# Legislation Details (With Text)

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| **File #:** | 210309 **Version:** 2 | | |
| **Type:** | Resolution | **Status:** | Passed |
| **File created:** | 6/15/2021 | **In control:** | PUBLIC WORKS COMMITTEE |
| **On agenda:** | | **Final action:** | 7/27/2021 |
| **Effective date:** | | | |
| **Title:** | Substitute resolution relative to the acceptance of a Transportation Economic Assistance Grant from the Wisconsin Department of Transportation and authorizing the appropriate City officials to execute agreements related thereto. | | |
| **Sponsors:** | THE CHAIR | | |
| **Indexes:** | GRANTS, TRANSPORTATION, WISCONSIN DEPARTMENT OF TRANSPORTATION | | |
| **Attachments:** | 1. 210309 TEA Agreement.pdf, 2. 210309 Facility Use Agreement.pdf, 3. 210309 Parcel Exhibit.pdf, 4. 210309 Equity Impact Statement signed.pdf, 5. PW Motion 210309 | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 6/15/2021 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 7/16/2021 | 1 | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR ADOPTION | Pass | 5:0 |
| 7/27/2021 | 1 | COMMON COUNCIL | SUBSTITUTED | Pass | 15:0 |
| 7/27/2021 | 1 | COMMON COUNCIL | ADOPTED | Pass | 15:0 |
| 8/5/2021 | 1 | MAYOR | SIGNED | | |

210309
SUBSTITUTE 2

THE CHAIR
Substitute resolution relative to the acceptance of a Transportation Economic Assistance Grant from the Wisconsin Department of Transportation and authorizing the appropriate City officials to execute agreements related thereto.
Adoption of this substitute resolution authorizes the execution of all documentation necessary to secure a $1,000,000.00 grant from the State of Wisconsin, the acceptance of deposits, and the establishment of accounts to assist in the construction of a rail spur for the Komatsu Mining Corp. as part of the development project located at 311 East Greenfield Avenue.
Whereas, The State of Wisconsin Legislature has established the Transportation Economic Assistance ("TEA") Program and has appropriated funds to help support business development in the state by funding transportation improvements that are needed to secure jobs in the state; and

Whereas, The City of Milwaukee has applied and received preliminary approval of a $1,000,000.00 TEA Program grant for a portion of the cost to construct a rail spur track from the Union Pacific Rail System into the Komatsu Mining Corp. ("Komatsu") project located at 311 East Greenfield Avenue (hereinafter the "Transportation Facility Improvements"); and

Whereas, A TEA Program grant requires a 50 percent match that will be provided by Komatsu; and

Whereas, In order to secure the TEA grant, it is necessary to provide for City execution of the documentation required by the TEA Program; and



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Whereas, The City of Milwaukee will receive from the Wisconsin Department of Transportation a Transportation Economic Assistance Agreement-Rail Grant Agreement for the construction of the Transportation Facility Improvements to serve Komatsu; and

Whereas, The TEA Program requires the City to enter into a Facility Use Agreement with Komatsu, which sets forth the terms and conditions under which Komatsu is allowed to use the rail infrastructure; and

Whereas, Copies of the Transportation Economic Assistance Agreement-Rail Grant Agreement and the Facility Use Agreement are attached to this Common Council File; now, therefore, be it

Resolved, The proper City officials are authorized and directed to execute the Transportation Economic Assistance Agreement-Rail Grant Agreement, a Facilities Use Agreement with Komatsu, and other agreements and instruments needed to effectuate the Transportation Economic Assistance Agreement-Rail Grant Agreement and the Facilities Use Agreement, with such minor nonsubstantive revisions which may be necessary in the standard form of these documents required to address issues encountered during the finalization of these documents as approved by the proper City officials and the Office of the City Attorney; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project Grant Chartfield Values for the project and transfer to any of these accounts the amount required under this grant agreement and City Accounting policy, but not to exceed a ten percent increase of the total amounts reserve for the grantor’s share and the local share or $5,000, whichever is greater as follows:

Grantor Reimbursable Cash
Project/Grant: SP032210100
Fund: 0306
Amount: $1,000,000
DCD:Mat.Reimer:mr
07/23/21


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