

**County of Milwaukee**  
**Interoffice Communication**

**DATE:** 8/7/2018  
**TO:** John Weishan, Jr., Chairperson, Transportation, Public Works & Transit Committee  
**FROM:** Donna Brown-Martin, Director, Department of Transportation  
**SUBJECT:** Fond du Lac Garage Roof Replacement Project (WT077)

BACKGROUND

This informational report provides an update regarding the Bus Storage Garage Roof Replacement Project (WT077) at the Fond du Lac (FDL) Avenue transit facility, including current seagull management and control activities.

**Deteriorated Roof and Seagull Colony**

The bus storage garage encompasses five (5) adjoining buildings. The roofs of four (4) of the buildings have deteriorated to the point of needing to be replaced. Routine maintenance activities and spot repairs/patches have been undertaken as necessary, but were not intended to be a long-term solution. The deteriorated condition of the roof was just one of the factors that contributed to a colony of seagulls being attracted to the site. Other conditions that make the FDL site attractive to seagulls include:

- Close proximity to Lake Michigan;
- Garage has a relatively flat roof and the straight sides of the building resembles the sorts of cliffs that seagulls are used to nesting on in the wild;
- Vegetation and water ponding on deteriorated portions of the roof allowed for natural environments for nesting with available water sources; and
- Street litter from nearby restaurants provide food.

According to a local seagull management and control contractor, the colony moved to the FDL facility after it was driven away from another large roof in the City a couple of years ago. The process of managing and moving a seagull population is highly regulated, because seagulls are protected by the Migratory Bird Treaty Act. According to this 100-year old legislation, it is illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations. Wisconsin passed its own endangered species laws, and in our State, the Department of Natural Resources has the authority to issue permits that allow for actions that discourage seagulls from nesting, which eventually moves the problem on to another land owner.

To control the seagull problem, MCTS obtains a permit annually that allows a contractor to exercise seagull management and control activities from April 15th through March 31st. This contractor makes bi-monthly visits to MCTS facilities (and more if needed) to cull and dispose of eggs removed from MCTS sites, and destroy any nests. These permitted and approved actions are intended to cause enough stress on the birds to motivate them to leave the premises.

In many ways, MCTS's efforts to control and manage the colony of seagulls on our rooftops has been successful, as we are now prepared for the FDL garage roof replacement project to begin. An unintended consequence of our actions is that the seagulls have now congregated at an adjacent property that is located between a fast-food restaurant and the FDL garage/station facility. This adjacent property has now become a nuisance. Since the property is not currently occupied, MCTS has contacted the City of Milwaukee's Department of Neighborhood Services several times about the nuisance condition created by nests and birds on this site. At the time of writing this report, there was no evidence of the property owner or City taking any action to address the problem.

### **New Roof Project**

The adopted 2017 capital improvement budget included an appropriation of \$2.7 million for the FDL Bus Storage Garage Roof Replacement Project (WT077). A pre-bid cost estimate submitted by a design consultant in late 2017 was significantly over the budgeted construction dollar amount; therefore, an additional \$502,468 was requested and approved as a part of the 2018 adopted capital improvement budget.

Competitive bids were received in April of 2018 and a contract for the project was awarded in May 2018. Additional funds in the amount of \$616,310 approved at the July meeting of the Finance and Audit Committee will allow all four deteriorated roofs on the bus barn to be replaced this year. The project is expected to begin in August 2018 and be completed by year's end. 80% of the project costs will be covered by federal funding and the County will bond for the balance.

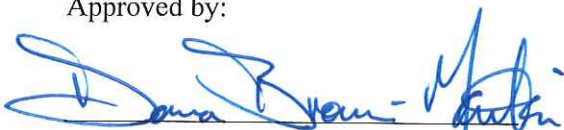
### RECOMMENDATION

This report is for informational purposes unless otherwise directed.

Prepared by:

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Approved by:



Donna Brown-Martin  
Director, Department of Transportation

cc: Chris Abele, County Executive  
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