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2 By Supervisor Dimitrijevic  
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4 **A RESOLUTION**

5 authorizing an appropriation transfer to recognize \$120,000 in Federal Transit  
6 Administration Enhancement Project funding for the construction of an artistic bus  
7 shelter  
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9 WHEREAS, File No. 11-595, adopted September 29, 2011 (Vote 17-2)  
10 authorized and directed the Director of Transportation and Public Works to negotiate a  
11 proposed agreement with the Bay View Business Improvement District #44 (BID) to  
12 allocate \$50,000 from the Public Art Program (capital account W0950) to be used for  
13 part of the initial costs of constructing an artistic bus shelter on the triangle at South  
14 Kinnicinnic Avenue and West Lincoln Avenue; and  
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16 WHEREAS, on October 24, 2011, the County Executive vetoed the resolution  
17 and, in a separate e-mail communication from his staff dated October 31, 2011,  
18 suggested that a larger percentage of the project could be provided using Federal  
19 Transportation Enhancement funds rather than the County's Percent for (Public) Art  
20 Program dollars; and  
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22 WHEREAS, on November 3, 2011, the County Board overrode the County  
23 Executive's veto (Vote 16-3), essentially preserving the option to use Public Art funding  
24 until the Federal Transportation Enhancement funding could be further explored; and  
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26 WHEREAS, the Federal Transit Administration requires that one percent of the  
27 Urbanized Area Formula Program apportionment to each urbanized area with a  
28 population of 200,000 and over must be made available only for transit enhancements;  
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31 WHEREAS, eligible transit enhancements specifically include bus shelters and  
32 public art, and the proposed artistic bus shelter would qualify under the program; and  
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34 WHEREAS, the allocation of \$120,000 of transit enhancement funds would leave  
35 approximately \$68,000 this year for other eligible transit improvements; and  
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37 WHEREAS, the Department of Transportation and Public Works submitted the  
38 Bayview Artistic Bus Shelter proposal to the Southeastern Wisconsin Regional Planning  
39 Committee (SEWRPC) in December 2011 so that the project could be included in the  
40 Transportation Improvement Plan (TIP) as required under Federal guidelines; and

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WHEREAS, SEWRPC at its December 2011 meeting approved the inclusion of \$120,000 in Federal Transit Administration Urbanized Area Formula Funds, requiring a \$30,000 local match, into the TIP; and

WHEREAS, the allocation of \$120,000 in FTA Urbanized Area Formula Funds would be in lieu of the \$50,000 that was previously allocated from County Public Art funds, and the Bay View Business Improvement District #44 (BID) would be required to provide the \$30,000 local match requirement; and

WHEREAS, this funding arrangement would result in an artistic bus shelter on the triangle at South Kinnicinnic Avenue and West Lincoln Avenue that would be owned by the County but maintained by the Bay View BID under an agreement with Milwaukee Transport Services Inc; now, therefore,

BE IT RESOLVED, that the Director of Transportation is directed to negotiate a proposed agreement with the Bay View Business Improvement District (BID) #44 to use \$120,000 of Federal Transit Administration Urbanized Area Formula Funds for the construction of an artistic bus shelter at South Kinnicinnic Avenue and West Lincoln Avenue, subject to a required match of \$30,000 from the BID; and

BE IT FURTHER RESOLVED, that the Director, Department of Administrative Services shall process an appropriation transfer to establish the expenditure and revenue authority outlined in this resolution for the construction of the artistic bus shelter with the understanding that no property tax dollars shall be used for this project; and

BE IT FURTHER RESOLVED, that File No. 11-595, that appropriated \$50,000 from the County Public Art program for the bus shelter, shall be rescinded once the Federal Urbanized Area Formula funds that are earmarked for this project are secured, allowing the Public Art program funds to be used for other purposes.