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Title: Resolution approving an Operating Agreement with Badgerland Striders Running Club for staging of the 2023 Milwaukee Lakefront Marathon in the City of Milwaukee

Sponsors: THE CHAIR

Indexes: AGREEMENTS, SPORTS

Attachments: 1. Operating_Agreement 2023_Lakefront_Marathon.pdf, 2. Presentation

Date	Ver.	Action By	Action	Result	Tally
7/11/2023	0	COMMON COUNCIL	ASSIGNED TO		
7/19/2023	0	PUBLIC WORKS COMMITTEE			
7/31/2023	0	COMMON COUNCIL	ADOPTED	Pass	15:0
8/2/2023	0	MAYOR	SIGNED		

230433
ORIGINAL
THE CHAIR

Resolution approving an Operating Agreement with Badgerland Striders Running Club for staging of the 2023 Milwaukee Lakefront Marathon in the City of Milwaukee

This resolution authorizes an Operating Agreement with Badgerland Striders Running Club for the staging of the 2023 Milwaukee Lakefront Marathon in the City of Milwaukee on October 1, 2023.

Whereas, Badgerland Striders Running Club, whose address is 12650 Arden Place, Butler, WI 53007, desires to stage on October 1, 2023, a marathon and half-marathon distance-running event named the 2023 Milwaukee Lakefront 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, 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 Badgerland Striders Running Club; 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 Badgerland Striders Running Club for Staging of the 2023 Milwaukee Lakefront Marathon is approved; and, be it

Further Resolved, That the proper City officials are authorized to execute an Operating Agreement with Badgerland Striders Running Club that is substantially the same as the draft Operating Agreement attached to this file.

Department of Public Works
JAMES WASHINGTON/
July 5, 2023
230433

Technical Correction
Laurie Phillip
7/12/2023

James R. Owczarski
7/19/23