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(ITEM ) From the Director, Department of Transportation, requesting authorization to amend Appendix C, Section 23(2)(g) of the Milwaukee County Code of General Ordinances, regarding Freeway Towing Services Contract Appeals, by recommending adoption of the following:

**A RESOLUTION/ORDINANCE**

WHEREAS, in 2002, the Milwaukee County Board of Supervisors (County Board) adopted File No. 01-714, repealing and recreating Appendix C, Section 23 of the Milwaukee County Code of General Ordinances (the Code); and

WHEREAS, Section 23 of the Code controls the process by which Milwaukee County (the County) procures freeway towing services; and

WHEREAS, the County procures such services either through the Request for Proposal process in Chapter 32, of the Code, or by issuing administrative contracts; and

WHEREAS, the only meaningful appeal for prospective vendors who are not awarded a towing services contract under either method is to file a lawsuit in circuit court; and

WHEREAS, the Department of Transportation is requesting that aggrieved vendors be allowed to administratively appeal the County’s award decision under Chapter 32, the Code, consistent with other types of procurements; and

WHEREAS, the Committee on Transportation, Public Works, and Transit, at its meeting of September 7, 2016, recommended adoption of the Director’s request (vote 5-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby amends Milwaukee County Ordinance Appendix C, Section 23(2)(g) by adopting the following:

**AN ORDINANCE**

The County Board of Supervisors of the County of Milwaukee does ordain as follows:

**SECTION 1. 23. – Removal of disabled vehicles.**

(2) Amendments to rates and performance specifications.

(g) ~~No actions regarding~~The award of towing contracts taken under this section 23 of the county traffic laws are reviewable under chapter ~~44~~32 of the county ordinances. ~~The sole appeal is to the circuit court.~~

47 **SECTION 2.** The provisions of this amended ordinance shall be effective upon passage  
48 and publication.

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51 srb

52 09/07/16

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