

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: August 16, 2024

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: From the Executive Director of Milwaukee County Parks, requesting authorization to enter into any and all contracts and take all actions necessary to effectuate multiple Area of Concern grants from the Wisconsin Department of Natural Resources for the Planning and Design Phases for the 2024-2025 Area of Concern projects.

File Type: Action Report

REQUEST

From the Executive Director of Milwaukee County Parks, requesting authorization to enter into any and all contracts and take all actions necessary to effectuate multiple Area of Concern (AOC) grants from the Wisconsin Department of Natural Resources (WDNR) for the Planning and Design Phases for the 2024-2025 Area of Concern projects to complete the scopes of work (SOW) that are attached to this file.

POLICY

Any single contract, or group of contracts between the same parties which generally relate to the same transaction, with a value or aggregate value of more than \$300,000, to which a county is a party and which satisfies any other statutory requirements, may take effect only if it is approved by a vote of the board.

59.17(2)(b)3., Wis. Stats., states that the “county board may continue to exercise the authority under s. 59.52(6) with regard to land that is zoned as a park...”. In the law of property, authority over “land” includes authority over all rights appurtenant to the land.

Wisconsin State Statutes:	Wis Stat 59.51 (31) and § 59.17(2)(b)3.
Milwaukee County Code of General Ordinances:	
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

BACKGROUND

In 1987, the Milwaukee Estuary was designated as an AOC under the Great Lakes Water Quality Agreement between the United States and Canada – sites along the Great Lakes that contain “hot spots” of pollution and environmental degradation. The

presence of impairments in the AOC mean that our communities cannot safely use their waterways for eating, drinking, swimming, fishing and more.

Project areas within Kletzsch Park, Menomonee River Parkway Sections 5 and 6, Milwaukee County Grounds, Menomonee River Parkway Section 9 and Hoyt Park were all determined high priority sites for wildlife enhancements due to their own set of unique characteristics that will help local fish and wildlife thrive. With the creation of new habitat, hydrology assessments, invasive species control and restoration of existing habitat, the project areas have the potential to provide quality habitat for several focal species. The successful completion of the scopes for these projects will address the goals and metrics of the Degradation of Fish and Wildlife Populations Beneficial Use Impairments (BUI).

The SOW for all three (3) of these projects will be to conceptualize and plan feasible habitat improvements through the development of an Ecological Restoration and Management Plan (ERMP) then a Habitat Restoration Plan (HRP), both tasks performed by a consultant. The WDNR has provided the County with the following commitments through a grant agreement to carry out the SOW for each listed project in the Milwaukee Estuary AOC. The WDNR expects that it will execute the grants with the County between September 2024 and January 2025. This timeline is dependent on the receipt of grant funds from the EPA which are then distributed by WDNR.

- \$475,000 grant agreement for Enhancements to Menomonee River Parkway Sections 5 and 6 – Planning and Design
- \$325,000 grant agreement for Kletzsch Park Wildlife Enhancements – Planning and Design
- \$325,000 grant agreement for Milwaukee County Grounds, Menomonee River Parkway (Section 9) and Hoyt Park Wildlife Enhancements – Planning and Design

Bradford and McKinley Beaches are among the three (3) public beaches within Milwaukee County that are frequently closed due to high levels of *E. coli*, a type of bacteria, found in swimming areas, making both beaches a priority AOC project area that will address the Beach Closings BUI. Contracts will be awarded through the County procurement process to complete the planning and design phases of this project. Restoration of rain garden basins and beach nourishment to prevent runoff at Bradford and gull deterrent features at McKinley will improve water quality and address the BUI. The SOW for the beach improvement projects will be to conceptualize and plan water quality improvements to reduce beach closures through a feasibility study and basis of design (planning), then a final plan with specifications (design). The WDNR has provided the County with a commitment for a \$200,000 grant to carry out the SOW for the Bradford and McKinley Beach Improvements project in the Milwaukee Estuary AOC. The WDNR expects that it will execute the grant with the County in September 2024 through January 2025. This timeline is dependent on the receipt of grant funds from the EPA which are then distributed by WDNR.

In order to meet all state and federal deadlines for use of these grants and ensure that

no funding is lost, the Executive Director of Milwaukee County Parks is requesting that upon the executions of each grant agreement between WDNR and Milwaukee County, that the Department be granted the authority to prepare, review, approve, and execute all contracts, amendments, and any other documents, and take all actions required to carry out each individual SOW attached to this file to the expended full grant amounts (listed above).

Related File No's:	
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	

ALIGNMENT TO STRATEGIC PLAN

Describe how the item aligns to the objectives in the [strategic plan](#):

- 2C: Apply a racial equity lens to all decisions
- 3A: Invest “upstream” to address root causes of health disparities
- 3B: Enhance the County’s fiscal health and sustainability
- 3C: Dismantle barriers to diverse and inclusive communities

Delisting AOCs often have a positive impact on property values in AOC communities, as well as increased outdoor recreation, commerce, port or shoreline activity, residential development that’s all supported by a healthy and sustainable environment. The use of grant money for this work ensures the fiscal health and sustainability of the County.

FISCAL EFFECT

None. Work is grant funded by the WDNR and does not require a match.

TERMS

- Enhancements to Menomonee River Parkway Sections 5 and 6 – Planning and Design work shall commence on the effective date of the grant and will continue until June 30, 2027. Total fees will not exceed \$475,000. Fees will be determined through County processes (e.g., RFP, BID, quotes). Deliverables are specified in the attached SOW.
- Kletzsch Park Wildlife Enhancements – Planning and Design work shall commence on the effective date of the grant and will continue until May 31, 2027. The total fees will not exceed \$325,000. Fees will be determined through County processes (e.g., RFP, BID, quotes). Deliverables are specified in the attached SOW.
- Milwaukee County Grounds, Menomonee River Parkway (section 9) and Hoyt Park Wildlife Enhancements – Planning and Design work shall commence on the effective date of the grant and continue until April 2027. Total fees will not exceed \$325,000. Fees will be determined through County processes (e.g., RFP, BID, quotes). Deliverables are specified in the attached SOW.
- Bradford and McKinley Beach Improvements – Planning and Design work shall commence on the effect date of the grant and continue until May 31, 2027. Total fees will not exceed \$200,000. Fees will be determined through County

processes (e.g., RFP, BID, quotes). Deliverables are specified in the attached SOW.

VIRTUAL MEETING INVITES

Natalie, Dutack, AOC Program Manager, Milwaukee County Parks
Mackenzie Franz, AOC Project Manager, Milwaukee County Parks

PREPARED BY:

Mackenzie Franz, Area of Concern Project Manager

APPROVED BY:

Guy Smith, Executive Director Milwaukee County Parks *Guy D. Smith*

ATTACHMENTS:

Resolution

Fiscal

Attachments A1 thru A4 - Scopes of Work

Attachment B - EPA General Terms and Conditions

Attachment C - GLNPO MCP Approval Notification

Attachment D - PowerPoint Presentation

CC: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon Wasserman, Committee on Parks & Culture Chairperson
Steve Taylor, Committee on Parks & Culture Vice Chairperson
Felesia Martin, Committee on Parks & Culture Member
Juan Miguel Martinez, Committee on Parks & Culture Member
Jack Eckblad, Committee on Parks & Culture Member
Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
Janelle M. Jensen, Legislative Services Division Mgr, Office of the County Clerk
Aaron Hertzberg, Director, Department of Administrative Services
Joseph Lamers, Fiscal & Budget Director, DAS
Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS
Pamela Bryant, Capital Finance Manager, Comptroller's Office
Justin Rodriguez, Capital Finance Analyst, Comptroller's Office
Allyson R. Smith, Committee Coordinator, Office of the County Clerk
Anthony Rux, Budget & Management Analyst, DAS-PSB
Liz Sumner, Comptroller, Office of the Comptroller