



Legislation Details (With Text)

**File #:** 041783      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 4/12/2005      **In control:** PUBLIC WORKS COMMITTEE  
**On agenda:**      **Final action:** 5/3/2005  
**Effective date:**

**Title:** Substitute resolution authorizing the proper City officers to execute an Out-of-Program Agreement between Backus Milwaukee LLC and the City of Milwaukee for construction of public improvements to serve a subdivision with 38 single family home lots to be located southerly of West Brown Deer Road at approximately North 116th Street.

**Sponsors:** ALD. PUENTE

**Indexes:** AGREEMENTS, HOUSING, PUBLIC IMPROVEMENTS

**Attachments:** 1. Fiscal Note.pdf, 2. DPW Cover Letter.pdf, 3. Agreement.pdf

Date	Ver.	Action By	Action	Result	Tally
4/12/2005	0	COMMON COUNCIL	ASSIGNED TO		
4/14/2005	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/14/2005	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/15/2005	1	CITY CLERK	DRAFT SUBMITTED		
4/20/2005	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
5/3/2005	1	COMMON COUNCIL	ADOPTED	Pass	12:0
5/12/2005	1	MAYOR	SIGNED		

041783  
SUBSTITUTE 1

ALD. PUENTE

Substitute resolution authorizing the proper City officers to execute an Out-of-Program Agreement between Backus Milwaukee LLC and the City of Milwaukee for construction of public improvements to serve a subdivision with 38 single family home lots to be located southerly of West Brown Deer Road at approximately North 116<sup>th</sup> Street.

This resolution authorizes City officers to execute an Out-of-Program Agreement. The agreement is between the City and Backus Milwaukee LLC and covers the design, construction, construction inspection, and funding of public improvements to serve a 38-lot single family home subdivision to be located southerly of West Brown Deer Road at approximately North 116<sup>th</sup> Street. The subdivision will be known as Tara Vista. Under the terms of the agreement, the developer will cover all costs for public improvements and will, in all likelihood, both design and construct those improvements. The City will review and approve plans for the improvements and will inspect their construction.

Whereas, Backus Milwaukee, LLC, a developer, desires to enter into an Out-of-Program Agreement with the City of Milwaukee regarding the design, construction, and funding of public improvements to serve a 38-lot single family home subdivision to be located southerly of West Brown Deer Road at approximately North 116<sup>th</sup> Street; and

Whereas, The Out-of-Program Agreement for this development to be known as Tara Vista is attached to the

file; and

Whereas, Under the terms of the agreement, the proposed public improvements would be designed and installed at no cost to the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Out-of-Program Agreement attached to this file is hereby approved and the proper City officers are hereby authorized to execute said agreement on behalf of the City; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to accept funds from the developer as outlined in the Out-of-Program Agreement for the purpose of preparing or reviewing design engineering plans and for the purpose of inspecting construction of the public improvements; and, be it

Further Resolved, That the Commissioner is authorized to make minor, non-substantive changes to the Out-of-Program Agreement prior to its execution.

DPW-ADM

THM:mra

April 4, 2005

Tara Vista OPA Res