



## Legislation Details (With Text)

**File #:** 110110 **Version:** 1

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

**File created:** 5/3/2011 **In control:** PUBLIC WORKS COMMITTEE

**On agenda:** **Final action:** 6/14/2011

**Effective date:**

**Title:** Substitute resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Westlawn Renaissance LLC for the reconstruction of city infrastructures within the Westlawn Subdivision.

**Sponsors:** ALD. BAUMAN

**Indexes:** AGREEMENTS

**Attachments:** 1. Out of Program Agreement, 2. Updated HACM Westlawn Agreement with DPW, 3. HACM Westlawn Agreement with DPW, 4. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
5/24/2011	0	COMMON COUNCIL	REFERRED TO	Pass	13:0
5/26/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/2/2011	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
6/2/2011	0	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	4:0
6/14/2011	1	COMMON COUNCIL	ADOPTED	Pass	15:0
6/23/2011	1	MAYOR	SIGNED		

110110  
Substitute 1

Ald. Bauman

Substitute resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Westlawn Renaissance LLC for the reconstruction of city infrastructures within the Westlawn Subdivision.

This resolution authorizes the Commissioner of Public Works to execute an Out-of-Program Agreement on behalf of the City of Milwaukee between Westlawn Renaissance LLC (Developer) and the City of Milwaukee. This agreement pertains to the public improvement project within the Westlawn Subdivision.

WHEREAS, The Developer is the owner of approximately 36 acres located on the south side of West Silver Spring Drive between North 60<sup>th</sup> Street and North 64<sup>th</sup> Street, Milwaukee, Wisconsin (the "Property"). This Property is more particularly described by Exhibit "A"; and

WHEREAS, The Developer has requested an agreement that provides for installation of public improvements to serve apartments, single family homes, and retail development planned for the Property, said improvements to be known as Westlawn East; and

WHEREAS, The Project will consist of approximately 345 residential living units and related facilities and retail space; and

WHEREAS, The public improvements for the development could be installed under the terms of an out-of-program agreement upon condition that title to such facilities shall vest in the City of Milwaukee subject to conditions more fully hereinafter stated; and

WHEREAS, Interior streets and improvements must be reconstructed to accommodate the development; and

WHEREAS, The Developer has requested that the design and construction of the improvements be completed by the Developer because of time constraints to meet the fall 2011 construction schedule 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 changes to the Out-of-Program Agreement prior to its execution.

DPW-ADM  
GK:mra  
May 25, 2011  
Westlawn Res