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(ITEM) From the Director, Department of Parks, Recreation, and Culture, requesting authorization to execute an agreement and amend a current storm water easement with the City of Milwaukee and to accept payment of \$150,000 from the City for a wetland restoration project in the Menomonee River Parkway, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 1947 Milwaukee County (County) and the City of Milwaukee (City) entered into an easement for a storm sewer across the Menomonee River Parkway; and

WHEREAS, conditions of the easement required that the City enlarge an existing lagoon and construct a weir and pedestrian bridge; and

WHEREAS, the City was required by easement to “bear the cost of removing any silt deposits from the lagoon caused by the discharge of the storm sewer;” and

WHEREAS, County and City officials have surveyed the lagoon and determined the value of removing the silt deposits is \$150,000 based on the current contractual prices; and

WHEREAS, the City has diverted more than 300 acres of the storm sewer area into a new storm water detention basin on City property; and

WHEREAS, the City Common Council resolved in January 2014 to authorize the payment to the County and modify the easement due to the diverted storm sewer system; and

WHEREAS, the payment for sediment removal, combined with grant funding from the Fund for Lake Michigan, will be used to permanently reduce the size of the lagoon and to convert the former lagoon to a wetland; and

WHEREAS, prior to execution, the Department of Parks, Recreation, and Culture (DPRC), Department of Administrative Services (DAS), Corporation Counsel, and other appropriate staff will review and approve all documents as required; and

WHEREAS, the Parks Director respectfully recommends that DPRC be authorized to enter into an agreement with the City to amend the existing easement and to accept payment of \$150,000; and

WHEREAS, the Parks Director has recommended that the authority to prepare, review, approve, execute, and record all documents as required to execute the requested agreement, easement, and payment be granted to DPRC, DAS, Corporation Counsel, Risk Management, the County Clerk, Register of Deeds, and County Executive; and

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WHEREAS, the Committee on Parks, Energy, and Environment at its meeting of May 13, 2014, recommended adoption of the Department's request (vote 6-0); and

WHEREAS, the Committee on Finance, Personnel, and Audit at its meeting of May 15, 2014, also recommended adoption of the Department's request (vote 8-0); now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes the Parks Director, Department of Administrative Services, Register of Deeds, Corporation Counsel, and Risk Management to prepare, review, approve, execute, and record all documents, and take all actions as required to enter into an agreement with the City of Milwaukee to amend an existing easement and accept payment for the removal of the sediment; and

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

jmj
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