



Legislation Details (With Text)

**File #:** 221184      **Version:** 1

**Type:** Resolution      **Status:** Passed

**File created:** 11/22/2022      **In control:** COMMON COUNCIL

**On agenda:**      **Final action:** 2/7/2023

**Effective date:**

**Title:** Resolution approving an Operating Agreement with Ventures Endurance, LLC for staging of the 2023 Milwaukee Marathon in the City of Milwaukee

**Sponsors:** ALD. BAUMAN

**Indexes:** AGREEMENTS, SPORTS ACTIVITIES

**Attachments:** 1. CADB01-#282531-v2-2023\_Operating\_Agrement\_-\_Ventures\_Endurance\_LLC.pdf, 2. Milwaukee Half and 5k map.png, 3. 2023 MKE IAP.pdf, 4. 2023 MKE First Last - Half.pdf, 5. 2023 MKE First Last - 5k.pdf, 6. 2023 MKE Clean Up Plan.pdf

| Date       | Ver. | Action By              | Action                   | Result | Tally |
|------------|------|------------------------|--------------------------|--------|-------|
| 11/22/2022 | 0    | COMMON COUNCIL         | ASSIGNED TO              |        |       |
| 1/25/2023  | 1    | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR ADOPTION | Pass   | 3:1   |
| 2/7/2023   | 1    | COMMON COUNCIL         | ADOPTED                  | Pass   | 12:0  |
| 2/15/2023  | 1    | MAYOR                  | SIGNED                   |        |       |

221184  
ORIGINAL  
141123  
THE CHAIR

Resolution approving an Operating Agreement with Ventures Endurance, LLC for staging of the 2023 Milwaukee Marathon in the City of Milwaukee

This resolution authorizes an Operating Agreement with Ventures Endurance, LLC for the staging of the 2023 Milwaukee Marathon in the City of Milwaukee on March 26, 2023.

Whereas, Ventures Endurance, LLC, whose address is 85 Devonshire St. 9th Floor, Boston, MA 02109, desires to stage on March 26, 2023, a marathon, half-marathon, and 5K distance-running event named the 2023 Milwaukee Marathon (“the Event”); and

Whereas, The City has entered into operating agreements with previous organizers for the staging of the previous versions of the Event; and

Whereas, As with the previous Milwaukee Marathons, the Event’s route is proposed to be entirely within the geographic boundaries of the City; and

Whereas, The staging of the Event requires significant City resources, particularly Milwaukee Police Department and Department of Public Works resources relating to traffic control before, during and after the Event; and

Whereas, the Department of Public Works does not have sufficient traffic control equipment needed for the Event; and

Whereas, By Resolution 141123, adopted on November 25, 2014, the Common Council found that City taxpayers should not bear the costs of City services provided to support the Event, but, rather, that the City should fully recover those costs from the event organizer; and

Whereas, The Commissioner of Public Works is authorized to approve or deny special event permit

applications according to the criteria set forth in MCO §§ 105-55.5-2-c-1 to c-11; and  
Whereas, The Commissioner has determined that in the absence of an operating agreement, a special event permit would not meet the criteria in § 105-55.5-2-c-1 because the Event is of such a size or nature requiring the diversion of so great a number of police officers, ambulances or other emergency services as to deny reasonable emergency services to the city as a whole; and  
Whereas, The Commissioner has determined that in the absence of an operating agreement, a special event permit would not meet the criteria in § 105-55.5-2-c-2 because the time, route, size and nature of the Event will unreasonably disrupt the safe and orderly use of any street or any public, or material portion thereof, which is ordinarily subject to great congestion or traffic at the proposed time, or substantially interrupt the safe and orderly movement of other traffic; and  
Whereas, The Common Council reaffirms its finding that City of Milwaukee taxpayers should not be required to bear the costs of City services provided to support the Event, but, rather, that the City should fully recover those costs from Ventures Endurance, LLC; and  
Whereas, The City Attorney's Office has prepared the attached operating agreement for the Common Council's review and approval; now, therefore, be it  
Resolved, By the Common Council of the City of Milwaukee that the attached Operating Agreement between the City of Milwaukee and Ventures Endurance, LLC for Staging of the 2023 Milwaukee Marathon is approved; and, be it  
Further Resolved, That the proper City officials are authorized to execute an Operating Agreement with Ventures Endurance, LLC that is substantially the same as the draft Operating Agreement attached to this file.

City Attorney  
THOMAS D. MILLER:tdm  
January 20, 2023  
1047-2023-1471:282532