



Legislation Text

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220630
ORIGINAL

THE CHAIR

Resolution authorizing the City of Milwaukee to contribute funding for environmental remediation and enter into a Special Release Agreement for the property at 1003 West Atkinson Avenue, in the 6th Aldermanic District.

This resolution will authorize the City of Milwaukee to contribute funding to remediate legacy contamination and enter into a Special Release Agreement with Telos, Inc. at 1003 West Atkinson Avenue and the adjacent public right-of-way.

Whereas, The Department of City Development (“DCD”), Redevelopment Authority of the City of Milwaukee (“RACM”), Department of Public Works, and the City Attorney’s Office (collectively known as “the City”) have been coordinating with Telos, Inc., and their legal representatives to remediate residual contamination from the property at 1003 West Atkinson Avenue (“Parcel”) and the adjacent public right-of-way; and

Whereas, In 1979, RACM adopted File No. 3849 and the Common Council of the City of Milwaukee (“Common Council”) adopted File No. 74-92-5x authorizing the sale of the property at 10th and Atkinson to Telos, Inc.; and

Whereas, The City sold land to Telos, Inc. in 1981 for the purposes of constructing two 8-unit apartment buildings for low to moderate income subsidized rentals to physically disabled individuals; and

Whereas, As part of a refinancing of the project, Telos, Inc. identified environmental issues with the Parcel and has been investigating these issues since 2007; and

Whereas, Based on the environmental investigations, and in concert with the City of Milwaukee, Telos, Inc. prepared a Remedial Action (“RA”) Design Report which evaluated remedial technologies to address the issues, including soil excavation and landfilling, and on-site soil treatment; and

Whereas, In December 2021, the Wisconsin Department of Natural Resources approved the RA Design Report from Telos, Inc. that included the Parcel and, due to the complex nature of the subsurface, the adjacent public right-of-way; and

Whereas, The City is willing to contribute a percentage of the overall remediation project including the remediation of soil from the public right-of-way; and

Whereas, To maximize the economic and environmental benefits, the remediation efforts from the Parcel and the public right-of-way should be coordinated; and

Whereas, To consummate the cost sharing arrangement, the parties also now wish to enter into a Funding Contribution and Special Release Agreement (“Agreement”) for the purpose of defining the City of

Milwaukee's contribution to the remediation project and the release of any future responsibilities related to the RA Design Report; and

Whereas, Under this Agreement, the City is providing a not-to-exceed \$161,750.00 of the overall cost share for the approved RA which also includes any in-kind contributions; and

Whereas, The City's share of the project costs will come from DCD's Capital Funds for Brownfields (0336-1910-UR051220002); now, therefore, be it

Resolved, The Common Council of the City of Milwaukee authorizes the appropriate City representatives to contribute funding for environmental remediation purposes and enter into Special Release Agreement with Telos, Inc. at the property at 10th and West Atkinson Avenue.

DCD:David.Misky:dm

09/01/22/A

Technical Correction

Chris Lee

09/15/22