

**RESOLUTION 2022-41**

**AMENDING THE 2022 CAPITAL PROJECTS FUND BUDGET TO INCLUDE FUNDING FOR THE PHEASANT BRANCH CREEK TRAILS AND BRIDGES PROJECT**

**WHEREAS**, the City of Middleton experienced significant damage to the Pheasant Branch Creek Corridor including trails and bridges from flooding in August 2018, and

**WHEREAS**, the City has prepared plans for streambank restoration and stabilization as well as trail reconstruction, pedestrian bridge work, erosion control and minor storm sewer/drainage work, and

**WHEREAS**, the planned projects in the Pheasant Branch Creek Corridor have been submitted to the Federal Emergency Management Agency (FEMA) for their review, and

**WHEREAS**, FEMA has completed the required Environmental Assessment of the proposed projects in the Pheasant Branch Creek Corridor and issued a Finding of No Significant Impact (FONSI) on August 10, 2022, and

**WHEREAS**, in anticipated of FEMA approval, the City solicited bids for Pheasant Branch Creek Trails and Bridges project receiving a low bid from Janke General Contractors with a base bid of \$2,287,796 plus five alternates totaling \$51,000 for a total project construction cost of \$2,338,796, and

**WHEREAS**, the cost of an amendment to the agreement with MSA Professional Services, Inc. for construction related services for the Pheasant Branch Creek Trails and Bridges projects is \$175,000 bringing the total estimated project cost for construction and construction related services to \$2,513,796, and

**WHEREAS**, Dane County has awarded a grant in the amount of \$900,000 to the City of Middleton to assist with the restoration of trails and bridges in the Pheasant Branch Creek Corridor, and

**WHEREAS**, the City will be seeking reimbursement from FEMA and the State of Wisconsin for eligible portions of the Pheasant Branch Creek Corridor Project although the amount of the reimbursement is not known at this time; and

**WHEREAS**, it is anticipated that the City will need to borrow between \$1.2 and \$1.4 million to provide the required additional funding for the Pheasant Branch Creek Corridor Project depending on the level of FEMA reimbursement and that it may be necessary to temporarily advance funds from Tax Increment Financing District #3 to fund work on the project until the City completes its 2023 capital borrowing and/or receives reimbursement from county, state, and federal funds.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:** That the City Council hereby authorizes the following amendment to the 2022 Capital Project Budgets.

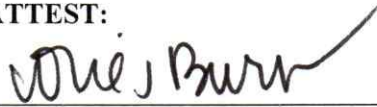
**Expenditures**

<b>Account Title</b>	<b>Original Budget</b>	<b>Budget Amendment</b>	<b>Amended Budget</b>
Fund 414: Pheasant Branch Trails & Bridges Project	\$0	\$2,513,796	\$2,513,796

**NOW THEREFORE BE IT FURTHER RESOLVED AS FOLLOWS:** That the City Council hereby authorizes the advancement of up to \$2,513,796 in funds from Tax Increment District #3 to the Capital Projects Fund as needed for the Pheasant Branch Trails and Bridges Project to be reimbursed in 2023 through a combination of general capital borrowing and county, state, and federal grant reimbursement.

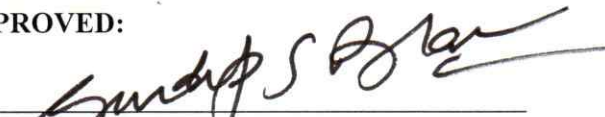
This is to certify that the foregoing Resolution was duly adopted by the Common Council of the City of Middleton at a regularly scheduled Common Council meeting on August 16, 2022.

**ATTEST:**

  
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Lorie J. Burns, City Clerk

**CITY OF MIDDLETON**

**APPROVED:**

By:   
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Gurdeep Brar, Mayor