Division
..Drafter
MLD:dr
Nfr 10
03/22/2012



Legislation Details (With Text)

File #: 111516 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance relating to the pricing and sale of compressed natural gas.

Sponsors: THE CHAIR

Indexes: ENERGY CONSERVATION

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111516

Version
SUBSTITUTE 1

Reference

Sponsor
THE CHAIR

Title
A substitute ordinance relating to the pricing and sale of compressed natural gas.

Sections
50-41-3-g cr
309-20 cr

Analysis
This ordinance authorizes the department of public works to sell compressed natural gas to the public.

In addition, this ordinance adds department of public works compressed natural gas sales to the list of departments and agencies exempted from the full credit card acceptance approval process.

Body

Whereas, There are only 6 WE Energies and 3 private compressed natural gas fueling stations within 25 miles of City Hall; and

Whereas, Selling compressed natural gas to the public will expand the available supply infrastructure, and be consistent with the city's efforts to promote the use of alternative fuels; and

Whereas, The city's 2 compressed natural gas fueling stations, at 3921 W. Lincoln Avenue and 3025 W. Ruby Avenue, can be readily modified to sell compressed natural gas to the public; and

Whereas, All compressed natural gas purchases at these fueling sites will be bank card sales so no city personnel will be needed to make sales to the public; and

Whereas, The sale price of compressed natural gas sold to the public shall to include all costs, including material, taxes, site maintenance, fleet overhead and credit card processing fees; and

Whereas, The commissioner of public works will update compressed natural gas public sale prices as needed to reflect changes in underlying costs; now, therefore

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 50-41-3-g of the code is amended to read:

50-41. Credit Card Acceptance by City Departments and Agencies.

3. DEPARTMENTS AND AGENCY PAYMENTS EXEMPTED FROM APPROVAL PROCESS.

g. The department of public works for sale of compressed natural gas to the public.

Part 2. Section 309-20 of the code is created to read:

309-20. Selling Compressed Natural Gas to the Public.

The department of public works may sell compressed natural gas to the public. The price for compressed natural gas sold shall be set by the commissioner of public works and periodically updated as needed to reflect changes in underlying costs. The price shall include:

1. The cost of the compressed natural gas itself.
2. All applicable taxes.
3. A pro rata share of fueling station operating and maintenance costs.
4. A fleet overhead factor determined by the commissioner.
5. The cost of credit card processing or other direct sale costs.

LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Requestor

Department of Public Works

Drafter

LRB #137447 - 2

Aaron Cadle

03/23/2012



Legislation Details (With Text)

File #: 111630 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution relating to the sale of Compressed Natural Gas.

Sponsors: ALD. DUDZIK, ALD. HAMILTON

Indexes: ENERGY CONSERVATION

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111630

Version
SUBSTITUTE 1

Reference

Sponsor
ALD. DUDZIK AND HAMILTON

Title
Substitute resolution relating to the sale of Compressed Natural Gas.

Analysis
This resolution directs the Office of the Comptroller to create a separate revenue account to receive proceeds from the sale of compressed natural gas to the public by the Department of Public Works.

Body
Whereas, The Department of Public Works is authorized to sell compressed natural gas to the public under s. 309-20 of the Code; and

Whereas, Sound accounting and budget management practices recommend new revenue sources be accepted into separate revenue accounts rather than received as miscellaneous revenues; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Office of the Comptroller is directed to create a separate revenue account to receive proceeds from the sale of compressed natural gas to the public by the Department of Public Works.

Requestor

Drafter
LRB 138035 - 2
Aaron Cadle
03/23/2012



Legislation Details (With Text)

File #: 111405 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 2/7/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing a Purchase, Sale and Development Agreement for the East Library at 1910 East North Avenue with HSI Properties, LLC to approve sale of the property, redevelopment of a mixed-use building and acquisition of the new East Library condominium unit, in the 3rd Aldermanic District.

Sponsors: ALD. KOVAC, ALD. HAMILTON, ALD. COGGS

Indexes: AGREEMENTS, PROPERTY SALES, PUBLIC LIBRARY

Attachments: Land Disposition and Acquisition Report, City Plan Commission Letter, Fiscal Impact Statement, Hearing Notice List 3/27/12 Mtg

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/9/2012	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/2/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/7/2012	0	PUBLIC WORKS COMMITTEE			
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/26/2012	1	CITY CLERK	Sponsor added		

Number
111405
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. KOVAC, ALD. Hamilton, and ALD. Coggs
Title
Substitute resolution authorizing a Purchase, Sale and Development Agreement for the East Library at 1910 East North Avenue with HSI Properties, LLC to approve sale of the property, redevelopment of a mixed-use building and acquisition of the new East Library condominium unit, in the 3rd Aldermanic District.

Analysis
This substitute resolution authorizes sale of the City-owned East Library at 1910 East North Avenue for redevelopment and approves the acquisition of a new East Library Condominium according to the conditions in a Land Disposition and Acquisition Report.

Body
Whereas, The Milwaukee Public Library ("MPL"), with assistance from the Department of City Development ("DCD"), published a Request for Proposal ("RFP") for the sale and redevelopment of the City of Milwaukee ("City") East Library at 1910 East North Avenue; and

Whereas, The RFP offered the current library property for sale at a nominal cost in

exchange for a redevelopment that will provide the shell for a new East Library at no cost to the City under established conditions and that will include a secondary use that will complement MPL patrons, the East North Avenue Business District and East Side residents; and

Whereas, Three conceptual proposals were received before the established deadline and were presented to the MPL Board of Trustees and the public for comment after which the MPL Board of Trustees requested that the three developers prepare more detailed submissions for MPL review and selection; and

Whereas, After a public meeting on the revised submittals, the MPL Board of Trustees selected the proposal submitted by HSI Properties, LLC ("HSI") as the development proposal that best met MPL and community needs and City redevelopment requirements as summarized in a Land Disposition and Acquisition Report, a copy of which is attached to this Common Council File; and

Whereas, The City Attorney's Office, with input from MPL and DCD staff, has negotiated a Purchase, Sale and Development Agreement with HSI to outline the conditions for sale, HSI redevelopment obligations, including detailed requirements for the future East Library condominium unit, and the terms for conveyance of the new East Library Condominium to the City; and

Whereas, The City Plan Commission has approved the design for the New East Library and the future acquisition of the new East Library Condominium; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the development proposal submitted by HSI Properties, LLC for the City-owned East Library at 1910 East North Avenue is accepted; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to execute the Purchase, Sale and Development Agreement with HSI, or assigns, and to close the transaction according to the terms of the Land Disposition and Acquisition Report, including execution of any needed easements and releases of deed restrictions; and, be it

Further Resolved, That upon creation of the future condominium at the property, the City is authorized to accept title to the East Library Condominium from HSI; and, be it

Further Resolved, That the nominal purchase price shall be used to reimburse the Redevelopment Authority of the City of Milwaukee for expenses related to the property sale and reacquisition with any remaining funds to be deposited in the Library Fund.

Drafter

DCD/Real Estate

EMM:bmm

03/21/12

LAND DISPOSITION & ACQUISITION REPORT

COMMON COUNCIL OF THE CITY OF MILWAUKEE

DATE

March 27, 2012

RESPONSIBLE STAFF

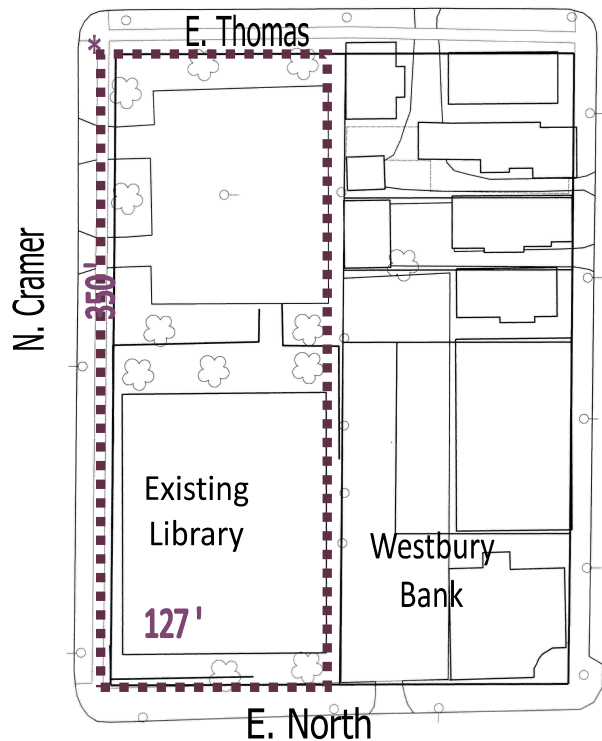
Paula Kiely, Library Director, and Elaine Miller, DCD Real Estate Manager

PROPERTY & BACKGROUND

1910 East North Avenue, MPL's East Library Branch: A 44,450 SF site improved with a 15,000 SF branch library constructed in 1967. If not redeveloped, the building would require a major upgrade of the HVAC system.

In line with MPL's strategic plan and the City's Northeast Area Plan, a Request for Proposal was issued in July 2011 for conceptual proposals for a private development partner that would in part:

- Acquire the property at minimal cost in exchange for a mixed-use development that includes a new East Library branch
- Meet MPL's requirements for a modern library with a highly visible, ground-floor location, easily accessible parking and a single public entry point.
- Create a two-unit condominium and convey the East Library shell to the City at no cost
- Provide a signature design that reflects 21st century architecture and public library service and that would conform to the new East Side Architectural Review Board guidelines.
- Provide a secondary use that would contribute to the East Side Business District and surrounding residential neighborhoods
- Compliance with City policies for payment of prevailing wages and SBE participation.
- Provide space for a temporary library at its cost at a ground-level location within one-half mile.



* Five feet of excess right of way has been vacated

DEVELOPER & DESIGN SELECTION

Three conceptual proposals were received and presented to MPL and the public for review and comment: Stone House Development, Gorman & Company and HSI Properties.

An Advisory Panel consisting of representatives from MPL, DCD the East Side BID, UWM School of Architecture and the neighborhood conducted the preliminary review. The panel recommended that all three parties submit formal proposals for MPL's evaluation. MPL invited the three parties to refine their proposal and to make changes suggested by the Advisory Panel, the MPL Board of Trustees and the public.

Refined proposals were presented to the MPL Building & Development Committee at a public meeting in November. The committee recommended selection of the HSI proposal, a recommendation that was approved by the MPL Board of Trustees conditioned on some design modifications. The Board authorized negotiation of a Development Agreement for presentation to MPL and the Common Council.

The design was revised as requested by MPL. The design has been conditionally approved by the East Side Architectural Review Board. Additional approval is needed for material selection, landscaping, street improvements and signage.

DEVELOPER

HSI Properties, LLC, was the developer selected by the MPL Board of Trustees to design and construct the project. The company has created HSI East Library Residential, LLC to purchase the property and develop the project.

HSI is a development company created in 2009 by Ryan Schultz and Brett Haney. Projects include the Derse facility in the Menomonee Valley Business Park, the Enclave Luxury Apartments in Wauwatosa and the Junior Achievement Kohl's Education Center. Another team member will be Blair Williams of WiRED Properties, who may be a member of the new LLC as well as a development consultant. Engberg Anderson is the project architect.

PROPERTY REDEVELOPMENT

The project involves demolition of the existing structure and construction of "The Standard," a new, four-story building. The East Library and approximately 2,150 SF of commercial space will be located on the ground level. The upper floors will provide 92, market-rate rental apartments. Parking will be a mix of surface, enclosed and underground spaces. The preliminary design has been conditionally approved by East Side Architectural Review Board subject to approval of final materials, signage and public improvements.



The East Library will have a highly visible, prominent location at the corner of North Avenue and Cramer Street, as required by MPL. The branch will contain approximately 16,000 SF of the ground floor, which is slightly larger than the current library. MPL will also have areas for building mechanicals in the building and on the roof. Library parking will be provided by 30 surface spaces and nine enclosed spaces.

Construction will be according to MPL construction specifications. A single library entry will be provided on Cramer for easy access from North Avenue and the parking area. A central passage on the building ground floor will provide access to the parking area as well as outdoor open space for library use. A key design element is the incorporation of the stained glass windows in the current building that were commissioned as art for the East Library.

The major secondary use is a 92-unit apartment on the upper level. The apartments will be primarily one-bedroom with some two bedroom and studio units. The units will be market-rate rental units that will target the young professionals that are attracted to the East Side. The building lobby will face Cramer Street and a 113-car underground garage will serve the apartments with access shared with the library lot from either Cramer or Thomas, which minimizes curb cuts. Many units will have balconies or will be recessed in bays that will animate the street façade. Resident amenities include a green roof terrace above the library, a common room and an exercise room.



The ground floor will include approximately 2,150 SF of ground floor commercial space. This space fronts North Avenue and provides a business connection to the East Side Business Improvement District. Use will be restricted slightly to prohibit conflict with library patrons such as tavern use, adult entertainment or animal related uses.

Total development costs are estimated to be \$14.86 million. HSI intends to finance the project with a loan guarantee from the US Department of Housing and Urban Development (HUD) – the Section 221(d)(4) program. The mortgage will be facilitated by Grandbridge Real Estate Capital, LLC, which has participated with HSI on the Enclave Apartments. Because the library component constitutes a “public work,” HSI will pay prevailing wages on the library component of the project and possibly the full building. HSI will also make best efforts for the City’s Small Business Enterprise participation.

PURCHASE, SALE & DEVELOPMENT AGREEMENT

A Purchase, Sale & Development Agreement has been negotiated with HSI by MPL, DCD and the City Attorney to outline the full project for initial conveyance to acquisition of a new library and completion of the full building. A key component of the agreement is to define the project as a "public work" because of the future acquisition of a public facility from a private developer. The document outlines prevailing wage, open record and audit requirements that are required of all municipal projects. The agreement details MPL's construction requirements for the new facility.

The "consideration" will be a nominal \$20,000 initial purchase price plus future conveyance of a Library Condominium in a "gray box" condition and provision of a temporary library during construction. The project is designed to be cost neutral to the City with the exception of future interior build out by MPL. The minimal price is expected to cover the City's sale and repurchase expenses.

The agreement provides a flexible period for closing with HSI to allow for the HUD loan guarantee application and review. HSI must submit the preliminary application to HUD on or before May 30, 2012, which period will allow HSI time to complete its due diligence activities as well as prepare the application. HUD is expected to issue an "invitation" for a formal application within 90 days. The Section 221(d)(4) application is quite detailed and will require submission of construction plans and specifications that are 90% complete. HSI must report periodically to the Library Director on the HUD application and review process. A closing would occur within 90 days of the HUD's guarantee approval, but no later than May 31, 2013. The Library Director may extend this period based on documented delays by HUD during the review process or due to delays with construction plan preparation.

In the event HUD rejects the loan guarantee application, HSI shall have the option to pursue alternate financing for six months. Upon receipt of a preliminary financing commitment, HSI shall have 90 additional days to close the transaction. This period may also be extended by the Library Director based on favorable progress to obtain needed financing.

Conveyance terms will be similar to other City transactions. The buyer cannot be in violation of the City's General Buyer Policies for tax delinquency, code violations, etc. and the property will be conveyed on an "as is, where is" basis. The deed will prohibit the buyer or successors from applying to the City for tax-exempt property status.

HSI shall provide a 5,000 SF minimum space for a temporary East Library within one-half mile of the current facility and subject to approval by the Library Director. The agreement provides a four-month period following closing for MPL to make minor improvements to the space and obtain computer and telecommunication services.

The Agreement anticipates a nine to 12-month period following conveyance of the property to complete the building shell. MPL will finish the library interior, which is expected to take approximately ten months. Full building completion should be done within 20 months following the initial closing. If HUD approvals are received in a timely manner, the new East Library should open in early 2015. If multiple financing methods need to be pursued, the library opening would be delayed until 2016.

LIBRARY REACQUISITION

After completion of the building shell, a two unit condominium will be created: the City Library Unit and the HSI unit. MPL and the City Attorney will negotiate the condominium declaration with HSI and will present the document to the Council for approval.

The library condominium will be conveyed to the City at no cost to the City other than customary closing costs. Closing costs may be paid from any purchase price not needed for initial sale expenses and that will be held by DCD until the second closing. After acquisition, MPL will complete the interior finish of the library. MPL issued a Request for Qualifications for architectural services for the interior build-out and is in the review and selection process.

FUTURE REDEVELOPMENT

The Purchase and Development Agreement also addresses the situation that the Library condominium is no longer needed for municipal purposes. If the City sells the unit while HSI still owns its condominium, additional use restrictions will be place on the sale to prevent conflicts with the residences such as taverns/night clubs, industrial uses, automotive uses, etc. Such use restrictions are common with Requests for Proposals for City property sales.

March 21, 2012

To the Honorable Members of the
Public Works Committee
City of Milwaukee

Dear Committee Members:

File No. 111405 authorizes a Purchase, Sale and Redevelopment Agreement for the East Library located at 1910 East North Avenue with HSI Properties, LLC, in the 3rd Aldermanic District. The City Plan Commission's review was specific to the design and location of "public buildings," which in this case, was limited to the public library portion of the building.

The City Plan Commission at its regular meeting on February 27, 2012, recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Bunkie Miller, Real Estate



City of Milwaukee Fiscal Impact Statement

A **Date** 3/22/2012 **File Number** 111405 **Original** **Substitute**

Subject Substitute resolution authorizing a Purchase, Sale and Development Agreement for the East Library at 1910 East North Avenue with HSI Properties, LLC to approve sale of the property, redevelopment of a mixed-use building and acquisition of the new East Library condominium unit, in the 3rd Aldermanic District.

B **Submitted By (Name/Title/Dept./Ext.)** Rocky Marcoux, Commissioner, DCD, x5800

C **This File**

- Increases or decreases previously authorized expenditures.
- Suspends expenditure authority.
- Increases or decreases city services.
- Authorizes a department to administer a program affecting the city's fiscal liability.
- Increases or decreases revenue.
- Requests an amendment to the salary or positions ordinance.
- Authorizes borrowing and related debt service.
- Authorizes contingent borrowing (authority only).
- Authorizes the expenditure of funds not authorized in adopted City Budget.

D **Charge To**

- Department Account
- Capital Projects Fund
- Debt Service
- Other (Specify) Library Fund
- Contingent Fund
- Special Purpose Accounts
- Grant & Aid Accounts

	Purpose	Specify Type/Use	Expenditure	Revenue	
E	Salaries/Wages		\$0.00	\$0.00	
			\$0.00	\$0.00	
	Supplies/Materials		\$0.00	\$0.00	
			\$0.00	\$0.00	
	Equipment		\$0.00	\$0.00	
			\$0.00	\$0.00	
	Services		\$0.00	\$0.00	
			\$0.00	\$0.00	
	Other	Gross Sale Price to be used for sale and purchase expenses; remaining funds, if any, will be deposited in the Library Fund.		\$0.00	\$20,000.00
				\$0.00	\$0.00
	TOTALS		\$ 0.00	\$20,000.00	

F

Assumptions used in arriving at fiscal estimate. _____

G

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

 1-3 Years 3-5 Years 1-3 Years 3-5 Years 1-3 Years 3-5 Years**H**

List any costs not included in Sections D and E above. _____

I

Additional information. _____

JThis Note Was requested by committee chair.



Legislation Details (With Text)

File #: 111604 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Howard Avenue, West Norwich Street, South 5th Place and South 6th Street, in the 13th Aldermanic District.

Sponsors: ALD. WITKOWSKI

Indexes: ALLEY VACATIONS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111604
Version
ORIGINAL
Reference

Sponsor
ALD. WITKOWSKI

Title
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Howard Avenue, West Norwich Street, South 5th Place and South 6th Street, in the 13th Aldermanic District.

Analysis
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body
Whereas, It has been proposed by the Department of City Development that the unimproved alley in the block bounded by West Howard Avenue, West Norwich Street, South 5th Place and South 6th Street, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said alley in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Drafter
DCD:EAR:ear
03/20/12/I



Legislation Details (With Text)

File #: 111607 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Norwich Street, West Waterford Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.

Sponsors: ALD. WITKOWSKI

Indexes: ALLEY VACATIONS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111607
Version
ORIGINAL
Reference

Sponsor
ALD. WITKOWSKI
Title

Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Norwich Street, West Waterford Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.

Analysis
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body
Whereas, It has been proposed by the Department of City Development that the unimproved alley in the block bounded by West Norwich Street, West Waterford Avenue, South 5th Place and South 6th Street, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said alley in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Drafter
DCD:EAR:ear
03/20/12/G



Legislation Details (With Text)

File #: 111609 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Plainfield Avenue, West Waterford Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.

Sponsors: ALD. WITKOWSKI

Indexes: ALLEY VACATIONS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111609
Version
ORIGINAL
Reference

Sponsor
ALD. WITKOWSKI

Title
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Plainfield Avenue, West Waterford Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.

Analysis
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body
Whereas, It has been proposed by the Department of City Development that the unimproved alley in the block bounded by West Plainfield Avenue, West Waterford Avenue, South 5th Place and South 6th Street, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said alley in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Drafter
DCD:EAR:ear
03/20/12/E



Legislation Details (With Text)

File #: 111612 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of alley in the block bounded by West Bolivar Avenue, West Plainfield Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.

Sponsors: ALD. WITKOWSKI

Indexes: ALLEY VACATIONS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111612
Version
ORIGINAL
Reference

Sponsor
ALD. WITKOWSKI

Title
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of alley in the block bounded by West Bolivar Avenue, West Plainfield Avenue, South 5th Place and South 6th Street, in the 13th Aldermanic District.

Analysis
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body
Whereas, It has been proposed by the Department of City Development that the unimproved portion of alley in the block bounded by West Bolivar Avenue, West Plainfield Avenue, South 5th Place and South 6th Street, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said alley in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Drafter
DCD:EAR:ear
03/20/12/C



Legislation Details (With Text)

File #: 111069 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution to vacate the north-south and east-west alleys in the block bounded by East Keefe Avenue, East Nash Street, North Palmer Street and North 1st Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ALLEY VACATIONS

Attachments: Exhibit A, City Plan Commission Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/1/2011	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111069
Version
SUBSTITUTE 1
Reference

Sponsor
THE CHAIR
Title

Substitute resolution to vacate the north-south and east-west alleys in the block bounded by East Keefe Avenue, East Nash Street, North Palmer Street and North 1st Street, in the 6th Aldermanic District.

Analysis

This substitute resolution vacates the above alleys in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by Medo LLC to consolidate land for the north, west and south abutting industrial facility known as Medovations.

Body

Whereas, It is proposed that the north-south and east-west alleys in the block bounded by East Keefe Avenue, East Nash Street, North Palmer Street and North 1st Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been authorized and directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 62.73, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

Whereas, Said vacation has been reviewed in accordance with Section 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said alleys as indicated by Exhibit A and bound and described by:

All of the north-south and east-west alleys as presently laid out in the block bounded by East Keefe Avenue, East Nash Street, North Palmer Street and North 1st Street, located in the Northeast 1/4 of Section 8, Township 7 North, Range 22 East, is vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

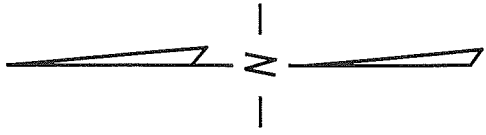
Further Resolved, That the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation and when a money deposit is required, it must be deposited prior to implementing said actions; and, be it

Further Resolved, That as provided by Section 62.73, Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said alleys had not been vacated.

Drafter

DCD:EAR:ear

03/21/12



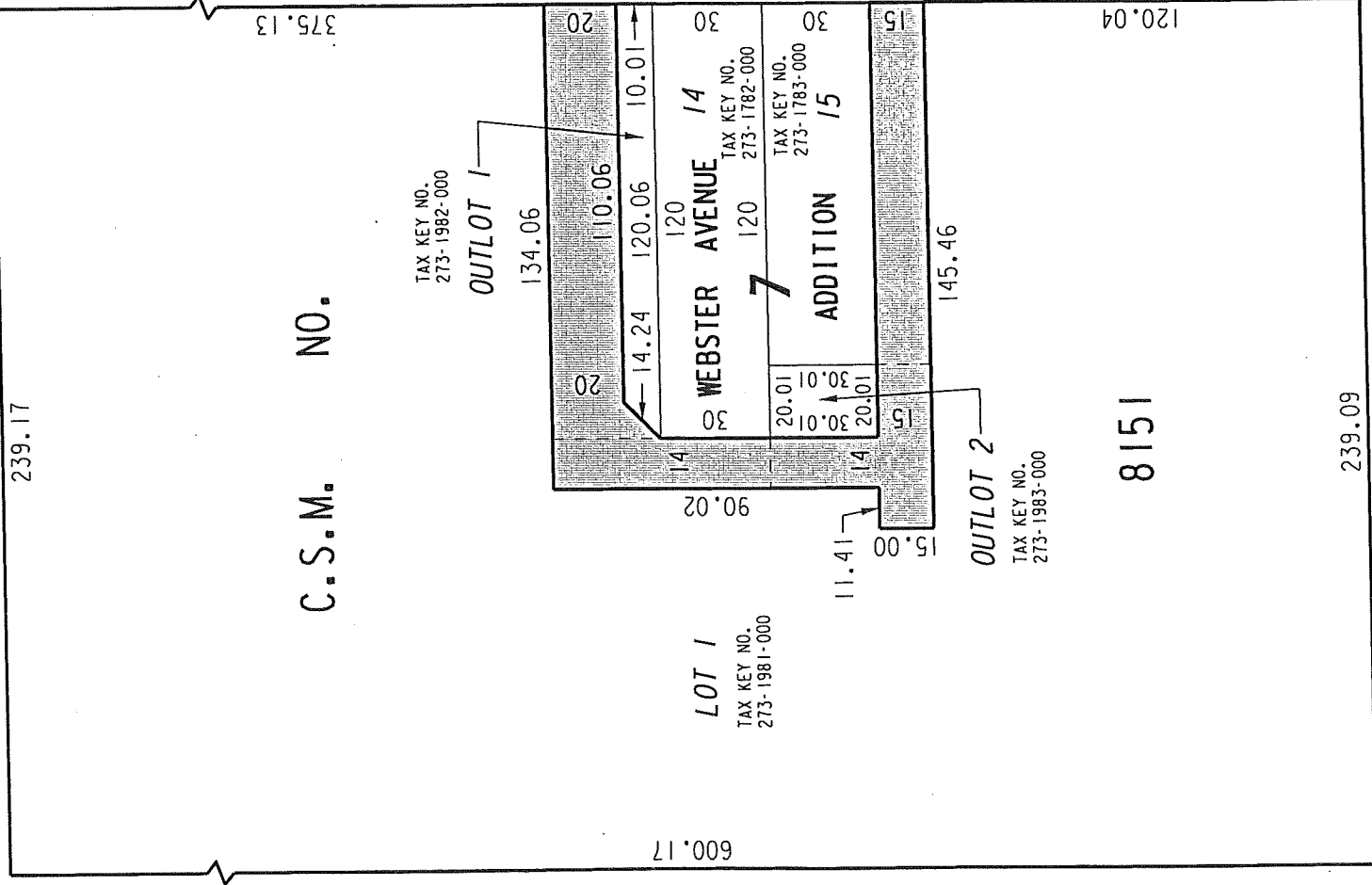
273

N.E. 1/4 SEC. 8, T.7N., R.22E.

E. Nash

(60' R.O.W.)

St.



St.

St.

C.S.M. NO.

(70' R.O.W.)

(70' R.O.W.)

N. Palmer

N. 1st

33

33

E. Keefe

1/4 SEC. LINE

Ave.

(66' R.O.W.)

PUBLIC ALLEYS
PROPOSED TO
BE VACATED



EXHIBIT "A"

FILE NO. 111069

INFRASTRUCTURE SERVICES DIVISION

MILWAUKEE, WISCONSIN

ASSIGNED TO: W.E. FUCHS

CH'K'D. BY: W.E. FUCHS

DRAWN BY: W.E.F.

DATE: DEC. 27, 2011

PROJECT/GRANT NO.: WK52337307

SCALE: 1" = 50'

APPROVED BY:

Maricia Cornell

CENTRAL DRAFTING & RECORDS MANAGER

Jeffrey Palenche
CITY ENGINEER

March 23, 2012

To the Honorable Members of the
Public Works Committee
City of Milwaukee

Dear Committee Members:

File No. 111069 vacates the north-south and east-west alleys in the block bounded by East Keefe Avenue, East Nash Street, North Palmer Street, and North 1st Street in the 6th Aldermanic District. This vacation was requested by Medo LLC in order to consolidate land for the north, west and south-abutting industrial facility known as Medovations.

The Department of Public Works Coordinated Report contains no stated objections to the proposed vacation. At the request of the Commissioner of Public Works, the petitioner has provided:

Remove one alley light	\$150.00
Equity in two catch basins	\$800.00
Remove alley approach	\$4,500.00
Benefit assessments	\$2,325.00
Total	\$7,775.00

Since the proposed vacation is not in conflict with City plans, the City Plan Commission at its regular meeting on March 19, 2012, recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Milele Coggs



Legislation Details (With Text)

File #: 111598 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Roberts Street, West Walnut Street, North 37th Street and North 38th Street, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ALLEY VACATIONS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111598
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Roberts Street, West Walnut Street, North 37th Street and North 38th Street, in the 15th Aldermanic District.

Analysis
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body
Whereas, It has been proposed by the Department of City Development that the unimproved alley in the block bounded by West Roberts Street, West Walnut Street, North 37th Street and North 38th Street, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said alley in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Drafter
DCD:EAR:ear
03/20/12/O



Legislation Details (With Text)

File #: 111600 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 12th Street and North 14th Street, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ALLEY VACATIONS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111600
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 12th Street and North 14th Street, in the 15th Aldermanic District.

Analysis
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body
Whereas, It has been proposed by the Department of City Development that the unimproved alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 12th Street and North 14th Street, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said alley in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Drafter
DCD:EAR:ear
03/20/12/M



Legislation Details (With Text)

File #: 111602 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of alley in the block bounded by West Garfield Avenue, North Hi-Mount Boulevard, West Lloyd Street and North 49th Street, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ALLEY VACATIONS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111602
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of alley in the block bounded by West Garfield Avenue, North Hi-Mount Boulevard, West Lloyd Street and North 49th Street, in the 15th Aldermanic District.

Analysis
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body
Whereas, It has been proposed by the Department of City Development that unimproved portion of alley in the block bounded by West Garfield Avenue, North Hi-Mount Boulevard, West Lloyd Street and North 49th Street, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said alley in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Drafter
DCD:EAR:ear
03/20/12/K



Legislation Details (With Text)

File #: 111580 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to acceptance and funding of a 2012 Urban Non Point Source & Storm Water Management Program Grant for the Green Streets project on West Grange Avenue between South 19th Street South Howell Avenue and South Howell Avenue directing the proper City officers to execute a Grant Award Agreement between the City of Milwaukee and the Wisconsin Department of Natural Resources regarding the project grant.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, STATE GRANTS, WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111580
Version
ORIGINAL

Reference

Sponsor
THE CHAIR

Title
Resolution relative to acceptance and funding of a 2012 Urban Non Point Source & Storm Water Management Program Grant for the Green Streets project on West Grange Avenue between South 19th Street South Howell Avenue and South Howell Avenue directing the proper City officers to execute a Grant Award Agreement between the City of Milwaukee and the Wisconsin Department of Natural Resources regarding the project grant.

Analysis
This resolution authorizes the Department of Public Works, Infrastructure Services Division to accept and fund a Wisconsin Department of Natural Resources Urban Nonpoint Source and Storm Water Management Program (UNPS&SW) Grant in the amount of \$525,000 with a City share of \$375,000 and a grantor share of \$150,000. The purpose of the grant is to install Green Streets on the medians of West Grange Avenue between South 19th Street and South Howell Avenue as structural best management practices. Funding under this grant will enable the City to control pollutants and improve water quality. This resolution also authorizes and directs the proper City officers to execute a UNPS&SW Grant Award Agreement between the City of Milwaukee and the DNR.

Body
Whereas, The City of Milwaukee (City) is eligible for UNPS&SW grant funds from the Wisconsin

Department of Natural Resources (DNR) for the installation of Green Streets on the medians of West Grange Avenue between South 19th Street and South Howell Avenue as structural best management practices; and

Whereas, Stormwater pollution control is an important component of the City of Milwaukee's (City) storm water management regulation and the City's permit with the WDNR; and

Whereas, The proposed Green Streets consist of creating bioinfiltration areas in the medians of West Grange Avenue between South 19th Street and South Howell Avenue by removing the existing grass area and replacing it with an engineered soil mix; and

Whereas, Green Streets are an established and cost effective means of removing sediment from public streets and will infiltrate and treat storm water runoff from the West Grange Avenue right of way; and

Whereas, The City is proposing to construct a Green Streets project in West Grange Avenue between South 19th Street and South Howell Avenue and has submitted a grant application to the DNR to assist in funding of the project; and

Whereas, The DNR has awarded the City with matching grant funds not to exceed \$150,000 to construct the Green Streets; and

Whereas, The operation of the grant for the Green Street project is from January, 2012 through December, 2013 and is estimated to cost \$525,000, of which \$375,000 would be provided by the City and \$150,000 would be provided by the DNR; and

Whereas, Department of Public Works/Infrastructure Services has committed funds for the entire cost of the project per common council file Number 111475 (SM493110101); now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers and/or the herein named department head are hereby authorized to accept such a grant without further Common Council approval unless the terms of the grant change as indicated in Common Council file 030712 (Grant Ordinance); and, be it

Further Resolved, That upon approval of this contract, the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Chartfield Value for this project; and transfer to these accounts the amount required under the agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater as follows:

Project/Grant Parent	Grantor Share
Project/Grant	SP032120100
Fund	0306
Organization	9990
Program	0001
Amount	\$150,000

Further Resolved, That these funds are appropriated to the Department of Public Works, Infrastructure Services Division which is authorized to expend from the amount budgeted for specific purposes as indicated in the grant budgets and incur costs consistent with the award date; and, be it

Further Resolved, That the Infrastructure Services/Sewer Maintenance commit \$375,000 (common council file Number 110924) to fund the project titled 2010 Urban Non Point Source & Storm Water Management Grant Program for the Green Streets project on West Grange Avenue.

Further Resolved, That these funds are budgeted for the Department of Public Works which is authorized to expend from the amount budgeted for specific purposes as indicated in the grant and incur costs consistent with the grant; and, be it

Further Resolved, That the proper City officers are authorized and directed to execute a Grant Award Agreement between the City of Milwaukee and the DNR regarding the Urban Nonpoint Source and Storm Water Management Program (Green Streets in West Grange Avenue project) grant; and, be it

Further Resolved, That the Commissioner of Public Works of the Department of Public Works shall have the authority to authorize transfers within the project budget so long as the amount expended for any purpose shall not exceed the amount authorized by the budget by 10% and such transfers are in accordance with grantor regulations; and, be it

Further Resolved, That the Commissioner of Public Works on behalf of the City of Milwaukee be authorized to enter into subcontracts (and leases) as detailed in the project budget and in accordance with City purchasing procedures and grant and aid guidelines for awarding such contracts.

Requestor
Department of Public Works
Infrastructure Services Division
Drafter
Environmental Engineering Section
TJT/SB
March 14, 2012



Legislation Details (With Text)

File #: 111587 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Commissioner of Public Works to execute a project agreement titled "State/Municipal Agreement for a Locally Let Congestion Mitigation and Air Quality Project" with the Wisconsin Department of Transportation for the CNG Fuel Program and CNG Retrofit of Refuse Trucks with 80 percent Federal funds under the Congestion Mitigation and Air Quality Grant Program, and to set up funds for the programming, engineering and construction of the project at a total project cost of \$3,004,239 with a Grantor share of \$2,403,391 and a City share of \$600,848.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, ENERGY CONSERVATION, PUBLIC BUILDINGS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Agreement, Comptroller's Certificate, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111587
Version
ORIGINAL
Reference
Sponsor
THE CHAIR
Title

Resolution directing the Commissioner of Public Works to execute a project agreement titled "State/Municipal Agreement for a Locally Let Congestion Mitigation and Air Quality Project" with the Wisconsin Department of Transportation for the CNG Fuel Program and CNG Retrofit of Refuse Trucks with 80 percent Federal funds under the Congestion Mitigation and Air Quality Grant Program, and to set up funds for the programming, engineering and construction of the project at a total project cost of \$3,004,239 with a Grantor share of \$2,403,391 and a City share of \$600,848.

...Analysis

This resolution authorizes and directs the Commissioner of Public Works to execute a Project Agreement with the Wisconsin Department of Transportation for the CNG Fuel Program and CNG Retrofit of Refuse Trucks with 80 percent Federal funds. This resolution also directs the City of Milwaukee's Comptroller to establish project grant chartfield values and to transfer funds to these accounts for the programming, engineering and construction of this project. The total estimated cost of the project is \$3,004,239, of which the Grantor's share is \$2,403,391 and the City's share is \$600,848.

Body

Whereas, The City of Milwaukee has actively promoted the use of compressed natural gas in vehicles; and

Whereas, A Congestion Mitigation and Air Quality Grant will fund the federal portion of the project; and

Whereas, The Common Council adopted Resolution No. 081591 on April 14, 2009 authorizing the City

Engineer to apply for Congestion Mitigation and Air Quality Grants; and

Whereas, The Wisconsin Department of Transportation has submitted a Project Agreement to be executed by the City of Milwaukee for the programming of the project; and

Whereas, The State cannot proceed with any project cost overruns and changes in scope of more than five percent without prior Department of Public Works approval; and

Whereas, The Department of Public Works shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project overruns and changes in scope approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100 percent liable for any such project cost overruns and changes in scope as approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute the Project Agreement for the programming, engineering and construction of the CNG Fuel Program and CNG Retrofit of Refuse Trucks, a copy of which is attached to Common Council Resolution File Number 111587 and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby directed to undertake or engage a consultant to undertake the above-mentioned project and to reimburse the Wisconsin Department of Transportation for costs they incur for the project; and, be it

Further Resolved, That upon approval of this contract, the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Funds the appropriate Project Grant Chartfield Value for this project; and transfer to these accounts the amount required under the grant agreement and City accounting policy, but not to exceed a 10 percent increase of the total amounts reserved for the Grantor's share and Local share or \$5,000, whichever is greater as follows:

Project Grant Value

1. Commit funds within the City's capital budget fund, the following amount for the project titled Congestion Mitigation and Air Quality Project Grant:

State Project ID 1693-35-02
CNG Fuel Program and CNG Retrofit of Refuse Trucks - Design Review Costs

City Share of Muni Garages/Outlying Buildings Remodeling
Project Grant Number BU110030323
Fund Number 0321
\$2,848

Grantor Non-Reimbursable Share
\$11,391

State Project ID 1693-35-72
CNG Fuel Program and CNG Retrofit of Refuse Trucks - Construction of a CNG Fueling Station and review costs

City Share of Muni Garages/Outlying Buildings Remodeling
Project Grant Number BU110030322
Fund Number 0321
\$454,000

Grantor Reimbursable Share
Project Grant Number SP032120100
Fund Number 0306
\$1,816,000

Previously authorized for construction: \$0
Current estimated cost of total project including this resolution: \$3,004,239
Original estimated cost of total project: \$3,004,239

Total: \$3,004,239

2. Commit funds within the Project/Grant parent of the 2012 Special Revenue Grant and Aid Fund, the following amount for the project titled Congestion Mitigation and Air Quality Project Grant:

State Project ID 1693-35-10
CNG Fuel Program and CNG Retrofit of Refuse Trucks - Incremental costs of converting 20 refuse trucks to CNG and review costs

City Share of Major Capital Equipment
Project Grant Number BU110121000
Fund Number 0321
\$144,000

Grantor Reimbursable Share
Project/Grant GR0001200000
Fund 0150
Org 9990
Program 0001
Budget Year 0000
Sub Class R999
Account 000600
Project Grantor Share
Amount \$576,000

3. Create the necessary Grant and Aid Project (Grant and Project) Grant levels, budget against these Project/Grant values the amount required under the grant agreement.
4. Establish the necessary City share project values; and, be it

Further Resolved, That these funds are budgeted for the Department of Public Works-Operations Division (Fleet Services Section), which is authorized to:

1. Expend from the amount budgeted sums for the specified purposes, as indicated in the grant budget, and incur costs consistent with the award date.
2. Transfer funds within the project budget as long as the amount expended for each specific purpose does not exceed the amount authorized by the budget by 10 percent.

3. Expend from the 2012 grant budget funds for specific items of equipment.
4. Enter into subcontracts as detailed in the grant budget.

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to approve and make periodic payments to the Wisconsin Department of Transportation upon receipt of invoices for the local share of the project.

Requestor

Department of Public Works

Drafter

Operations Division, Fleet Services Section

PK:TT:amh

March 14, 2012

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**STATE/MUNICIPAL AGREEMENT
FOR A LOCALLY LET CMAQ
PROJECT**

Program Name: Congestion Mitigation and
Air Quality Improvement (CMAQ)
Sub-program #: 211

Date: **January 19, 2012**
I.D.: **1693-35-02, 1693-35-10, 1693-35-72**
Project Title: **CNG Fuel Program & CNG Retrofit
of Refuse Trucks**
Location/Limits (as applicable): **3025 W Ruby Ave**
County: **Milwaukee**
Project Length (if applicable): **N/A**
Counties Served: **Milwaukee**
Project Sponsor: **City of Milwaukee**
Sponsor County: **Milwaukee**
MPO Area: **SEWRPC**

The signatory, City of Milwaukee, hereinafter called the Project Sponsor, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the transportation project hereinafter described.

23 U.S.C. 149 and Wis. Stat. 85.245 authorize the State to administer a program for the distribution of federal funds for congestion mitigation and air quality improvement projects.

The authority for the Project Sponsor to enter into this agreement with the State is provided by Sections 86.25(1), (2), and (3) and Section 66.0301 of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Project Sponsor agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Proposed Project - Nature of work: **Construction of a CNG Fueling station at 3025 W Ruby Ave & incremental cost of converting 20 refuse trucks to Compressed Natural Gas.**

Need for or Benefits of Project – summarize reasons for request: **These trucks will be in high use residential areas, operating 8 hours a day, 5 days a week, 250 days per year. These trucks will be stopping frequently and idling for long periods of time. In the winter these vehicles will also be used for snow removal. By conversion of diesel fueled trucks to CNG, the City will be reducing NOx, ground level ozone, air particulates, and fuel costs. The fueling station will allow for 400 Diesel Gallon Equivalents per hour capacity and will be open to the public.**

Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Project Sponsor. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable federal and state requirements: **N/A**

The Project Sponsor agrees to the following Calendar Year 2009 [FY 2010-2013] CMAQ Program project funding conditions:

The subject project is funded with 80% federal funding up to a maximum of \$2,403,391 for all federal/state-funded project phases when the Project Sponsor agrees to provide the remaining 20% and all funds in excess of the \$2,403,391 federal funding maximum, in accordance with CMAQ program guidelines. Non-participating costs are 100% the responsibility of the Project Sponsor. Any work performed by the Project Sponsor prior to federal authorization is not eligible for federal funding. The Project Sponsor will be notified by the State when each project phase or ID is authorized and available for charging.

In the summary funding table below, the federal share of the total estimated cost distribution indicates the maximum amount of federal funding available to the project, to be distributed across federally-funded project phases. The final Project Sponsor share is dependent on the final federal participation, and the actual costs will be used in the final division of costs for billing and reimbursement.

ID 1693-35-02					
State Design Review	\$14,239	\$11,391	80%*	\$2,848	20%*
ID 1693-35-10			80%*		20%*
Participating Costs & Review	\$720,000	\$576,000	0%	\$144,000	100%
ID 1693-35-72					
Participating Construction & Review	\$2,270,000	\$1,816,000	80%*	\$454,000	20%*
Total Est. Cost Distribution	\$3,004,239	\$2,403,391	MAX	\$600,848	N/A

*This project has a CMAQ federal funding maximum of \$2,403,391. This maximum is cumulative for all federally funded project phases.

Review costs are administered and paid for by WisDOT. The Project Sponsor will be billed for any required local match and for costs beyond the cumulative federal or state funding.

This request is subject to the terms and conditions that follow (pages 2 – 9) and is made by the undersigned under proper authority to make such request for the designated Project Sponsor and upon signature by the State shall constitute agreement between the Project Sponsor and the State. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing duly executed by both parties to this State/Municipal Agreement.

Signed for and in behalf of: City of Milwaukee (please sign in blue ink.)		
Name	Title	Date
Name	Title	Date
Signed for and in behalf of the State:		
Name	Title	Date

GENERAL TERMS AND CONDITIONS:

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.
2. Work prior to federal authorization is ineligible for federal funding. The Project Sponsor will be notified by the State when each project phase or ID is authorized and available for charging. Authorization is required for each separate project phase or ID.
3. The initiation and accomplishment of the project will be subject to the applicable federal and state regulations, as referenced in the document *A Sponsor's Guide to Non-Traditional Project Implementation*. The Project Sponsor, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:
 - a. Environmental requirements, including but not limited to those set forth in 23 U.S.C. 139 and the National Environmental Policy Act (42 U.S.C. 4321 et seq.).
 - b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The Project Sponsor agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition the Project Sponsor agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The Project Sponsor agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.
 - c. All DBE requirements that the State specifies.
 - d. Federal and state statutes that govern the CMAQ Program, including but not limited to 23 U.S.C. 149 and Wis. Stat. 85.245.
4. Additional applicable state and federal requirements may include, but are not limited to, the following:
 - a. Prevailing wage requirements, including but not limited to 23 U.S.C. 113 and Wis. Stat. 103.50.
 - b. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.
 - c. Competitive bidding requirements set forth in 23 U.S.C. 112 and Wis. Stat. 84.06.

STATE RESPONSIBILITIES AND REQUIREMENTS:

5. Funding of the project is subject to inclusion in Wisconsin's approved CMAQ program. Federal funding will be limited to participation in the costs of the following items, as applicable to the project:
 - a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.
 - b. Storm sewer mains necessary for the surface water drainage.

- c. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
- d. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).
- e. Signing and pavement marking, including marking of detour routes. Detour routes and haul roads are not eligible on local projects.
- f. New installations or alteration of street lighting and traffic signals or devices.
- g. Landscaping.
- h. Preliminary Engineering:
- i. Real estate for the improvement:
- j. Management Consultant and State Review Services.
- k. Other CMAQ items: Construction of CNG Fueling station at 3025 W Ruby Ave & incremental cost of converting 20 refuse trucks to Compressed Natural Gas

6. State Disbursements:

- a. Payment by the State to the Project Sponsor shall be made on a regular basis upon presentation of vouchers for expenditures incurred during prior periods of the project duration subject to the allowable maximum payment. Exceptions to this schedule will be made as appropriate. In general, State reimbursements will be made after sufficient proof of payment is sent to the State.
- b. A final adjustment of state payments will be made upon completion of the State's audit of the project. If the State's audit establishes that the State paid more than its share of the eligible project costs, the Project Sponsor shall refund to the State upon demand a sum equal to the overpayment.

PROJECT SPONSOR RESPONSIBILITIES AND REQUIREMENTS:

- 7. Work necessary to complete the subject CMAQ project to be financed entirely by the Project Sponsor or other utility or facility owner includes the items listed below, when applicable to the project.
 - a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.
 - c. Detour routes and haul roads. The Project Sponsor is responsible for determining the detour route.
 - d. Conditioning, if required and maintenance of detour routes.
 - e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
 - f. All work related to underground storage tanks and contaminated soils.
 - g. Street and bridge width in excess of standards, in accordance with the current WisDOT Facilities Development Manual (FDM).

8. The work eligible for Federal and State participation will be administered by the Project Sponsor.
9. Where applicable, all contracts will be let by competitive bid and awarded to the lowest responsible bidder in accordance with the requirements set forth in 23 U.S.C. 112 and Wis. Stat. 84.06. Where applicable, all contracts for design related services shall be awarded and administered in accordance with the requirements of 23 CFR 172 and procedures published in the Wisconsin Department of Transportation Facilities Development Manual (FDM), Chapter 8, Consulting Services.
10. The Project Sponsor must receive, read, and agree to meet the requirements outlined in the *Sponsor's Guide to Non-Traditional Transportation Project Implementation*. The Project Sponsor must indicate this understanding and agreement by submitting the *Sponsor's Guide Acknowledgement Form*, which must be accepted by the State before approval of this State/Municipal Agreement shall be granted.
11. The Project Sponsor must complete and submit *Certification for Non-Traditional Project Administration and Delivery* documentation, and this documentation must be accepted by the State, before approval of this State/Municipal Agreement shall be granted. The Project Sponsor, and all consultants and other entities working on behalf of the Project Sponsor, are required to comply with the federal and state rules and requirements for projects being administered through a local letting process.
12. The project, in accordance with its scope, must employ the services of a registered professional engineer, architect or landscape architect, to be responsible for design and construction engineering and related activities.
13. A copy of the plans, specifications, and estimates containing the engineer's, architect's, or landscape architect's seal as prepared for bidding purposes (in accordance with project scope) must be provided to the State for approval prior to advertising the project for bids.
14. The improvement will take place in accordance with the appropriate standards unless an exception to standards is granted by the State prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the project sponsor unless such exception is granted.
15. Work to be performed by the Project Sponsor without federal funding participation, necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Project Sponsor but must be coordinated with all other work undertaken during construction.
16. The Project Sponsor is responsible for financing administrative expenses related to Project Sponsor responsibilities.
17. The Project Sponsor will not proceed with any contract revisions without first receiving prior approval from the State. A contract change order must be executed for revisions to the contract prior to the Project Sponsor's request for reimbursement for the revisions.
18. If reviews or audits show any of the work to be ineligible for Federal funding, the Project Sponsor will be responsible for any withdrawn costs associated with the ineligible work.
19. If the Project Sponsor should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
20. The Project Sponsor will assume all responsibility for retaining a complete project file that includes not only construction documentation but also copies of letting documents, all local and State submittals and approvals contained in these instructions, and other pertinent documents to support project procurement, development, implementation and cost and any other item required by 49 CFR part 18 and submitting such information, upon request, in order to receive reimbursement. The Project Sponsor will keep all project

records and have them available for inspection by representatives of the Federal Government and the State and will furnish copies thereof when requested.

21. Federal Single Audits of the Project Sponsor:

- a. The Project Sponsor shall have a single organization audit performed by a qualified independent auditor if required to do so under Federal law and regulations. (See Federal Office of Management and Budget (OMB) Circular No. A-133).
- b. This audit shall be performed in accordance with federal OMB Circular No. A-133 and State single audit guidelines issued by the Wisconsin Department of Administration (DOA).
- c. The Project Sponsor will keep records of costs of construction, inspection tests, and maintenance done by it to enable the Federal Government and the State to review the amount and nature of the expenditure for those purposes. Such accounting records and any other related records shall be retained for three years from the date of final payment. If any litigation, claim, or audits are started before the expiration of the three year period, the records shall be retained until all litigations, claims or audit findings involving the records have been resolved.

22. In connection with the performance of work under this State/Municipal Agreement, the Project Sponsor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in S. 51.01(5), sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Except with respect to sexual orientation, the Project Sponsor further agrees to take affirmative action to ensure equal employment opportunities. The Project Sponsor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the employment officer setting forth the provisions of the nondiscrimination clause.

23. The Project Sponsor will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national origin.

24. When applicable to the project, the Project Sponsor will at its own cost and expense:

- a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, parking lanes, bicycle lanes, trails, and other facilities, sidewalks and other pedestrian facilities, and other project infrastructure for such maintenance through statutory requirements in a manner satisfactory to the State, and will make ample provision for such maintenance each year.
- b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during their construction.
- c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
- d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the projects.
- e. Provide relocation orders and real estate plats and easements, as required by the project.

- f. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.
- g. Provide maintenance and energy for lighting.
- h. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

25. It is further agreed by the Project Sponsor that:

- a. The Project Sponsor assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the State and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this State/Municipal Agreement.
- b. The Project Sponsor assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Project Sponsor. The Project Sponsor is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Project Sponsor will reimburse the State if the State incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.
- c. The Project Sponsor will be 100% responsible for all costs associated with utility issues involving the Contractor, including costs related to utility delays.
- d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Project Sponsor or by others, will be in conformity with such "Manual on Uniform Traffic Control Devices" as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred in by the Federal Highway Administration.

26. The project must be authorized for construction within three years from the date of approval of the State/Municipal Agreement by the State. Extensions are available upon the State's approval of a written request made by the Project Sponsor. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

LEGAL RELATIONSHIPS:

27. Responsibility for Damage and Tort Claims: The Project Sponsor and the Project Sponsor's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Project Sponsor; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Project Sponsor; or because of any claims or amounts recovered for any infringement by the Project Sponsor of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the Project Sponsor's employees; or any other law, ordinance, order or decree relating to the Project Sponsor's operations. So much of the money due the Project Sponsor under and by virtue of the contract as shall be considered necessary by the State for such purposes, may be retained for the use of the State; or, in case no money or insufficient money is retained, the Project Sponsor's surety may be held until such suit or suits, action or actions, claim or claims for injuries or damages as aforesaid shall have been settled and suitable evidence to that effect furnished to the State; except that money due the Project Sponsor will not be withheld when the Project Sponsor produces satisfactory evidence that the Project Sponsor is adequately protected by public liability and property damage insurance. The Project Sponsor also shall comply with all of the above requirements indemnifying and saving harmless the county, town, or municipality in which the improvement is made and each of them separately or jointly and officers and employees.

The State shall not be liable to the Project Sponsor for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Project Sponsor for damages or delays resulting from injunctions or other restraining orders obtained by third parties except where the damage or delay is a direct result of an injunction or restraining order obtained by a citizen's action alleging violations of 42 U.S.C. 4331 - 4332, 23 U.S.C. 138 or Public Law 91-646.

It shall be the Project Sponsor's responsibility to see that all of the contract operations incident to the completion of the contract are covered by public liability and property damage liability insurance so the general public or any representative of the contracting authority may have recourse against a responsible party for injuries or damages sustained as a result of the contract operations. This requirement shall apply with equal force, whether the work is performed by the Project Sponsor, by a subcontractor or by anyone directly or indirectly employed by either of them.

It is the express intent of this provision that a Project Sponsor that is a county, town or municipality may and should contractually pass on this entire Responsibility for Damage and Tort Claims provision to any public and private entities with which it may subcontract any of the work covered by this agreement.

- a. The word, "surety" in the above paragraphs refers to the issuer of a payment and performance bond under section 779.14 Wis. Stats. (1997 - 98).
 - b. Nothing in this section should be construed as a waiver of any statutory defenses that may be available to any governmental party.
28. The Project Sponsor, also known as the primary participant, as that term is defined in 49 CFR Part 29, certifies to the best of its knowledge and belief, that it and its principals, as that term is defined in 49 CFR Part 29:
- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any State of Wisconsin or Federal department or agency;
 - b. Have not, within a three year period preceding this State/Municipal Agreement, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated above;
 - d. Have not within a three-year period preceding this agreement had one or more public transactions (Federal, State or local) terminated for cause or default; and
 - e. That all grantees, contractors, and suppliers, including what is also known as lower tier participants as that term is used in 49 CFR Part 29 and the Appendix to Part 29 -- Covered Transactions, have certified in writing that neither they or their principals are presently debarred, suspended, proposed for debarment or suspension, have been declared ineligible, or have voluntarily been excluded from participating in this or any other Federal, state or local transaction by any Federal, State or local department, agency or official.
29. Contract Modification: This State/Municipal Agreement can only be modified by written instruments duly executed by both parties. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally.
30. Binding Effects: All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third- party beneficiary rights

to be held by any person or entity who is not a party to this State/Municipal Agreement. Nor does it accord on any non-party the right of enforcement.

31. Choice of Law and Forum: This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The Parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.
32. Nothing in this State/Municipal Agreement shall be construed as a waiver of the State's sovereign immunity.

PROJECT FUNDING CONDITIONS

33. The Project Sponsor agrees to the following Calendar Year 2009 [FY 2010-2013] CMAQ program project funding conditions:
 - a. ID 1693-35-02: Design review costs are funded with 80% federal funding when the Project Sponsor agrees to provide the remaining 20%. These costs are subject to the cumulative project federal funding cap. Design costs are funded 100% by the Project Sponsor. This includes Plan Development, Management Consultant Review, and State Review. The work includes project review, approval of required reports and documents and processing the final PS&E document for award of the contract.
 - b. ID 1693-35-10: Incremental cost of converting 20 refuse trucks to CNG and review costs are funded with 80% federal funding when the Project Sponsor agrees to provide the remaining 20%. These costs are subject to the cumulative project federal funding cap. The work includes project review, approval of required reports and documents, and the incremental cost of converting refuse trucks to CNG.
 - c. ID 1693-35-72: Construction:
 - i. Costs for Construction of a CNG Fueling Station and any related review costs are funded with 80% federal funding, when the Project Sponsor agrees to provide the remaining 20%. These costs are subject to the cumulative project federal funding cap.
 - d. The maximum participation of federal funding will be limited to 80% of the actual eligible project cost or the total cost distribution of CMAQ program funds shown on page 2 of this State/Municipal Agreement, whichever is less. The project federal funding maximum of \$2,403,391 is cumulative for all federal funded project phases.

[End of Document]

**Capital Grant Resolution Certification from the
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. 111587 for CNG Fuel Program and CNG Retrofit of Refuse Trucks (City Share \$600,848; Grantor Share \$2,403,391) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: C. Wisniewski

Date: 3-14-12

1693-35-02 CNG Fuel Program Design and Review (City Share \$2,848; Grantor Non-Reimbursable \$11,391)
 1693-35-10 CNG Retrofit of Refuse Trucks (City Share \$144,000; Grantor Reimbursable \$576,000)
 1693-35-72 CNG Fuel Program Design and Review (City Share \$454,000; Grantor Reimbursable \$1,816,000)



Legislation Details (With Text)

File #: 101316 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/1/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution granting a special privilege to George Mureles, agent for Café Corazon to construct and maintain outdoor café enclosure for the premises at 3129 N. Bremen Street, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Petition, Drawing

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/2/2011	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
101316
Version
ORIGINAL
Reference
Sponsor
THE CHAIR
Title
Resolution granting a special privilege to George Mureles, agent for Café Corazon to construct and maintain outdoor café enclosure for the premises at 3129 N. Bremen Street, in the 3rd Aldermanic District.
Drafter
CC-CC
dkf
2/11/11
spec-priv



PETITION FOR A SPECIAL PRIVILEGE ccl-246 (8/10)

SP 2536

- New application \$250.00 Fee
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)
- Amendment to remove items from Special Privilege # _____ (No fee)
- Amendment for change of ownership for Special Privilege # _____ (No fee)

- File petition with the Department of Public Works, 841 North Broadway, Room 919, Milwaukee, WI 53202, telephone (414) 286-2454.
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee Cafe Cova Lón
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 3129 N. Bremen 53212
(Street Address and Zip Code)

in the 3 Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: Building shelter on west wall of Building for outdoor seating Area. 3/4 of land on city property. Seating located next to Bearline tra.

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): George Mireles Corder
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: [Handwritten Signature]
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: Cafe Cova Lón Corp.
(If applicable, as shown above)

Mailing Address (If different than property address above): 3036 N. Pierce

(OVER)

City: Milwaukee State: WI Zip: 53212

Telephone: 510-760-0223 E-Mail: GeoMire@Att.net

Architect/Engineer/Contractor (If Applicable)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____

The drawing for this file can be viewed in the City Clerk's office, Room 205, 200 E. Wells Street, Milwaukee, WI 53202. The drawing is too big to scan.