



December 31, 2020

TO: Finance Committee
FROM: Kathleen M. McDaniel, City Attorney
RE: Riverwalk Structural Assessment – Unbudgeted Expense

Since this item was last brought to the Finance Committee, staff has been in continuous conversations with the owners of the River Lofts Condo Board and counsel for that board, to discuss possible ways that the City could gain control of the Riverwalk attached to their building. I have been working with the Director of Public Infrastructure and Community Development Director to discuss their departmental needs with respect to the Riverwalk.

There is not a clear-cut way to effectuate the transfer of ownership of only the Riverwalk, as it is suspended over water and there is not a way to record a deed for a property that is suspended in the air over water. The attached easement would give the City full control of the Riverwalk, and staff is comfortable with the language in it, assuming that we can obtain a structural assessment of the Walkway. Since the last Finance Committee meeting, the condo board obtained an assessment of the Walkway from McMullen and Pitz, at their expense.

There is additional information that the City would like to know about the Walkway prior to entering into the easement, which could be obtained from a full structural assessment by a licensed professional engineer. The estimated cost for that assessment would be \$9,000. At this time we are seeking approval for the following:

1. Approval to engage Mead & Hunt to conduct a full structural assessment.
2. Approval to enter into the attached easement if the structural assessment meets the approval of the licensed professional staff of the City.

City Attorney Kathleen M. McDaniel • Assistant City Attorney Elizabeth Majerus
Paralegal Jane M. Rhode
CITY HALL • 900 Quay Street • Manitowoc, WI 54220-4543
Phone (920) 686-6990 • Fax (920) 686-6999