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Title: Resolution authorizing the Commissioner of Public Works to execute a Memorandum of Understanding with the Wisconsin Department of Transportation (WisDOT) for the relocation of a combined sewer into the McKinley Avenue right-of-way to accommodate the Bucks Arena project.

Sponsors: ALD. BAUMAN

Indexes:

Attachments: 1. Combined Sewer MOU - City DOT_v1.pdf

Date	Ver.	Action By	Action	Result	Tally
12/15/2015	0	COMMON COUNCIL	ASSIGNED TO		
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151343
ORIGINAL
ALD. BAUMAN

Resolution authorizing the Commissioner of Public Works to execute a Memorandum of Understanding with the Wisconsin Department of Transportation (WisDOT) for the relocation of a combined sewer into the McKinley Avenue right-of-way to accommodate the Bucks Arena project.

This resolution authorizes the Commissioner of Public Works to execute a Memorandum of Understanding with the Wisconsin Department of Transportation for the relocation of a combined sewer into the McKinley Avenue right-of-way to accommodate the Bucks Arena project.

Whereas, The portion of the Park Freeway Sewer between North 8th Street to North 3rd Street, which is owned by the Wisconsin Department of Transportation, runs through and under the City of Milwaukee’s ‘McKinley Avenue District’ in the Park East Redevelopment Corridor; and

Whereas, The Park East Freeway was removed starting in 2002, and County-titled lands are now vacant and ready for redevelopment; and

Whereas, the City of Milwaukee and the Wisconsin Department of Transportation in conjunction with Milwaukee County and the Milwaukee Metropolitan Sewerage District (MMSD) have determined that the public interest is best served by relocating the Sewer between North 8th Street and North 3rd Street, thereby increasing the development potential of former Park East Freeway lands; and

Whereas, The relocation of the Sewer is required to accommodate the ancillary development north of the proposed Bucks Arena; and

Whereas, The Sewer will be relocated to the West McKinley Avenue right-of-way between North 3rd Street and North 8th Street; and

Whereas, The Sewer previously served the Park East Freeway and continues to serve areas of the City as

well highway lands owned and maintained by WisDOT, and therefore both the City and WisDOT benefit from the Sewer; and

Whereas; WisDOT shall perform all work including design, construction, abandonment or removal, and restoration required to relocate the Sewer from its current location to the agreed upon location as part of a WisDOT-let project; and

Whereas, The Department of Public Works (DPW) worked closely with WisDOT to identify specific elements of City infrastructure that will be impacted by the relocation of the Sewer; and

Whereas, Those elements have been enumerated in a draft Memorandum of Understanding (MOU) between the City of Milwaukee and WisDOT; and

Whereas, The MOU generally reflects an understanding between the Department of Public Works and WisDOT on the process to implement the individual project elements; and

Whereas, The timeframe of proceeding with the elements satisfactorily negotiated is becoming critical to the overall Arena project scheduling; and

Whereas, It is now in the interest of both the City of Milwaukee and the WisDOT to seek authority to allow the proper City officials to enter into the MOU so that the Arena Project may proceed to the benefit of all parties;

Whereas, The execution of the MOU may lead to negotiations and development of a number of separate agreements specific to individual elements of City participation in the Sewer project work contracts; and

Whereas, It is in the best interest of both the City of Milwaukee and the WisDOT to also seek authority at this time to allow the proper City officials to enter into the multiple individual project element agreements as they are developed and as they become necessary;

Whereas, The estimated cost to relocate the Sewer is \$5.9 million; and

Whereas, The WisDOT is requesting a City of Milwaukee contribution of approximately \$765,000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are hereby authorized to execute a Memorandum of Understanding with the Wisconsin Department of Transportation for the relocation of a combined sewer into the McKinley Avenue right-of-way to accommodate the Bucks Arena project, a draft of which is attached to this file and made part of this file as though set forth in full, and subsequent agreements between the City of Milwaukee and the State of Wisconsin Department of Transportation regarding various elements associated with the relocation of the Sewer to facilitate the City's overall participation in the project in a manner most beneficial to the city and its citizens; and, be it

Further Resolved, That; non-substantive changes in the MOU may be made by the Commissioner of Public Works or the City engineer to clarify responsibilities as necessary and include additional non-financial elements as necessary; and be it

Further Resolved, That any of the potential future agreements which may be necessary as a result of execution of the MOU that may require financial consideration will be brought forth for Common Council consideration and approval.

Department of Public Works
LRB162012-1

Kathleen Brengosz
01/05/2016