

IMMEDIATE ADOPTION

..Number
120506

..Version
SUBSTITUTE 1

..Reference
120230

..Sponsor
ALD. BOHL

..Title
Substitute resolution amending Common Council Resolution File Number 120230, directing negotiations with the City of Waukesha regarding the City of Waukesha's request for water service.

..Analysis
This resolution amends Common Council Resolution File Number 120230, adopted on July 6, 2012, which directs the City's negotiating team to begin negotiations with the City of Waukesha for a possible water service agreement and an intergovernmental agreement for water service for the City of Waukesha's water service area as existed on July 1, 2012.

This resolution directs the City's negotiating team to simultaneously begin negotiating separate terms for possible water service agreements and intergovernmental agreements with the City of Waukesha: one set of terms for water service for the City of Waukesha's water service area as existed on July 1, 2012, and separate terms for water service for the area beyond City of Waukesha's July 1, 2012, water service area proposed by the City of Waukesha in its application to divert water from Lake Michigan.

..Body
Whereas, On July 6, 2012, the Common Council adopted Resolution File Number 120230 directing the City's negotiating team to begin negotiations with the City of Waukesha regarding a possible water service agreement an intergovernmental agreement between the City of Milwaukee and the City of Waukesha for water service within the current service area of the City of Waukesha as existed on July 1, 2012; and

Whereas, It is ultimately in the best interest of the City of Milwaukee to negotiate terms for possible water service to the entire water service area as proposed in the City of Waukesha's application to divert water from Lake Michigan; and

Whereas, Negotiating separate terms for water service within the City of Waukesha's water service area as existed on July 1, 2012, and for water service beyond City of Waukesha's July 1, 2012, water service area as proposed by the City of Waukesha in its application to divert water from Lake Michigan will enable the City of Milwaukee to respond appropriately and effectively to possible changes in the City of Waukesha's requested water service area; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 120230, adopted on July 6, 2012, is amended as follows:

1. Delete the "Resolved" clause and insert the following clause in lieu thereof:

"Resolved, By the Common Council of the City of Milwaukee, that the City's negotiating team is directed to simultaneously begin negotiating separate terms for possible water service agreements and intergovernmental agreements between the City of Milwaukee and the City of Waukesha: one set of terms for water service for the City of Waukesha's water service area as existed on July 1, 2012, and separate terms for water service for the area beyond City of Waukesha's July 1, 2012, water service area as proposed by the City of Waukesha in its application to the Great Lakes Basin Compact to divert water from Lake Michigan; and be it"

2. Add a new "Further Resolved" clause following the "Resolved" clause to read:

"Further Resolved, That the terms for each water service agreement and intergovernmental agreement area negotiated shall contain "non-compete" clauses and economic compensation provisions as needed to be consistence with the requirements of Resolution 080457; and be it"

..Drafter
LRB 141089-2
Aaron Cadle
7/23/2012