



Legislation Details (With Text)

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**File created:** 5/5/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 6/16/2009

**Effective date:**

**Title:** Resolution directing the Commissioner of Public Works to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District allowing the City to conduct necessary Polychlorinated Biphenyls removal in the area of North Humboldt Avenue and East Capitol Drive.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, FEDERAL GRANTS, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT, RIVERS

**Attachments:** 1. Cover Letter, 2. Fiscal Note, 3. Agreement, 4. Fiscal Analysis 6/3/09, 5. Fiscal Analysis, 6. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/5/2009	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/13/2009	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
5/27/2009	0	COMMON COUNCIL	ASSIGNED TO	Pass	14:0
5/29/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/3/2009	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
6/16/2009	0	COMMON COUNCIL	ADOPTED	Pass	14:0
6/25/2009	0	MAYOR	SIGNED		

090063  
ORIGINAL  
THE CHAIR

Resolution directing the Commissioner of Public Works to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District allowing the City to conduct necessary Polychlorinated Biphenyls removal in the area of North Humboldt Avenue and East Capitol Drive.

Resolution directing the Commissioner of Public Works to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District (MMSD).

Whereas, Section 66.0301, Stats., authorizes any municipality to enter into an Intergovernmental Cooperation Agreement with another municipality for the furnishing of services; and

Whereas, Milwaukee Metropolitan Sewerage District (MMSD) is authorized by statute to project, plan, design, construct, maintain, and operate a sewerage system for the collection, transmission, and disposal of all sewage and drainage of the sewerage service area including, either as an integrated or as a separate feature of the system, the collection, transmission and disposal of storm water and groundwater; and

Whereas, The City is authorized to construct, maintain, and operate a municipal sewerage conveyance system; and

Whereas, MMSD in furtherance of its functions relating to the operation of a sewage system undertook a cleaning project in sewers located near North Humboldt Avenue near East Capitol Drive and discovered Polychlorinated Biphenyls (PCBs) in sewers in that location; and

Whereas, MMSD has also discovered PCBs in City owned sewers connected to MMSD's Metropolitan Intercepting Sewers (MIS) near North Humboldt and East Capitol; and

Whereas, It is necessary to remove the PCB contamination located in both MMSD and the City owned sewers; and

Whereas, The City and MMSD have determined that it will be in the best interests of both entities if MMSD includes work to remove PCBs from the City owned sewers in the MMSD's environmental consulting and sewer cleaning contracts; and

Whereas, Possible further remediation of PCB's or lining of City owned sewers may be ordered by the EPA; and

Whereas, The City and MMSD have each determined to enter into this ICA, and their authorizing resolutions are 090063 and 08-114-11, respectively; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby directed to execute an Intergovernmental Cooperation Agreement with MMSD allowing the City to conduct necessary PCB cleanup work in the area of North Humboldt Avenue and East Capitol Drive; and, be it

Further Resolved, That said Agreement is subject to the City Attorney's review and approval and any non-substantive changes made by the City Attorney.

Department of Public Works  
Infrastructure Services Division  
Environmental Engineering Section  
ZY/AJK/kmo  
April 8, 2009