

COW  
10-17-16

16-0967

**RESOLUTION  
AUTHORIZING THE SUPPORT FOR A HARBOR ASSISTANCE PROGRAM GRANT  
FOR REPAIRS AT THE CAR FERRY DOCK WALL**

Whereas, the City of Manitowoc (City) owns the car ferry property and associated dock wall and ticket office located at 900 S Lakeview Drive in the City of Manitowoc used for the docking of the S.S. Badger; and

Whereas, due to higher Lake Michigan water levels, storm events and ordinary wear and tear said dock wall is in dire need of replacement in order to allow for the safe docking for the S.S. Badger; and

Whereas, the City and Lake Michigan Trans-Lake Shortcut, Inc. (Badger) have entered into a Lease with an effective date of February 1, 2012 which states that "If the dock, buildings or other Improvements on the Property are rendered unusable to the Tenant in operation of its business due to the need for repair, the parties shall seek to reach agreement on the splitting of costs for such repairs"; and

Whereas, Badger has applied for and was awarded a Harbor Assistance Program (HAP) Grant in the amount of up to \$2,000,000 to help with the costs of repairing the dock wall; with said dock wall replacement being estimated at approximately \$3,000,000; and

Whereas, the HAP program requires a 20% local match and said match will be split between the City and Badger per the lease agreement; and

Whereas, time is of the essence to have the dock wall replaced before the 2017 Badger sailing season.

NOW, THEREFORE, BE IT RESOLVED, that it is the CITY's intent to: (i) participate in the proposed CITY / Badger cost share for the replacement of the car ferry dock wall; (ii) apply for any and all other funding sources to assist in lowering the local share of the dock wall project costs; (iii) enter into a cost share participation agreement with the Badger to finalize all details of the project.

BE IT FURTHER RESOLVED, that authority is hereby granted to the CITY's Mayor and Clerk to sign any and all applications, documents and agreements; and to instruct CITY staff to take the necessary steps to prepare any and all applications, documents and agreements; in addition to granting authority to submit the appropriate

applications for any other funding sources to help in lowering the local share, including insurance claims; and if funded to: (i) for the Mayor to serve as the CITY's agent responsible to implement any and all facets of the project; (ii) negotiate and finalize the terms and conditions of any and all cost share documents or agreements and (iii) enter into agreements for the delivery of services related to the dock wall replacement project; and (iv) disburse monies necessary to implement the project.

Introduced OCT 17 2016 \_\_\_\_\_

Adopted \_\_\_\_\_

Approved \_\_\_\_\_

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Justin M. Nickels, Mayor

This Resolution was drafted by Paul Braun, City Planner

Fiscal Impact: approximately \$500,000  
Funding Source: To Be Determined  
Finance Director Approval: /sc  
Approved as to form: /kmm