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**Title:** Substitute resolution authorizing the proper city officials to enter into a new lease with Milwaukee County relative to the County's radio communication antennae, supporting equipment, and backup power generation equipment at the City of Milwaukee's Greenfield Water Tank at 8775 W. Waterford Avenue which is located in Greenfield, Wisconsin.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, COMMUNICATIONS SYSTEMS, LEASES

**Attachments:** 1. 5/16/05 Water Works Cover Letter.pdf, 2. 5/23/05 Water Works cover letter.pdf, 3. Fiscal note.pdf, 4. Lease agreement.pdf

Date	Ver.	Action By	Action	Result	Tally
5/20/2005	0	COMMON COUNCIL	ASSIGNED TO		
5/24/2005	1	CITY CLERK	DRAFT SUBMITTED		
5/24/2005	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/24/2005	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/24/2005	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/24/2005	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/25/2005	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/1/2005	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
6/14/2005	1	COMMON COUNCIL	ADOPTED	Pass	14:0
6/23/2005	1	MAYOR	SIGNED		

050163  
SUBSTITUTE 1  
THE CHAIR

Substitute resolution authorizing the proper city officials to enter into a new lease with Milwaukee County relative to the County's radio communication antennae, supporting equipment, and backup power generation equipment at the City of Milwaukee's Greenfield Water Tank at 8775 W. Waterford Avenue which is located in Greenfield, Wisconsin.

This resolution authorizes the proper City officials to enter into a new lease with Milwaukee County relative to the County's radio communication equipment and backup power generation equipment at the City of Milwaukee's Greenfield Water Tank at 8775 W. Waterford Avenue in Greenfield, Wisconsin.

Whereas, The City of Milwaukee owns certain real estate and improvements located at 8775 W. Waterford Avenue in Greenfield, Wisconsin which is the site of the Water Works' Greenfield Water tank (the "Greenfield Site"); and

Whereas, The City of Milwaukee and Milwaukee County have an existing November 30, 1982 lease agreement - the "Agreement for Use of Elevated Water Tower" (as amended by document dated January 18, 2000) - that describes the terms and conditions upon

which the County currently maintains radio-system-communication antennae and supporting equipment at the Greenfield Site; and

Whereas, The County desires to install backup power-generation equipment at the Greenfield Site that will be used to power both the County's radio-communication system and the Water Works equipment at the tank; and

Whereas, Rather than amending the 1982 lease agreement again, the Department of Public Works, Water Works, believes it will be better to put in place a new agreement that can update and better reflect the relationship between the City (as landlord) and the County (as tenant) at the Greenfield Site; and

Whereas, Department of Public Works - Water Works (DPW) has been working with the City Attorney's Office to draft and put in place such a new lease with the County; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that DPW -Water Works and the City Attorney's Office are authorized and directed (a) to continue the preparation of a new lease document between the County and the City for the Greenfield Site, and (b) to negotiate the same with the County; and, be it

Further Resolved, That the finalized lease document shall be substantially the same in form and substance as the lease agreement that is part of this file; and, be it

Further Resolved, That the proper City officials are authorized and directed to enter into a new lease with the County, in accordance with this resolution, that will govern and control the City-County landlord-tenant relationship for the the Greenfield Site; and, be it

Further Resolved, That the rental proceeds from the new lease shall be credited to the appropriate Water Works account; and, be it

Further Resolved, That the City acts under Code of Ordinances Sec. 304-49-17, and finds that the monetary as well as non-monetary benefits to the City under the lease constitute adequate fair market consideration, and that the leasehold interest is surplus to City needs such that (subject to the City's continuing rights in and to the property and under the lease), the City may lease the same to the County.

Department of Public Works  
Milwaukee Water Works  
Administration  
CML  
May 23, 2005

Doc:Resolution\_County at Greenfield Tank