

(ITEM NO. ) From the Director, Department of Parks, Recreation and Culture (DPRC), requesting authorization to remove the Estabrook Dam.

**A RESOLUTION**

WHEREAS, the County is currently under an Administrative Order from the Wisconsin Department of Natural Resources (WDNR) to repair or remove the Estabrook Dam by December 31, 2016; and

WHEREAS, the 2016 Milwaukee County Adopted budget added additional funding to install fish passage accommodations in conjunction with rehabilitation of the dam and since then, DPRC with the assistance of the Department of Administrative Services – Facilities, AE & ES prepared Construction Documents and solicited bids for the repair of the Estabrook Dam including fish passage; and

WHEREAS, the unencumbered balance of the Estabrook Dam Rehabilitation project capital budget is \$3,502,000; and

WHEREAS, the construction budget available is \$3,502,000; and

WHEREAS, Gate operation automation still needs to be designed and bid while dam rehab is on-going and the estimate for design and construction of the gate automation is \$253,000; and

WHEREAS, three bids were opened and reviewed on June 24, 2016, they all came in significantly over budget; and

WHEREAS, based on the bids received, the project would require an additional \$603,181 to be completed with automated gates, fish passage and all required repairs; and

WHEREAS, unknown conditions discovered after construction has begun will likely increase costs above those currently estimated; and

WHEREAS, removal of the dam is estimated to cost \$1,674,000 of which most of that amount could be provided by previously authorized State of Wisconsin Department of Natural Resources grant funding; and

WHEREAS, The DPRC recommends that it be authorized and directed to remove the Estabrook Dam in compliance with the WDNR Administrative Order due to the fact that the amount of funding previously identified is insufficient to award a contract for rehabilitation of the dam and conversely, sufficient funding is available for removal of the dam; now, therefore

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BE IT RESOLVED, that the DPRC is authorized and directed to proceed with the dam removal consistent with the Administrative Order issued by the WDNR and to work with the Comptroller and DAS to identify and utilize previously identified funds; and

BE IT FURTHER RESOLVED, that the Parks Director, the Department of Administrative Services, the County Comptroller, Risk Management, Corporation Counsel, the Register of Deeds and other appropriate County staff are authorized to prepare, review, approve, execute, record all documents and to perform all actions required to facilitate removal of the Estabrook Dam; and,

BE IT FURTHER RESOLVED, that the County Executive and County Clerk are authorized to execute any required documents.