

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: December 30th, 2022

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

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: Authorization to transfer funds out of the Contingency account in WP037201-McKinley Park Flushing Channel to proceed with the project

File Type: Action Report

REQUEST

Milwaukee County Parks requests permission to transfer funds out of the contingency account in WP037201-McKinley Park Flushing Channel to proceed with actions to execute the project to include bid preparation and award for phase 1.

POLICY

Wisconsin State Statutes:	
Milwaukee County Code of General Ordinances:	
Specific Adopted Budget:	2023
Specific Adopted Budget Amendment:	78
Specific Adopted Capital Project:	WP037201

BACKGROUND

Amendment 78 adopted in the 2023 budget placed the entire budget of project WP037201-McKinley Park Flushing Channel (\$2,895,441) into a contingency account until Parks and other appropriate staff shall present to the county board evaluating lower cost alternatives including but not limited to:

- Infilling the canal and reducing the revetment scope by eliminating sections 1.5, 2, 3, 4, 5 and 6, and connecting section 7 to section 1.

WP037201-McKinley Park Flushing Channel was approved in the 2020 adopted budget with a scope of work for planning and design to remove the existing concrete and timber cribbing as necessary to install steel sheet pile seawall and associated dead-man tie back system. The steel sheet pile seawall will be capped with a concrete walk and railing similar to other areas within McKinley Marina. Replacement of 470 feet on the seawall on the west side of the flushing channel and 545 feet on the east side of the Milwaukee Yacht Club is included in this project scope.

Milwaukee County Parks collaborated with multiple entities on the design of the project including:

- Milwaukee Yacht Club – our current leaseholder
- Milwaukee Metropolitan Sewerage District – neighboring infrastructure owner
- Wisconsin Department of Natural Resources- regulatory agency
- United States Army Corps of Engineers – regulatory agency
- Public – An open public meeting in January 2021 and appearances at the Lakefront Development Advisory Committee on May 26, 2021.

The design process also included different options for stabilizing the channel including sheet pile seawall, stone revetments, or combinations of both.

Aside from being out of scope from the adopted 2020 capital budget, the primary reason investigation on the closure of channel was not pursued is due to the contractual relationship Milwaukee County Parks has with the Milwaukee Yacht Club (MYC). The flushing channel serves as the primary nautical access point for Milwaukee Yacht Club's sailing vessels. The east wall of the flushing channel contains three cranes that retrieve and input vessels from the Milwaukee Yacht Club premises. Refining the extent of the seawall would require a change in the lease to redefine the premises. Closing the channel would require a complete overhaul of the operations of the MYC and impede their access to the marina basin. Milwaukee Yacht Club has spent the last year and a half planning to replace their boat slips at their own cost (File #22-682). Their boat slip configurations have been planned in concert with our proposed channel improvements. Changing the design of the flushing channel would be both costly for Milwaukee County and MYC.

Aligning section 1.5 to section 7 and effectively closing the channel would require the extension or closure of the intake pipes at the MMSD-owned Milwaukee River Flushing Station at the cost of the county. The estimated cost to infill the channel is \$5.5 million with a volume of over 37,000 cubic yards. The estimated cost includes the design fees necessary to complete the infill/channel closure construction documents. That action would require additional permitting from the United States Army Corp of Engineers as well as scrutiny by the Wisconsin Department of Natural Resources related to filling lakebed and the Public Trust Doctrine.

During consideration and review of the project design in May of 2021, the Lakefront Development Advisory Committee recommended the project for approval conditioned that the overall project approach would not negatively impact the popular fishing spot that the flushing channel is known to be. Filling the channel would not meet this condition and would require reconsideration before that body. In addition, the proposed design for the re-construction of the channel walls was reviewed and approved by the State Historic Preservation office to insure there was no negative impact on a historic resource.

Due to the complexity of oversight, approvals that have already been provided by multiple other units of government, funding already expended, new community engagement and additional funding required, an alternative approach is not advised at this time.

Related File No's:	22-682; HRA21-161
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](#):

This request supports strategic item 3B which seeks to enhance the County's fiscal health and sustainability by repairing defunct infrastructure and 3C which will dismantle barriers to diverse and inclusive communities by maintaining access to the lake

FISCAL EFFECT

This request has no fiscal effect.

TERMS

No terms

VIRTUAL MEETING INVITES

Clifton.Janssen@milwaukeecountywi.gov

PREPARED BY:

Jeremy Lucas, Director of Administration & Planning, Milwaukee County Parks

APPROVED BY:

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

ATTACHMENTS:

Resolution

Fiscal Note

Slide 7 – Flushing Channel PIM 1.28.21

- CC: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon Wasserman, Supervisor District 3, PEEC Chair
Steven Shea, Supervisor District 8, PEEC Vice Chair
Felicia Martin, Supervisor District 7, PEEC Member
Juan Miguel Martinez, Supervisor District 12, PEEC Member
Steve Taylor, Supervisor District 17, PEEC 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
Kelsey Evans, Committee Coordinator, Office of the County Clerk

Ciara Miller, Research & Policy Analyst, Office of the Comptroller
Anthony Rux, Budget & Management Analyst, DAS-PSB