



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final Common Council

Wednesday, February 7, 2024

7:00 PM

Council Chambers

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[24-0097](#) Common Council Meeting Minutes of January 17, 2024

Attachments: [CC Minutes 1-17-24.pdf](#)

G. BUSINESS PRESENTED BY THE MAYOR

[24-0104](#) Utilities Director Recommendation

Attachments: [Utilities Director Recommendation to Council.pdf](#)

[C. Stempa Resume.pdf](#)

[24-0105](#) Proclamations

- Black History Month
- Burn Awareness Week
- Go Red for Women

Attachments: [Black History Month 2024.pdf](#)

[Burn Awareness Week 2024 .pdf](#)

[Go Red for Women Proclamation 2024.pdf](#)

[24-0106](#) AFD Stop the Bleed Demonstration

H. PUBLIC PARTICIPATION

- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[24-0063](#) Approve request from The Boldt Company for a street occupancy permit for the Fox Commons City Center Plaza construction site access point along Washington Street for a period ending on July 1, 2024.

Attachments: [Permanent Boldt - Fox Commons - 2-08-24 to 7-01-24.pdf](#)

Legislative History

1/22/24 Municipal Services recommended for approval
Committee

[24-0064](#) Approve request from Appleton Downtown Inc. and Creative Downtown Appleton, Inc. for a street occupancy permit to place ice carving throughout the downtown beautification strips for the weekend of February 23, 2024 and will remain up until they melt.

Attachments: [Creative ADI Ave of Ice Permit to Occupy 2024.pdf](#)

Legislative History

1/22/24 Municipal Services recommended for approval
Committee

[24-0065](#) Approve the 2024 Sole Source Purchase Request related to Various Traffic Equipment and Technologies.

Attachments: [Sole Source Purchase Request - Traffic Equipment \(2024\).pdf](#)

Legislative History

1/22/24 Municipal Services recommended for approval
Committee

[24-0066](#) Approve the award of single source contract with Star Protection and Patrol for 2024 Parking Ramp Security Services in an amount not to exceed \$57,000.00.

Attachments: [2024 Award Memo Star Protection and Patrol Security Services at Parking Ram](#)

Legislative History

1/22/24 Municipal Services recommended for approval
Committee

- 2. **MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[24-0060](#) Request to award contract to ISG for Phase II design services for Lundgaard Park in the amount of \$66,500 with a design contingency of \$5,000 for a total contract not to exceed \$71,500.

Attachments: [2024 Lundgaard Park Design Phase II.pdf](#)

Legislative History

1/22/24	Parks and Recreation Committee	recommended for approval
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[23-1472](#) Request to Adopt the Proposed Revised Jones Park Rental and Fee Schedule Policy

Attachments: [Jones Park Rental and Fee Schedule Policy Memo.pdf](#)

[Jones Park - Rental Fee Policy - CLEAN.pdf](#)

[Jones Park - Rental Fee Policy - REDLINED.pdf](#)

Legislative History

12/11/23	Parks and Recreation Committee	recommended for approval
12/20/23	Common Council	referred to the Parks and Recreation Committee
1/8/24	Parks and Recreation Committee	held
1/22/24	Parks and Recreation Committee	recommended for approval

[23-1471](#) Adopt the Proposed Revised Houdini Plaza Rental and Fee Schedule Policy

Attachments: [Houdini Plaza Rental and Fee Schedule Policy Memo.pdf](#)

[Houdini Plaza Rental and Fee Schedule - CLEAN.pdf](#)

[Houdini Plaza Rental and Fee Schedule - REDLINED.pdf](#)

Legislative History

12/11/23	Parks and Recreation Committee	recommended for approval
12/20/23	Common Council	referred to the Parks and Recreation Committee
1/8/24	Parks and Recreation Committee	held

1/22/24 Parks and Recreation recommended for approval
 Committee
Schultz/Wolff: Motion to amend the fee schedule increases as proposed by staff to instead be a 20% increase to current fees. Motion failed 3-2.

5. MINUTES OF THE FINANCE COMMITTEE

[24-0061](#) Resolution for use of Efficiency and Conservation Block Grant Funds

Attachments: [#1-R-24 Efficiency and Conservation Block Grant Funds.pdf](#)

Legislative History

1/22/24 Finance Committee recommended for approval
Hartzheim/Croatt Amendment: replace the last part of the final sentence with, "and reduce the taxpayer portion of the overall library project by \$134,180." Motion to amend fails 2-3.

[24-0081](#) Request to award Unit W-24 Sewer & Watermain Reconstruction No. 1 to Kruczek Construction, Inc. in the amount of \$2,959,994.96 with a 1% contingency of \$30,000 for a project total not to exceed \$2,989,994.96.

Attachments: [Contract Award Form W-24 w Bid Tab_Finance 01-22-2024.pdf](#)
[Award Memo and Request for Scope Revision - Unit W-24 Sewer Water Relay I](#)

Legislative History

1/22/24 Finance Committee recommended for approval

[24-0087](#) Request to approve Change Order #1 for Project Z-23 Water Reconstruction to increase for additional costs in the amount of \$335,035.04, resulting in a decrease to contingency from \$150,000 to \$0, along with the following 2023 budget amendment (2/3 vote of Council required):

Water Fund

Z-23 Water Reconstruction	+ \$185,035.04
X-23 Water Capital Construction	- \$185,035.04

Attachments: [Copy of Z-23 Change Order Approval Form.pdf](#)
[Z-23 Change Order 1 Contract Amendment Memo Final r1.pdf](#)

Legislative History

1/22/24 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[24-0052](#)

Request to approve the Preliminary 2024-2025PY (Program Year) Community Development Block Grant (CDBG) Community Partner Allocations (Non-Public Services) as specified in the attached staff memo

Attachments: [Staff Memo_CDBG Advisory Board Recommendations_2024 Allocations.pdf](#)
[Award Allocation Recommendations From CDBG Advisory Board 1-15-2024.pdf](#)
[PY2024 CDBG Application Information.pdf](#)
[Approved CDBG Policy 11-17-2021.pdf](#)
[CDBG Funding History.pdf](#)

Legislative History

1/24/24 Community & Economic recommended for approval
 Development Committee

[24-0053](#)

Request to approve the reallocation of 2023-2024PY (Program Year) Community Development Block Grant (CDBG) funding in the amount of \$28,981.24 among the 2024-2025PY Public Services applicants as specified in the attached staff memo

Attachments: [Staff Memo_CDBG Advisory Board Recommendations_2023 PS Reallocation.p](#)
[Award Allocation Recommendations From CDBG Advisory Board 1-15-2024.pdf](#)
[PY2024 CDBG Application Information.pdf](#)
[Approved CDBG Policy 11-17-2021.pdf](#)
[CDBG Funding History.pdf](#)

Legislative History

1/24/24 Community & Economic recommended for approval
 Development Committee

7. MINUTES OF THE UTILITIES COMMITTEE[24-0076](#)

Sole Source Engineering Services Contract to McMahon Associates as part of the 2024 Aeration Process Upgrades Project in the amount of \$64,500 with a 12% contingency of \$7,740 for a Project Total not to exceed \$72,240.

Attachments: [240119_UC Sole Source Memo_AerationProcessUpgradesMcMahon.pdf](#)
[20240118 Aeration Process Upgrades Project.pdf](#)

Legislative History

1/23/24 Utilities Committee recommended for approval

[24-0077](#)

Award Final Clarifier Tank Underdrain and Tank Drain Rehabilitation Contract to Sabel Mechanical in the amount of \$44,411 with 15% contingency of \$6,662 for a project total not to exceed \$51,073.

Attachments: [240119_Memo_Final Clarifier Underdrain_Rehab Contract_Sabel.pdf](#)

Legislative History

1/23/24 Utilities Committee recommended for approval

[24-0088](#)

Sole Source purchase of Final Clarifier Tank Underdrain and Tank Drain Pumps, Pump Rail Guide Systems, and Miscellaneous Pump Fittings from Quality Flow Systems in the amount of \$89,960 with a 5% contingency of \$4,500 for a total not to exceed \$94,460.

Attachments: [240119_Memo_Final Clarifier Underdrain Pump Purchase.pdf](#)
[011924 Quality Flow Systems Sole Source Request.pdf](#)

Legislative History

1/23/24 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[24-0070](#)

Access Control Contract - Whitman Construction Project

Attachments: [Authorization to Purchase Access Control from Faith Technologies 01.17.2024.p](#)

Legislative History

1/23/24 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

[23-1476](#)

Resolution #15-R-23 Parking Facility & Management Study

Attachments: [#15-R-23 Parking Facility & Management Study.pdf](#)
[15-R-23 Parking Facility Management Study Amended.pdf](#)

Legislative History

12/11/23 Municipal Services Committee recommended for approval

12/11/23 Municipal Services Committee recommended for denial

12/20/23 Common Council referred to the Municipal Services Committee

1/8/24 Municipal Services Committee recommended for approval

Motion to recommend approval by substitution removing "including the sale or lease of parts or all of the parking utility" from the final paragraph.

1/17/24 Common Council held

- O. ORDINANCES
- P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION
- Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- R. OTHER COUNCIL BUSINESS
- S. ADJOURN

Kami Lynch, City Clerk

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Minutes - Final Common Council

Wednesday, January 17, 2024

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Council President Van Zeeland at 7:00 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Hartzheim

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Alderperson Del Toro participated virtually.

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

Excused: 2 - Alderperson Chad Doran and Mayor Jake Woodford

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[24-0039](#)

Common Council Meeting Minutes of December 20, 2023

Attachments: [CC Minutes 12-20-23.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Hayden, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

Excused: 2 - Alderperson Chad Doran and Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[24-0049](#)

Reappointment of David Kress to the Fox Cities Convention & Visitors Bureau Board of Directors

Attachments: [2024-01-17 - Kress David - FCCVB Reappointment Memo.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Meltzer, that the Reappointment be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

Excused: 2 - Alderperson Chad Doran and Mayor Jake Woodford

H. PUBLIC PARTICIPATION

There was no one signed up to speak during Public Participation.

I. PUBLIC HEARINGS

[23-1505](#)

Public Hearing for Rezoning #9-23 N. Lawe St., 1212 N. Union St., and 605 E. Wisconsin Ave.

Attachments: [RZ #9-23 Notice of Public Hearing.pdf](#)

The Public Hearing was held. No one spoke during the hearing.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[23-1476](#)

Resolution #15-R-23 Parking Facility & Management Study

Attachments: [#15-R-23 Parking Facility & Management Study.pdf](#)

[15-R-23 Parking Facility Management Study Amended.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Croatt, that the Resolution be held. Roll Call. Motion carried by the following vote:

Aye: 9 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

Nay: 5 - Alderperson Vered Meltzer, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Kristin Alfheim and Alderperson Nate Wolff

Excused: 2 - Alderperson Chad Doran and Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Croatt moved, Alderperson Wolff seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

Excused: 2 - Alderperson Chad Doran and Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[24-0026](#)

Approve the Department of Public Works Glendale Avenue Yard Waste Site Policy

Attachments: [Glendale Avenue Yard Waste Site Policy MSC Jan 2024.pdf](#)

This Report Action Item was approved.

[24-0027](#)

Approve the award of the 2024 Bridge Consulting Services to Collins Engineers, Inc., in an amount not to exceed \$26,190.00.

Attachments: [Collins 2024 Bridge Consulting MSC Award Memo 01-08-24.pdf](#)

This Report Action Item was approved.

[24-0028](#)

Approve the award of the 2024 Bridge Inspections Services (Unit R-24) to Collins Engineers, Inc., in an amount not to exceed \$42,000.00.

Attachments: [Collins 2024 Bridge Inspections MSC Award Memo 01-08-24.pdf](#)

This Report Action Item was approved.

[24-0029](#)

Approve Amendment No. 1 to the Three-Party Engineering Design Services Contract between the city of Appleton, Wisconsin DOT and Ayres Associates Inc. for the design of Lawe Street (College Avenue to Wisconsin Avenue) by an amount not to exceed \$33,451.95.

Attachments: [Lawe Street Ayres Associates Design Amendment Muni Services Memo 01-03-2024.pdf](#)
[Lawe Street Amendment.pdf](#)

This Report Action Item was approved.

[24-0030](#)

Approve the single-source award for the Design and Construction-Related Services Contract with Desman Design Management for 2024 Repair and Maintenance Program for the Red, Yellow, and Green Parking Ramps in an amount not to exceed \$68,200.00.

Attachments: [Desman 2024 Ramp Repairs Consultant Services MSC Memo 01-02-2024.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0035](#)

Recommended Denial of an Operator License for Andrew DeRuyter

Attachments: [Andrew DeRuyter Clerk Letter.pdf](#)
[Andrew DeRuyter PD Letter.pdf](#)
[Andrew DeRuyter Operator License Application.pdf](#)
[Memo to Safety and Licensing Regarding License Denial.pdf](#)

The Recommendation to deny the license was approved.

[24-0034](#)

Fire Department Intent to Apply for Firehouse Subs Foundation Grant

Attachments: [01-10-24 Intent to Apply-Laryngoscopes.pdf](#)

This Report Action Item was approved.

[24-0036](#)

2024 Secondhand Article, Secondhand Jewelry and Pawnbroker License renewal applications, contingent upon approval from all departments.

Attachments: [Secondhand article renewal 2024.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[23-1430](#)

Request to approve Rezoning #9-23 for the subject parcel located on the southwest corner of E. Wisconsin Avenue and N. Lawe Street (Tax Id #31-1-0017-00), 1212 N. Union Street (Tax Id #31-1-0024-00), and 605 E. Wisconsin Avenue (Tax Id #31-1-0025-00), including to the centerline of the adjacent street right-of-way, as shown on the attached maps, from C-2 General Commercial District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport_NLawe-1212NUnion-605EWisconsin_Rezoning_For12-13-23.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[24-0001](#)

Request to award the City of Appleton's Library Signage Package contract to Seating Concepts Inc., in the amount of \$185,994.61 with a 5% contingency of \$10,000 for a project total not to exceed \$195,994.61.

Attachments: [2023 Library Signage.pdf](#)

This Report Action Item was approved.

[24-0002](#)

Request to award the Engineering Contract for the 2023 AWWTP L-Building HVAC Replacement Project to McMahon in the amount of \$156,898 with a 5% contingency of \$7,845 for a total not to exceed project engineering cost of \$164,743.

Attachments: [2023 AWWTP L-Building HVAC Replacement Professional Services.pdf](#)

This Report Action Item was approved.

[24-0003](#)

Request to award the 2023 AWWTP B-Building HVAC Upgrades Project contract to Rohde Brothers, Inc. in the amount of \$720,840 with a 9% contingency of \$64,876 for a project total not to exceed \$785,716, along with the following budget amendment (2/3 vote of Council required):

AWWTP Electrical Distribution Project	- \$54,000
AWWTP HVAC Upgrades Project	+\$54,000

Attachments: [2023 AWWTP B-Building HVAC Upgrades Project with Budget Transfer .pdf](#)

This Report Action Item was approved.

[24-0004](#)

Request to award the Engineering Contract for the AWWTP MCC Replacement Project Phase 1 to Donohue and Associates in the amount of \$159,420 for data collection and bidding documents along with \$124,719 for bidding and construction oversight services upon approval of funding in the 2025 budget as this is a multiyear project, for a total contract amount of \$284,139, along with the following 2023 budget amendment (2/3 vote of Council required):

AWWTP Electrical Distribution Project	-\$60,000
2023 AWWTP MCC Replacement Project	+\$60,000

Attachments: [AWWTP MCC Replacement Professional Services.pdf](#)

This Report Action Item was approved.

[24-0005](#)

Request to approve the Relocation Order for work at or near 1850 West Wisconsin Avenue.

Attachments: [1234 - Moto Mart - Relocation Order.pdf](#)

This Report Action Item was approved.

[24-0012](#)

Request to approve write off of \$74,881.54 of accounts receivable invoices and \$16,668.36 of personal property taxes (outstanding over one year).

Attachments: [Finance Committee - AR Write-off List 2023.pdf](#)
[Finance Committee - PP Write-off List 2023.pdf](#)

This Report Action Item was approved.

[24-0013](#)

Request to approve Change Order #4 to contract 72-22 for Unit H-21 Redundant Raw Water Line to increase for unanticipated site conditions in the amount of \$176,232.54 resulting in a decrease in contingency from \$244,549.71 to \$0.00. No change to overall contract amount.

Attachments: [H-21 Change Order 4 memo 01-02-2024.pdf](#)
[Unit H-21 Change Order No 4.pdf](#)

This Report Action Item was approved.

[24-0014](#)

Request to award Unit H-23 Lightning Drive Sewer & Water, Grade & Gravel, and Bridge Construction to Triple P Inc., dba Peters Concrete Company, in the amount of \$1,544,853.12 with a 7.5% contingency of \$116,000.00 for a project total not to exceed \$1,660,853.12.

Attachments: [Contract Award Form H-23 w Bid Tabs.pdf](#)

This Report Action Item was approved.

[24-0015](#)

Request to award a sole source contract to McMahon for design, bidding, and construction oversight for the 2024 Wastewater Hardscapes Improvement Project, for a contract fee of \$56,600 and a 5% contingency of \$2,830 not to exceed a total contract amount of \$59,430.

Attachments: [2024 AWWTP Hardscapes Engineering Services \(Sole Source\).pdf](#)

This Report Action Item was approved.

[24-0016](#)

Request to award a sole source contract to Nordon Business Environments for the Municipal Services Building Furniture Upgrades in the amount of \$189,135.72.

Attachments: [2024 MSB Furniture Upgrades Sole Source.pdf](#)

This Report Action Item was approved.

6. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**
7. **MINUTES OF THE UTILITIES COMMITTEE**
8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**
9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**
10. **MINUTES OF THE BOARD OF HEALTH**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[24-0047](#)

Ordinances #1-24 to #12-24

Attachments: [Ordinances to Council 1-17-24.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Schultz, that the Ordinances be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

Excused: 2 - Aldersperson Chad Doran and Mayor Jake Woodford

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

[24-0061](#)

Resolution for use of Efficiency and Conservation Block Grant Funds

Attachments: [#1-R-24 Efficiency and Conservation Block Grant Funds.pdf](#)

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Hartzheim moved, seconded by Aldersperson Meltzer, that the meeting be adjourned at 7:11 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

Excused: 2 - Aldersperson Chad Doran and Mayor Jake Woodford


Kami Lynch, City Clerk



“...meeting community needs...enhancing quality of life.”

OFFICE OF THE MAYOR

Jacob A. Woodford
100 North Appleton Street
Appleton, Wisconsin 54911
Phone: (920) 832-6400
Email: Mayor@Appleton.org

TO: Common Council
FROM: Mayor Jacob A. Woodford 
DATE: February 7, 2024
RE: Utilities Director Recommendation

The Utilities Director position was vacated by a retirement on January 3, 2024. I am pleased to recommend an exceptional candidate for the role – one who brings 17 years of professional experience within the Appleton Department of Utilities.

A licensed Certified Wastewater and Municipal Water Works Operator, the candidate holds a BS in Waste Management from the University of Wisconsin – Stevens Point. Since 2010, he has served in the City of Appleton’s Utility Department as Deputy Director. The candidate has deep knowledge of the City’s treatment facilities and takes the initiative to drive projects to completion. He has been actively involved in developing strategic initiatives to meet regulatory requirements, managing, and reporting annual budgets, and supervising support staff within the Utilities Department.

It is my honor to recommend for your consideration Chris Stempa to serve as the City of Appleton’s next Utilities Director. His resume is attached for your reference.

Please be in contact should you have any questions or concerns.

CHRIS STEMPA

W3811 Willow Brook Ct, Appleton, Wisconsin 54913
Mobile: 920 284-4612

PROFESSIONAL OBJECTIVE

Seeking an opportunity to put my skills, diverse professional experience, training, and education as the City of Appleton Department of Utilities Director.

EDUCATION

B.S. Waste Management, Minor: Soil Science and Chemistry, University of Wisconsin-Stevens Point

QUALIFICATION STATEMENT

Enthusiastic, dedicated, and reliable leader with a proven track record of results driven success and supported by a positive professional trajectory.

PROFESSIONAL EXPERIENCE

City of Appleton

Deputy Director of Utilities: January 2010 to Present

This position provides diverse technical and administrative support functions to the Director of Utilities.

- Responsible for ensuring that the Appleton Water Treatment Facility (AWTF) and Appleton Wastewater Treatment Plant (AWWTP) meets or exceeds administrative, community, state, and federal standards by which the Utility is governed.
- Develop strategic initiatives to meet regulatory requirements and implementation of specific programs to ensure sound standards of practice that sustain uninterrupted quality service to the community while preserving/maintaining millions of dollars in Utility Department assets.
- Assist the Utility Director in the development, management, and reporting of budgets for the Water Treatment Facility and the Wastewater Treatment Plant and Lift Stations.
- Direct, manage, supervise, coordinate, and support subordinate staff, work groups, various services, and diverse operations of the Utilities Department. This includes water treatment facility operations, field operations, water distribution, wastewater treatment facility operations, wastewater collection operations, regulatory program areas/functions, and water and wastewater projects (Capital Improvement Program (CIP) and Operations and Maintenance (O&M) Program projects).

City of Appleton

Environmental Programs Coordinator: February 2007 to December 2009

Responsible for ensuring the AWWTP Industrial Pretreatment Program and Biosolids Management Program compliance with all state and federal standards.

- Maximized beneficial use for 20,000 tons of biosolids per year across five counties and over 5,000 acres of Wisconsin DNR permitted sites in central and northeast Wisconsin.
- Identified and researched technologies that possessed potential of decreasing program costs while meeting or exceeding environmental regulatory standards. Conceived and lead the effort to develop and construct a large-scale (4.5 acre) collaborative compost pilot project involving the AWWTP, Appleton Department of Public Works and the Outagamie County Solid Waste Department. In 2017 it became the first permitted biosolids compost operation in Wisconsin.
- Identified and implemented cost-recovery and revenue generation programs while utilizing available resources to the maximum benefit of the community. Example includes the development of the AWWTP Hauled Waste Program Tier Rate fee structure. The fee structure

CHRIS STEMPA

W3811 Willow Brook Ct, Appleton, Wisconsin 54913
Mobile: 920 284-4612

was supported by computer modeling that utilized waste characteristics, treatment variables, chemical usage, energy consumption, and waste disposal costs. Prior to the rate structure annual revenues were approximately \$500,000. Today the Hauled Waste Program generates over \$2.5 M in annual revenue.

- Maintained relations with industrial users. Ensured facilities were compliant with local, state and federal wastewater discharge requirements related to hazardous materials.
- Provided regulatory and environmental support resources and for performing a variety of Utility environmental permit program functions including Storm Water Pollution Prevention (SWPP) and Spill Prevention Control and Countermeasure (SPCC) plans.
- Promoted and implemented improvement initiatives associated with wastewater processes and operations, beneficial use of process residuals, environmental compliance, health and safety, and community outreach programs.

STS Consultants Ltd., Oshkosh, WI

Project Scientist/Assistant Project Manager: May 2006-January 2007

Senior Engineering Technician III: May 2004-May 2006

Landfill Construction, Brownfield Redevelopment, Environmental Remediation, Site Investigations, Regulatory Compliance

- Served as project manager and/or lead technician on landfill expansion projects, Brownfield redevelopments, including numerous environmental remediation projects. Served as a liaison between client, contractors, and project staff.
- Coordinated staffing, effectively managed budgets, and provided quality control as required.
- Prepared sampling and testing plans, provided construction related inspection services, and prepared the documentation reports and as-built AutoCAD drawings.
- Performed field construction oversight, documentation, field engineering, construction material testing, surveying, data management, and report preparation during. Served as a liaison between client, contractors, and project staff.
- Prepared proposals, bid documents, regulatory reporting documents, and AutoCAD drawings. Conducted Phase I Environmental Site Assessments under ASTM standards for agricultural, industrial, and commercial properties in Wisconsin.
- Prepared SPCC and SWPP Plans for industrial facilities.

SCS BT² Inc. Environmental Engineering and Science, Madison, WI

Staff Scientist: January 2003 to May 2004

Senior O&M Specialist: January 2002 to December 2002

Field Technician: May 1998 to December 2001

Landfill Construction, Site Investigations, Environmental Remediation

- Performed construction oversight, documentation, field engineering, and surveying during four (4) municipal solid waste landfill expansion and two (2) cap/cover construction projects located in Wisconsin. Included groundwater and leachate collection and conveyance systems, gas extraction systems installations, and field testing/sampling of clay and geosynthetic liner and cover construction materials.
- Involved with projects associated with the investigation, remediation, and monitoring of petroleum and chemical releases. Conducted compliance monitoring and evaluated analytical data to determine contaminant trends. Prepared regulatory reporting documents, WPDES permits, and reports. Maintained and tested engineered remediation systems.

CHRIS STEMPA

W3811 Willow Brook Ct, Appleton, Wisconsin 54913

Mobile: 920 284-4612

- Performed compliance monitoring for multiple municipal solid waste landfills. Work included particulate monitoring and instrument calibrations, groundwater sampling, gas recovery system testing, data evaluation, and reporting.

AFFILIATIONS

Fox-Wolf Watershed Alliance - Board Member (2011-Present)

Municipal Environmental Group (MEG) – Member (2009–Present)

U.S. Compost Council – Member (2011-Present)

Water Environmental Federation – Member (2007-Present)

CERTIFICATIONS/TRAINING

Wastewater Operator Certification

- Biological Solids/Sludge Handling, Processing and Reuse (OIT)
- Biological Treatment Suspended Growth Processes (OIT)
- Solids Separation (OIT)

Municipal Water Works Operator Certification

- Lime Softening Grade T
- Surface Water Grade T

WDNR NR204 Site Approval Certification (#60020)

SELECTED PUBLICATIONS

Stempa, F. C, et al. “**Analysis of Cyanobacterial Metabolites in Surface and Raw Drinking Water Reveals more than Microcystin.**” Water Research, 2018

COMPUTER RELATED SKILLS

AutoCAD

Arc GIS

Microsoft Office

Tyler Munis Enterprise ERP

PROCLAMATION



Office of the Mayor

WHEREAS, Black History Month grew out of the 1926 establishment of Negro History Week by Carter G. Woodson and the Association for the Study of African American Life and History; and

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by Black Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, the observance of Black History Month calls our attention to the continued need to dismantle racism and build a society that lives up to our nation's democratic ideals; and

WHEREAS, *A Stone of Hope: Black Experiences in the Fox Cities*, an exhibit on local Black history from the 1700s to the present produced by the History Museum at the Castle, reminds us that Appleton's past includes examples of racism and discrimination, and that the road to becoming a more inclusive community has been long and difficult for BIPOC Appletonians; and

WHEREAS, the City of Appleton continues to work toward being a welcoming community where all people are respected and recognized for their contributions and is proud to honor the history and achievements of Black community members.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim February 2024 as

Black History Month

in Appleton and encourage all residents to celebrate our diverse heritage and culture, learn about our history, and continue efforts to create a community that is more just, peaceful, and prosperous for all.

Signed and sealed this 29th day of January 2024.

JACOB A. WOODFORD
MAYOR OF APPLETON



PROCLAMATION



Office of the Mayor

WHEREAS, severe burns are a major cause of deaths and injuries, especially among young children; and

WHEREAS, every year, hundreds of children under age 10 die in home fires; and

WHEREAS, a high percentage of fire-related deaths occur in homes, and fires and burns are a leading cause of injury-related fatalities among children under age 15; and

WHEREAS, hundreds of children are taken to the emergency room every day with burn injuries; and

WHEREAS, Shriners International and Shriners Children's join with others in the burn care field in supporting locations that provide pediatric burn care, and recognizing the seriousness of this problem and the urgent need to educate the public about burn prevention; and

WHEREAS, it is fitting and appropriate to acknowledge the contributions of Shriners International and to commend the Shriners for their continued support and concern for children with burn injuries; and

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, does hereby proclaim February 4-10, 2024, as

Burn Awareness Week

in Appleton and encourage all residents to become familiar with burn prevention and take appropriate steps to protect their families from burn injuries.

Signed and sealed this 17th day of January 2024.




JACOB A. WOODFORD
MAYOR OF APPLETON

PROCLAMATION



Office of the Mayor

WHEREAS, Cardiovascular disease kills more women each year than any other cause of death and accounts for 1 in 3 deaths each year. More frightening is the fact that 64% of women who die suddenly of coronary heart disease have no prior symptoms; and

WHEREAS, Symptoms of a heart attack often manifest differently in women than in men. While men often report significant chest pain, women are more likely to experience shortness of breath, nausea/vomiting, and pain in their back or jaw; and

WHEREAS, the most startling disparity is that the Journal of the American Heart Association found that women are up to three times more likely to die following a serious heart attack as a result of unequal care and treatment; and

WHEREAS, Increased awareness and funding can help bridge that gap by enabling researchers to further study cardiovascular disease, specifically in women.

NOW THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim February 2, 2024, as

Go Red for Women Day

in Appleton and encourage all residents to wear red to bring attention to heart disease as the leading cause of death for women. On National Wear Red Day, raise your voice and raise awareness and encourage others to do the same.

Signed and sealed this 29th day of January 2024.



JACOB A. WOODFORD
MAYOR OF APPLETON



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : _____
Effective Date: 2/08/2024
Expiration Date: 7/01/2024
Non-Refundable Fee: \$40.00
Paid (yes or no): yes/149546002/extended

Rev. 10-05-2023

Applicant Information

Name (print): Bryce Barrone Company: Boldt
Address: 2525 N Roemer Rd Telephone: (920)841-4743
E-mail: bryce.barrone@boldt.com
Applicant Signature: Bryce Barrone Digitally signed by Bryce Barrone
DN: c=US, e=bryce.barrone@boldt.com, O=Boldt, OU=Project Engineer, CN=Bryce Barrone
Date: 2024.01.17 11:24:44-0800' Date: 01/17/2024

Occupancy Information

General Description: Three parking meter location so that we can get semis into our laydown area for the Fox Commons. Being used by all companies in Fox Commons buildout. Meters are 337-339.
Street Address: W Washington St between Appleton & Oneida Sidewalk/roadway obstruction requested Y or N
- or -
Multiple Streets: _____
Date(s) From: 2/08/24 To: 7/01/24 35 days or < 35 days or >
(Requires Committee and Council Approval)

(Department use only)

Occupancy Type

- Permanent - Obstruction (\$40)
- Temporary - Obstruction (\$40)
- Amenity/Annual (\$40)
- Blanket/Annual (\$250)
- Block Party (\$15)

Sub-Type

- Awning
- Dumpster
- Sign
- Obstruction / Other
- POD / Container

Location

- Sidewalk
- Terrace
- Roadway

Meter area

Additional Requirements

- Plan/Sketch
- Certificate of Insurance
- Bond
- Other : _____

Traffic Control Requirements

N/A

Contact Traffic Division 920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure. Additional Requirements:

Type of Street: _____ Proposed Traffic Control: _____
 Arterial/CBD City Manual Page(s) _____
 Collector State Manual Page(s) _____
 Local Other (attach plan) _____

7. Meters must be open to the public on Tuesday, March 18 - Friday March 22 AND Monday, March 25 - Friday, March 29, 2024

Approved by: _____ Date: _____

This permit approval is subject to the following conditions:

1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.
5. Meter bags will be removed on Saturdays and Sundays. Parking must be available to the general public on Saturdays and Sundays.
6. All vehicles must pull in and pull out maneuvering within the job site. No backing out.

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner. By applying for and accepting this permit, the applicant assumes full liability and/or any costs incurred by the City for corrective work required to bring the subject area into compliance with said ordinances, standards, policies and permit conditions. No occupancy shall occur prior to approval of this permit by the Department of Public Works.

The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in accordance with existing ordinances and policies, in the event of injury or damage to persons or property resulting from their facilities within the public right-of-way.

APPROVED BY: _____
(Department of Public Works)

DATE: _____

**STREET VIEW OF
ROADWAY OPEN
TO TRAFFIC FOR
DRIVE-THRU**

**BOLDT TO ADD SIGNS ON FENCE
DIRECTING PEDESTRIANS TO USE
APPLETON STREET FOR CITY
CENTER BUILDING ACCESS**

**ROAD
CLOSED**

**8' RETRO-REFLECTIVE
BARRICADE RAILS AND ROAD
CLOSED SIGN
TO BE ATTACHED TO
FENCE**

Owner	CITY OF APPLETON		
Project Name	City Center Plaza	Project Number	N/A
Prime Contractor	Boldt Companies	Traffic Control Contractor	Warning Lites of Appleton, Inc.
Phone	920-725-0757	Sheet Number	1
Prepared By	Lance G Mauel		
		Date	08/06/2023



START DATE & TIME

DURATION:

GENERAL NOTES:

THIS TRAFFIC CONTROL PLAN IS FOR INFORMATIONAL PURPOSES ONLY. TRAFFIC CONTROL PLAN IS NOT TO SCALE. WARNING LITES OF APPLETON, INC. ASSUMES NO LIABILITY FOR LAYOUT & SETUP OF ACCEPTED TRAFFIC CONTROL PLAN. THE CITY OF APPLETON DESIRED'S FINAL APPROVAL OF TRAFFIC CONTROL PLAN. ADVANCED WARNING SIGNS WILL BE MOUNTED ON PORTABLE SUPPORTS. THE EXACT NUMBER, LOCATION, AND SPACING OF ALL SIGNS AND DEVICES. SHALL BE ADJUSTED TO FIT FIELD CONDITIONS AS APPROVED BY THE ENGINEER.

LEGEND	
	SIGN SYMBOL
	CHANNELIZER DRUM
	TYPE III BARRICADE
	DIRECTION OF TRAFFIC
	42" DELINEATOR CONE

**STREET VIEW OF FENCE
OPEN TO ALLOW ACCESS
TO DRIVE-THRU**



WHEN ROAD IS OPEN, PROVIDE SIGN INDICATING "ROAD OPEN TO DRIVE UP WINDOW". VERIFY MESSAGE WITH CITY FINANCE DEPARTMENT

BOLDT TO ADD SIGNS ON FENCE DIRECTING PEDESTRIANS TO USE APPLETON STREET FOR CITY CENTER BUILDING ACCESS

Owner	CITY OF APPLETON	
Project Name	City Center Plaza	Project Number N/A
Prime Contractor	Boldt Companies	Traffic Control Contractor Warning Lites of Appleton, Inc.
Phone 920-725-0757	Sheet Number 2	Date 08/06/2023
Prepared By	Lance G MaueI	

Warning Lites
OF APPLETON, INC.
"SAFETY IS OUR BUSINESS"
1-820-725-0757
www.warningliteswi.com

START DATE & TIME

DURATION:

GENERAL NOTES:
THIS TRAFFIC CONTROL PLAN IS FOR INFORMATIONAL PURPOSES ONLY. TRAFFIC CONTROL PLAN IS NOT TO SCALE. WARNING LITES OF APPLETON, INC. ASSUMES NO LIABILITY FOR LAYOUT & SETUP OF ACCEPTED TRAFFIC CONTROL PLAN. THE CITY OF APPLETON DECIDES FINAL APPROVAL OF TRAFFIC CONTROL PLAN. ADVANCED WARNING SIGNS WILL BE MOUNTED ON PORTABLE SUPPORTS. THE EXACT NUMBER, LOCATION, AND SPACING OF ALL SIGNS AND DEVICES SHALL BE ADJUSTED TO FIT FIELD CONDITIONS AS APPROVED BY THE ENGINEER.

LEGEND

- SIGN SYMBOL
- CHANNELIZER DRUM
- ▨ TYPE III BARRICADE
- ⇒ DIRECTION OF TRAFFIC
- 42" DELINEATOR CONE

Construction Site Access Point - Use of Sidewalk and bagging of associated meters.



Warning Lites <small>OF APPLETON, INC.</small> "TRAFFIC SAFETY & SURETY" 1-920-725-0757 "Safety Is Our Business" 920-725-0757 www.warningliteswi.com		START DATE & TIME DURATION:	GENERAL NOTES: THIS TRAFFIC CONTROL PLAN IS FOR INFORMATIONAL PURPOSES ONLY. TRAFFIC CONTROL PLAN IS NOT TO SCALE. WARNING LITES OF APPLETON, INC. ASSUMES NO LIABILITY FOR LAYOUT & SETUP OF ACCEPTED TRAFFIC CONTROL PLAN. THE CITY OF APPLETON DIRECTOR'S FINAL APPROVAL OF TRAFFIC CONTROL PLAN. ADVANCED WARNING SIGNS WILL BE MOUNTED ON PORTABLE SUPPORTS. THE EXACT NUMBER, LOCATION, AND SPACING OF ALL SIGNS AND DEVICES, SHALL BE ADJUSTED TO FIT FIELD CONDITIONS AS APPROVED BY THE ENGINEER.	LEGEND SIGN SYMBOL CHANNELIZER DRUM TYPE III BARRICADE DIRECTION OF TRAFFIC	42" DELINEATOR CONE	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Owner</td> <td style="text-align: center;">CITY OF APPLETON</td> </tr> <tr> <td>Project Name</td> <td>City Center Plaza</td> <td>Project Number</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>Prime Contractor</td> <td>Boldt Companies</td> <td>Traffic Control Contractor</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">Warning Lites of Appleton, Inc.</td> </tr> <tr> <td>Phone</td> <td>920-725-0757</td> <td>Sheet Number</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">3</td> </tr> <tr> <td>Prepared By</td> <td colspan="2">Lance G Mauel</td> </tr> <tr> <td></td> <td></td> <td>Date</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">08/06/2023</td> </tr> </table>	Owner		CITY OF APPLETON	Project Name	City Center Plaza	Project Number			N/A	Prime Contractor	Boldt Companies	Traffic Control Contractor			Warning Lites of Appleton, Inc.	Phone	920-725-0757	Sheet Number			3	Prepared By	Lance G Mauel				Date			08/06/2023
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Prepared By	Lance G Mauel																																			
		Date																																		
		08/06/2023																																		

DEPARTMENT OF PUBLIC WORKS

METER BAG APPLICATION

Fee is \$9.00 per day plus tax or any part thereof. **THIS FEE WILL BE CHARGED FOR EVERY DAY THE METER BAG IS RESERVED** (excluding Sundays and Holidays).

NOTE: Meter bags shall not be used on red meters. If a red meter is found bagged, the bag will be removed and the vehicle will be ticketed.

Company Name

Agent.....

Company Address.....

Phone Number

Reason

Location

Meter
Zone & Space#.....

Date(s).....

(Department use only)

Amount Due.....
(\$9.00 per bag per day plus tax)

Approved by
Department of Public Works Representative

Today's Date.....

- o With the exception of weekends (both Saturday and Sunday)
- o Holidays
- o In-person Absentee voting dates for the Spring Election
 - Tuesday, March 18 – Friday, March 22
 - Monday, March 25 – Friday, March 29

BOLDT- Meter Bag Summary

AS OF: 1/15/2024

TOTAL BAG DAYS =

276

Rate = \$9.00/day + tax

\$ 2,620.62

DATE	Washington St by Fox Commons		
	ZONE 9201 - 337	ZONE 9201 - 338	ZONE 9201 - 339
2/8/24	Y	Y	Y
2/9/24	Y	Y	Y
2/10/24	SATURDAY	SATURDAY	SATURDAY
2/11/24	SUNDAY	SUNDAY	SUNDAY
2/12/24	Y	Y	Y
2/13/24	Y	Y	Y
2/14/24	Y	Y	Y
2/15/24	Y	Y	Y
2/16/24	Y	Y	Y
2/17/24	SATURDAY	SATURDAY	SATURDAY
2/18/24	SUNDAY	SUNDAY	SUNDAY
2/19/24	Y	Y	Y
2/20/24	Y	Y	Y
2/21/24	Y	Y	Y
2/22/24	Y	Y	Y
2/23/24	Y	Y	Y
2/24/24	SATURDAY	SATURDAY	SATURDAY
2/25/24	SUNDAY	SUNDAY	SUNDAY
2/26/24	Y	Y	Y
2/27/24	Y	Y	Y
2/28/24	Y	Y	Y
2/29/24	Y	Y	Y
3/1/24	Y	Y	Y
3/2/24	SATURDAY	SATURDAY	SATURDAY
3/3/24	SUNDAY	SUNDAY	SUNDAY
3/4/24	Y	Y	Y
3/5/24	Y	Y	Y
3/6/24	Y	Y	Y
3/7/24	Y	Y	Y
3/8/24	Y	Y	Y
3/9/24	SATURDAY	SATURDAY	SATURDAY
3/10/24	SUNDAY	SUNDAY	SUNDAY
3/11/24	Y	Y	Y
3/12/24	Y	Y	Y
3/13/24	Y	Y	Y
3/14/24	Y	Y	Y
3/15/24	Y	Y	Y
3/16/24	SATURDAY	SATURDAY	SATURDAY
3/17/24	SUNDAY	SUNDAY	SUNDAY
3/18/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/19/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/20/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/21/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/22/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/23/24	SATURDAY	SATURDAY	SATURDAY
3/24/24	SUNDAY	SUNDAY	SUNDAY
3/25/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/26/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/27/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/28/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/29/24	ABSENTEE VOTING	ABSENTEE VOTING	ABSENTEE VOTING
3/30/24	SATURDAY	SATURDAY	SATURDAY
3/31/24	SUNDAY	SUNDAY	SUNDAY
4/1/24	Y	Y	Y
4/2/24	Y	Y	Y
4/3/24	Y	Y	Y
4/4/24	Y	Y	Y
4/5/24	Y	Y	Y
4/6/24	SATURDAY	SATURDAY	SATURDAY
4/7/24	SUNDAY	SUNDAY	SUNDAY
4/8/24	Y	Y	Y
4/9/24	Y	Y	Y
4/10/24	Y	Y	Y
4/11/24	Y	Y	Y
4/12/24	Y	Y	Y
4/13/24	SATURDAY	SATURDAY	SATURDAY
4/14/24	SUNDAY	SUNDAY	SUNDAY
4/15/24	Y	Y	Y

4/16/24	Y	Y	Y
4/17/24	Y	Y	Y
4/18/24	Y	Y	Y
4/19/24	Y	Y	Y
4/20/24	SATURDAY	SATURDAY	SATURDAY
4/21/24	SUNDAY	SUNDAY	SUNDAY
4/22/24	Y	Y	Y
4/23/24	Y	Y	Y
4/24/24	Y	Y	Y
4/25/24	Y	Y	Y
4/26/24	Y	Y	Y
4/27/24	SATURDAY	SATURDAY	SATURDAY
4/28/24	SUNDAY	SUNDAY	SUNDAY
4/29/24	Y	Y	Y
4/30/24	Y	Y	Y
5/1/24	Y	Y	Y
5/2/24	Y	Y	Y
5/3/24	Y	Y	Y
5/4/24	SATURDAY	SATURDAY	SATURDAY
5/5/24	SUNDAY	SUNDAY	SUNDAY
5/6/24	Y	Y	Y
5/7/24	Y	Y	Y
5/8/24	Y	Y	Y
5/9/24	Y	Y	Y
5/10/24	Y	Y	Y
5/11/24	SATURDAY	SATURDAY	SATURDAY
5/12/24	SUNDAY	SUNDAY	SUNDAY
5/13/24	Y	Y	Y
5/14/24	Y	Y	Y
5/15/24	Y	Y	Y
5/16/24	Y	Y	Y
5/17/24	Y	Y	Y
5/18/24	SATURDAY	SATURDAY	SATURDAY
5/19/24	SUNDAY	SUNDAY	SUNDAY
5/20/24	Y	Y	Y
5/21/24	Y	Y	Y
5/22/24	Y	Y	Y
5/23/24	Y	Y	Y
5/24/24	Y	Y	Y
5/25/24	SATURDAY	SATURDAY	SATURDAY
5/26/24	SUNDAY	SUNDAY	SUNDAY
5/27/24	Memorial Day	Memorial Day	Memorial Day
5/28/24	Y	Y	Y
5/29/24	Y	Y	Y
5/30/24	Y	Y	Y
5/31/24	Y	Y	Y
6/1/24	SATURDAY	SATURDAY	SATURDAY
6/2/24	SUNDAY	SUNDAY	SUNDAY
6/3/24	Y	Y	Y
6/4/24	Y	Y	Y
6/5/24	Y	Y	Y
6/6/24	Y	Y	Y
6/7/24	Y	Y	Y
6/8/24	SATURDAY	SATURDAY	SATURDAY
6/9/24	SUNDAY	SUNDAY	SUNDAY
6/10/24	Y	Y	Y
6/11/24	Y	Y	Y
6/12/24	Y	Y	Y
6/13/24	Y	Y	Y
6/14/24	Y	Y	Y
6/15/24	SATURDAY	SATURDAY	SATURDAY
6/16/24	SUNDAY	SUNDAY	SUNDAY
6/17/24	Y	Y	Y
6/18/24	Y	Y	Y
6/19/24	Y	Y	Y
6/20/24	Y	Y	Y
6/21/24	Y	Y	Y
6/22/24	SATURDAY	SATURDAY	SATURDAY
6/23/24	SUNDAY	SUNDAY	SUNDAY
6/24/24	Y	Y	Y
6/25/24	Y	Y	Y
6/26/24	Y	Y	Y
6/27/24	Y	Y	Y
6/28/24	Y	Y	Y
6/29/24	SATURDAY	SATURDAY	SATURDAY
6/30/24	SUNDAY	SUNDAY	SUNDAY
7/1/24	Y	Y	Y

January 2, 2024

Danielle L. Block
City of Appleton – Public Works
100 N. Appleton Street
Appleton, WI 54911

Dear Ms. Block,

Appleton Downtown, Inc., along with Creative Downtown Appleton, Inc., will once again be hosting Avenue of Ice in 2024. Downtown businesses are invited to sponsor an ice carving, which will be displayed on the colored, stamped, amenity strip adjacent to the sidewalk, in front of their business locations. Carvings will begin to be displayed on February 23, 2024 and will remain up until they melt.


As we have done in previous years, we would like to work with your department to place planters within the amenity strip of College Avenue to display the ice carvings. My office will provide you with a complete list of the participating businesses and their locations prior to February 23rd.

The ice carvings will be created and placed on the planters by Krystal Kleer Ice Carvings. Should you need additional information from Krystal Kleer, their contact information is as follows:

Paul Salmon
920-470-9491
krystalkleerice@gmail.com

Enclosed please find our Permit to Occupy the Public Right-of-Way application and fee to cover the amenity strip from 900 W. College Avenue through 300 E. College Avenue. We further request access and use of the landscape power, if necessary. We will not require any street closures. Please feel free to contact our Events Director, Carissa Hackel, if additional information is needed.

Thank you for your consideration.

Sincerely,

Meghan Petters
Administrative & Events Assistant
Appleton Downtown, Inc.



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : _____
 Effective Date: _____
 Expiration Date: _____
 Non-Refundable Fee: _____
 Paid (yes or no): _____

Rev. 10-05-2023

Applicant Information

Name (print): _____ Company: _____
 Address: _____ Telephone: _____
 _____ E-mail: _____
Applicant Signature: _____ **Date:** _____

Occupancy Information

General Description: _____
 Street Address: _____ Sidewalk/roadway obstruction requested Y or N
 - or -
 Multiple Streets: _____
 Date(s) From: _____ To: _____ 35 days or < 35 days or >
 (Requires Committee and Council Approval)

(Department use only)

<u>Occupancy Type</u>	<u>Sub-Type</u>	<u>Location</u>
Permanent - Obstruction (\$40)	Awning	Sandwich Board Sidewalk
Temporary - Obstruction (\$40)	Dumpster	Table / Chairs Terrace
Amenity/Annual (\$40)	Sign	Roadway
Blanket/Annual (\$250)	Obstruction / Other	
Block Party (\$15)	POD / Container	

Additional Requirements

Plan/Sketch Certificate of Insurance Bond
 Other : _____

Traffic Control Requirements N/A

Type of Street: _____ *Proposed Traffic Control:* _____
 Arterial/CBD City Manual Page(s) _____
 Collector State Manual Page(s) _____
 Local Other (attach plan) _____

Contact Traffic Division (832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.
 Additional Requirements: _____

Approved by: _____ **Date:** _____

This permit approval is subject to the following conditions:

1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.
- 5.
- 6.

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner. By applying for and accepting this permit, the applicant assumes full liability and/or any costs incurred by the City for corrective work required to bring the subject area into compliance with said ordinances, standards, policies and permit conditions. No occupancy shall occur prior to approval of this permit by the Department of Public Works.

The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in accordance with existing ordinances and policies, in the event of injury or damage to persons or property resulting from their facilities within the public right-of-way.

APPROVED BY: _____ **DATE:** _____
 (Department of Public Works)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/18/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Truyma Haase Zahn Insurance Group 114 S Main St PO Box 6 Seymour, WI 54165	CONTACT NAME: PHONE (A/C No. Ext): (920) 833-6871 FAX (A/C, No): (920) 833-6870 E-MAIL ADDRESS: info@thzins.com	
	INSURER(S) AFFORDING COVERAGE	
INSURED Appleton Downtown Inc PO Box 2272 Appleton, WI 54912	INSURER A: Secura Insurance NAIC # 22543	
	INSURER B: The Hartford HARTF1	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

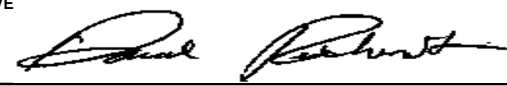
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		CP3301626	04/15/2023	04/15/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10000			CU3301635	04/15/2023	04/15/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	83WECAC9T18	04/15/2023	04/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Directors & Officers Liability			CP3301626	4/15/2023	4/15/2024	Per Occurrence \$1,000,000
A	Liquor Liability			CP3301626	4/15/2023	4/15/2024	Per Occurrence \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Appleton as additional insured - when required by contract per form CGT1000

Commercial Umbrella follows forms of underlying policies.

CERTIFICATE HOLDER**CANCELLATION**

City of Appleton 100 N Appleton St Appleton, WI 54911	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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"... meeting community needs ... enhancing quality of life."

DEPARTMENT OF PUBLIC WORKS
Engineering Division – Traffic Section
2625 E. Glendale Avenue
Appleton, WI 54911
TEL (920) 832-5580
FAX (920) 832-5570

To: Municipal Services Committee
From: Michael Hardy, Assistant City Traffic Engineer
Date: January 17, 2024
Re: 2024 Sole Source Purchase Request – Various Traffic Equipment & Technologies
CC: Jenifer Huss, City Purchasing Manager

This sole source purchase request is reassessed and presented annually as required by the City Procurement Policy. It was last approved for calendar year 2023.

Background:

Traffic Signal and Control Equipment

Within the traffic signal control industry, there is a tremendous amount of proprietary functionality and limited interoperability. The number of vendors servicing traffic signal equipment is also very limited. For example, Traffic and Parking Control Company, Inc. (TAPCO), located in Elm Grove, Wisconsin, is the exclusive vendor in Wisconsin for Siemens traffic signal cabinet and control equipment, which the City of Appleton uses. TAPCO is also the exclusive state vendor for Eberle Design Inc. (EDI) cabinet equipment, Iteris video detection systems, and other support equipment used in traffic signal control systems. Because TAPCO is designated as the exclusive rights vendor in the state by these manufacturers, they have exclusive knowledge for set-up, testing and servicing, beyond that which the City is capable of performing. There are other vendors in nearby states that carry these product lines, but their manufacturer-vendor relationships do not allow overlap with each other. Thus, the City cannot, for example, do business with Brown Traffic Products, Inc., which is TAPCO's equivalent in Illinois and Minnesota.

Due to the above circumstances, it is common in the traffic industry that complete traffic signal control assemblies are sole-source purchased as complete, functional systems. Another unfortunate reality is that each manufacturer's equipment has its own proprietary firmware and controls, which makes it nearly impossible to competitively procure comparable equipment. In this situation, TAPCO or TCC will assemble the cabinet, controller, vehicle detection equipment and any other integrated equipment, and perform functional testing prior to shipment and installation. The advantage to this approach is it helps manage compatibility issues and puts responsibility on the sole source vendor to assure complete functionality of the system. The disadvantage is that procured equipment is not competitively bid in a formal process. The other common application in the traffic industry is that specifications are written to accept only one manufacturer's products. This gives the illusion of being competitive, but often only one vendor can meet the required specifications.

In 2023, there were some big changes related to the traffic controller and software the city uses. Siemens was acquired by a company called Yunex. Yunex then changed their distribution to a new vendor named Mobotrex. Several other product lines we use (Iteris, EDI, Polara) also transitioned from TAPCO to Mobotrex.

Traffic Signal Preventative Maintenance

Preventative maintenance is a service that is currently sole sourced. The current sole source vendor, TAPCO, has strong familiarity with our equipment since they are exclusive rights vendor in the state by the MMU manufacturer the City currently uses. Having considered this, we feel this is a reasonable cost and the best decision for the City at this time.

Decorative Street Lighting Equipment

Specific items that apply are decorative lighting components involving steel poles, concrete poles, arms and fixtures. One large contributing factor is the City has standardized on a specific appearance and quality using Stresscrete, King and Visco brand. While there are other decorative brands on the market simulating a comparable look, the quality of these off-brands has been much lower, leading to increased maintenance costs and decreased life. To meet the City purchasing policy, we have been competitively bidding these decorative lighting brands through the electrical supply chains. While this gives the appearance of competitive bidding, it actually amounts to a mark-up on a product we ultimately know we are going to purchase. Having considered the above, we feel sole source offers the best value of the City's time and resources.

LED Street Lighting

We have standardized on products from Cooper and Philips as the preferred fixtures. To comply with the City's purchasing policy, we would have to competitively bid these two brands thru the electrical supply chains. While this would give the appearance of competitive bidding, it would actually amount to a mark-up on the product. Based on this, we feel sole source offers the best value of the City's time and resources. We have established a relationship with the manufacturers and have been advised we can purchase from them directly. Where these two products are competitive with each other, we would be able to compare costs direct from the manufacturers which would meet the competitive spirit of the policy. However, three products would be needed to satisfy the policy as written. Having considered the above discussion, we feel a sole source exception offers the best value of the City's time and resources.

Summary:

The City Traffic Section continues to pursue equipment and services to help improve competition in our purchases. We often have alternative vendors bring us equipment to familiarize with and test for compatibility. When we evaluate comparable products, we try to take a holistic approach, considering additional software, training, stocking, etc. We also stay in touch routinely with our counterparts in the traffic industry, like WisDOT, City of Green Bay, and Milwaukee County to help evaluate pricing when and where sole sourcing is performed. This helps communicate between agencies on acceptance of alternative products. We also pursue alternative procurement options when available through the WisDOT procurement contract. Where equipment is consistent with WisDOT procurement contracts, a price match is pursued.

The following is the Traffic Section's current list of equipment and services we feel it is in the City's best interest to sole source for procurement:

Signal Controller and Control Software:

- Yunex (Mobotrex)
- Econolite (TTC)

Signal Control Cabinets:

- Mobotrex
- Econolite (TTC)

Signal Control Malfunction Management Unit:

- Eberle Design, Inc. (Mobotrex)
- Reno A & E (TTC)

Loop Detector Amplifiers:

- Eberle Design, Inc. (Mobotrex)
- Reno A & E (TTC)

Video Detection Systems:

- Iteris, Inc. (Mobotrex)
- Econolite (TTC)

Radar Detection Systems:

- MS Sedco / Intersector. (TAPCO)
- Wavetronix (TTC)
- Iteris, Inc. (Mobotrex)

Pedestrian Pushbuttons:

- Polara (Mobotrex)

Preemption:

- GTT (TTC)

Wireless Radio Communications:

- Encom Wireless (Mobotrex)

Radar Speed Signs:

- Information Display Company
- TAPCO
- Carmanah (Mobotrex)

Field Network Switch:

- Comnet (TAPCO)
- Antaira. (Mobotrex)

Traffic Signal Preventative Maintenance:

- TAPCO

Concrete Poles & Arms:

- Stresscrete / King Luminaire (Visual Impact Lighting, LLC)

Steel Poles & Arms:

- Visco (Commercial Lighting)
- Spring City (Visual Impact Lighting, LLC)
- Structura Inc.
- Candela Series (Spectrum Lighting)

LED Fixtures:

- Stresscrete / King Luminaire (Visual Impact Lighting, LLC)
- Beacon Viper
- Candela Series (Spectrum Lighting)
- Gardco

LED Street Light Fixtures:

- Philips (Neher Electric, TAPCO)
- Cooper Lighting (Neher Electric, TAPCO)

Traffic Cameras:

- Avigilon
- Axis (Hunter Security)
- Costar (Mobotrex)

School Zone Flasher & RRFB Controls:

- (TAPCO)
- Carmanah (Mobotrex)
- RTC

Department of Public Works – Engineering Division

MEMO

TO: Municipal Services Committee

FROM: Danielle Block, Director of Public Works
Pete Neuberger, Deputy Director/City Engineer

DATE: January 22, 2024

RE: Award of Single Source Contract with Star Protection and Patrol for 2024 Parking Ramp Security Services in an Amount Not to Exceed \$57,000.

The Department of Public Works is requesting approval to single source contract with Star Protection and Patrol for 2024 Parking Ramp Security Services in an Amount Not to Exceed \$57,000.

Star Protection and Patrol (Star) currently provides security services at Valley Transit's Transit Center as well as Appleton's three parking ramps under an agreement administered by Valley Transit. Under that agreement, Star has provided their services at City parking ramps for approximately 2 hours per day.

DPW has identified a need for increased contracted security services at parking ramps in 2024 to help reduce the incidence of vandalism and other unauthorized behavior that may impact customer experiences as well as Parking Utility staff and financial resources. The approved 2024 Parking Utility Operations and Maintenance Budget includes \$57,000 for such services.

Based on Star's excellent performance and customer service throughout 2023, DPW negotiated a single source contract with Star that includes the following scope of services for 2024:

- Patrol services at all publicly accessible levels of Yellow, Red, and Green Ramps, including stairwells.
- Patrol services for 40 hours per week, consisting of 8 hours per day (11:30pm through 7:30am), 5 days per week.
- Compensation rate of \$27.40 per hour, including patrol vehicle and other incidentals.



"...meeting community needs...enhancing quality of life."

**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

1819 East Witzke Boulevard
Appleton, Wisconsin 54911-8401
(920) 832-5572 FAX (920) 993-3103
Email - dean.gazza@appleton.org

TO: Parks & Recreation Committee

FROM: Dean R. Gazza, Director of Parks, Recreation and Facilities Management

DATE: 01/22/2024

RE: Action Item: Request to award contract to ISG for Phase II design services for Lundgaard Park in the amount of \$66,500 with a design contingency of \$5,000 for a total contract not to exceed \$71,500.

On February 24, 2021, Request for Proposals were received from five firms for master planning and design services for Lundgaard Park. After review of the proposals by a seven-person panel including Fire Department staff, Parks, Recreation and Facilities Management staff and Lindsey Lundgaard, ISG was unanimously selected by the review team to be recommended for award of the contract. Phase I was contracted with ISG in January of 2023. Phase I construction will be completed in the spring of 2024.

Donations received in 2023 are designated for the design and construction of the pavilion. As a result, funding is available to contract for Phase II which is the design and construction of the pavilion. Design will be completed by the second quarter to allow time for bidding and construction to start in the fall.

Please feel free to contact me at 832-5572 with any questions, or by email at dean.gazza@appleton.org.



"...meeting community needs...enhancing quality of life."

**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

1819 East Witzke Boulevard
Appleton, Wisconsin 54911-8401
(920) 832-5572 FAX (920) 993-3103
Email - dean.gazza@appleton.org

TO: Parks and Recreation Committee

FROM: Dean R. Gazza

DATE: December 11, 2023

RE: Action: Request to Adopt the Proposed Revised Jones Park Rental and Fee Schedule Policy

The Parks, Recreation, and Facilities Management Department has reviewed the Jones Park Rental and Fee Schedule Policy. Reviews are completed to ensure the policy remains current and reflects the current needs of the users. The following changes are being proposed upon review.

1. Allow propane gas cooking equipment to be used within the new outdoor food preparation area
2. Cleaning up language to comply with other city policies

Our department requests approval of the updates which will go into effect December 31, 2023.

Please contact me at 832-5572 or at dean.gazza@appleton.org with any questions.

CITY OF APPLETON POLICY		TITLE: JONES PARK – RENTAL AND FEE SCHEDULE	
ISSUE DATE: March 6, 2019		LAST UPDATE: November 16, 2023	
POLICY SOURCE: Parks, Recreation and Facilities Management Department		TOTAL PAGES: 5	
Reviewed by Attorney’s Office Date: November 17, 2023	Parks and Recreation Committee Approval Date:	Council Approval Date:	

I. Purpose

To provide a policy to authorize the Parks, Recreation and Facilities Management Department to equitably administer rules and regulations, policies, fees and charges, and manage the use of Jones Park for private and/or community events. The Parks, Recreation and Facilities Management Department recognizes Jones Park provides quality of life uses for individuals, organizations and groups and brings certain benefits to the community, but has certain use limitations due to size, available facilities, site development, and location.

II. Policy

This policy authorizes the Parks, Recreation and Facilities Management Department to charge fees for the use of Jones Park within the rate schedule established by the Parks and Recreation Committee and City Council. The Parks, Recreation and Facilities Management Department has also established guidelines for the preservation of the public’s health, safety, welfare, and to promote the responsible use of publicly owned property and facilities. To effectively manage, protect facilities, and promote wise use of urban spaces, this policy authorizes the Parks, Recreation and Facilities Management Director and/or designees to:

1. Cancel and/or relocate any reservation that potentially threatens the integrity of Jones Park due to misrepresentation of information on the Facility Reservation Agreement, or if conditions of the facility or grounds would potentially create an unsafe situation.
2. Limit the availability of Jones Park for the city to perform routine and/or required maintenance and renovations to preserve the park’s integrity, including facilities, hard surfaces, turf, trees, vegetation, amenities, etc.
3. Deny any facility reservation application if the expected attendance would endanger public health and safety or compromise the condition of Jones Park.
4. Enforce park rules, regulations, and policies.
5. Require insurance coverage with limits established by the City Risk Manager for all activities or events scheduled for Jones Park.

III. Definitions

- **Jones Park** – Urban space located at 301 W. Lawrence Street consisting of the park, pavilion, performance stage and parking lot.
- **Local Non-Profit Organization** – Non-profit organization located in the Fox Cities that offers activity and/or event to promote quality of life experiences for citizens of Appleton and surrounding communities.
- **National Non-Profit Organization** – National non-profit organization that offers activity and/or event to promote its objectives and focus.
- **For-Profit Organization** – For-profit organization that offers activity and/or event for the primary purpose of raising money for its operations/objectives/programs.
- **Private Event** – Exclusive use of the park for an event and/or activity by an organization, group or individual that requires some or all of Jones Park to be closed to the public.
- **Exchange of Money** – The exchange of any money at an event or program that is held in Jones Park specifically reserved for that event or program.
- **Facility Reservation Policies and Procedures** – These policies and procedures are set forth on the back of the Facility Reservation Agreement and detail reservations, sales of concessions, cancellation/refund procedures, alcohol policies and damage policies.
- **Park Rules & Regulations** – Regulations adopted by the City Council and published by the Parks, Recreation and Facilities Management Department. These rules and regulations are included with every Facility Reservation Agreement packet.
- **Processing Fee** – Fee charged to process a refund and/or cancellation request that is received before the reservation date.
- **Special Event** – An event or activity that meets the City of Appleton’s definition of a special event, and is held in a city park and/or special area, and exceeds the normal, ordinary or intended use of the park and/or special area.
- **Event Fee** – Fee charged for any rental of Jones Park facilities and/or parking lot that is determined to be a special event.

IV. Discussion

This policy defines how Jones Park shall be reserved by individuals, organizations and/or groups (herein “organizers”) for use of the facility. The policy shall also define the fee (s) charged to organizers for their reservation request.

V. Reservations:

1. All organizers reserving Jones Park will be billed in accordance with the established rate schedule, including but not limited to: reservation fee; exchange of money permit; tent permit; tent inspection fee; event fee for facility. Organizers that are non-profit need to provide proof of status.
2. All reservations of Jones Park shall be considered special events. The use of Jones Park for a special event that is private must be approved by the Parks and Recreation Committee and Common Council. All other reservations that are open to the general public will be subject to review by the Director of Parks, Recreation, and Facilities Management Department or their designee.
3. The reservation of Jones Park shall follow the procedures identified in the Special Events Policy and organizers will be required to pay all the fees required under the Special Events

Policy, including a separate “Event Fee” of \$50.00 as set forth in the Fee Schedule on the last page of this policy.

4. The rental of the performance stage and/or parking lot requires rental of the park pavilion.
5. The reservation request for Jones Park shall include the actual time needed for the activity or event, including the time period for all set up, tear down and clean up. The organizer who completes the reservation will be the responsible party and main contact for the event.
6. All reservations for Jones Park shall be considered for the entire day. Reservations for the same day by two different organizations or groups is not permitted unless written confirmation is received and approved by the Director of Parks, Recreation, and Facilities Management, from both organizers. The City of Appleton is not responsible for any additional service required to accommodate the multiple events. Each organizer will pay the full rate.
7. If an organizer performs set-up or take down of any equipment outside of the rental dates they will be charged for the full day, no exceptions. In addition, if these actions interfere with another rental, the City reserves the right to have any set-up removed at the organizer’s cost, which includes but is not limited to services provided by private contractors and/or third parties i.e., dumpsters, portables, tents.
8. Jones Park is available year-round; however, during the winter months (November through March), the Parks, Recreation and Facilities Management Department reserves the right to limit access to any portion of the park and charge the organizer the actual cost to prepare the park for any activity or event. Preparations services during the winter months include but are not limited to snow removal, ice control, waste containers, etc.
9. Organizers that have reserved Jones Park for an event or activity shall have thirty (30) days after the date of the special event to reserve Jones Park for the same weekend and/or date for the following year. After thirty (30) days, the Parks, Recreation and Facilities Management Department will make Jones Park available to other interested parties.
10. All other reservations for Jones Park are on a first-come, first-served basis and may be made no more than one (1) year in advance.
11. The Parks, Recreation and Facilities Management Department reserves the right to require a security deposit for any reservation based on the type of event, number of participants, use of facility, etc. The security deposit will be returned within 30 business days after the event if all conditions of the reservation request were met, including, but not limited to: facility clean-up, proper vacation of the facilities, keys not returned, removal of personal equipment/supplies/etc., and leaving the facilities and grounds in a clean and orderly condition. Damage and/or loss of property may also result in future rental requests being denied.
12. All facility reservation requests should be made at least ninety (90) days in advance of the reservation date, depending on the size of the event and/or need for street closures. Please refer to the Special Event Policy for a more detailed breakdown of the minimum number of days before the event to apply for a license and the costs associated with your Special Event. No special event license will be granted with less than ten days before the date of your event.
13. This policy shall become effective December 31, 2023, and shall remain in effect until it is modified, changed, and/or repealed.

V. Terms & Conditions of Use:

- The special event license holder must bring their copy of the approved reservation to the special event to show City personnel upon request. In all cases, special event license holders shall be given preference for the use of the space designated on the approved agreement.
- Motorized vehicles are allowed in the parking lot only. Vehicles are not allowed on any other park surface at any time; this includes trucks, cars, Utility Task Vehicles (UTVs), golf carts,

etc. used for the unloading and loading of equipment and supplies. Authorization may be given for unique circumstances but must be approved in advance by the Director of Parks, Recreation and Facilities Management or designee.

- No equipment that utilizes fuels or electrical power shall be allowed within the park. Propane gas cooking equipment is allowed within the concrete food preparation area located outside the pavilion with prior authorization and approval. No cooking equipment shall be utilized within the pavilion. The parking lot may be utilized for food preparation if reserved accordingly, with prior authorization and approval.
- Organizers shall leave the facility in a clean and orderly condition. Organizers shall not remove any City equipment and/or supplies. The City will not be held financially or legally responsible for any damage or loss of property that occurs as a result of the rental and reserves the right to bill the applicant for repair and replacement costs incurred by such damage to parks and/or park amenities during the rented timeframe.
- Access to the Exhibition Center shall not occur through Jones Park for loading and unloading of equipment/materials/supplies, etc.

VI. Cancellation/Refunds:

- A full refund of the rental fee will be made if the reservation is cancelled more than 90 days in advance of the event. A full refund of the rental fee for a cancellation of Jones Park less than 90 days in advance of the event will be made only if the facility can be rented to another party for the date cancelled. Refunds are subject to a \$10.00 processing fee.
- A full refund of the rental fee will be made if the reservation is cancelled by the Parks, Recreation and Facilities Management Department due to unsafe conditions, issues or concerns with park facilities, construction activities, etc. These refunds are not subject to the \$10.00 processing fee.

JONES PARK

FEE SCHEDULE

<u>Organization/Group</u>	<u>Park Rental Fees</u>	<u>Stage Rental Fees</u>	<u>Parking Lot Rental Fees</u>
Local Non-Profit Organization	\$125.00 per day	\$125.00 per day	\$125.00 per day
National Non-Profit Organization	\$175.00 per day	\$175.00 per day	\$175.00 per day
For-Profit Organization	\$325.00 per day	\$325.00 per day	\$325.00 per day
Private Event	\$525.00 per day	\$525.00 per day	\$525.00 per day

<u>Other Services</u>	<u>Fees</u>
Exchange of Money Permit	\$25.00 per day \$100.00 per season
Tent Permit	\$15.00 per tent, per day
Fire Inspection (for tents)	\$25.00 per event
Processing Fee	\$10.00
Event Fee	\$50.00 per event

CITY OF APPLETON POLICY		TITLE: JONES PARK – RENTAL AND FEE SCHEDULE	
ISSUE DATE: March 6, 2019	LAST UPDATE: March 6, 2019 November 16, 2022		
POLICY SOURCE: Parks, Recreation and Facilities Management Department		TOTAL PAGES: 5	
Reviewed by Attorney’s Office Date: October 28, 2022 <u>November 17, 2023</u>	Parks and Recreation Committee Approval Date: November 7, 2022	Council Approval Date: November 16, 2022	

I. Purpose

To provide a policy to authorize the Parks, Recreation and Facilities Management Department to equitably administer rules and regulations, policies, fees and charges, and manage the use of Jones Park for private and/or community events. The Parks, Recreation and Facilities Management Department recognizes Jones Park provides quality of life uses for individuals, organizations and groups and brings certain benefits to the community, but has certain use limitations due to size, available facilities, site development, and location.

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1. Cancel and/or relocate any reservation that potentially threatens the integrity of Jones Park due to misrepresentation of information on the Facility Reservation Agreement, or if conditions of the facility or grounds would potentially create an unsafe situation.
2. Limit the availability of Jones Park for the city to perform routine and/or required maintenance and renovations to preserve the park’s integrity, including facilities, hard surfaces, turf, trees, vegetation, amenities, etc.
3. Deny any facility reservation application if the expected attendance would endanger public health and safety or compromise the condition of Jones Park.
4. Enforce park rules, regulations, and policies.
5. Require insurance coverage with limits established by the City Risk Manager for all activities or events scheduled for Jones Park.

III. Definitions

- **Jones Park** – Urban space located at 301 W. Lawrence Street consisting of the park, pavilion, performance stage and parking lot.

- **Local Non-Profit Organization** – Non-profit organization located in the Fox Cities that offers activity and/or event to promote quality of life experiences for citizens of Appleton and surrounding communities.
- **National Non-Profit Organization** – National non-profit organization that offers activity and/or event to promote its objectives and focus.
- **For-Profit Organization** – For-profit organization that offers activity and/or event for the primary purpose of raising money for its operations/objectives/programs.
- **Private Event** – Exclusive use of the park for an event and/or activity by an organization, group or individual that requires some or all of Jones Park to be closed to the public.
- **Exchange of Money** – ~~The sale of food, beverage and other associated products requiring~~ the exchange of any money at an event or program that is held in Jones Park specifically reserved for that event or program.
- **Facility Reservation Policies and Procedures** – These policies and procedures are set forth on the back of the Facility Reservation Agreement and detail reservations, sales of concessions, cancellation/refund procedures, alcohol policies and damage policies.
- **Park Rules & Regulations** – Regulations ~~formulated-adopted~~ by the City Council and published by the Parks, Recreation and Facilities Management Department. These rules and regulations are included with every Facility Reservation Agreement packet.
- **Processing Fee** – Fee charged to process a refund and/or cancellation request that is received before the reservation date.
- **Special Event** – An event or activity that meets the City of Appleton’s definition of a special event, and is held in a city park and/or special area, and exceeds the normal, ordinary or intended use of the park and/or special area.
- **Event Fee** – Fee charged for any rental of Jones Park facilities and/or parking lot that is determined to be a special event.

IV. Discussion

This policy defines how Jones Park shall be reserved by individuals, organizations and/or groups (herein “organizers”) for use of the facility. The policy shall also define the fee (s) charged to ~~these~~ organizers for their reservation request.

V. Reservations:

1. All organizers reserving Jones Park will be billed in accordance with the established rate schedule, including but not limited to: reservation fee; exchange of money permit; tent permit; tent inspection fee; event fee for facility. Organizers that are non-profit need to provide proof of status.
2. ~~All reservations of Jones Park should be limited to events and activities open to the general public and considered special events. The use of Jones Park for a private event must be approved by the Parks and Recreation Committee and Common Council.~~ All reservations of Jones Park shall be considered special events. The use of Jones Park for a special event that is private must be approved by the Parks and Recreation Committee and Common Council. All other reservations that are open to the general public will be subject to review by the Director of Parks, Recreation, and Facilities Management Department or their designee.
3. The reservation of Jones Park shall follow the procedures identified in the Special Events Policy and organizers will be required to pay all the fees required under the Special Events Policy, including a separate “Event Fee” of \$50.00 as set forth in the Fee Schedule on the last page of this policy.
4. The rental of the performance stage and/or parking lot requires rental of the park pavilion.

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5. The reservation request for Jones Park shall include the actual time needed for the activity or event, including the time period for all set up, tear down and clean up. The ~~event~~ organizer who completes the reservation will be the responsible party and main contact for the event.
6. All reservations for Jones Park shall be considered for the entire day. Reservations for the same day by two different organizations or groups is not permitted unless written confirmation is received and approved by the Director of Parks, Recreation, and Facilities Management, from both ~~organizations or groups~~organizers. The City of Appleton is not responsible for any additional service required to accommodate the multiple events. Each ~~reservation organizer~~ will pay the full rate.
7. If an organizer performs set-up or take down of any equipment outside of the rental dates they will be charged for the full day, no exceptions. In addition, if these actions interfere with another rental, the City reserves the right to have any set-up removed at the ~~organization's organizer's~~ cost, which includes but is not limited to services provided by private contractors and/or third parties i.e., dumpsters, portables, tents.
8. Jones Park is available year-round; however during the winter months (November through March), the Parks, Recreation and Facilities Management Department reserves the right to limit access to any portion of the park and charge the organizer the actual cost to prepare the park for any activity or event. Preparations services during the winter months include but are not limited to snow removal, ice control, waste containers, etc.
9. Organizers that have reserved Jones Park for an event or activity shall have thirty (30) days after the date of the special event to reserve Jones Park for the same weekend and/or date for the following year. After thirty (30) days, the Parks, Recreation and Facilities Management Department will make Jones Park available to other interested parties.
10. ~~A special event license for Jones Park will not be issued until all approvals have been received through the Special Events Permit process. Private rentals will need Parks and Recreation Committee and Common Council approval.~~
11. All other reservations for Jones Park are on a first-come, first-served basis and may be made no more than one (1) year in advance.
12. The Parks, Recreation and Facilities Management Department reserves the right to require a security deposit for any reservation based on the type of event, number of participants, use of facility, etc. The security deposit will be returned within 30 business days after the event if all conditions of the reservation request were met, including, but not limited to: facility clean-up, proper vacation of the facilities, keys not returned, removal of personal equipment/supplies/etc. and leaving the facilities and grounds in a clean and orderly condition. Damage and/or loss of property may also result in future rental requests being denied.
13. All facility reservation requests should be made at least ninety (90) days in advance of the reservation date, depending on the size of the event and/or need for street closures. Please refer to the Special Event Policy for a more detailed breakdown of the minimum number of days before the event to apply for a license and the costs associated with your Special Event. No special event license will be granted with less than ten days before the date of your event.
14. This policy shall become effective December ~~15~~31, 202~~2~~3, and shall remain in effect until it is modified, changed, and/or repealed.

Terms & Conditions of Use:

- The special event license holder must bring their copy of the approved reservation to the special event to show City personnel upon request. In all cases, special event license

holders shall be given preference for the use of the space designated on the approved agreement.

- Motorized vehicles are allowed in the parking lot only. Vehicles are not allowed on any other park surface at any time; this includes trucks, cars, Utility Task Vehicles (UTVs), golf carts, etc. used for the unloading and loading of equipment and supplies. Authorization may be given for unique circumstances but must be approved in advance by the Director of Parks, Recreation and Facilities Management or designee.
- No equipment that utilizes fuels or electrical power ~~for food preparation, craft making, etc.~~ shall be allowed within the park. Propane gas cooking equipment is allowed within the concrete food preparation area located outside the pavilion with prior authorization and approval. No cooking equipment shall be utilized within the pavilion. The parking lot may be utilized for food preparation upon approval if reserved accordingly, with prior authorization and approval.
- Organizers shall leave the facility in a clean and orderly condition. Organizers shall not remove any City equipment and/or supplies. The City will not be held financially or legally responsible for any damage or loss of property that occurs as a result of the rental and reserves the right to bill the applicant for repair and replacement costs incurred by such damage to parks and/or park amenities during the rented timeframe.
- Access to the Exhibition Center shall not occur through Jones Park for loading and unloading of equipment/materials/supplies, etc.

Cancellation/Refunds:

- A full refund of the rental fee will be made if the reservation is cancelled more than 90 days in advance of the event. A full refund of the rental fee for a cancellation of Jones Park less than 90 days in advance of the event will be made only if the facility can be rented to another party for the date cancelled. Refunds are subject to a \$10.00 processing fee.
- A full refund of the rental fee will be made if the reservation is cancelled by the Parks, Recreation and Facilities Management Department due to unsafe conditions, issues ~~or~~ concerns with park facilities, construction activities, etc. These refunds are not subject to the \$10.00 processing fee.

JONES PARK

FEE SCHEDULE

<u>Organization/Group</u>	<u>Park Rental Fees</u>		<u>Stage Rental Fees</u>	<u>Parking Lot Rental Fees</u>
Local Non-Profit Organization	\$125.00 per day		\$125.00 per day	\$125.00 per day
National Non-Profit Organization	\$175.00 per day		\$175.00 per day	\$175.00 per day
For-Profit Organization	\$325.00 per day		\$325.00 per day	\$325.00 per day
Private Event	\$525.00 per day		\$525.00 per day	\$525.00 per day
<u>Other Services</u>	<u>Fees</u>			
Exchange of Money Permit	\$25.00 per day \$100.00 per season			
Tent Permit	\$15.00 per tent, per day			
Fire Inspection (for tents)	\$25.00 per event			
Processing Fee	\$10.00			
Event Fee	\$50.00 per event			



"...meeting community needs...enhancing quality of life."

**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

1819 East Witzke Boulevard
Appleton, Wisconsin 54911-8401
(920) 832-5572 FAX (920) 993-3103
Email - dean.gazza@appleton.org

TO: Parks and Recreation Committee

FROM: Dean R. Gazza

DATE: December 11, 2023

RE: Action: Adopt the Proposed Revised Houdini Plaza Rental and Fee Schedule Policy

The Parks, Recreation, and Facilities Management Department has reviewed the Houdini Plaza Rental and Fee Schedule Policy. Reviews are completed to ensure the policy remains current and reflects the current needs of the users. The following changes are being proposed upon review.

1. Increase rental fees by \$25.00
2. Allow outdoor propane fire pits for unique circumstances
3. Cleaning up language to comply with other city policies

Our department requests approval of the updates which will go into effect December 31, 2023.

Please contact me at 832-5572 or at dean.gazza@appleton.org with any questions.

CITY OF APPLETON POLICY		TITLE: HOUDINI PLAZA – RENTAL AND FEE SCHEDULE
ISSUE DATE: [Day of Council Adoption]		LAST UPDATE: March 6, 2019
POLICY SOURCE: Parks, Recreation and Facilities Management Department		TOTAL PAGES: 5
Reviewed by Attorney’s Office Date: November 3, 2023	Parks and Recreation Committee Approval Date:	Council Approval Date:

I. Purpose

To provide a policy to authorize the Parks, Recreation and Facilities Management Department to equitably administer rules and regulations, policies, fees and charges and manage the use of Houdini Plaza for private and/or community events. The Parks, Recreation and Facilities Management Department also recognizes Houdini Plaza provides quality of life uses for individuals, organizations and groups and bring certain benefits to the community, but has certain use limitations due to size, available facilities, site development and location.

II. Policy

This policy authorizes the Parks, Recreation and Facilities Management Department to charge fees for the use of Houdini Plaza within the rate schedule established by the Parks and Recreation Committee and City Council. The Parks, Recreation and Facilities Management Department has also established guidelines for the preservation of the public’s health, safety, welfare, and to promote the responsible use of publicly owned property and facilities. To effectively manage, protect facilities, and promote wise use of urban spaces, this policy authorizes the Parks, Recreation and Facilities Management Director and/or designees to:

1. Cancel and/or relocate any reservation that potentially threatens the integrity of Houdini Plaza due to misrepresentation of information on the Facility Reservation Agreement, or if conditions of the facility or grounds would potentially create an unsafe situation.
2. Limit the availability of Houdini Plaza to perform routine and/or required maintenance and renovations to preserve the plaza integrity, including hard surfaces, turf, trees, vegetation, amenities, etc.
3. Deny any facility reservation application if the expected attendance would endanger public health and safety or compromise the condition of facilities.
4. Enforce Park rules, regulations, and policies.
5. Require insurance coverage with limits established by the City Risk Manager for all activities or events scheduled for Houdini Plaza.

III. Definitions

- **Houdini Plaza** – Urban space on the southeast corner of Appleton Street and College Avenue as identified in the City of Appleton’s Comprehensive Outdoor Recreation Plan.
- **Local Non-Profit Organization** – Non-profit organization located in the Fox Cities that offers activity and/or event to promote quality of life experiences for citizens of Appleton and surrounding communities.
- **National Non-Profit Organization** – National non-profit organization that offers activity and/or event to promote its objectives and focus.
- **For-Profit Organization** – For-profit organization that offers activity and/or event for the primary purpose of raising money for its operations/objectives/programs.
- **Private Event** – Exclusive use of the plaza for an event and/or activity by an organization, group or individual that requires some or all of Houdini Plaza to be closed to the public.
- **Exchange of Money** – The exchange of any money at an event or program that is held in Houdini Plaza specifically reserved for that event or program.
- **Facility Reservation Policies and Procedures** – These policies and procedures are stated on the back of the Facility Reservation Agreement that explain reservations, sales of concessions, cancellation/refund procedures, alcohol policies and damage policies.
- **Park Rules & Regulations** – Are adopted by the City Council and published by the Parks, Recreation and Facilities Management Department. These rules and regulations are included with every Facility Reservation Agreement packet.
- **Processing Fee** – Fee charged to process a refund and/or cancellation request that is received before the reservation date.
- **Special Event** – An event or activity that meets the City of Appleton’s definition for a special event activity, is held in a city park and/or special area, and exceeds the normal and ordinary use of the park and/or special area.
- **Event Fee** – Fee charged for any rental of Houdini Plaza that is determined to be a special event.

IV. Discussion

This policy defines how Houdini Plaza shall be reserved by individuals, organizations and/or groups (herein “organizers”) for use of the facility. The policy shall also define the fee(s) charged to organizers for their reservation request.

V. Reservations:

1. All organizers reserving Houdini Plaza will be charged in accordance with the established rate schedule, including but not limited to: reservation fee, exchange of money permit, tent permit, tent inspection fee, late registration, and/or event fee for facility.
2. All reservations of Houdini Plaza shall be considered special events. The use of Houdini Plaza for a special event that is private must be approved by the Parks and Recreation Committee and Common Council. All other reservations that are open to the general public will be subject to review by the Director of Parks, Recreation, and Facilities Management Department or their designee.
3. The reservation of Houdini Plaza shall follow the procedures identified in the Special Events Policy and organizers will be required to pay the all the fees required under the

- Special Events Policy, including but not limited to a separate “Event Fee” of \$50.00 as listed in the Fee Schedule on the last page of this policy.
4. The reservation request for Houdini Plaza shall include the actual time needed for the activity or event, including the time for all set up, tear down, and clean up.
 5. All reservations for Houdini Plaza shall be considered for the entire day. Reservations for the same day by two different organizers are not permitted unless written confirmation is received from both organizers and the City of Appleton is not responsible for any additional service required to accommodate the multiple events.
 6. Houdini Plaza is available all year, however during the winter months (November through March) the Parks, Recreation and Facilities Management Department reserves the right to limit access to the plaza and facilities and charge back to the organizations/groups costs to prepare the plaza for any activity or event. Preparations services during the winter months include but are not limited to snow removal, ice control, waste containers, etc.
 7. If an organizer performs set up or tear down of any equipment on any date not included on the reservation, the organizer will be charged for the full day in which setup or takedown occurs. In addition, if these actions interfere with another rental, the City reserves the right to have any set up removed at the organizer’s cost.
 8. Organizers that have reserved Houdini Plaza for an event or activity shall have thirty (30) days after the date of the special event to reserve Houdini Plaza for the same weekend and/or date for the following year. After thirty (30) days, the Parks, Recreation and Facilities Management Department will make Houdini Plaza available to other interested parties.
 9. A special event license for Houdini Plaza will not be issued until all approvals have been received through the Special Events Permit process.
 10. All other reservations for Houdini Plaza are on a first-come, first-served basis and may be made no more than one (1) year in advance.
 11. The Parks, Recreation and Facilities Management Department reserves the right to require a security deposit for any reservation based on the type of event, number of participants, use of facility, etc. The amount of the security deposit will be based on factors listed earlier. The security deposit will be returned within 10-14 business days after the event if all conditions of the reservation request were met, including, but not limited to: facility clean-up, proper vacation of the facilities, removal of personal equipment/supplies/etc., and leaving the facility(s) in a clean and orderly condition.
 12. All applications for facility reservations should be made at least ninety (90) days in advance of the reservation date, depending on the size of the event and/or need for street closures. Please refer to the Special Event Policy for a more detailed breakdown of the minimum number of days before the event to apply for a license and the costs associated with your Special Event. No license will be granted less than ten days before the date of your event.
 13. This policy shall become effective for any events scheduled after December 31, 2023 and shall remain in effect until it is modified, changed, and/or repealed.

VI. Terms & Conditions of Use:

- The special event license holder must bring their copy of the approved reservation to show City personnel upon request. In all cases, special event license holders shall be given preference for the use of the space designated on the approved agreement.

- Vehicles are not allowed on any park surface at any time; this includes trucks, cars, Utility Task Vehicles (“UTVs”), golf carts, etc. Authorization may be given for unique circumstances, but must be approved in advance by the Director of Parks, Recreation and Facilities Management or their designee.
- Organizers shall leave the facility in a clean and orderly condition. Groups are not permitted to remove any City equipment or supplies. The City will not be held financially or legally responsible for any injuries or damage that occurs as a result of the rental and reserves the right to pursue all legal remedies against the organizer and/or organization for the costs incurred by such injury and/or damage during the rented timeframe.
- No equipment that utilizes fuels or electrical power shall be allowed within the park. Authorization may be given for unique circumstances for the use of outdoor propane fire pits, but must be approved in advance by the Director of Parks, Recreation and Facilities Management or their designee.

VII. Cancellation/Refunds:

- A full refund of the rental fee will be made if the reservation is cancelled more than 90 days in advance of the event. A full refund of the rental fee for a cancellation of Houdini Plaza less than 90 days in advance of the event will be made only if the facility is rented to another party for the date cancelled. Refunds are subject to a \$10.00 processing fee.
- A full refund of the rental fee will be made if the reservation is cancelled by the Parks, Recreation and Facilities Management Department due to unsafe conditions, issues or concerns with plaza facilities, construction activities, etc. These refunds are not subject to the \$10.00 processing fee.

HOUDINI PLAZA

FEE SCHEDULE

<u>Organization/Group</u>	<u>Fees</u>
Local Non-Profit Organization	\$50.00 per day
National Non-Profit Organization	\$125.00 per day
For-Profit Organization	\$325.00 per day
Private Event	\$525.00 per day
<u>Other Services</u>	<u>Fees</u>
Exchange of Money Permit	\$25.00 per day \$100.00 per season
Tent Permit	\$15.00 per tent, per day
Fire Inspection (for tents)	\$25.00 per event
Late Reservation	\$10.00
Processing Fee	\$10.00
Event Fee	\$50.00 per event

CITY OF APPLETON POLICY		TITLE: HOUDINI PLAZA – RENTAL AND FEE SCHEDULE
ISSUE DATE: Day of Council Adoption	LAST UPDATE: March 6, 2019	TEXT NAME:
POLICY SOURCE: Parks, Recreation and Facilities Management Department		TOTAL PAGES: 5
Reviewed by Attorney’s Office Date: November 3, 2023	Parks and Recreation Committee Approval Date:	Council Approval Date:

I. Purpose

To provide a policy to authorize the Parks, Recreation and Facilities Management Department to equitably administer rules and regulations, policies, fees and charges and manage the use of Houdini Plaza for private and/or community events. The Parks, Recreation and Facilities Management Department also recognizes Houdini Plaza provides quality of life uses for individuals, organizations and groups and bring certain benefits to the community, but has certain use limitations due to size, available facilities, site development and location.

II. Policy

This policy authorizes the Parks, Recreation and Facilities Management Department to charge fees for the use of Houdini Plaza within the rate schedule established by the Parks and Recreation Committee and City Council. The Parks, Recreation and Facilities Management Department has also established guidelines for the preservation of the public’s health, safety, welfare, and to promote the responsible use of publicly owned property and facilities. To effectively manage, protect facilities, and promote wise use of urban spaces, this policy authorizes the Parks, Recreation and Facilities Management Director and/or designees to:

1. Cancel and/or relocate any reservation that potentially threatens the integrity of Houdini Plaza due to misrepresentation of information on the Facility Reservation Agreement, or if conditions of the facility or grounds would potentially create an unsafe situation.
2. Limit the availability of Houdini Plaza to perform routine and/or required maintenance and renovations to preserve the plaza integrity, including hard surfaces, turf, trees, vegetation, amenities, etc.
3. Deny any facility reservation application if the expected attendance would endanger public health and safety or compromise the condition of facilities.
4. Enforce park rules, regulations, and policies.
5. Require insurance coverage with limits established by the City Risk Manager for all activities or events scheduled for Houdini Plaza.

III. Definitions

- **Houdini Plaza** – Urban space on the southeast corner of Appleton Street and College Avenue as identified in ~~Attachment A—the City of Appleton’s Comprehensive Outdoor Recreation Plan.~~
- **Local Non-Profit Organization** - Non-profit organization located in the Fox Cities that offers activity and/or event to promote quality of life experiences for citizens of Appleton and surrounding communities.
- **National Non-Profit Organization** – National non-profit organization that offers activity and/or event to promote its objectives and focus.
- **For-Profit Organization** – For-profit organization that offers activity and/or event for the primary purpose of raising money for its operations/objectives/programs.
- **Private Event** – Exclusive use of the plaza for an event and/or activity by an organization, group or individual that requires some or all of Houdini Plaza to be closed to the public.
- ~~Concessions/Sales/Exchange of Money - The sale of food, beverage and other associated products or~~ **Concessions/Sales/Exchange of Money** - The exchange of any money at an event or program that is held in Houdini Plaza specifically reserved for that event or program.
- **Facility Reservation Policies and Procedures** - These policies and procedures are stated on the back of the Facility Reservation Agreement that explain reservations, sales of concessions, cancellation/refund procedures, alcohol policies and damage policies.
- **Park Rules & Regulations** - Are ~~formulated-adopted~~ by the City Council and published by the Parks, Recreation and Facilities Management Department. These rules and regulations are included with every Facility Reservation Agreement packet.
- **Processing Fee** - Fee charged to process a refund and/or cancellation request that is received before the reservation date.
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- **Event Fee** – Fee charged for any rental of Houdini Plaza that is determined to be a special event.

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IV. Discussion

This policy defines how Houdini Plaza shall be reserved by individuals, organizations and/or groups (herein “organizers”) for use of the facility. The policy shall also define the fee-(s) charged to ~~these~~ organizers for their reservation request.

V. Reservations:

1. All organizers reserving Houdini Plaza will be charged in accordance with the established rate schedule, including but not limited to: reservation fee, ~~concessions/sales/exchange of money permit, tent permit, tent inspection fee, late registration, and/or~~ event fee for facility.
2. ~~All reservations of Houdini Plaza shall be limited to events and activities open to the general public and considered special events. The use of Houdini Plaza for a private event must be approved by the Parks and Recreation Committee and City Common Council. All reservations of Houdini Plaza shall be considered special events. The~~

use of Houdini Plaza for a special event that is private must be approved by the Parks and Recreation Committee and Common Council. All other reservations that are open to the general public will be subject to review by the Director of Parks, Recreation, and Facilities Management Department or their designee.

3. The reservation of Houdini Plaza shall follow the procedures identified in the Special Events Policy and organizers will be required to pay the all the fees required under the Special Events Policy, including but not limited to a separate “Event Fee” of \$50.00 as listed in the Fee Schedule on the last page of this policy.
4. The reservation request for Houdini Plaza shall include the actual time needed for the activity or event, including the time periodtime for all set up, tear down, and clean up.
5. All reservations for Houdini Plaza shall be considered for the entire day. Reservations for the same day by two different ~~organizations or groups~~organizers ~~is~~are not permitted unless written confirmation is received from both ~~organizations or groups~~organizers and the City of Appleton is not responsible for any additional service required to accommodate the multiple events.
6. Houdini Plaza is available all year~~around~~, however during the winter months (November through March) the Parks, Recreation and Facilities Management Department reserves the right to limit access to the plaza and facilities and charge back to the organizations/groups costs to prepare the plaza for any activity or event. Preparations services during the winter months include but are not limited to snow removal, ice control, waste containers, etc.
7. If an organizer performs set-up or ~~takedown~~tear down of any equipment on any date not included on the reservation, the organizer will be charged for the full day in which setup or takedown occurs. In addition, if these actions interfere with another rental, the City reserves the right to have any set-up removed at the ~~organizations~~organizer’s cost.
8. Organizers that have reserved Houdini Plaza for an event or activity shall have thirty (30) days after the date of the special event to reserve Houdini Plaza for the same weekend and/or date for the following year. After thirty (30) days, the Parks, Recreation and Facilities Management Department will make Houdini Plaza available to other interested parties.
9. A ~~reservation request~~special event license for Houdini Plaza will not be issued until all approvals have been received through the Special Events Permit process.
10. All other reservations for Houdini Plaza are on a first-come, first-served basis and may be made no more than one (1) year in advance.
11. The Parks, Recreation and Facilities Management Department reserves the right to require a security deposit for any reservation based on the type of event, number of participants, use of facility, etc. The amount of the security deposit will be based on factors listed earlier. The security deposit will be returned within 10-14 business days after the event if all conditions of the reservation request were met, including, but not limited to: facility clean-up, proper vacation of the facilities, removal of personal equipment/supplies/~~eteetc.~~, and leaving the facility-(s) in a clean and orderly condition.
12. All applications for facility reservations should be made at least ninety (90) days in advance of the reservation date, depending on the size of the event and/or need for street closures. Please refer to the Special Event Policy for a more detailed breakdown of the minimum number of days before the event to apply for a license and the costs

associated with your Special Event. No license will be granted ~~with~~ less than ten days before the date of your event.

13. This policy shall become effective for any events scheduled after ~~March 1, 2019,~~ December 31, 2023 and shall remain in effect until it is modified, changed, and/or repealed.

Terms & Conditions of Use:

- The special event license holder must bring ~~his/her~~their copy of the approved reservation to show City personnel upon request. In all cases, special event license holders shall be given preference for the use of the space designated on the approved agreement.
- Vehicles are not allowed on any park surface at any time; this includes trucks, cars, Utility Task Vehicles (“UTVs”), golf carts, etc. ~~used for the unloading and loading of equipment and supplies.~~ -Authorization may be given for unique circumstances, but must be approved in advance by the ~~Deputy~~ Director of Parks, Recreation and Facilities Management or ~~his/her~~their designee.
- Organizers shall leave the facility in a clean and orderly condition. Groups are not permitted to remove any City equipment or supplies. The City will not be held financially or legally responsible for any injuries or damage that occurs as a result of the rental and reserves the right to ~~bill~~ pursue all legal remedies against the organizer and/or organization ~~for the repair and replacement~~ costs incurred by such injury and/or damage to parks and/or park amenities during the rented timeframe.
- No equipment that utilizes fuels or electrical power ~~for food preparation, craft making, etc.~~ shall be allowed within the park. Authorization may be given for unique circumstances for the use of outdoor propane fire pits, but must be approved in advance by the Director of Parks, Recreation and Facilities Management or his/her ~~their~~ designee.

Cancellation/Refunds:

- A full refund of the rental fee will be made if the reservation is cancelled more than 90 days in advance of the event. A full refund of the rental fee for a cancellation of Houdini Plaza less than 90 days in advance of the event will be made only if the facility ~~can is be~~ rented to another party for the date cancelled. Refunds are subject to a \$10.00 processing fee.
- A full refund of the rental fee will be made if the reservation is cancelled by the Parks, Recreation and Facilities Management Department due to unsafe conditions, issues or concerns with plaza facilities, construction activities, etc. These refunds are not subject to the \$10.00 processing fee.

HOUDINI PLAZA

FEE SCHEDULE

<u>Organization/Group</u>	<u>Fees</u>
Local Non-Profit Organization	\$25 50.00 per day
National Non-Profit Organization	\$100 125.00 per day
For-Profit Organization	\$300 325.00 per day
Private Event	\$500 525.00 per day
<u>Other Services</u>	
<u>Fees</u>	
Concessions/Sales/Exchange of Money Permit	\$25.00 per day \$100.00 per season
Tent Permit	\$15.00 per tent, per day
Fire Inspection (for tents)	\$25.00 per event
Late Reservation	\$10.00
Processing Fee	\$10.00
Event Fee	\$50.00 per event

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Resolution #1-R-24

Resolution for use of Efficiency and Conservation Block Grant Funds

Submitted By: *Aldersperson Van Zeeland – District 5, Aldersperson Meltzer – District 2 & Aldersperson Fenton – District 6*

Date: *January 17, 2024*

Referred To: *Finance Committee*

Whereas according to the Department of Energy, the Efficiency and Conservation Block Grant (EECBG) grant is designed to help local governments implement strategies to reduce energy use, reduce fossil fuel emissions, and improve energy efficiency; and

Whereas the library project offers many opportunities in alignment with staff goals to improve our sustainability and resiliency; and

Whereas on May 3, 2023, the Common Council approved the acceptance of the EECBG in the amount of \$134,180; and

Whereas the EECBG grant funding is rewarded automatically if applied for by the end of January 2024.

Therefore, be it resolved that \$134,180 from the Efficiency and Conservation Block Grant (EECBG) grant will be applied to a qualifying initiative in the Appleton Public Library building project and the offsetting savings applied to existing library project expenses.

CITY OF APPLETON
Department of Public Works
MEMORANDUM

TO: **Finance Committee**
 Municipal Services Committee
 Utilities Committee

SUBJECT: Award of Contract

The Department of Public Works recommends that the following described work:
Unit W-24 Sewer & Water Reconstruction No. 1

Be awarded to:

Name: Kruczek Construction Inc
Address: 3636 Kewaunee Road
Green Bay, WI 54311

In the amount of : \$2,959,994.96
With a 1 % contingency of : \$30,000.00
For a project total not to exceed : \$2,989,994.96

**** OR ****

In an amount Not To Exceed : _____

Budget: \$3,309,466.00
Estimate: \$2,559,466.00
Committee Date: 01/22/24
Council Date: 02/07/24

W-24 Sewer and Water Reconstruction No.1

Bid Tabulation - Page 1 of 2

Bid Item	Item Description	Unit	Quantity	Kruczek Construction Inc.		PTS Contractors, Inc		Dorner Inc.	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	F&I - 8" Water Main	lin. ft.	2600	\$107.00	\$278,200.00	\$160.00	\$416,000.00	\$155.00	\$403,000.00
2	F&I - 6" Hydrant Lead	lin. ft.	20	\$128.00	\$2,560.00	\$148.00	\$2,960.00	\$119.00	\$2,380.00
3	F&I - Hydrant	each	3	\$6,235.00	\$18,705.00	\$5,600.00	\$16,800.00	\$6,323.00	\$18,969.00
4	F&I - 8" Gate Valve w/ Box	each	13	\$2,720.00	\$35,360.00	\$2,500.00	\$32,500.00	\$2,713.00	\$35,269.00
5	F&I - 6" Gate Valve w/ Box	each	4	\$1,876.00	\$7,504.00	\$1,800.00	\$7,200.00	\$1,894.00	\$7,576.00
6	F&I - 4" Gate Valve w/ Box	each	1	\$1,544.00	\$1,544.00	\$1,500.00	\$1,500.00	\$1,581.00	\$1,581.00
7	F&I - 8" Bend	each	25	\$450.00	\$11,250.00	\$480.00	\$12,000.00	\$548.00	\$13,700.00
8	F&I - 6" Bend	each	2	\$325.00	\$650.00	\$320.00	\$640.00	\$407.00	\$814.00
9	F&I - 4" Bend	each	2	\$227.00	\$454.00	\$230.00	\$460.00	\$313.00	\$626.00
10	F&I - 8"x8" Cross	each	2	\$864.00	\$1,728.00	\$825.00	\$1,650.00	\$990.00	\$1,980.00
11	F&I - 12"x8" Tee	each	1	\$2,330.00	\$2,330.00	\$2,150.00	\$2,150.00	\$2,367.00	\$2,367.00
12	F&I - 8"x8" Tee	each	1	\$750.00	\$750.00	\$725.00	\$725.00	\$857.00	\$857.00
13	F&I - 8"x6" Tee	each	4	\$635.00	\$2,540.00	\$810.00	\$3,240.00	\$748.00	\$2,992.00
14	F&I - 8"x4" Tee	each	1	\$580.00	\$580.00	\$575.00	\$575.00	\$697.00	\$697.00
15	F&I - 8"x6" Reducer	each	2	\$356.00	\$712.00	\$375.00	\$750.00	\$461.00	\$922.00
16	F&I - 8" MJ Cap	each	1	\$238.00	\$238.00	\$805.00	\$805.00	\$979.00	\$979.00
17	F&I - 6" Service	lin. ft.	10	\$207.00	\$2,070.00	\$170.00	\$1,700.00	\$221.00	\$2,210.00
18	F&I - 4" Service	lin. ft.	10	\$200.00	\$2,000.00	\$147.00	\$1,470.00	\$213.00	\$2,130.00
19	F&I - 1" Service	lin. ft.	300	\$87.00	\$26,100.00	\$112.00	\$33,600.00	\$91.00	\$27,300.00
20	Service Connection	each	25	\$430.00	\$10,750.00	\$475.00	\$11,875.00	\$430.00	\$10,750.00
21	F&I - Curb Stop	each	15	\$317.00	\$4,755.00	\$840.00	\$12,600.00	\$285.00	\$4,275.00
22	F&I - Curb Box	each	25	\$415.00	\$10,375.00	\$235.00	\$5,875.00	\$404.00	\$10,100.00
23	Cut/Cap Watermain	each	12	\$1,020.00	\$12,240.00	\$1,950.00	\$23,400.00	\$864.00	\$10,368.00
24	F&I - 18" Sanitary Sewer	lin. ft.	85	\$123.00	\$10,455.00	\$270.00	\$22,950.00	\$396.00	\$33,660.00
25	F&I - 15" Sanitary Sewer	lin. ft.	1200	\$200.00	\$240,000.00	\$212.00	\$254,400.00	\$245.00	\$294,000.00
26	Fill&Aband. - 15" Sanitary Sewer	lin. ft.	600	\$10.00	\$6,000.00	\$8.00	\$4,800.00	\$14.90	\$8,940.00
27	F&I - 12" Sanitary Sewer	lin. ft.	600	\$152.00	\$91,200.00	\$177.00	\$106,200.00	\$218.00	\$130,800.00
28	F&I - 10" Sanitary Sewer	lin. ft.	830	\$135.00	\$112,050.00	\$160.00	\$132,800.00	\$181.00	\$150,230.00
29	Fill&Aband. - 10" Sanitary Sewer	lin. ft.	10	\$22.00	\$220.00	\$17.00	\$170.00	\$10.80	\$108.00
30	F&I - 8" Sanitary Sewer	lin. ft.	1150	\$115.00	\$132,250.00	\$176.00	\$202,400.00	\$181.00	\$208,150.00
31	F&I - 4"x6" Sanitary Lateral	lin. ft.	750	\$121.00	\$90,750.00	\$174.00	\$130,500.00	\$146.00	\$109,500.00
32	F&I - 4" Sanitary Lateral (Trenchless)	lin. ft.	5670	\$5.00	\$28,350.00	\$5.10	\$28,917.00	\$6.80	\$38,556.00
33	Reconnect Sanitary Lateral	each	110	\$655.00	\$72,050.00	\$795.00	\$87,450.00	\$651.00	\$71,610.00
34	Abandon Sanitary Lateral	each	10	\$100.00	\$1,000.00	\$595.00	\$5,950.00	\$629.00	\$6,290.00
35	In-Home Lateral Connection	each	80	\$4,055.00	\$324,400.00	\$4,100.00	\$328,000.00	\$4,121.00	\$329,680.00
36	In-Home Sanitary Connection > 2.5' Deep	each	5	\$765.00	\$3,825.00	\$765.00	\$3,825.00	\$773.00	\$3,865.00
37	F&I - Sump Pit	each	5	\$765.00	\$3,825.00	\$765.00	\$3,825.00	\$773.00	\$3,865.00
38	F&I - Floor Drain	each	50	\$100.00	\$5,000.00	\$105.00	\$5,250.00	\$103.00	\$5,150.00
39	F&I - 4' Dia. Sanitary MH	vert. ft.	185	\$596.00	\$110,260.00	\$600.00	\$111,000.00	\$517.00	\$95,645.00
40	F&I - Sanitary MH Casting	each	20	\$676.00	\$13,520.00	\$900.00	\$18,000.00	\$579.00	\$11,580.00
41	Seymour Street Spot Repair	each	1	\$43,489.57	\$43,489.57	\$32,000.00	\$32,000.00	\$39,923.00	\$39,923.00
42	F&I - 42" Storm Sewer	lin. ft.	40	\$456.00	\$18,240.00	\$340.00	\$13,600.00	\$422.00	\$16,880.00
43	F&I - 18" Storm Sewer	lin. ft.	775	\$157.00	\$121,675.00	\$160.00	\$124,000.00	\$182.00	\$141,050.00
44	Fill&Aband. - 18" Storm Sewer	lin. ft.	775	\$12.50	\$9,687.50	\$10.00	\$7,750.00	\$18.00	\$13,950.00
45	F&I - 15" Storm Sewer	lin. ft.	2650	\$108.00	\$286,200.00	\$132.00	\$349,800.00	\$128.00	\$339,200.00
46	Fill&Aband. - 15" Storm Sewer	lin. ft.	1700	\$10.00	\$17,000.00	\$8.00	\$13,600.00	\$15.00	\$25,500.00
47	F&I - 12" Storm Sewer	lin. ft.	1930	\$93.00	\$179,490.00	\$125.00	\$241,250.00	\$102.00	\$196,860.00
48	Fill&Aband. - 12" Storm Sewer	lin. ft.	600	\$7.80	\$4,680.00	\$6.00	\$3,600.00	\$12.00	\$7,200.00
49	F&I - 6" Storm Lateral	lin. ft.	3000	\$50.00	\$150,000.00	\$84.00	\$252,000.00	\$81.00	\$243,000.00
50	Reconnect Storm Lateral	each	25	\$362.00	\$9,050.00	\$265.00	\$6,625.00	\$278.00	\$6,950.00
51	F&I - 6' Dia. Storm MH	vert. ft.	15	\$1,015.00	\$15,225.00	\$660.00	\$9,900.00	\$872.00	\$13,080.00
52	F&I - 4' Dia. Storm MH	vert. ft.	135	\$665.00	\$89,775.00	\$415.00	\$56,025.00	\$605.00	\$81,675.00
53	F&I - Storm MH Casting	each	23	\$540.00	\$12,420.00	\$860.00	\$19,780.00	\$558.00	\$12,834.00
54	F&I - Type "D-M" Inlet Protection	each	57	\$100.00	\$5,700.00	\$117.00	\$6,669.00	\$111.00	\$6,327.00
55	F&I - Type "E" Inlet	each	1	\$2,785.00	\$2,785.00	\$3,600.00	\$3,600.00	\$3,820.00	\$3,820.00
56	F&I - 12" Inlet Lead	lin. ft.	282	\$110.00	\$31,020.00	\$115.00	\$32,430.00	\$133.00	\$37,506.00
57	Bay Street Spot Repair	each	1	\$7,000.00	\$7,000.00	\$6,150.00	\$6,150.00	\$9,775.00	\$9,775.00
58	Rankin Street Spot Repair	each	1	\$7,700.00	\$7,700.00	\$8,725.00	\$8,725.00	\$8,326.00	\$8,326.00
59	Weimer Street Spot Repair	each	1	\$6,700.00	\$6,700.00	\$8,700.00	\$8,700.00	\$10,467.00	\$10,467.00
60	Jefferson Street Spot Repair	each	1	\$7,800.00	\$7,800.00	\$10,750.00	\$10,750.00	\$12,849.00	\$12,849.00
61	R&R - 7" Concrete Ped. Ramp	sq. yd.	10	\$87.25	\$872.50	\$91.00	\$910.00	\$74.20	\$742.00
62	R&R - 7" Concrete Apron	sq. yd.	20	\$87.25	\$1,745.00	\$91.00	\$1,820.00	\$74.20	\$1,484.00
63	R&R - 4" Concrete Sidewalk	sq. yd.	40	\$73.50	\$2,940.00	\$77.00	\$3,080.00	\$64.90	\$2,596.00
64	R&R - 8" Concrete Pavement	sq. yd.	1100	\$98.00	\$107,800.00	\$101.00	\$111,100.00	\$97.90	\$107,690.00
65	R&R - 7" Concrete Pavement	sq. yd.	100	\$93.00	\$9,300.00	\$96.00	\$9,600.00	\$94.80	\$9,480.00
66	R&R - 3-Day H.E. 8" Concrete Pavement	sq. yd.	150	\$100.50	\$15,075.00	\$105.00	\$15,750.00	\$103.00	\$15,450.00
67	R&R - 30" Concrete Curb & Gutter	lin. ft.	930	\$51.00	\$47,430.00	\$57.00	\$53,010.00	\$67.00	\$62,310.00
68	F&I - Truncated Dome	sq. ft.	8	\$41.00	\$328.00	\$41.00	\$328.00	\$41.20	\$329.60
69	Temp. Traffic Control	l.s.	1	\$368,100.00	\$368,100.00	\$64,966.00	\$64,966.00	\$33,997.00	\$33,997.00
70	Flowable Fill	cu. yd.	10	\$0.01	\$0.10	\$125.00	\$1,250.00	\$134.00	\$1,340.00
71	Extra Stone Bedding	cu. yd.	10	\$0.01	\$0.10	\$32.00	\$320.00	\$29.00	\$290.00
					\$3,257,777.77		\$3,506,000.00		\$3,526,351.60

W-24 Sewer and Water Reconstruction No.1

Bid Tabulation - Page 2 of 2

Bid Item	Item Description	Unit	Quantity	Advance Construction Inc.		Jossart Brothers, Inc.		Vinton Construction Co.	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	F&I - 8" Water Main	lin. ft.	2600	\$156.00	\$405,600.00	\$165.00	\$429,000.00	\$181.00	\$470,600.00
2	F&I - 6" Hydrant Lead	lin. ft.	20	\$140.00	\$2,800.00	\$100.00	\$2,000.00	\$130.00	\$2,600.00
3	F&I - Hydrant	each	3	\$5,885.00	\$17,655.00	\$5,650.00	\$16,950.00	\$6,085.00	\$18,255.00
4	F&I - 8" Gate Valve w/ Box	each	13	\$2,452.00	\$31,876.00	\$2,750.00	\$35,750.00	\$2,842.00	\$36,946.00
5	F&I - 6" Gate Valve w/ Box	each	4	\$1,700.00	\$6,800.00	\$1,900.00	\$7,600.00	\$2,675.00	\$10,700.00
6	F&I - 4" Gate Valve w/ Box	each	1	\$1,400.00	\$1,400.00	\$1,575.00	\$1,575.00	\$4,259.00	\$4,259.00
7	F&I - 8" Bend	each	25	\$454.00	\$11,350.00	\$475.00	\$11,875.00	\$494.00	\$12,350.00
8	F&I - 6" Bend	each	2	\$336.00	\$672.00	\$350.00	\$700.00	\$386.00	\$772.00
9	F&I - 4" Bend	each	2	\$240.00	\$480.00	\$250.00	\$500.00	\$298.00	\$596.00
10	F&I - 8"x8" Cross	each	2	\$840.00	\$1,680.00	\$875.00	\$1,750.00	\$1,268.00	\$2,536.00
11	F&I - 12"x8" Tee	each	1	\$2,167.00	\$2,167.00	\$3,000.00	\$3,000.00	\$5,482.00	\$5,482.00
12	F&I - 8"x8" Tee	each	1	\$729.00	\$729.00	\$800.00	\$800.00	\$1,159.00	\$1,159.00
13	F&I - 8"x6" Tee	each	4	\$628.00	\$2,512.00	\$650.00	\$2,600.00	\$758.00	\$3,032.00
14	F&I - 8"x4" Tee	each	1	\$570.00	\$570.00	\$600.00	\$600.00	\$710.00	\$710.00
15	F&I - 8"x6" Reducer	each	2	\$373.00	\$746.00	\$375.00	\$750.00	\$726.00	\$1,452.00
16	F&I - 8" MJ Cap	each	1	\$270.00	\$270.00	\$250.00	\$250.00	\$309.00	\$309.00
17	F&I - 6" Service	lin. ft.	10	\$150.00	\$1,500.00	\$100.00	\$1,000.00	\$189.00	\$1,890.00
18	F&I - 4" Service	lin. ft.	10	\$145.00	\$1,450.00	\$100.00	\$1,000.00	\$179.00	\$1,790.00
19	F&I - 1" Service	lin. ft.	300	\$77.00	\$23,100.00	\$160.00	\$48,000.00	\$167.00	\$50,100.00
20	Service Connection	each	25	\$475.00	\$11,875.00	\$600.00	\$15,000.00	\$1,880.00	\$47,000.00
21	F&I - Curb Stop	each	15	\$385.00	\$5,775.00	\$300.00	\$4,500.00	\$635.00	\$9,525.00
22	F&I - Curb Box	each	25	\$240.00	\$6,000.00	\$400.00	\$10,000.00	\$534.00	\$13,350.00
23	Cut/Cap Watermain	each	12	\$1,000.00	\$12,000.00	\$1,200.00	\$14,400.00	\$2,468.00	\$29,616.00
24	F&I - 18" Sanitary Sewer	lin. ft.	85	\$322.00	\$27,370.00	\$260.00	\$22,100.00	\$423.00	\$35,955.00
25	F&I - 15" Sanitary Sewer	lin. ft.	1200	\$284.00	\$340,800.00	\$250.00	\$300,000.00	\$257.00	\$308,400.00
26	Fill&Aband. - 15" Sanitary Sewer	lin. ft.	600	\$20.00	\$12,000.00	\$12.00	\$7,200.00	\$15.50	\$9,300.00
27	F&I - 12" Sanitary Sewer	lin. ft.	600	\$224.00	\$134,400.00	\$220.00	\$132,000.00	\$228.00	\$136,800.00
28	F&I - 10" Sanitary Sewer	lin. ft.	830	\$192.00	\$159,360.00	\$215.00	\$178,450.00	\$204.00	\$169,320.00
29	Fill&Aband. - 10" Sanitary Sewer	lin. ft.	10	\$20.00	\$200.00	\$50.00	\$500.00	\$50.00	\$500.00
30	F&I - 8" Sanitary Sewer	lin. ft.	1150	\$190.00	\$218,500.00	\$210.00	\$241,500.00	\$203.00	\$233,450.00
31	F&I - 4"/6" Sanitary Lateral	lin. ft.	750	\$160.00	\$120,000.00	\$140.00	\$105,000.00	\$210.00	\$157,500.00
32	F&I - 4" Sanitary Lateral (Trenchless)	lin. ft.	5670	\$5.00	\$28,350.00	\$5.25	\$29,767.50	\$5.00	\$28,350.00
33	Reconnect Sanitary Lateral	each	110	\$1,000.00	\$110,000.00	\$750.00	\$82,500.00	\$500.00	\$55,000.00
34	Abandon Sanitary Lateral	each	10	\$500.00	\$5,000.00	\$250.00	\$2,500.00	\$1,660.00	\$16,600.00
35	In-Home Lateral Connection	each	80	\$4,000.00	\$320,000.00	\$4,200.00	\$336,000.00	\$5,370.00	\$429,600.00
36	In-Home Sanitary Connection > 2.5' Deep	each	5	\$750.00	\$3,750.00	\$800.00	\$4,000.00	\$2,120.00	\$10,600.00
37	F&I - Sump Pit	each	5	\$750.00	\$3,750.00	\$800.00	\$4,000.00	\$750.00	\$3,750.00
38	F&I - Floor Drain	each	50	\$100.00	\$5,000.00	\$105.00	\$5,250.00	\$100.00	\$5,000.00
39	F&I - 4' Dia. Sanitary MH	vert. ft.	185	\$474.00	\$87,690.00	\$500.00	\$92,500.00	\$629.00	\$116,365.00
40	F&I - Sanitary MH Casting	each	20	\$644.00	\$12,880.00	\$1,000.00	\$20,000.00	\$594.00	\$11,880.00
41	Seymour Street Spot Repair	each	1	\$50,000.00	\$50,000.00	\$45,000.00	\$45,000.00	\$23,030.00	\$23,030.00
42	F&I - 42" Storm Sewer	lin. ft.	40	\$400.00	\$16,000.00	\$500.00	\$20,000.00	\$385.00	\$15,400.00
43	F&I - 18" Storm Sewer	lin. ft.	775	\$160.00	\$124,000.00	\$175.00	\$135,625.00	\$176.00	\$136,400.00
44	Fill&Aband. - 18" Storm Sewer	lin. ft.	775	\$23.00	\$17,825.00	\$15.00	\$11,625.00	\$19.70	\$15,267.50
45	F&I - 15" Storm Sewer	lin. ft.	2650	\$138.00	\$365,700.00	\$150.00	\$397,500.00	\$128.00	\$339,200.00
46	Fill&Aband. - 15" Storm Sewer	lin. ft.	1700	\$20.00	\$34,000.00	\$12.00	\$20,400.00	\$16.30	\$27,710.00
47	F&I - 12" Storm Sewer	lin. ft.	1930	\$135.00	\$262,050.00	\$135.00	\$262,050.00	\$118.00	\$227,740.00
48	Fill&Aband. - 12" Storm Sewer	lin. ft.	600	\$15.00	\$9,000.00	\$10.00	\$6,000.00	\$14.40	\$8,640.00
49	F&I - 6" Storm Lateral	lin. ft.	3000	\$60.00	\$180,000.00	\$122.00	\$366,000.00	\$109.00	\$327,000.00
50	Reconnect Storm Lateral	each	25	\$180.00	\$4,500.00	\$250.00	\$6,250.00	\$394.00	\$9,850.00
51	F&I - 6' Dia. Storm MH	vert. ft.	15	\$670.00	\$10,050.00	\$620.00	\$9,300.00	\$954.00	\$14,310.00
52	F&I - 4' Dia. Storm MH	vert. ft.	135	\$520.00	\$70,200.00	\$515.00	\$69,525.00	\$625.00	\$84,375.00
53	F&I - Storm MH Casting	each	23	\$560.00	\$12,880.00	\$750.00	\$17,250.00	\$574.00	\$13,202.00
54	F&I - Type "D-M" Inlet Protection	each	57	\$125.00	\$7,125.00	\$125.00	\$7,125.00	\$150.00	\$8,550.00
55	F&I - Type "E" Inlet	each	1	\$4,000.00	\$4,000.00	\$3,250.00	\$3,250.00	\$3,998.00	\$3,998.00
56	F&I - 12" Inlet Lead	lin. ft.	282	\$110.00	\$31,020.00	\$145.00	\$40,890.00	\$118.00	\$33,276.00
57	Bay Street Spot Repair	each	1	\$20,000.00	\$20,000.00	\$12,500.00	\$12,500.00	\$13,354.00	\$13,354.00
58	Rankin Street Spot Repair	each	1	\$20,000.00	\$20,000.00	\$10,000.00	\$10,000.00	\$13,248.00	\$13,248.00
59	Weimer Street Spot Repair	each	1	\$20,000.00	\$20,000.00	\$11,000.00	\$11,000.00	\$13,105.00	\$13,105.00
60	Jefferson Street Spot Repair	each	1	\$20,000.00	\$20,000.00	\$13,500.00	\$13,500.00	\$13,520.00	\$13,520.00
61	R&R - 7" Concrete Ped. Ramp	sq. yd.	10	\$97.75	\$977.50	\$95.00	\$950.00	\$150.00	\$1,500.00
62	R&R - 7" Concrete Apron	sq. yd.	20	\$86.50	\$1,730.00	\$95.00	\$1,900.00	\$95.00	\$1,900.00
63	R&R - 4" Concrete Sidewalk	sq. yd.	40	\$84.25	\$3,370.00	\$80.00	\$3,200.00	\$95.00	\$3,800.00
64	R&R - 8" Concrete Pavement	sq. yd.	1100	\$105.00	\$115,500.00	\$105.00	\$115,500.00	\$82.50	\$90,750.00
65	R&R - 7" Concrete Pavement	sq. yd.	100	\$100.00	\$10,000.00	\$100.00	\$10,000.00	\$82.50	\$8,250.00
66	R&R - 3-Day H.E. 8" Concrete Pavement	sq. yd.	150	\$105.00	\$15,750.00	\$110.00	\$16,500.00	\$96.50	\$14,475.00
67	R&R - 30" Concrete Curb & Gutter	lin. ft.	930	\$58.00	\$53,940.00	\$55.00	\$51,150.00	\$30.00	\$27,900.00
68	F&I - Truncated Dome	sq. ft.	8	\$50.00	\$400.00	\$42.00	\$336.00	\$40.00	\$320.00
69	Temp. Traffic Control	l.s.	1	\$175,000.00	\$175,000.00	\$60,000.00	\$60,000.00	\$553,350.00	\$553,350.00
70	Flowable Fill	cu. yd.	10	\$120.00	\$1,200.00	\$125.00	\$1,250.00	\$195.00	\$1,950.00
71	Extra Stone Bedding	cu. yd.	10	\$40.00	\$400.00	\$25.00	\$250.00	\$46.00	\$460.00
					\$3,793,174.50		\$3,897,193.50		\$4,499,229.50



“...meeting community needs...enhancing quality of life.”

DEPARTMENT OF PUBLIC WORKS - Engineering Division
MEMO

TO: Finance Committee
FROM: Danielle Block, Director of Public Works
Pete Neuberger, Deputy Director of Public Works / City Engineer
SUBJECT: Contract Award - Unit W-24 Sewer and Water Reconstruction No.1
DATE: January 22, 2024

The Department of Public Works (DPW) Engineering Division has opened bids for Unit W-24, one of its large utility reconstruction projects for 2024. This project is funded through a combination of water utility, wastewater utility, and stormwater utility capital construction accounts. After reviewing the bids, DPW staff have determined that the bid amounts for the sanitary sewer portion of the work as bid would exceed the approved budget allocation under wastewater capital account 5431 by \$293,775.22, after allowing for other 2024 utility projects yet to be bid in 2024.

To correct the anticipated funding shortage in account 5431, DPW staff are proposing to reduce and reallocate account 5431 expenses in the 2024 budget as follows:

- Delay W-24 utility reconstruction in Durkee Street (Circle Street to north) until 2025.
- Use 2024 Consulting Services funds identified as “Glacier Ridge Lift Station Abandonment” for W-24
- Use 2024 Consulting Services Funds identified for “Lawe St – South Island St Force Main” for W-24

A discussion of the impacts of these revisions follows:

Delay Durkee Street Utility Reconstruction into 2025

This item would delay the planned sewer and water reconstruction in the 1600 North block of Durkee Street adjacent to Einstein Middle School from 2024 until 2025. It would also delay the abandonment of the existing sanitary sewer under Einstein Middle School from 2024 until 2025. DPW Staff have determined that the risk of failure of the existing infrastructure is very unlikely to increase significantly if its service life is extended by one more year. Additionally, after 2024 budget development, DPW staff determined that the reconstruction of the 1600 block of Durkee Street sanitary sewer would provide the best opportunity in the near future to address concerns with condition of the sanitary sewer in the 1500 block of Durkee Street and will use this as an opportunity reconstruct the sanitary sewer in both blocks at the same time in 2025. This is expected to provide better economy of scale and less disruption to local residents and users. 2024 expense reductions, by account, would be:

5431 (Wastewater Capital)	(\$95,664.66)
5371 (Water Capital)	(\$202,118.15)

Use “Glacier Ridge Lift Station Abandonment” 2024 Consulting Services Funds for W-24 Work

The current budget item is for \$100,000. It was requested as a placeholder to be used in case the Glacier Ridge Lift Station Abandonment project, currently planned for 2025 construction, would require trenchless installation methods with consultant design assistance. Since the time of 2024 budget development, DPW staff have determined that the project is likely to move forward only once a feasible route involving less expensive open cut construction methods is secured. Therefore, this change is anticipated to have no effect on the Glacier Ridge Lift Station abandonment project, and it will allow the remaining work proposed under W-24 to move forward on schedule.

Use “Lawe St – South Island Street Force Main” 2024 Consulting Services Funds for W-24 Work

The current budget item is for \$100,000 for consultant design on the planned 2025 relay/liner of the existing sanitary force main under the Fox River, which is nearing the end of its design service life. This line item was initially budgeted in 2022 and was carried over into 2023. This 2024 budget request was a re-budget request made to avoid requesting a second consecutive year of carry over, from 2023 into 2024. DPW staff now intend to include this item in the 2023 carry over request list, so that the 2024 re-budgeted funds can be applied to the W-24 project. Therefore, this change is anticipated to have no effect on the force main or other projects, and it will allow the remaining work proposed under W-24 to move forward on schedule.

DPW staff have also determined that the bid amounts for the stormwater portion of the work would exceed the approved budget allocation under Project W-24 account 5230 by \$260,773.53. To allow the remaining W-24 work to move forward on schedule, DPW proposes to re-allocate 2024 positive bid variance from the H-23 Project to W-24, in the amount of \$260,773.53.

Financial Summary of Proposed Changes by Account

The chart below identifies the account fund balances anticipated to result from the project changes if approved:

<u>Account</u>	<u>Bid+Contingency</u>	<u>Budget</u>	<u>Balance As-Bid</u>	<u>Balance w/Changes</u>
Sanitary (5431)	\$1,396,284.22	\$1,102,509.00	(\$293,775.22)	\$1,889.44
Water (5371)	\$593,707.72	\$669,945.00	\$76,237.28	\$278,355.43
Storm (5230)	\$1,297,785.83	\$1,037,012.00	(\$260,773.53)	\$0.00

CONTRACT AMENDMENT AND CHANGE ORDER

Change Order No. One
Date 01/22/24

Contract No. 7-23 for the following public work : Z-23 Sewer & Water Reconstruction No. 3

between Kruczek Construction, Inc. and the City of Appleton dated 12/21/2022 is hereby changed in the following particular wit:

Item No.	Account No.	Current Contract Amount	Current Contingency	C.O. Amount (+/-)	Contingency (+/-)	New Contract Total	New Contingency Total
1	<u>5371.6809.5</u>	<u>\$2,919,000.00</u>	<u>\$150,000.00</u>	<u>\$335,035.04</u>	<u>-\$150,000.00</u>	<u>\$3,254,035.04</u>	<u>-\$185,035.04</u>
2						<u>\$0.00</u>	<u>\$0.00</u>
3						<u>\$0.00</u>	<u>\$0.00</u>
4						<u>\$0.00</u>	<u>\$0.00</u>
5						<u>\$0.00</u>	<u>\$0.00</u>
6						<u>\$0.00</u>	<u>\$0.00</u>
7						<u>\$0.00</u>	<u>\$0.00</u>
8						<u>\$0.00</u>	<u>\$0.00</u>
9						<u>\$0.00</u>	<u>\$0.00</u>
10						<u>\$0.00</u>	<u>\$0.00</u>
	Total	<u>\$2,919,000.00</u>	<u>\$150,000.00</u>	<u>\$335,035.04</u>	<u>-\$150,000.00</u>	<u>\$3,254,035.04</u>	<u>-\$185,035.04</u>

Reason for Change: Additional concrete pavement was required on Atlantic Street and Franklin Street to replace existing asphalt pavement patches from lead water service replacements in the years prior to this project, as well as replacing cracked and/or damaged concrete pavement and asphalt patches on Capitol Drive from water main breaks prior to this years construction. The total cost of additional concrete pavement, including sidewalk, aprons, curb and gutter, and pavement totaled \$317,372.22. Along with some additional water main materials, the final cost of additional work totaled \$335,035.04 over the contracted amount, \$150,000.00 of which will be covered by the original contingency. The remaining \$185,035.04 shall be drawn from positive 2023 bid variance in 5371 account.

The Contract Time will be (**unchanged**) by this Change Order: 0 Days

The Date of Completion as of the date of this Change Order therefore is: 0

Finance Committee Agenda Date: 01/22/24

Date approved by Council: 02/07/24

Department of Public Works – Engineering Division

MEMO

TO: Finance Committee

FROM: Mark Lahay, Assistant City Engineer

DATE: January 22, 2024

RE: Change Order #1 (Contract Amendment) for Project Z-23 Water reconstruction

The Department of Public Works is recommending approval of Change Order #1 as a contract amendment for project Z-23 Water Reconstruction.

Additional concrete pavement was required on Atlantic Street and Franklin Street to replace existing asphalt pavement patches from lead water service replacements in the years prior to this project, as well as replacing cracked and/or damaged concrete pavement and asphalt patches on Capitol Drive from water main breaks prior to this year;s construction. The total cost of additional concrete pavement, including sidewalk, aprons, curb and gutter, and pavement totaled \$317,372.22.

Along with some additional water main materials due to emergency repairs that were not originally part of this project, the final cost of additional work totaled \$335,035.04 over the contracted amount, \$150,000.00 of which will be covered by the original contingency. The remaining \$185,035.04 is proposed to be drawn from 2023 positive bid variance in the 5371 Water Capital Construction account under Project X-23, which was underspent by \$327,788.72.



MEMORANDUM

“...meeting community needs...enhancing quality of life.”

TO: Community and Economic Development Committee (CEDC)
FROM: Olivia Galyon, Community Development Specialist
DATE: January 24, 2024
RE: Approval of CDBG Advisory Board Recommendations for External Applicants
2024 Community Development Block Grant (CDBG) Funding

Per City of Appleton CDBG Policy, the CDBG Advisory Board creates funding recommendations for external CDBG applicants. The 2024PY CDBG allocation process began in September 2023 with an initial phase of City allocations and a period for City Departments to apply. The application process continued for external applicants, with eight (8) external organizations requesting CDBG funding for 2024.

An award estimate of \$576,900 was budgeted for the 2024PY, based on allocation amounts in recent years. \$576,900 is only an estimate and is subject to change upon adoption of the Federal budget. The Advisory Board met in an open public meeting on January 15, 2024 to recommend preliminary allocations of the 2024 funding. Final award amounts may need to be adjusted and approved through a final approval process once the official CDBG allocation is received.

CEDC is responsible for voting on City Department allocations, and for voting on the recommendations created by the CDBG Advisory Board regarding external applications. Prior to the convening of the Advisory Board, CEDC approved allocations to four city programs, for a total amount allocated to City programs of \$276,550. The Advisory Board recommended the allocation of the remaining \$300,350 among the external applicants. It should be noted that funding for public services activities is capped at 15% of the municipality’s annual CDBG allocation amount, estimated at \$86,550 for PY2024, which was allocated to a joint project between the Appleton Health Department and Police Department. CEDC shall now discuss and vote on the recommendations for external funding made by the Advisory Board.

Community and Economic Development staff reviewed the applications for eligibility and compliance with CDBG regulations and Advisory Board members reviewed and scored each external application and provided a funding recommendation. Based on input received from Advisory Board members and the internal review of applications, staff identified projects recommended for further consideration by the Advisory Board. During the Advisory Board meeting, the Board discussed the funding recommendations provided by staff and made adjustments as they saw fit. The Advisory Board’s preliminary funding recommendations are as follows:

2024 CDBG Award Allocations NON-PUBLIC SERVICES

Applicant	Requested Amount	Advisory Board Preliminary Recommendations
Habitat for Humanity	\$231,000	\$132,000
Rebuilding Together	\$100,000	\$67,000
Pillars	\$56,000	\$56,000
WWBIC	\$100,000	\$14,725
Salvation Army	\$30,625	\$30,625
NON-PUBLIC SERVICE TOTAL:	\$517,625.00	\$300,350.00

If you have any questions, please contact me at 832-6469 or olivia.galyon@appleton.org. Thank you!

Community and Economic Development Department, 100 North Appleton Street, Appleton, WI 54911 (920) 832-6468

**2024 CDBG Award Allocations
(Aggregated Recommendations)**

NON-PUBLIC SERVICES			
Applicant	Requested Amount	City Staff Funding Recommendation	Advisory Board Meeting Recommendations
Habitat for Humanity	\$ 231,000	\$ 152,000.00	\$ 132,000
Rebuilding Together	\$ 100,000	\$ 67,000.00	\$ 67,000
Pillars	\$ 56,000	\$ 56,000.00	\$ 56,000
WWBIC	\$ 100,000	\$ 25,350.00	\$ 14,725
Salvation Army	\$ 30,625	\$ -	\$ 30,625
NON-PUBLIC SERVICE TOTAL:	\$ 517,625.00	\$ 300,350.00	\$ 300,350.00
PUBLIC SERVICES			
Applicant	Requested Amount	City Staff Funding Recommendation	Advisory Board Meeting Recommendations
LEAVEN	\$ 15,000	\$ 15,000.00	\$ 15,000.00
Building for Kids	\$ 45,000	\$ 13,981.24	\$ 13,981.24
B.A.B.E.S	\$ 38,679	\$ -	\$ -
PUBLIC SERVICES TOTAL:	\$ 98,679	\$ 28,981.24	\$ 28,981.24

← **CANNOT EXCEED \$300,350**

← **CANNOT EXCEED \$28,981.24**



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



Community Development Block Grant (CDBG) Policy

Adopted 9/8/2008

Amended 5/24/2010, 10/3/2012, 12/19/2012, 7/15/2015, 10/21/2020, 11/17/2021

I. PURPOSE

To outline the following aspects of the local Community Development Block Grant (CDBG) Program: a) elements to which the City of Appleton must adhere in order to comply with federal regulations; b) locally-established guidelines; and c) priorities for subrecipient and City Program activity.

II. POLICY

The federal CDBG program was established with the passage of the Housing and Community Development Act of 1974. CDBG funds are distributed to eligible governmental units in two forms:

- (1). Entitlement grants directly to cities and counties, and;
- (2). State grants, which involve annual competitions for non-entitlement communities.

Since 1975, the City of Appleton has received CDBG funds as an entitlement community. The amount of CDBG funds received each year varies based on the appropriation approved by the U.S. Congress and the number of governmental units eligible to participate. While the federal fiscal year operates from October 1 to September 30, the City selected April 1 to March 31 as its CDBG fiscal year. This selection was made as the federal government generally does not release the aforementioned funds until springtime. Federal oversight lies within the U.S. Department of Housing & Urban Development (HUD).

III. FEDERAL REGULATIONS

The citation reference from Title 24 Part 570 – Community Development Block Grants can be found in parentheses next to each heading below. Please view that section for more information on the respective item. This Policy will be revised periodically as required to fulfill related Federal, State, and/or local funding requirements.

A. Federal Eligibility (24 CFR 570.201)

CDBG funds may be used for the following basic eligible activities:

- | | |
|-------------------------------------|--|
| (1). Acquisition | (11). Housing Services |
| (2). Disposition | (12). Privately-Owned Utilities |
| (3). Public Facilities/Improvements | (13). Homeownership Assistance |
| (4). Clearance/Remediation | (14). Economic Development Assistance |
| (5). Public Services | (15). Technical Assistance |
| (6). Interim Assistance | (16). Institutions of Higher Education |
| (7). Payment of Non-Federal Share | (17). Rehabilitation/Preservation (24 CFR 570.202) |
| (8). Urban Renewal Completion | (18). Planning (24 CFR 570.205) |
| (9). Relocation | (19). Administration (24 CFR 570.206) |
| (10). Loss of Rental Income | |

B. Ineligible Activities (24 CFR 570.207)

The following activities may not be assisted with CDBG funds:

- (1). Buildings (or portions thereof) for the General Conduct of Government
- (2). General Government Expenses
- (3). Political Activities



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



The following activities are not eligible for CDBG funding, but may be allowed under certain circumstances:

- | | |
|-------------------------------------|-------------------------------|
| (1). Purchase of Equipment | (3). New Housing Construction |
| (2). Operating/Maintenance Expenses | (4). Income Payments |

C. Special Economic Development Projects (24 CFR 570.203)

CDBG funds may be used for special economic development activities in addition to other activities. Special economic development activities include:

- (1). Acquisition, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements
- (2). Assistance to a private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, for any activity where the assistance is appropriate to carry out an economic development project
- (3). Economic development services, including, but not limited to, outreach efforts; screening of applicants; reviewing/underwriting applications; preparation of all necessary agreements; management of activities; and the screening, referral, and placement of applicants for employment

D. National Objectives (24 CFR 570.208)

In order to qualify for funding, activities must meet one of three CDBG national objectives:

- (1). Low & Moderate Income (LMI) Benefit
 - a. Area Benefit: activities available for the benefit of all the residents in a particular area, where at least 51 percent of those residents are LMI persons.
 - b. Limited Clientele: activities benefiting a specific group (i.e. abused children, elderly persons, battered spouses), at least 51 percent of whom are LMI persons.
 - c. Housing: activities carried out for the purpose of providing or improving permanent residential structures that, upon completion, will be occupied by LMI households.
 - d. Job Creation/Retention: activities designed to create or retain permanent jobs where at least 51 percent of the jobs involve the employment of LMI persons.
- (2). Slum & Blight Removal
 - a. Area Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination that are located in a designated area of distress, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
 - b. Spot Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination at specific sites not located in designated blighted areas, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
- (3). Urgent Need
 - a. Activities designed to alleviate existing conditions of recent origin (18 months) that pose serious threats to the health and welfare of the community; this objective may only be used if the community cannot finance necessary activities with other sources.



City of Appleton
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E. Categorical Limits

- (1). At least 70 percent of CDBG funds utilized during three consecutive program years, as specified by the grantee, must be expended for LMI benefit; the costs of planning and program administration are excluded from this calculation. (24 CFR 570.200(a)(3))
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the total entitlement grant for that program year, plus 15 percent of the program income received during the preceding program year. (24 CFR 570.201(e)(1))
- (3). The amount of CDBG funds obligated for planning and administration activities in each program year may not exceed 20 percent of the total entitlement grant for that program year plus the program income received during that program year. (24 CFR 570.200(g))

F. Program Income (24 CFR 570.426)

The City may reuse any revenue generated from projects undertaken with CDBG funding towards other eligible activities within the entitlement community. Furthermore, any program income earned by a subrecipient or City Program may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds and thus subject to all applicable federal and local requirements.

As defined in 24CFR Part 570.500, program income includes, but is not limited to, the following:

- Proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG funds;
- Proceeds from the disposition of equipment purchased with CDBG funds;
- Gross income from the use or rental of real or personal property acquired by subrecipients with CDBG funds, less costs incidental to generation of the income;
- Gross income from the use or rental of real property, owned by subrecipients that was constructed or improved with CDBG funds, less costs incidental to generation of the income;
- Payments of principal and interest on loans made using CDBG funds, except as provided in 24CFR 570.500(a)(3); and
- Interest earned on program income pending its disposition.

Program income must be tracked in a chart of accounts, using a segregated account for managing sources and uses. By the 15th day of the month following the end of the quarter, the City's Finance Department will review each transaction that generated program income and the subsequent transaction for which program income was applied. The program income will then be entered into the City's Chart of Accounts so that it is reflected in the general ledger, as well as receipting the program income in IDIS so that draws can be made against the balance accordingly. The City maintains the discretion to enter program income more frequently as deemed necessary.

CDBG regulations require that, at the end of each program year (March 31), the City of Appleton must determine whether there is excess program income on hand, and return any excess to the line of credit.

G. Fair Housing (24 CFR 570.601)

The Secretary of HUD requires that:

- (1). Grantees must administer all activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act. (Public Law 90-284)
- (2). Entitlement communities shall conduct an Analysis of Impediments to Fair Housing Choice every five years, take action to overcome the effects of the identified impediments and maintain records



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reflecting the analysis and related actions taken.

H. Environmental Review Procedures (24 CFR 570.604)

The environmental review procedures outlined in 24 CFR part 58 must be completed for each CDBG subrecipient and City Program activity, as applicable.

I. Faith-Based Activities (24 CFR 570.200)

Religious or faith-based organizations are eligible to participate in the CDBG program. Local government representatives and CDBG program administrators shall not discriminate against an organization on the basis of its religious affiliation.

J. Submission Requirements (24 CFR 570.302)

CDBG entitlement communities must submit the following documents:

- (1). Action Plan → annually
- (2). Consolidated Annual Performance and Evaluation Report (CAPER) → annually
- (3). Consolidated Plan → every three to five years, as chosen by the entitlement community

Creation of these documents must follow HUD requirements for content and citizen participation (see the City of Appleton CDBG Citizen Participation Plan).

K. Location of Activities (24 CFR 570.309)

CDBG funds may be awarded to an activity outside the jurisdiction of the entitlement community only if it can be determined that the activity directly benefits the entitlement community's residents. Documentation of these benefits must be provided before CDBG funds are awarded for the activity.

L. Conflict of Interest (24 CFR 570.611)

No persons affiliated with the entitlement community (including subrecipients and City Programs) who exercise or have exercised any responsibilities with respect to CDBG programming, or who are in a position to participate in a decision-making process, may obtain a financial interest or benefit from a CDBG-assisted activity (including subcontracts), either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

IV. LOCAL PROGRAM GUIDELINES

A. Program Oversight

The Community and Economic Development Committee (CEDC) – composed of five aldermen appointed by the Mayor – serves as the jurisdiction for Common Council oversight of the CDBG Program. Local financial oversight lies with the City of Appleton Finance Department. Local administrative/programmatic oversight lies with the City of Appleton Community and Economic Development Department (CEDD).

B. Consolidated Plan Submission

The City of Appleton has elected to submit a Consolidated Plan to HUD every five years. The Citizen Participation Plan provides for and encourages citizens to participate in the development of the Consolidated Plan, which will begin approximately one year before the required submittal date.

C. Definitions

- Subrecipient – an entity charged with implementation of one or more activities funded with Appleton CDBG dollars



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



- community partner subrecipient – local agencies awarded CDBG-funding to implement an eligible activity via a competitive application process
- public services subrecipient – local agencies awarded CDBG-funding to implement an eligible public service activity via a competitive application process
- Adjusted award – the amount of CDBG funds available to City Programs and subrecipients after administration, fair housing, and audit allocations are deducted

D. Local Categorical Limits

The following limits expand upon federal categorical limits associated with the CDBG program:

- (1). At least 70 percent of CDBG funds utilized over three program years must be expended for LMI benefit; this excludes planning/CDBG administration activities.
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the adjusted award for that year unless otherwise specified under the pertinent Federal regulation or applicable waivers to prevent the spread of infectious disease and mitigate economic impacts caused by infectious disease.
- (3). The amount of CDBG funds obligated for planning/CDBG administration activities in each program year may not exceed 20 percent of the total entitlement grant for that year.
- (4). Any single award will not be less than \$10,000.

E. Audit Requirements

Section 2 Part 200 of the Code of Federal Regulations and the State Single Audit Guidelines require major state programs and federal programs to complete a single audit. The necessary amount for fulfilling these requirements will be identified by the Finance Department and the City's independent auditors. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

F. Fair Housing Services

In keeping with the spirit of federal fair housing requirements, an annual allocation for fair housing services will be approved. This activity will be reported as an administrative expense, which claims no benefit. The City of Appleton will utilize the award to contract with an independent entity qualified to provide residents with a variety of fair housing services. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

G. Program Administration

HUD requires entitlement communities to provide for efficient and adequate administration of CDBG programming. Administration costs may only include: salary/fringe, necessary training/travel, supplies and telephone/postage, in addition to fair housing services and audit costs. The necessary amount for fulfilling this requirement will be identified by the Community and Economic Development and Finance Departments. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

H. Annual Allocation of CDBG Funding

The City of Appleton's Program Year begins April 1 and concludes March 31 of the following year. Each program year, administration, audit and fair housing costs, along with adequate funding for the Homeowner Rehabilitation Loan Program, the Neighborhood Program and Appleton Housing Authority will be subtracted from the annual entitlement award amount to determine the adjusted award. The adjusted award will first be available to City of Appleton Departments/Programs/component units that wish to undertake



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



projects. After the City allocation process is complete, any remaining funds may be allocated to community partner applicants.

I. City Allocation Process

Each year adequate funding will be allocated through the City Budget process to the following: Homeowner Rehabilitation Loan Program, Neighborhood Program, Administration Costs and Appleton Housing Authority. Then, other City of Appleton Departments will have the opportunity to submit an application for CDBG funding. The application will include information relating to goals, outputs, budget/financing, detailed activity descriptions, capacity and performance. CEDD staff, per HUD rules and regulations, will perform an administrative review of each plan to ensure that:

1. Proposed activities are included within the listing of eligible activities (24 CFR 570.201)
2. Proposed activities do not fall within a category of explicitly ineligible activities (24 CFR 570.207)
3. Proposed activities will meet one of the national objectives of the program (24 CFR 570.200)
4. Proposed activities will address priority needs as identified in the Consolidated Plan

Upon completion of the administrative review, the plans will be presented to the CEDC. CEDC will also review the submitted plans to ensure the proposed activities meet the four standards listed above and allocate adequate funds for each plan. CEDC's recommendation will then be presented to the Common Council for approval.

J. Community Partner Subrecipient Allocation Process

The community partner application process will begin after allocations for City applications have been approved, and end with recommended allocations being announced after Council approval. Applications will be made available for approximately one month and should be submitted to the CEDD. All applications must be received by the announced deadline; no exceptions will be made. CEDD staff will perform an administrative review of each proposal, per HUD rules and regulations, to ensure the four standards listed under letter E. above, will be met if proposed activities are funded.

Upon completion of the administrative review, the proposals will be presented to the CDBG Advisory Board which will review and make funding recommendations for each proposal. This Board will consist of the following members:

1. Mayor
2. Common Council President
3. Chairperson of the Community and Economic Development Committee or committee designee
4. Chairperson of the Appleton Redevelopment Authority or committee designee
5. Representative from an Experienced Outside Funding Agency – on a rotating basis (i.e. United Way, Community Foundation, JJ Keller Foundation, U.S. Oil Basic Needs Partnership)
6. Citizen member from the City Plan Commission

CEDD staff will supply the Board with applications and all appropriate guidelines along with a summary of each proposal, and an explanation of the proposal score sheet. Board members are asked to allocate funding among the applicants and return their allocations to CEDD staff who will compile all results and present allocation recommendations at a Board meeting during which allocation amounts will be finalized. In completing their funding recommendation, the Board will utilize an estimated CDBG entitlement award dollar amount, which will be calculated based on past awards and any available information on HUD's



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



future funding strategies. Funding recommendations from this Board will be presented as an Action Item to the CEDC. CEDC's recommendation will then be presented to the Common Council for final approval.

During efforts to prevent the spread of infectious disease and mitigate economic impacts caused by infectious disease, the community partner subrecipient allocation process will be waived. Final approval of allocations and projects will be presented to Common Council, subsequent to the completion of the required public comment period.

K. Estimated vs. Actual Entitlement Award

If there is a differential between the estimated award and the actual award, the CDBG Advisory Board will be consulted and their recommendations will be presented to CEDC and Council for approval.

L. Subrecipient Agreement/Letter of Understanding/Training Session

Community partner subrecipients of CDBG funds must enter into a subrecipient agreement with the City of Appleton. This subrecipient agreement serves as a formal contract addressing the various policies outlined in this document, in addition to contract amount/term, reimbursement requests, accomplishment reporting, monitoring, financial management guidelines, conflict of interest, and additional federal standards, including lead-based paint regulations and the Davis Bacon Act. Furthermore, each City Program receiving CDBG funds must sign a Letter of Understanding (LOU) indicating an understanding of the items above. To ensure all parties understand the requirements of their agreement or LOU, a mandatory training session will be held with new subrecipients before funds are released. Technical assistance from staff will be available to all subrecipients throughout the program year.

M. Statement of Work

All subrecipients and City Programs shall submit a concise Statement of Work that illustrates an implementation plan for their CDBG activity. This Statement, which will be attached to the subrecipient agreement/LOU includes: national objective claimed, activity descriptions, intended beneficiaries (number and type), detailed budget and location(s) of program-related activity.

N. Report Submissions

All subrecipients and City Programs are required to submit a report of their accomplishments with each payment request during the program year when applicable, as well as an Annual Report by April 15th, which is a comprehensive report covering the agreed upon objectives, activities and expenditures for the entire contract period. If said reports are not attached to payment requests when required, payments will be withheld until the report is submitted.

O. Change of Use

If a subrecipient or City Program wishes to utilize funds for an activity not identified on their original application, they are required to submit a detailed letter to the CEDD explaining the reasoning for and amount of the proposed change and a public comment period may be held per the Citizen Participation Plan.

P. Displacement/Relocation

Due to the potential liability for long-term assistance and burdens placed on affected tenants, the City of Appleton will avoid funding CDBG projects that involve permanent residential displacement or business relocation unless displacement/relocation prove to be the only means available to correct a public health/safety hazard or other critical condition.



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



Q. Procurement

The City of Appleton Procurement Policy applies to all CDBG activities, including both City Programs and subrecipients that involve the purchase of equipment, materials, supplies and/or services. A copy of this policy will be distributed to all subrecipients.

R. Audits

All subrecipients are required to submit one copy of their audited financial statement immediately following the end of their fiscal year during which CDBG funds are received, unless an alternate arrangement has been made with the City of Appleton Finance Department. CDBG applications may include audit costs as a reimbursable expense.

S. Disputes

Any dispute concerning a question of fact arising under a subrecipient program or City Program shall be resolved by CEDD staff, who shall relay his/her decision in writing to the subrecipient or City Program, in addition to furnishing a copy to the Mayor and the CEDC. The decision of CEDD staff shall be final and conclusive unless the subrecipient or City Program furnishes a written appeal to the CEDC within ten days of the date of receipt of such copy. The decision of the CEDC in such appeals shall be final and conclusive unless appealed to a court of competent jurisdiction within 30 days of receipt of the CEDC's decision.

T. Unspent Grant Funds

Any uncommitted CDBG funds remaining at the end of the program year will be reprogrammed for use in the subsequent program year. The subrecipient shall submit a carryover request, including both documentation of plans for expending funds and a timeline for the expenditure, to CEDD staff by April 15. If any unspent grant funds remain after September 30, CEDD staff will meet with the subrecipient to determine if further action needs to be taken to expedite the expenditure of funds.

U. Termination

If the subrecipient or City Program fails to fulfill, in timely and proper manner, its obligations under the Statement of Work, or if they violate any stipulations contained within the subrecipient agreement/LOU, the City has the right to terminate funding of their program. Written notice will be delivered at least 30 days before the termination.

V. Examination of Records/Monitoring

The policy of the City of Appleton is to monitor its subrecipients in a manner consistent with the requirements of 24 CFR 570.2, 2 CFR 200.328, and 2 CFR 200.331(d). The subrecipient and City Program shall maintain records (including books, documentation and other evidence) pertaining to the costs of carrying out their activity to the extent of detail that will adequately reflect net costs, direct and indirect labor, materials, equipment, supplies/services, and other expenses. Authorized representatives of the City or HUD shall have access to subrecipient and City Program records at reasonable times of the business day for inspection, audit or reproduction. Subrecipients and City Programs must make these records available throughout the program year and four years after it expires. Furthermore, CEDD staff may schedule monitoring visits with the subrecipient to evaluate the progress/performance of the program and provide technical assistance. The City of Appleton's Grant Administration Procedures manual should be referenced for further guidance on subrecipient tracking and monitoring requirements.



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



W. Financial Management Systems

Subrecipients and City Programs must employ financial management systems that are capable of generating regular financial status reports indicating the dollar amount allocated (including budget revisions), amount obligated, and amount expended for each activity. The system must permit the comparison of actual expenditures and revenues against budgeted amounts. The City must be able to isolate/trace every CDBG dollar received.

X. Payment Requests

Community partner subrecipients and City Programs will submit requests for payment with attached supporting documentation to the CEDD. Payment requests shall be allowed on a reimbursement basis (i.e. only after expenditures have been incurred) and shall be reviewed to ensure the expenditures are in conformity with the use of funds as described in the Statement of Work. If source documentation is deemed inadequate by Staff, all payments will be withheld until all required documents have been submitted. Payment requests received and approved will be processed and a check issued in accordance with the City of Appleton Finance Department weekly pay cycle. All payment requests must contain an original signature.

Y. Program Income

Any program income (as defined under applicable federal regulations) gained from any activity of the subrecipient may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds subject to all applicable requirements governing the use of CDBG funds. Anticipated program income must be documented and described in the subrecipient or City Program proposal/application. Furthermore, any and all program income received must be reported to the City of Appleton's Community and Economic Development and Finance Departments, unless otherwise specified in this contract.

Z. CDBG Activity Promotion

All subrecipients and City Programs are required to participate in promotion of the City of Appleton CDBG Program. Expectations will be outlined by staff at the beginning of the program year and may include, but are not limited to:

- Inclusion of the Appleton/CDBG logo in materials/at project sites
- Mentorship of a subrecipient new to the CDBG Program
- Participation in a CDBG Open House to showcase grant activities

V. APPLICATION/PROPOSAL EVALUATION CRITERIA

A. General

In order to receive CDBG funding, subrecipient and City Programs must meet a priority need, as identified in the Five-Year Consolidated Plan. Additional preference, however, will be given to CDBG applicant activities that meet one or more of the following criteria:

- (1). Seek a one-time use of CDBG funding
- (2). Benefit residents of LMI census tracts (population at least 46.7 percent LMI)
- (3). Will result in additional housing units being placed on the tax roll
- (4). Demonstrate secured complementary sources of funding (i.e. leverage) and/or strong efforts to solicit and secure complementary funding.
- (5). Serve special needs populations, including, but not limited to:
 - a. Elderly/frail elderly
 - b. Persons with disabilities (developmental and physical)



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- c. Persons with HIV/AIDS and their families
- d. Persons seeking solutions to alcohol and drug addiction

B. Public Services (subject to 15 percent cap)

Preference will be given to Public Service CDBG applicants whose activities meet one or more of the following criteria:

- (1). Program service costs – one time use
- (2). Administrative expenses – one time use
- (3). Program service costs – continual use
- (4). Administrative expenses – continual use



**City of Appleton
CDBG FUNDING HISTORY
2006 - 2022**

GRANTEE	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006
Appleton Housing Authority	\$ -	\$ 41,170.00	\$ 37,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 60,000.00	\$ 60,000	\$ 60,000	\$ 67,306.66	\$ 60,000	\$ 60,000	\$ 56,900	\$ 65,294	\$ 65,003	\$ 65,000	\$ 38,500	\$ 31,000
Appleton Police Department (Summer of Service)	\$ -	\$ -	\$ 72,051.06	Declined	\$ 63,995.48	\$ 51,847.71												
B.A.B.E.S.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Boys & Girls Club	\$ 48,622.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDBG Administration	\$ 58,829.00	\$ 58,479.00	\$ 57,433.00	\$ 80,504.00	\$ 25,172.00	\$ 49,432.05	\$ 46,229.00	\$ 20,375	\$ 20,000	\$ 25,000.00	\$ 25,000	\$ 50,000	\$ 46,033	\$ 6,330	\$ -	\$ 55,963	\$ 52,800	\$ 31,000
City of Appleton Affordable Housing Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
City of Appleton Home Rehabilitation Program	\$ 45,000.00	\$ 120,000.00	\$ 29,892.00	\$ 77,694.00	\$ 75,851.00	\$ 115,000.00	\$ 81,222.00	\$ 158,651	\$ 175,000	\$ 175,000.00	\$ 225,000	\$ 225,000	\$ 200,000	\$ 127,109	\$ 155,499	\$ 77,867	\$ 161,900	\$ 115,418
City of Appleton Neighborhood Revitalization	\$ -	\$ -	\$ -	\$ -	\$ 40,000.00	\$ 40,000.00	\$ -	\$ 40,000	\$ 40,000	\$ 40,000.00	\$ 40,000	\$ 40,000	\$ 20,000	\$ 146,161	\$ 120,710	\$ 139,000	\$ 144,100	\$ 110,000
City of Appleton Rental Rehabilitation Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
City of Appleton Eighth Street Pocket Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -
City of Appleton Parks & Recreation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 53,100.00								
Fair Housing Services	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 65,471.24	\$ 25,000.00	\$ 25,000	\$ 22,000	\$ 22,000.00	\$ 22,000	\$ 35,000	\$ 22,000	\$ 33,349	\$ 22,948	\$ 24,656	\$ 14,200	\$ 15,000
Family Services of Northeast Wisconsin	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,698	\$ -	\$ -	\$ 10,000
Financial Information & Service Center (FISC)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ 10,987	\$ 8,700	\$ 11,860	\$ 10,987	\$ 12,000	\$ -	\$ 5,000
Fox Cities Community Clinic	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000
Fox Valley Literacy Coalition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,500	\$ 9,000
Fox Valley Warming Shelter	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000.00	\$ -	\$ 15,000	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Habitat for Humanity	\$ 213,759.00	\$ 120,000.00	\$ 147,000.00	\$ 125,000.00	\$ 58,577.20	\$ -	\$ -	\$ 96,000	\$ 77,242	\$ 40,906.67	\$ 48,000	\$ -	\$ 69,800	\$ 72,581	\$ 71,292	\$ 108,000	\$ 30,000	\$ 30,000
Harbor House	\$ -	\$ 25,000.00	\$ -	\$ -	\$ 14,152.32	\$ 19,421.47	\$ 15,000.00	\$ 22,383.50	\$ 24,000	\$ 19,800.00	\$ 25,000	\$ 12,500	\$ 17,400	\$ 17,850	\$ 13,343	\$ 14,000	\$ 18,500	\$ 15,000
Harmony Café	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,000	\$ 20,300	\$ 15,000
Pillars (Homeless Connections)	\$ 12,453.00	\$ -	\$ 27,185.00	\$ 75,000.00	\$ -	\$ -	\$ 14,200.00	\$ 16,758.50	\$ 15,000	\$ 15,000.00	\$ 25,000	\$ 10,000	\$ 15,700	\$ 36,468	\$ 30,003	\$ 33,000	\$ 36,900	\$ 35,000
Pillars (Housing Partnership of the Fox Cities)	\$ -	\$ -	\$ -	\$ 28,260.08	\$ 100,000.00	\$ 25,000.00	\$ -	\$ 55,000	\$ 31,000	\$ 23,606.67	\$ 26,000	\$ 10,000	\$ 20,700	\$ 46,886	\$ 37,757	\$ 53,910	\$ 60,125	\$ 83,000
LEAVEN	\$ 12,453.00	\$ 30,000.00	\$ 16,632.94	\$ 45,019.83	\$ 10,000.00	\$ 17,823.77	\$ 15,000.00	\$ 16,758.50	\$ -	\$ -	\$ -	\$ 16,781	\$ 17,200	\$ 15,636	\$ 14,604	\$ 17,500	\$ 11,100	\$ 13,000
NAHBRS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,200	\$ 23,073	\$ 17,619	\$ 12,746	\$ -	\$ -
NAMI	\$ -	\$ -	\$ -	\$ 62,334.00	\$ 49,904.00	\$ -	\$ 10,000.00	Declined	\$ -	\$ 19,880.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pioneer Village	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,166	\$ 10,162	\$ -	\$ -	\$ 15,000
Rebuilding Together	\$ 125,373.00	\$ 80,000.00	\$ 100,000.00	\$ 100,000.00	\$ 50,000.00	\$ 19,156.76	\$ -	\$ -	\$ 20,000	\$ -	\$ -	\$ 10,000	\$ 13,000	\$ 15,335	\$ 16,530	\$ 22,000	\$ 12,200	\$ 10,000
Richmond Street Inn	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
St. Mary Parish/Old Third Ward Association	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,700	\$ -	\$ -	\$ -	\$ -	\$ -
Salvation Army/Project Home	\$ 12,453.00	\$ -	\$ -	\$ 28,260.09	\$ -	\$ -	\$ 22,173.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,700	\$ -	\$ -	\$ 39,158	\$ -	\$ 25,000
STEP Industries	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 24,398.50	\$ 24,571	\$ 13,600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sustainable Fox Valley, Inc	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,133	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
The Mooring Programs, Inc	\$ -	\$ 66,231.00	\$ 39,343.00	\$ 70,000.00	\$ -	\$ 85,800.00	\$ 36,213.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Thompson Community Center	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,535	\$ 17,694	\$ 52,447	\$ -	\$ -
Valley Packaging - Employment & Literacy	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,000	\$ 6,500	\$ 8,000
Valley Packaging - Family Support Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,801	\$ -	\$ 5,000	\$ 5,500	\$ 5,000
Wahl Organ Builders (Temple Zion)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
WWBIC	\$ 19,259.00	\$ -	\$ 68,030.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL CDBG FUNDS DISTRIBUTED		\$565,880.00	\$ 619,567.00	\$ 792,072.00	\$ 587,652.00	\$ 593,953.00	\$ 550,037.00	\$ 535,325	\$ 523,813	\$ 525,200.00	\$ 523,133	\$ 489,281	\$ 565,033	\$ 680,434	\$ 616,849	\$ 758,247	\$ 624,125	\$ 615,418
TOTAL CDBG ENTITLEMENT AWARD		\$565,880.00	\$ 619,567.00	\$ 592,072.00	\$ 587,652.00	\$ 593,953.00	\$ 550,037.00	\$ 535,325	\$ 523,813	\$ 525,200	\$ 523,133	\$ 486,281	\$ 565,033	\$ 676,262	\$ 618,916	\$ 596,347	\$ 614,125	\$ 615,418
*TOTAL REPROGRAMMED/OTHER FUNDS		\$ -	\$ -	\$ 200,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,183	\$ 4,172	\$ (2,067)	\$ 161,900	\$ 10,000	\$ -
AWARD CHANGE FROM PRIOR YEAR		-8.67%	4.43%	0.01%	-1.06%	0.07%	0.03%	0.02%	-0.03%	0.04%	-8.58%	-13.94%	-16.45%	9.27%	3.78%	-2.89%	0.00%	#REF!

***REPROGRAMMED/OTHER FUNDS:**

- 2007 = \$10,000 from 2005 reprogrammed to the Housing Partnership in 2007
- 2008 = \$161,900 from 2007 program reprogrammed via an increase to each subrecipient in 2008
- 2010 = (\$2,067) unallocated in 2009 due to increase in final award amount upon contract receipt
- 2010 = \$2,067 unallocated in 2009 and \$2,105 from 2009 reprogrammed via an increase to each subrecipient in 2010



MEMORANDUM

“...meeting community needs...enhancing quality of life.”

TO: Community and Economic Development Committee
FROM: Olivia Galyon, Community Development Specialist
DATE: January 24, 2024
RE: Approval of the Reallocation of 2023 Community Development Block Grant (CDBG) Funding for Public Service Activities

The City of Appleton has routinely granted a portion of our annual CDBG funding to external subrecipients to complete independent projects that comply with federal CDBG regulations. One subrecipient organization that received funding for CDBG PY2023 is ending their project due to staffing issues and remitting the remaining project funding back to the City. The available balance from this project is \$28,981.24. This funding was originally allocated as public services category and should be reallocated to a project within the public services activity category. The Advisory Board recommended reallocation of the remaining 2023PY funding during their meeting on January 15, 2024.

CDBG programs have restrictions on the amount of funding that can go to public services each program year. Spending on public services has a 15% cap, meaning that no more than 15% of the yearly allocation can go to public services. The estimated 2024PY CDBG allocation is \$576,900 with a public service cap amount of \$86,550, all of which has been allocated to a joint program between the Appleton Health Department and Police Department to fund a community resource navigator position. While the 2024 allocation for public service has maxed out, the Advisory Board was tasked with reallocating the remaining \$28,981.24 from the 2023 CDBG program year. All three public service activity projects that submitted applications for the 2024PY are eligible to receive this reallocation of funding.

Advisory Board members have reviewed and scored the 2024 CDBG Public Service requests. City staff has reviewed each CDBG application thoroughly and determined that each project is an eligible CDBG activity. City Staff identified two applications recommended for further consideration by the Advisory Board, based on organizational capacity, alignment with City goals, and potential for project success. Additionally, CDBG policy states that awards must be in the amount of \$10,000 or more, meaning that at most two projects could be funded with the remaining 2023 CDBG allocation. These recommendations are in line with the scores received from the Advisory Board members. Following discussion of the applications and the available funding, the Advisory Board agreed with the staff's assessment and recommended funding for LEAVEN and Building for Kids. The Advisory Board's preliminary recommendations for funding are as follows:

2023 CDBG Public Service Reallocation PUBLIC SERVICES

Applicant	Requested Amount	Advisory Board Preliminary Recommendations
LEAVEN	\$15,000	\$15,000.00
Building for Kids	\$45,000	\$13,981.24
B.A.B.E.S	\$38,679	\$-
PUBLIC SERVICES TOTAL:	\$98,679	\$28,981.24

If you have any questions, please contact me at 832-6469 or olivia.galyon@appleton.org. Thank you!

Community and Economic Development Department, 100 North Appleton Street, Appleton, WI 54911 (920) 832-6468

**2024 CDBG Award Allocations
(Aggregated Recommendations)**

NON-PUBLIC SERVICES			
Applicant	Requested Amount	City Staff Funding Recommendation	Advisory Board Meeting Recommendations
Habitat for Humanity	\$ 231,000	\$ 152,000.00	\$ 132,000
Rebuilding Together	\$ 100,000	\$ 67,000.00	\$ 67,000
Pillars	\$ 56,000	\$ 56,000.00	\$ 56,000
WWBIC	\$ 100,000	\$ 25,350.00	\$ 14,725
Salvation Army	\$ 30,625	\$ -	\$ 30,625
NON-PUBLIC SERVICE TOTAL:	\$ 517,625.00	\$ 300,350.00	\$ 300,350.00
PUBLIC SERVICES			
Applicant	Requested Amount	City Staff Funding Recommendation	Advisory Board Meeting Recommendations
LEAVEN	\$ 15,000	\$ 15,000.00	\$ 15,000.00
Building for Kids	\$ 45,000	\$ 13,981.24	\$ 13,981.24
B.A.B.E.S	\$ 38,679	\$ -	\$ -
PUBLIC SERVICES TOTAL:	\$ 98,679	\$ 28,981.24	\$ 28,981.24

← **CANNOT EXCEED \$300,350**

← **CANNOT EXCEED \$28,981.24**



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



Community Development Block Grant (CDBG) Policy

Adopted 9/8/2008

Amended 5/24/2010, 10/3/2012, 12/19/2012, 7/15/2015, 10/21/2020, 11/17/2021

I. PURPOSE

To outline the following aspects of the local Community Development Block Grant (CDBG) Program: a) elements to which the City of Appleton must adhere in order to comply with federal regulations; b) locally-established guidelines; and c) priorities for subrecipient and City Program activity.

II. POLICY

The federal CDBG program was established with the passage of the Housing and Community Development Act of 1974. CDBG funds are distributed to eligible governmental units in two forms:

- (1). Entitlement grants directly to cities and counties, and;
- (2). State grants, which involve annual competitions for non-entitlement communities.

Since 1975, the City of Appleton has received CDBG funds as an entitlement community. The amount of CDBG funds received each year varies based on the appropriation approved by the U.S. Congress and the number of governmental units eligible to participate. While the federal fiscal year operates from October 1 to September 30, the City selected April 1 to March 31 as its CDBG fiscal year. This selection was made as the federal government generally does not release the aforementioned funds until springtime. Federal oversight lies within the U.S. Department of Housing & Urban Development (HUD).

III. FEDERAL REGULATIONS

The citation reference from Title 24 Part 570 – Community Development Block Grants can be found in parentheses next to each heading below. Please view that section for more information on the respective item. This Policy will be revised periodically as required to fulfill related Federal, State, and/or local funding requirements.

A. Federal Eligibility (24 CFR 570.201)

CDBG funds may be used for the following basic eligible activities:

- | | |
|-------------------------------------|--|
| (1). Acquisition | (11). Housing Services |
| (2). Disposition | (12). Privately-Owned Utilities |
| (3). Public Facilities/Improvements | (13). Homeownership Assistance |
| (4). Clearance/Remediation | (14). Economic Development Assistance |
| (5). Public Services | (15). Technical Assistance |
| (6). Interim Assistance | (16). Institutions of Higher Education |
| (7). Payment of Non-Federal Share | (17). Rehabilitation/Preservation (24 CFR 570.202) |
| (8). Urban Renewal Completion | (18). Planning (24 CFR 570.205) |
| (9). Relocation | (19). Administration (24 CFR 570.206) |
| (10). Loss of Rental Income | |

B. Ineligible Activities (24 CFR 570.207)

The following activities may not be assisted with CDBG funds:

- (1). Buildings (or portions thereof) for the General Conduct of Government
- (2). General Government Expenses
- (3). Political Activities



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



The following activities are not eligible for CDBG funding, but may be allowed under certain circumstances:

- | | |
|-------------------------------------|-------------------------------|
| (1). Purchase of Equipment | (3). New Housing Construction |
| (2). Operating/Maintenance Expenses | (4). Income Payments |

C. Special Economic Development Projects (24 CFR 570.203)

CDBG funds may be used for special economic development activities in addition to other activities. Special economic development activities include:

- (1). Acquisition, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements
- (2). Assistance to a private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, for any activity where the assistance is appropriate to carry out an economic development project
- (3). Economic development services, including, but not limited to, outreach efforts; screening of applicants; reviewing/underwriting applications; preparation of all necessary agreements; management of activities; and the screening, referral, and placement of applicants for employment

D. National Objectives (24 CFR 570.208)

In order to qualify for funding, activities must meet one of three CDBG national objectives:

- (1). Low & Moderate Income (LMI) Benefit
 - a. Area Benefit: activities available for the benefit of all the residents in a particular area, where at least 51 percent of those residents are LMI persons.
 - b. Limited Clientele: activities benefiting a specific group (i.e. abused children, elderly persons, battered spouses), at least 51 percent of whom are LMI persons.
 - c. Housing: activities carried out for the purpose of providing or improving permanent residential structures that, upon completion, will be occupied by LMI households.
 - d. Job Creation/Retention: activities designed to create or retain permanent jobs where at least 51 percent of the jobs involve the employment of LMI persons.
- (2). Slum & Blight Removal
 - a. Area Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination that are located in a designated area of distress, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
 - b. Spot Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination at specific sites not located in designated blighted areas, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
- (3). Urgent Need
 - a. Activities designed to alleviate existing conditions of recent origin (18 months) that pose serious threats to the health and welfare of the community; this objective may only be used if the community cannot finance necessary activities with other sources.



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



E. Categorical Limits

- (1). At least 70 percent of CDBG funds utilized during three consecutive program years, as specified by the grantee, must be expended for LMI benefit; the costs of planning and program administration are excluded from this calculation. (24 CFR 570.200(a)(3))
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the total entitlement grant for that program year, plus 15 percent of the program income received during the preceding program year. (24 CFR 570.201(e)(1))
- (3). The amount of CDBG funds obligated for planning and administration activities in each program year may not exceed 20 percent of the total entitlement grant for that program year plus the program income received during that program year. (24 CFR 570.200(g))

F. Program Income (24 CFR 570.426)

The City may reuse any revenue generated from projects undertaken with CDBG funding towards other eligible activities within the entitlement community. Furthermore, any program income earned by a subrecipient or City Program may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds and thus subject to all applicable federal and local requirements.

As defined in 24CFR Part 570.500, program income includes, but is not limited to, the following:

- Proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG funds;
- Proceeds from the disposition of equipment purchased with CDBG funds;
- Gross income from the use or rental of real or personal property acquired by subrecipients with CDBG funds, less costs incidental to generation of the income;
- Gross income from the use or rental of real property, owned by subrecipients that was constructed or improved with CDBG funds, less costs incidental to generation of the income;
- Payments of principal and interest on loans made using CDBG funds, except as provided in 24CFR 570.500(a)(3); and
- Interest earned on program income pending its disposition.

Program income must be tracked in a chart of accounts, using a segregated account for managing sources and uses. By the 15th day of the month following the end of the quarter, the City's Finance Department will review each transaction that generated program income and the subsequent transaction for which program income was applied. The program income will then be entered into the City's Chart of Accounts so that it is reflected in the general ledger, as well as receipting the program income in IDIS so that draws can be made against the balance accordingly. The City maintains the discretion to enter program income more frequently as deemed necessary.

CDBG regulations require that, at the end of each program year (March 31), the City of Appleton must determine whether there is excess program income on hand, and return any excess to the line of credit.

G. Fair Housing (24 CFR 570.601)

The Secretary of HUD requires that:

- (1). Grantees must administer all activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act. (Public Law 90-284)
- (2). Entitlement communities shall conduct an Analysis of Impediments to Fair Housing Choice every five years, take action to overcome the effects of the identified impediments and maintain records



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reflecting the analysis and related actions taken.

H. Environmental Review Procedures (24 CFR 570.604)

The environmental review procedures outlined in 24 CFR part 58 must be completed for each CDBG subrecipient and City Program activity, as applicable.

I. Faith-Based Activities (24 CFR 570.200)

Religious or faith-based organizations are eligible to participate in the CDBG program. Local government representatives and CDBG program administrators shall not discriminate against an organization on the basis of its religious affiliation.

J. Submission Requirements (24 CFR 570.302)

CDBG entitlement communities must submit the following documents:

- (1). Action Plan → annually
- (2). Consolidated Annual Performance and Evaluation Report (CAPER) → annually
- (3). Consolidated Plan → every three to five years, as chosen by the entitlement community

Creation of these documents must follow HUD requirements for content and citizen participation (see the City of Appleton CDBG Citizen Participation Plan).

K. Location of Activities (24 CFR 570.309)

CDBG funds may be awarded to an activity outside the jurisdiction of the entitlement community only if it can be determined that the activity directly benefits the entitlement community's residents. Documentation of these benefits must be provided before CDBG funds are awarded for the activity.

L. Conflict of Interest (24 CFR 570.611)

No persons affiliated with the entitlement community (including subrecipients and City Programs) who exercise or have exercised any responsibilities with respect to CDBG programming, or who are in a position to participate in a decision-making process, may obtain a financial interest or benefit from a CDBG-assisted activity (including subcontracts), either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

IV. LOCAL PROGRAM GUIDELINES

A. Program Oversight

The Community and Economic Development Committee (CEDC) – composed of five aldermen appointed by the Mayor – serves as the jurisdiction for Common Council oversight of the CDBG Program. Local financial oversight lies with the City of Appleton Finance Department. Local administrative/programmatic oversight lies with the City of Appleton Community and Economic Development Department (CEDD).

B. Consolidated Plan Submission

The City of Appleton has elected to submit a Consolidated Plan to HUD every five years. The Citizen Participation Plan provides for and encourages citizens to participate in the development of the Consolidated Plan, which will begin approximately one year before the required submittal date.

C. Definitions

- Subrecipient – an entity charged with implementation of one or more activities funded with Appleton CDBG dollars



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- community partner subrecipient – local agencies awarded CDBG-funding to implement an eligible activity via a competitive application process
- public services subrecipient – local agencies awarded CDBG-funding to implement an eligible public service activity via a competitive application process
- Adjusted award – the amount of CDBG funds available to City Programs and subrecipients after administration, fair housing, and audit allocations are deducted

D. Local Categorical Limits

The following limits expand upon federal categorical limits associated with the CDBG program:

- (1). At least 70 percent of CDBG funds utilized over three program years must be expended for LMI benefit; this excludes planning/CDBG administration activities.
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the adjusted award for that year unless otherwise specified under the pertinent Federal regulation or applicable waivers to prevent the spread of infectious disease and mitigate economic impacts caused by infectious disease.
- (3). The amount of CDBG funds obligated for planning/CDBG administration activities in each program year may not exceed 20 percent of the total entitlement grant for that year.
- (4). Any single award will not be less than \$10,000.

E. Audit Requirements

Section 2 Part 200 of the Code of Federal Regulations and the State Single Audit Guidelines require major state programs and federal programs to complete a single audit. The necessary amount for fulfilling these requirements will be identified by the Finance Department and the City's independent auditors. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

F. Fair Housing Services

In keeping with the spirit of federal fair housing requirements, an annual allocation for fair housing services will be approved. This activity will be reported as an administrative expense, which claims no benefit. The City of Appleton will utilize the award to contract with an independent entity qualified to provide residents with a variety of fair housing services. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

G. Program Administration

HUD requires entitlement communities to provide for efficient and adequate administration of CDBG programming. Administration costs may only include: salary/fringe, necessary training/travel, supplies and telephone/postage, in addition to fair housing services and audit costs. The necessary amount for fulfilling this requirement will be identified by the Community and Economic Development and Finance Departments. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

H. Annual Allocation of CDBG Funding

The City of Appleton's Program Year begins April 1 and concludes March 31 of the following year. Each program year, administration, audit and fair housing costs, along with adequate funding for the Homeowner Rehabilitation Loan Program, the Neighborhood Program and Appleton Housing Authority will be subtracted from the annual entitlement award amount to determine the adjusted award. The adjusted award will first be available to City of Appleton Departments/Programs/component units that wish to undertake



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projects. After the City allocation process is complete, any remaining funds may be allocated to community partner applicants.

I. City Allocation Process

Each year adequate funding will be allocated through the City Budget process to the following: Homeowner Rehabilitation Loan Program, Neighborhood Program, Administration Costs and Appleton Housing Authority. Then, other City of Appleton Departments will have the opportunity to submit an application for CDBG funding. The application will include information relating to goals, outputs, budget/financing, detailed activity descriptions, capacity and performance. CEDD staff, per HUD rules and regulations, will perform an administrative review of each plan to ensure that:

1. Proposed activities are included within the listing of eligible activities (24 CFR 570.201)
2. Proposed activities do not fall within a category of explicitly ineligible activities (24 CFR 570.207)
3. Proposed activities will meet one of the national objectives of the program (24 CFR 570.200)
4. Proposed activities will address priority needs as identified in the Consolidated Plan

Upon completion of the administrative review, the plans will be presented to the CEDC. CEDC will also review the submitted plans to ensure the proposed activities meet the four standards listed above and allocate adequate funds for each plan. CEDC's recommendation will then be presented to the Common Council for approval.

J. Community Partner Subrecipient Allocation Process

The community partner application process will begin after allocations for City applications have been approved, and end with recommended allocations being announced after Council approval. Applications will be made available for approximately one month and should be submitted to the CEDD. All applications must be received by the announced deadline; no exceptions will be made. CEDD staff will perform an administrative review of each proposal, per HUD rules and regulations, to ensure the four standards listed under letter E. above, will be met if proposed activities are funded.

Upon completion of the administrative review, the proposals will be presented to the CDBG Advisory Board which will review and make funding recommendations for each proposal. This Board will consist of the following members:

1. Mayor
2. Common Council President
3. Chairperson of the Community and Economic Development Committee or committee designee
4. Chairperson of the Appleton Redevelopment Authority or committee designee
5. Representative from an Experienced Outside Funding Agency – on a rotating basis (i.e. United Way, Community Foundation, JJ Keller Foundation, U.S. Oil Basic Needs Partnership)
6. Citizen member from the City Plan Commission

CEDD staff will supply the Board with applications and all appropriate guidelines along with a summary of each proposal, and an explanation of the proposal score sheet. Board members are asked to allocate funding among the applicants and return their allocations to CEDD staff who will compile all results and present allocation recommendations at a Board meeting during which allocation amounts will be finalized. In completing their funding recommendation, the Board will utilize an estimated CDBG entitlement award dollar amount, which will be calculated based on past awards and any available information on HUD's



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future funding strategies. Funding recommendations from this Board will be presented as an Action Item to the CEDC. CEDC's recommendation will then be presented to the Common Council for final approval.

During efforts to prevent the spread of infectious disease and mitigate economic impacts caused by infectious disease, the community partner subrecipient allocation process will be waived. Final approval of allocations and projects will be presented to Common Council, subsequent to the completion of the required public comment period.

K. Estimated vs. Actual Entitlement Award

If there is a differential between the estimated award and the actual award, the CDBG Advisory Board will be consulted and their recommendations will be presented to CEDC and Council for approval.

L. Subrecipient Agreement/Letter of Understanding/Training Session

Community partner subrecipients of CDBG funds must enter into a subrecipient agreement with the City of Appleton. This subrecipient agreement serves as a formal contract addressing the various policies outlined in this document, in addition to contract amount/term, reimbursement requests, accomplishment reporting, monitoring, financial management guidelines, conflict of interest, and additional federal standards, including lead-based paint regulations and the Davis Bacon Act. Furthermore, each City Program receiving CDBG funds must sign a Letter of Understanding (LOU) indicating an understanding of the items above. To ensure all parties understand the requirements of their agreement or LOU, a mandatory training session will be held with new subrecipients before funds are released. Technical assistance from staff will be available to all subrecipients throughout the program year.

M. Statement of Work

All subrecipients and City Programs shall submit a concise Statement of Work that illustrates an implementation plan for their CDBG activity. This Statement, which will be attached to the subrecipient agreement/LOU includes: national objective claimed, activity descriptions, intended beneficiaries (number and type), detailed budget and location(s) of program-related activity.

N. Report Submissions

All subrecipients and City Programs are required to submit a report of their accomplishments with each payment request during the program year when applicable, as well as an Annual Report by April 15th, which is a comprehensive report covering the agreed upon objectives, activities and expenditures for the entire contract period. If said reports are not attached to payment requests when required, payments will be withheld until the report is submitted.

O. Change of Use

If a subrecipient or City Program wishes to utilize funds for an activity not identified on their original application, they are required to submit a detailed letter to the CEDD explaining the reasoning for and amount of the proposed change and a public comment period may be held per the Citizen Participation Plan.

P. Displacement/Relocation

Due to the potential liability for long-term assistance and burdens placed on affected tenants, the City of Appleton will avoid funding CDBG projects that involve permanent residential displacement or business relocation unless displacement/relocation prove to be the only means available to correct a public health/safety hazard or other critical condition.



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Q. Procurement

The City of Appleton Procurement Policy applies to all CDBG activities, including both City Programs and subrecipients that involve the purchase of equipment, materials, supplies and/or services. A copy of this policy will be distributed to all subrecipients.

R. Audits

All subrecipients are required to submit one copy of their audited financial statement immediately following the end of their fiscal year during which CDBG funds are received, unless an alternate arrangement has been made with the City of Appleton Finance Department. CDBG applications may include audit costs as a reimbursable expense.

S. Disputes

Any dispute concerning a question of fact arising under a subrecipient program or City Program shall be resolved by CEDD staff, who shall relay his/her decision in writing to the subrecipient or City Program, in addition to furnishing a copy to the Mayor and the CEDC. The decision of CEDD staff shall be final and conclusive unless the subrecipient or City Program furnishes a written appeal to the CEDC within ten days of the date of receipt of such copy. The decision of the CEDC in such appeals shall be final and conclusive unless appealed to a court of competent jurisdiction within 30 days of receipt of the CEDC's decision.

T. Unspent Grant Funds

Any uncommitted CDBG funds remaining at the end of the program year will be reprogrammed for use in the subsequent program year. The subrecipient shall submit a carryover request, including both documentation of plans for expending funds and a timeline for the expenditure, to CEDD staff by April 15. If any unspent grant funds remain after September 30, CEDD staff will meet with the subrecipient to determine if further action needs to be taken to expedite the expenditure of funds.

U. Termination

If the subrecipient or City Program fails to fulfill, in timely and proper manner, its obligations under the Statement of Work, or if they violate any stipulations contained within the subrecipient agreement/LOU, the City has the right to terminate funding of their program. Written notice will be delivered at least 30 days before the termination.

V. Examination of Records/Monitoring

The policy of the City of Appleton is to monitor its subrecipients in a manner consistent with the requirements of 24 CFR 570.2, 2 CFR 200.328, and 2 CFR 200.331(d). The subrecipient and City Program shall maintain records (including books, documentation and other evidence) pertaining to the costs of carrying out their activity to the extent of detail that will adequately reflect net costs, direct and indirect labor, materials, equipment, supplies/services, and other expenses. Authorized representatives of the City or HUD shall have access to subrecipient and City Program records at reasonable times of the business day for inspection, audit or reproduction. Subrecipients and City Programs must make these records available throughout the program year and four years after it expires. Furthermore, CEDD staff may schedule monitoring visits with the subrecipient to evaluate the progress/performance of the program and provide technical assistance. The City of Appleton's Grant Administration Procedures manual should be referenced for further guidance on subrecipient tracking and monitoring requirements.



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W. Financial Management Systems

Subrecipients and City Programs must employ financial management systems that are capable of generating regular financial status reports indicating the dollar amount allocated (including budget revisions), amount obligated, and amount expended for each activity. The system must permit the comparison of actual expenditures and revenues against budgeted amounts. The City must be able to isolate/trace every CDBG dollar received.

X. Payment Requests

Community partner subrecipients and City Programs will submit requests for payment with attached supporting documentation to the CEDD. Payment requests shall be allowed on a reimbursement basis (i.e. only after expenditures have been incurred) and shall be reviewed to ensure the expenditures are in conformity with the use of funds as described in the Statement of Work. If source documentation is deemed inadequate by Staff, all payments will be withheld until all required documents have been submitted. Payment requests received and approved will be processed and a check issued in accordance with the City of Appleton Finance Department weekly pay cycle. All payment requests must contain an original signature.

Y. Program Income

Any program income (as defined under applicable federal regulations) gained from any activity of the subrecipient may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds subject to all applicable requirements governing the use of CDBG funds. Anticipated program income must be documented and described in the subrecipient or City Program proposal/application. Furthermore, any and all program income received must be reported to the City of Appleton's Community and Economic Development and Finance Departments, unless otherwise specified in this contract.

Z. CDBG Activity Promotion

All subrecipients and City Programs are required to participate in promotion of the City of Appleton CDBG Program. Expectations will be outlined by staff at the beginning of the program year and may include, but are not limited to:

- Inclusion of the Appleton/CDBG logo in materials/at project sites
- Mentorship of a subrecipient new to the CDBG Program
- Participation in a CDBG Open House to showcase grant activities

V. APPLICATION/PROPOSAL EVALUATION CRITERIA

A. General

In order to receive CDBG funding, subrecipient and City Programs must meet a priority need, as identified in the Five-Year Consolidated Plan. Additional preference, however, will be given to CDBG applicant activities that meet one or more of the following criteria:

- (1). Seek a one-time use of CDBG funding
- (2). Benefit residents of LMI census tracts (population at least 46.7 percent LMI)
- (3). Will result in additional housing units being placed on the tax roll
- (4). Demonstrate secured complementary sources of funding (i.e. leverage) and/or strong efforts to solicit and secure complementary funding.
- (5). Serve special needs populations, including, but not limited to:
 - a. Elderly/frail elderly
 - b. Persons with disabilities (developmental and physical)



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- c. Persons with HIV/AIDS and their families
- d. Persons seeking solutions to alcohol and drug addiction

B. Public Services (subject to 15 percent cap)

Preference will be given to Public Service CDBG applicants whose activities meet one or more of the following criteria:

- (1). Program service costs – one time use
- (2). Administrative expenses – one time use
- (3). Program service costs – continual use
- (4). Administrative expenses – continual use



**City of Appleton
CDBG FUNDING HISTORY
2006 - 2022**

GRANTEE	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006
Appleton Housing Authority	\$ -	\$ 41,170.00	\$ 37,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 60,000.00	\$ 60,000	\$ 60,000	\$ 67,306.66	\$ 60,000	\$ 60,000	\$ 56,900	\$ 65,294	\$ 65,003	\$ 65,000	\$ 38,500	\$ 31,000
Appleton Police Department (Summer of Service)	\$ -	\$ -	\$ 72,051.06	Declined	\$ 63,995.48	\$ 51,847.71												
B.A.B.E.S.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Boys & Girls Club	\$ 48,622.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDBG Administration	\$ 58,829.00	\$ 58,479.00	\$ 57,433.00	\$ 80,504.00	\$ 25,172.00	\$ 49,432.05	\$ 46,229.00	\$ 20,375	\$ 20,000	\$ 25,000.00	\$ 25,000	\$ 50,000	\$ 46,033	\$ 6,330	\$ -	\$ 55,963	\$ 52,800	\$ 31,000
City of Appleton Affordable Housing Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
City of Appleton Home Rehabilitation Program	\$ 45,000.00	\$ 120,000.00	\$ 29,892.00	\$ 77,694.00	\$ 75,851.00	\$ 115,000.00	\$ 81,222.00	\$ 158,651	\$ 175,000	\$ 175,000.00	\$ 225,000	\$ 225,000	\$ 200,000	\$ 127,109	\$ 155,499	\$ 77,867	\$ 161,900	\$ 115,418
City of Appleton Neighborhood Revitalization	\$ -	\$ -	\$ -	\$ -	\$ 40,000.00	\$ 40,000.00	\$ -	\$ 40,000	\$ 40,000	\$ 40,000.00	\$ 40,000	\$ 40,000	\$ 20,000	\$ 146,161	\$ 120,710	\$ 139,000	\$ 144,100	\$ 110,000
City of Appleton Rental Rehabilitation Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
City of Appleton Eighth Street Pocket Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -
City of Appleton Parks & Recreation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 53,100.00								
Fair Housing Services	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 65,471.24	\$ 25,000.00	\$ 25,000	\$ 22,000	\$ 22,000.00	\$ 22,000	\$ 35,000	\$ 22,000	\$ 33,349	\$ 22,948	\$ 24,656	\$ 14,200	\$ 15,000
Family Services of Northeast Wisconsin	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,698	\$ -	\$ -	\$ 10,000
Financial Information & Service Center (FISC)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ 10,987	\$ 8,700	\$ 11,860	\$ 10,987	\$ 12,000	\$ -	\$ 5,000
Fox Cities Community Clinic	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000
Fox Valley Literacy Coalition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,500	\$ 9,000
Fox Valley Warming Shelter	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000.00	\$ -	\$ 15,000	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Habitat for Humanity	\$ 213,759.00	\$ 120,000.00	\$ 147,000.00	\$ 125,000.00	\$ 58,577.20	\$ -	\$ -	\$ 96,000	\$ 77,242	\$ 40,906.67	\$ 48,000	\$ -	\$ 69,800	\$ 72,581	\$ 71,292	\$ 108,000	\$ 30,000	\$ 30,000
Harbor House	\$ -	\$ 25,000.00	\$ -	\$ -	\$ 14,152.32	\$ 19,421.47	\$ 15,000.00	\$ 22,383.50	\$ 24,000	\$ 19,800.00	\$ 25,000	\$ 12,500	\$ 17,400	\$ 17,850	\$ 13,343	\$ 14,000	\$ 18,500	\$ 15,000
Harmony Café	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,000	\$ 20,300	\$ 15,000
Pillars (Homeless Connections)	\$ 12,453.00	\$ -	\$ 27,185.00	\$ 75,000.00	\$ -	\$ -	\$ 14,200.00	\$ 16,758.50	\$ 15,000	\$ 15,000.00	\$ 25,000	\$ 10,000	\$ 15,700	\$ 36,468	\$ 30,003	\$ 33,000	\$ 36,900	\$ 35,000
Pillars (Housing Partnership of the Fox Cities)	\$ -	\$ -	\$ -	\$ 28,260.08	\$ 100,000.00	\$ 25,000.00	\$ -	\$ 55,000	\$ 31,000	\$ 23,606.67	\$ 26,000	\$ 10,000	\$ 20,700	\$ 46,886	\$ 37,757	\$ 53,910	\$ 60,125	\$ 83,000
LEAVEN	\$ 12,453.00	\$ 30,000.00	\$ 16,632.94	\$ 45,019.83	\$ 10,000.00	\$ 17,823.77	\$ 15,000.00	\$ 16,758.50	\$ -	\$ -	\$ 16,781	\$ 17,200	\$ 15,636	\$ 14,604	\$ 17,500	\$ 11,100	\$ 13,000	
NAHBRS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,200	\$ 23,073	\$ 17,619	\$ 12,746	\$ -	\$ -
NAMI	\$ -	\$ -	\$ -	\$ 62,334.00	\$ 49,904.00	\$ -	\$ 10,000.00	Declined	\$ -	\$ 19,880.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pioneer Village	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,166	\$ 10,162	\$ -	\$ -	\$ 15,000
Rebuilding Together	\$ 125,373.00	\$ 80,000.00	\$ 100,000.00	\$ 100,000.00	\$ 50,000.00	\$ 19,156.76	\$ -	\$ -	\$ 20,000	\$ -	\$ -	\$ 10,000	\$ 13,000	\$ 15,335	\$ 16,530	\$ 22,000	\$ 12,200	\$ 10,000
Richmond Street Inn	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
St. Mary Parish/Old Third Ward Association	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,700	\$ -	\$ -	\$ -	\$ -	\$ -
Salvation Army/Project Home	\$ 12,453.00	\$ -	\$ -	\$ 28,260.09	\$ -	\$ -	\$ 22,173.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,700	\$ -	\$ -	\$ 39,158	\$ -	\$ 25,000
STEP Industries	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 24,398.50	\$ 24,571	\$ 13,600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sustainable Fox Valley, Inc	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,133	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
The Mooring Programs, Inc	\$ -	\$ 66,231.00	\$ 39,343.00	\$ 70,000.00	\$ -	\$ 85,800.00	\$ 36,213.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Thompson Community Center	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,535	\$ 17,694	\$ 52,447	\$ -	\$ -
Valley Packaging - Employment & Literacy	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,000	\$ 6,500	\$ 8,000
Valley Packaging - Family Support Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,801	\$ -	\$ 5,000	\$ 5,500	\$ 5,000
Wahl Organ Builders (Temple Zion)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
WWBIC	\$ 19,259.00	\$ -	\$ 68,030.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL CDBG FUNDS DISTRIBUTED		\$565,880.00	\$ 619,567.00	\$ 792,072.00	\$ 587,652.00	\$ 593,953.00	\$ 550,037.00	\$ 535,325	\$ 523,813	\$ 525,200.00	\$ 523,133	\$ 489,281	\$ 565,033	\$ 680,434	\$ 616,849	\$ 758,247	\$ 624,125	\$ 615,418
TOTAL CDBG ENTITLEMENT AWARD		\$565,880.00	\$ 619,567.00	\$ 592,072.00	\$ 587,652.00	\$ 593,953.00	\$ 550,037.00	\$ 535,325	\$ 523,813	\$ 525,200	\$ 523,133	\$ 486,281	\$ 565,033	\$ 676,262	\$ 618,916	\$ 596,347	\$ 614,125	\$ 615,418
*TOTAL REPROGRAMMED/OTHER FUNDS		\$ -	\$ -	\$ 200,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,183	\$ 4,172	\$ (2,067)	\$ 161,900	\$ 10,000	\$ -
AWARD CHANGE FROM PRIOR YEAR		-8.67%	4.43%	0.01%	-1.06%	0.07%	0.03%	0.02%	-0.03%	0.04%	-8.58%	-13.94%	-16.45%	9.27%	3.78%	-2.89%	0.00%	#REF!

***REPROGRAMMED/OTHER FUNDS:**

- 2007 = \$10,000 from 2005 reprogrammed to the Housing Partnership in 2007
- 2008 = \$161,900 from 2007 program reprogrammed via an increase to each subrecipient in 2008
- 2010 = (\$2,067) unallocated in 2009 due to increase in final award amount upon contract receipt
- 2010 = \$2,067 unallocated in 2009 and \$2,105 from 2009 reprogrammed via an increase to each subrecipient in 2010



"...meeting community needs...enhancing quality of life."

Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915
920-832-5945 tel.
920-832-5949 fax

TO: Chairperson Vered Meltzer and Members of the Utilities Committee

FROM: Interim Utilities Director, Chris Stempa

DATE: January 19, 2024

RE: *Approve: Sole Source Engineering Services Contract to McMahon Associates as part of the 2024 Aeration Process Upgrades Project in the amount of \$64,500 with a 12% contingency of \$7,740 for a Project Total not to exceed \$72,240*

BACKGROUND:

The Appleton Wastewater Treatment Plant (AWWTP) operates two early 1990's vintage positive displacement rotary lobe blowers which supply low-pressure air to a network of submerged diffusers located within the mixed liquor channel and the aeration tank inlet channels. These diffusers are designed to create turbulence within flow and keep solids in suspension. The channel aeration blower equipment was commissioned as part of a major upgrade project in the early 1990's and has proven to be reliable for over 30 years of operation. However, it has reached its useful life and one of the blowers now requires replacement. The 2024 CIP identified \$600,000 in total funding that will implement a project that would replace existing aeration equipment with present-day blower technology.

After one of the blowers failed in early 2023, the engineering services of McMahon were solicited to provide a mixed liquor channel blower equipment alternatives evaluation. The evaluation compared four different blower technologies including the option of rehabilitating the existing 30-year-old units. The 2024 budget was formulated based on that evaluation. The engineering document was also provided to Focus on Energy to determine grant eligibility for selected technology alternative that provided the best simple payback exclusive of potential Focus on Energy grant funding. It should be noted that blower rehabilitation was eliminated from consideration because it was unlikely that the equipment would last another 20-years. Furthermore, that option came at the highest annual electrical cost when extrapolating over that period.

PROPOSAL

The McMahon proposal includes suite of engineering services which have become standard for the Utilities Department as part of larger construction projects like this one. Those services include the core elements associated with design, bidding, and construction management. The cost for professional services outlined in their proposal totals \$64,500.

SOLE SOURCE JUSTIFICATION

The 2024 CIP Aeration Project Upgrades project identified \$87,500 for engineering services which represents approximately 15% (industry standard) of the overall budget which totals \$600,000. McMahon's proposal is 11% of the overall construction budget. The equipment alternatives evaluation McMahon completed in 2023 will be used as a springboard for the next phase of design. Contracting with another firm as part of formal Request for Proposal (RFP) process would not yield cost savings. First, the typical RFP process that the Utilities Department requires involves firms to generate detailed proposals from which they are evaluated and scored. That time and effort comes at a cost which is absorbed by the firms but passed back to the city as part of the total engineering service fees. Second, engineering firms do not typically rely on another firm's work because of the potential risk exposure. As such, work completed by McMahon would likely be replicated at the cost of the Utilities Department without yielding measurable results. Lastly, McMahon's approach to the equipment alternatives evaluation is worth noting. The inclusion of existing blower rehabilitation as part of the energy payback calculations was not something initially considered by Utilities Department staff because of concerns pertaining to equipment longevity and/or reliability. By including that as part of the analysis, McMahon highlighted the increased delta in energy cost savings compared to the new technology alternatives. As recently as January 17, 2024, Focus on Energy indicated that based on the alternatives evaluation there is a potential energy incentive available totaling \$21,000 which could be applied to a completed project further reducing the payback period.

McMahon has provided quality engineering services on a number of different projects at the AWWTP over the years and their proposal reflects the value the city would be receiving for the reasons previously described. As such, I recommend that McMahon be considered for a sole source contract as part of the 2024 Aeration Process Upgrades Project.

RECOMMENDATION

Approval of a sole source Engineering contract to McMahon Associates as part of the 2024 Aeration Process Upgrades Project in the amount of \$64,500 with a 12% contingency of \$7,740 for a Project Total not to exceed \$72,240.

If you have any questions or require additional information regarding this project, please contact Chris Stempa at 920-832-5945.



SOLE SOURCE REQUEST

The undersigned certifies that the commodity/service shown below qualifies as a sole source request and meets one or more of the following requirements. The department has demonstrated, and the Purchasing Manager concurs that only one source exists, the price is equitable, and/or noncompetitive negotiation is in the best interests of the City.

- Unique, proprietary, or one-of-a-kind:** Specific commodity/service is required and available from only one source, giving the City a superior and necessary benefit that cannot be obtained from other sources.
- Inadequate competition:** Purchasing solicitation (bid, proposal, or quote) did not result in any qualified vendor responses and competition is determined to be inadequate.
- Health or Safety Concern:** When a health or safety concern exists that is *not* an immediate threat but needs to be addressed in a period that does not allow for formal competitive procurement procedures.
- Continuity of design:** Consistency with current commodity or service.
- Emergency procurement:** A risk of human suffering or substantial damage to real or personal property exists requiring immediate attention.
- Cooperative purchase:** Purchase from another governmental unit contract or state approved purchasing association.
- Other:** Description provided below

McMahon's work in 2023 and familiarity with AWWTP provides a seamless transition to the next phase. Another engineering firm would have to start from scratch and duplicate work, leading to increased costs. Focus on Energy indicated with that with McMahon's evaluation, there is a potential energy incentive available that could be applied to a completed project, reducing the payback period.

PROPOSED DETAILS

Requesting dept: Wastewater

Product/service: Aeration Process Upgrades Project

Vendor name: McMahon

Total cost: \$64,500 w/ a 12% contingency, not to exceed \$72,240

Justification and price quotation provided by the department, for the items to be considered and approved as a sole source purchase attached for review.

Jenifer Huss

1/18/2024

Purchasing Manager

Date



Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915-3128
920-832-5945 tel.
920-832-5949 fax

To: Chairperson Vered Meltzer and Members of the Utilities Committee

From: Interim Utilities Director, Chris Stempa

Date: January 19, 2024

Re: Utilities Committee Action: Award Final Clarifier Tank Underdrain and Tank Drain Rehabilitation Contract to Sabel Mechanical in the amount of \$44,411 with 15% contingency of \$6,662 for a project total not to exceed \$51,073.

BACKGROUND:

There are six (6) final clarifiers at the Appleton Wastewater Treatment Plant (AWWTP) that are used to separate mixed liquor sludge solids from the treated effluent. Each final clarifier is 100 feet in diameter and 18 feet deep with a volume equal to 1,060,000 gallons. The final clarifiers provide a quiescent zone that allows for the separation of suspended solids (and floating scum) before treated wastewater enters the chlorine contact tank for seasonal disinfection basin where it eventually is discharged to the Lower Fox River.

The final clarifiers were constructed as part of the early 1990's plant upgrade. An underdrain network was constructed beneath the final clarifiers to collect groundwater and alleviate the buoyant force pressure exerted on these concrete structures. The groundwater is conveyed through perforated drainpipes by gravity to a centralized collection sump. The 33-foot-deep sump is dewatered using two 15 hp centrifugal pumps that cycle based on liquid levels within the wetwell (also known as a sump). In late 2022, one of the two original pumps failed. A new pump was purchased and installed in early 2023, which subsequently failed in November 2023 and was sent for warranty repair. The remaining original pump failed, and staff were unable to retrieve it for inspection after the pump cable retrieval system failed. A temporary submersible pump system was installed in the wetwell with an above grade discharge house to maintain liquid levels until rehabilitation work could occur. It should be noted that there is urgency to complete this work in a timely manner. The inability to adequately relieve groundwater pressure exerted on an empty clarifier (e.g. emptied for reasons of emergency maintenance or process control) could generate enough buoyant force to lift or "float" a clarifier, resulting in catastrophic structural failure.

The final clarifier tank drainage wetwell is immediately adjacent and similar in design to the underdrain system. It is designed to pump out multiple or individual final clarifiers when

cleaning or maintenance is required. Similar to the underdrain system, the pumps are original to the 1990's upgrade and there is evidence of significant exterior corrosion of steel components (e.g., cable guide/retrieval system and discharge pipe).

REQUEST FOR QUOTATIONS

A Request for Quotation (RFQ) process was advanced to solicit costs from four reputable contractors experienced in wastewater treatment and wastewater lift station work. The scope of work specified was based solely on the requisite tasks that would reestablish functionality and long-term reliability to both pump systems. That scope includes replacement of the current pump bases, discharge piping, and guide wire retrieval system. The RFQ review process was completed on January 17, 2024, following a desktop engineering analysis which confirmed that quoted replacement components matched system hydraulic needs. The quotes are summarized below in Table 1. Sabel Mechanical (Sabel) provided the least cost quote and has successfully completed other project work for the Department of Utilities in the past.

Table 1: RFQ Summary

Company	Total
Sabel Mechanical	\$44,411
August Winter	\$74,100
Staab Construction	\$73,000
Great Lakes Mechanical	\$51,288

RECOMMENDATION:

I am requesting a contract award to Sabel Mechanical for Final Clarifier Tank Underdrain and Tank Drain Rehabilitation work in the amount of \$44,411 with 15% contingency of \$6,662 for a project total not to exceed \$51,073. Funding for this contract would be provided under an existing Capital Improvement Program project that was established for this work in 2023.

If you have any questions or require additional information regarding this project please contact Chris Stempa at 920-832-5945.



"...meeting community needs...enhancing quality of life."

Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915-3128
920-832-5945 tel.
920-832-5949 fax

To: Chairperson Vered Meltzer and Members of the Utilities Committee

From: Utilities Interim Director, Chris Stempa

Date: January 19, 2024

Re: Approve: Sole Source purchase of Final Clarifier Tank Underdrain and Tank Drain Pumps, Pump Rail Guide Systems, and Miscellaneous Pump Fittings from Quality Flow Systems in the amount of \$89,960 with a 5% contingency of \$4,500 for a total not to exceed \$94,460.

BACKGROUND:

There are six (6) final clarifiers at the Appleton Wastewater Treatment Plant (AWWTP) that are used to separate mixed liquor sludge solids from the treated effluent. Each final clarifier is 100 feet in diameter and 18 feet deep with a volume equal to 1,060,000 gallons. The final clarifiers provide a quiescent zone that allows for the separation of suspended solids (and floating scum) before treated wastewater enters the chlorine contact tank for seasonal disinfection basin where it eventually is discharged to the Lower Fox River.

The final clarifiers were constructed as part of the early 1990's plant upgrade. An underdrain network was constructed beneath the final clarifiers to collect groundwater and alleviate the buoyant force pressure exerted on these concrete structures. The groundwater is conveyed through perforated drainpipes by gravity to a centralized collection sump. The 33-foot-deep sump is dewatered using two 15 hp centrifugal pumps that cycle based on liquid levels within the wetwell (also known as a sump). In late 2022, one of the two original pumps failed. A new pump was purchased and installed in early 2023, which subsequently failed in November 2023 and was sent for warranty repair. The remaining original pump failed, and staff were unable to retrieve it for inspection after the pump cable retrieval system failed. A temporary submersible pump system was installed in the wetwell with an above grade discharge house to maintain liquid levels until rehabilitation work performed by an independent contractor (covered by a separate memorandum) and pump replacements could occur. It should be noted that there is urgency to complete this work in a timely manner. The inability to adequately relieve groundwater pressure exerted on an empty clarifier (e.g. emptied for reasons of emergency maintenance or process control) could generate enough buoyant force to lift or "float" a clarifier, resulting in catastrophic structural failure.

The final clarifier tank drainage wetwell is immediately adjacent and similar in design to the underdrain system. It is designed to pump out multiple or individual final clarifiers when cleaning or maintenance is required. Similar to the underdrain system, the pumps are original to the 1990's upgrade and there is evidence of significant exterior corrosion of steel components (e.g., cable guide/retrieval system and discharge pipe).

REQUEST FOR QUOTATIONS

The existing pumps in both the undertrain and tank drainage systems were manufactured by KSB. Quality Flow Systems is the sole manufacturer representative for our region. Crane Engineering is a vendor KSB pumps, parts, and service to a broader market but was asked to provide a quote to insure the City was receiving the least cost. Quality Flow Systems and Crane Engineering quoted four (4) replacement pumps, miscellaneous pump accessories, and a pump retrieval guide rail system (in lieu of cables). The RFQ review process was completed on January 17, 2024 following a desktop engineering analysis which confirmed that quoted replacement pumps matched system hydraulic needs. The quotations are summarized below in Table 1 below. Quality Flow Systems provided the least cost quote at \$89,960.

Table 1: RFQ Summary

Company	Total
Crane Engineering	\$104,056
Quality Flow Systems	\$89,960

RECOMMENDATION:

I am requesting approval of a sole source purchase for four replacement KSB pumps, pump rail guide systems, and miscellaneous pump fittings from Quality Flow Systems in the amount of \$89,960 with a 5% contingency of \$4,500 for a total not to exceed \$94,460. Funding for this contract would be provided under an existing Capital Improvement Program project that was established for this work in 2023.

If you have any questions or require additional information regarding this project please contact Chris Stempa at 920-832-5945.



SOLE SOURCE REQUEST

The undersigned certifies that the commodity/service shown below qualifies as a sole source request and meets one or more of the following requirements. The department has demonstrated, and the Purchasing Manager concurs that only one source exists, the price is equitable, and/or noncompetitive negotiation is in the best interests of the City.

- Unique, proprietary, or one-of-a-kind:** Specific commodity/service is required and available from only one source, giving the City a superior and necessary benefit that cannot be obtained from other sources.
- Inadequate competition:** Purchasing solicitation (bid, proposal, or quote) did not result in any qualified vendor responses and competition is determined to be inadequate.
- Health or Safety Concern:** When a health or safety concern exists that is *not* an immediate threat but needs to be addressed in a period that does not allow for formal competitive procurement procedures.
- Continuity of design:** Consistency with current commodity or service.
- Emergency procurement:** A risk of human suffering or substantial damage to real or personal property exists requiring immediate attention.
- Cooperative purchase:** Purchase from another governmental unit contract or state approved purchasing association.
- Other:** Description provided below

PROPOSED DETAILS
Requesting dept: Wastewater
Product/service: Tank Underdrain & Drain Pumps, Pump Rail Guide Systems, Misc. Pump Fittings
Vendor name: Quality Flow Systems
Total cost: \$89,960 w/ a 5% contingency, not to exceed \$94,460

Justification and price quotation provided by the department, for the items to be considered and approved as a sole source purchase attached for review.

Jenifer Huss

1/19/2024

Purchasing Manager

Date



Memorandum

TO: Fox Cities Transit Commission
FROM: Ron McDonald, General Manager
DATE: January 17, 2024
RE: Authorization to purchase & install Access Control from Faith Technologies

Valley Transit broke ground for the Whitman Ave. rehabilitation and construction in early August. New access control is necessary for this project. Access Control lead-times are extensive. By placing an order well in advance of when it is needed, allows the manufacturer to enter the order into their build schedule. That allows for a greater expectation the access control will be delivered when it is needed.

ANALYSIS

Safety and Security are of paramount importance for Valley Transit staff and customers. As a recipient of Federal Transit Administration funds, Valley Transit is mandated to spend sufficient dollars on safety & security. All City of Appleton and Valley Transit facilities use access control points within facilities. Faith Technologies is the vendor used solely by the City of Appleton for this purpose.

Valley Transit staff completed a sole source justification and cost reasonableness analysis of the proposal received by Faith Technologies.

FISCAL IMPACT

Faith Technologies proposal is \$62,715.00, including delivery and installation. Valley Transit has grant funds and has budgeted sufficiently to purchase this Access Control.

RECOMMENDATION

Staff recommends issuing a purchase order to Faith Technologies equal to \$62,715.00 plus contingency (10%). The project maximum should not exceed \$68,987.



January 10, 2024

RE: City of Appleton – Valley Transit Access Control

Steven J. Schrage:

We would like to thank you for the opportunity to propose a solution for your technology needs. We are pleased to offer the following *T&M NTE* price to provide material and labor to perform the following work at the Valley Transit Facility. Our design criteria is based upon information provided in RFP Documents. We acknowledge receipt of Addendum #1, #2 and #3.

Valley Transit Alt Bid Number A7: Security

Provide material and labor to:

- Pathways as follows
 - J Hooks as needed to properly support the new network cabling
 - Conduit stubs at doors by EC – Conduit labeling by EC
- Access Control System
 - Faith to install necessary wiring to support the access control devices at the door
 - Installation of the following devices
 - [16] HID Signo standard card readers
 - [16] Door Contracts
 - [16] REXs
 - [20] Hirsch MELM2 input boards
 - [2] MX-8-N3 Hirsch 8 door controller
 - [1] Hirsch AEB8 8input
 - [1] RREB Hirsch 8output
 - [1] RREB Hirsch expansion board
 - [2] Altronix 8 door power supply
 - [4] Altronix backup battery
 - Initial Programming of system included
 - Connection to door strikes as provided by Div 8 vendor
 - Existing devices at the gates to remain – Faith will rewire them to the new network closet
 - Wiring and devices for W. Washington Temp office is included.

Project Cost NTE: \$62,715.00

General Notes:

- There are current lead times on some of the needed materials, lead times will be provided upon ordering of materials per manufacturer standards.
- No tax has been included in pricing

We appreciate the opportunity to submit our proposal and hope to work with you on this project! If you have any questions, concerns, or would like additional information regarding this proposal, please do not hesitate to contact me at 920-785-7949. Sincerely,

FAITH TECHNOLOGIES, INC.
"Specialty Systems Division"

Rich Lembcke
Assistant Project Manager
General Conditions:

Chris Schwanke
Project Manager

- This quote is based on current commodity material pricing and availability.
- All labor hours estimated as first shift and regular time.
- Applicable sales/use taxes are not included in the above prices. If you are tax exempt, please return a copy of your exemption certificate with your signed proposal/PO/contract.
- Any changes to the scope of work or materials altered at customer request may be billable.
- By way of submission of this proposal, Faith Technologies reserves its right to negotiate mutually agreeable contract terms as well as review any applicable Prime contract upon award of the project.
- Faith Technologies, as a reseller of any intellectual property that may be contained in this proposal, assumes no liability for any use of the intellectual property which results in an infringement of existing intellectual property and hereby disclaims any claims for liability, damages or attorneys' fees resulting therefrom.
- If applicable to the scope of work, it is the Customers responsibility to accurately mark and provide to Faith Technologies a detailed diagram of any privately owned underground service lines or facilities. Customer is responsible for any damage occurring to unmarked or inaccurately marked privately owned service lines.
- Payments made by credit card will be subject to associated processing fees incurred by transaction.

COVID-19 Addendum

"The pricing on this quotation has been calculated based on current material rates. Due to the volatility of the commodities market, we reserve the right to increase our pricing as needed based on commodities market increase (and availability). The ongoing COVID-19 challenges have had a tremendous impact on industries across the world - the construction industry has certainly not been exempt. Although FTI remains hopeful conditions will fully stabilize in the near future, uncertainty still remains.

With that in mind, as a basis to proceed, notwithstanding anything to the contrary contained in our contract agreement, both parties understand and agree any project delays, suspensions or terminations, whether foreseeable or not, which occur on the project and are not due to the fault or negligence on our part, shall allow us compensation for our demobilization and remobilization costs, along with payment for work performed up to the date of the delay, to include our committed costs we can't cancel, and other costs incurred due to the suspension or termination, and to include overhead and profit. Any delays over a consecutive 30-day period, given the uncertainty of a restart, FTI will require payment of any retainage withheld to date.

FTI will do everything possible to mitigate extra costs but want to make certain we are able to capture costs for our efforts expended on any project. "

Warranty: Faith Technologies will provide warranty support for our installation and craftsmanship for a period of one year. Any work performed outside of the previously defined scope options will be performed on a time and materials basis.

Initial acceptance of desired options below, sign and return.

Valley Transit Alt Bid Number A7: Security

NTE

\$62,715.00

(Initial here) _____

ACCEPTANCE OF PROPOSAL the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorizing Faith Technologies, Inc. to do the work as specified. Payment terms are net 30 days after date of invoice. Customer Acknowledges receipt of Faith Technologies Standard Terms and Conditions.

PO#: _____

Printed Name: _____

Title: _____

Signature: _____

Date of Acceptance: _____

Please email signed contracts to **Chris Schwanke** at chris.schwanke@faithtechinc.com
Confidential, do not distribute without the prior written consent of Faith Technologies, Inc.

Resolution #15-R-23

Resolution for a downtown parking facility and management study

Submitted By: *Aldersperson Doran – District 15*

Date: *December 6, 2023*

Referred To: *Municipal Services Committee*

Whereas downtown parking is an important component to support local businesses and provide downtown visitors adequate places to park; and,

Whereas the City of Appleton Department of Public Works currently maintains and operates three parking ramps providing roughly 2,700 parking stalls for permit and hourly parking, about 700 on-street metered parking stalls, three public skywalks and two surface lots; and,

Whereas the City of Appleton Department of Public Works has a desire to optimize best practices for publicly-owned parking assets and analyze the value and condition of said assets; and,

Whereas operating municipal parking utilities are a fiscal challenge and municipalities around the country have, for a variety of reasons, sold municipally-owned parking ramps, or leased ramps and on-street parking stalls to private management companies to generate much needed one-time and on-going revenues; now

Therefore be it resolved that the Appleton Common Council directs city staff to prepare a request for proposals to develop a parking facility strategic plan, to include a study to assess the value and conditions of the city's publicly-owned parking assets, to look at best management practices and options, including the sale or lease of parts or all of the parking utility, and to develop a downtown marketing and promotional campaign.

**Resolution #15-R-23
as Amended by Substitution**

Resolution for a downtown parking facility and management study

Submitted By: *Aldersperson Doran – District 15*

Date: *December 6, 2023*

Date Revised: *January 8, 2024*

Referred To: *Municipal Services Committee*

Whereas downtown parking is an important component to support local businesses and provide downtown visitors adequate places to park; and,

Whereas the City of Appleton Department of Public Works currently maintains and operates three parking ramps providing roughly 2,700 parking stalls for permit and hourly parking, about 700 on-street metered parking stalls, three public skywalks and two surface lots; and,

Whereas the City of Appleton Department of Public Works has a desire to optimize best practices for publicly-owned parking assets and analyze the value and condition of said assets; and,

Whereas operating municipal parking utilities are a fiscal challenge and municipalities around the country have, for a variety of reasons, sold municipally-owned parking ramps, or leased ramps and on-street parking stalls to private management companies to generate much needed one-time and on-going revenues; now

Therefore be it resolved that the Appleton Common Council directs city staff to prepare a request for proposals to develop a parking facility strategic plan, to include a study to assess the value and conditions of the city's publicly-owned parking assets, to look at best management practices and options, and to develop a downtown marketing and promotional campaign.